**SLAB-2019-02 APPENDIX 1**

**Guide to the SLAB Operation Performance Overview Report (SOPOR)**

**STRUCTURE**

Information is grouped by operational area and type of measure. The top half reports on Applications areas: Civil; Summary Criminal; Solemn Criminal and Children’s, and the bottom half on Accounts areas.

The reporting period structure is split between:

* the current 3 month reporting period, i.e. the average of the last 3 months and;
* the average of the same period one year ago.

In civil we are reporting on all case types except Adults with Incapacity cases. These are very high in volume and we take decisions on these in a much shorter timescale because the statutory tests are more straightforward. These are not included to avoid a disproportionate impact on performance statistics.

In Criminal we report on summary and solemn cases separately: SL = Solemn cases; SC= Summary cases.

**DESCRIPTION OF MEASURES IN SOPOR**

All measures are calculated for the most recent 3 month period. This is compared with the same 3 month period a year ago to provide a benchmark. Comparing against a year ago removes seasonal effects.

**Duration**

The key duration shown for applications is the average time, in calendar days, from receipt of a main legal aid application by SLAB, to when we take the first official decision on it. This duration includes all weekends and holidays. It also includes any period where we are asking the solicitor, or applicant, for more information to help us take the decision.

This indicator measures both the workflow performance of SLAB but also the degree to which solicitors and applicants are managing to provide all necessary information. Simply put **lower** is better.

In accounts the first instance duration is a very similar measure – it is from registration of the account to the date payment is received into the solicitor’s bank account. It is in calendar days and again includes any period where we are asking the solicitor for more information to help us assess the account.

The negotiation duration is the same measure but for accounts that are follow-up accounts to negotiate sums that we have abated from initial accounts.

**Grant / paid in full rate**

The first official decision on a legal aid application can be one of 3 main types: grant; refuse; or not consider due to lack of information. The percent granted measure is the number of grants divided by (i.e. indexed) by the total number of first decisions in the period and expressed as a percentage.

This indicator measures the effectiveness with which SLAB and the profession are facilitating solicitors to make appropriate and complete applications. Simply put **higher** is better.

In accounts the equivalent measure is the percent of accounts that we are able to pay all that solicitors are claiming, i.e. without abating them.

‘Abatement’ describes the process by which the amount paid by SLAB includes one or more deductions from the amount claimed by a solicitor. This can occur for many different reasons. Subsequent negotiations with firms can result in part or all of the sum abated being reinstated, often because we are provided with further information that allows us to be satisfied that a claim is valid or reasonable. This can be additional information (such as vouching) to support a claim, or an explanation to justify a particular activity which had appeared to us on the face of it to be unnecessary, unreasonable or uneconomical.

SLAB needs to protect the Legal Aid Fund from unjustified expenditure; however this needs to be undertaken in a manner that is seen to be fair, transparent and done in a consistent and efficient manner.

Ultimately we will be using the information on what we finally pay against, the original lodged amount and the initial payment to understand how we can ensure more could be paid at the first instance.

**Ratio of Further Work (Negotiation) to First Decision (First Instance)**

In applications this indicator is the number of cases requiring further work divided by the total number of first decisions in the period and expressed as a percentage. In accounts it is the number of negotiation accounts paid compared with the number of first instance accounts.

This indicator measures a number of different key elements of the process:

1. the effectiveness with which SLAB is getting correct applications/accounts in the first instance;
2. that SLAB is making correct decisions;
3. the effectiveness with which SLAB is communicating those decisions.

Poor performance in any of those areas could result in an increase in this ratio. Simply put **lower** is better.