



Findings from the 2016/17 survey of civil legal aid solicitors

The Scottish Legal Aid Board (SLAB) undertook an online survey of solicitors delivering civil legal assistance. This short report presents the findings from that survey.

Introduction

Why we needed the research

1. The aims of the 2016/17 survey were to explore solicitor satisfaction with SLAB services, in order to give us a baseline of satisfaction. We used guidance on the drivers of satisfaction on public services to help develop the survey questions.¹ The guidance identified 5 key drivers of satisfaction as: ‘delivery’, ‘timeliness’, ‘information’, ‘professionalism’ and ‘staff attitude’. These are reflected in the analysis below.
2. We have undertaken solicitor surveys in the past, most recently in 2010 and 2013. The focus of these was much wider than the current survey; including collecting information on business structures and the supply of, and demand for, civil legal aid services across Scotland. A limited number of questions on satisfaction were asked in previous years. There are significant differences in methodology, question wording and sampling strategy between now and then. This means that we cannot make reliable comparisons between the 2016/17 survey and earlier surveys.

How the research was carried out

3. The online questionnaire was developed in-house. The survey was open from 21 November 2016 to 10 January 2017. An invitation to take part was sent to all 1290 solicitors who had applied for civil legal aid or submitted an Advice & Assistance (A&A) intimation between 1 October 2015 and 30 October 2016 and for whom we had a valid email address.
4. Prior to sending the invitation solicitors were categorised by the research team depending on how many civil legal aid applications and civil advice & assistance (A&A) intimations they had submitted during the 12 month period. The basis for the groups was the evidence from SLAB’s data that 20% of practitioners do 80% of the work. For A&A, 20% of solicitors made an average of 6 or more intimations per month. For civil legal aid, 26% of solicitors made an average of 2 or more applications per month.
5. Solicitors were put into the following groups:
 - Group 1: 166 people made 2 or more applications and 6 or more intimations monthly;
 - Group 2: 186 made 2 or more applications and fewer than 6 intimations monthly;
 - Group 3: 98 made fewer than 2 applications and 6 or more intimations monthly;
 - Group 4: 841 made fewer than 2 applications and fewer than 6 intimations monthly.

¹ “The Drivers of Satisfaction with Public Services”, Cabinet Office for the Office of Public Services Reform. 2004.

6. The overall response rate was 12% (157 people); with the highest response from group 2 (17% - 31 people) and the lowest from group 4 (10% - 88 responses). The analysis of the responses has been weighted to reflect the make up of the civil solicitor population (based on the above groupings) in the time period used.
7. The survey consisted of 9 'closed' (tick box) questions and 1 open question. The closed questions asked solicitors to rate their satisfaction or agreement with statements about SLAB services to solicitors. Most of the closed questions were multipart, meaning that SLAB was rated on a total of 32 measures.
8. The ratings were from 1 to 5, with 1 indicating 'completely dissatisfied' or 'completely disagree' and 5 'completely satisfied' or 'completely agree'. There was also a 'don't know' option. The open question asked solicitors for their comments on SLAB processes and procedures.
9. The Research Team at SLAB were responsible for analysing and reporting on the findings. 'Positive' satisfaction or agreement ratings in the following analysis use the combined response ratings of '4' and '5', 'negative' satisfaction or agreement ratings use the combined response ratings of '2' and '1'. A response of '3' can be interpreted as neutral or having no strong views.
10. The findings presented below use percentages based on weighted figures. Weighting was used to help adjust for lower response rates amongst some of the groups of solicitors. This will help us make more reliable comparisons from surveys in the future. These findings also incorporate context and interpretation, this was gathered from within SLAB during presentation and action planning sessions based around the survey findings. These took place during March 2017.

Findings

Overview

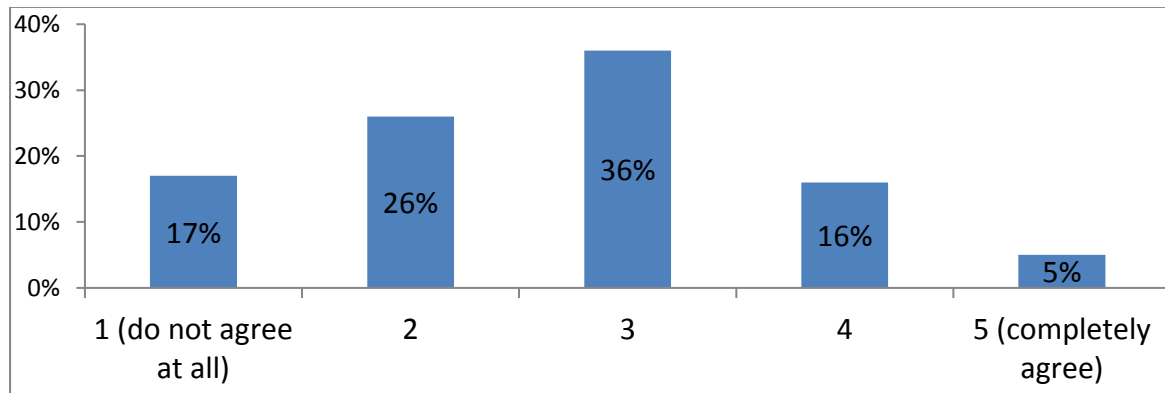
12. The research showed that solicitors are most satisfied with the service offered by SLAB staff, and least satisfied with timeliness elements of the service.
13. There was also dissatisfaction with various other aspects of service delivery; for instance a perceived lack of consistency on decisions, which was a key issue alongside timeliness.
14. Comments made by solicitors supplied detail and clarity; they included suggestions for improvement as well as describing the perceived impact on applicants and solicitors themselves. The suggestions for improvements will be considered, either through forthcoming system and process change projects, or as part of on-going improvement work.
15. SLAB encourages any solicitors with specific problems with Legal Aid Online (LAOL), or suggestions for improvement to LAOL, to give details through the legal Aid Online feedback form. This allows SLAB to prioritise and resolve problems. It also enables SLAB staff to contact solicitors directly if needed, for instance to get more information about an issue.

Delivery

17. Quality of service delivery has been shown to be the most important factor in driving satisfaction among users of public services. Many questions in the civil solicitors' survey (13 out of 32) were about service delivery.
18. In general, solicitors were more positive about measures in relation to the A&A/ABWOR process compared with those in relation to the civil legal aid process.
19. Over two-thirds of solicitors responding to the survey were dissatisfied with the consistency of decisions on civil legal aid applications and accounts. This finding has been shared within SLAB.
20. Forty-one percent of respondents were positive about the ease of navigating legal aid online (LAOL). The open-ended comments highlighted some specific and general difficulties solicitors had experienced when using LAOL. These have been shared with the appropriate departments within SLAB.
21. The majority of solicitors felt that SLAB provides a poor service for civil legal aid applicants. However, this is not widely reflected in the 2016/17 survey of applicants for civil legal aid, which can be downloaded from <https://www.slab.org.uk/about-us/what-we-do/research/stakeholder/>. It may reflect different expectations from solicitors and applicants.
22. Reflecting the closed questions, lack of consistency was a key theme from solicitor comments. Some solicitors described the negative effect that they felt this had on their relationship with SLAB. Solicitors also commented about how the set-up of the civil legal aid process impacts on delivery. Key themes around this included perceived bureaucracy and additional work for solicitors required by the structure of the process.

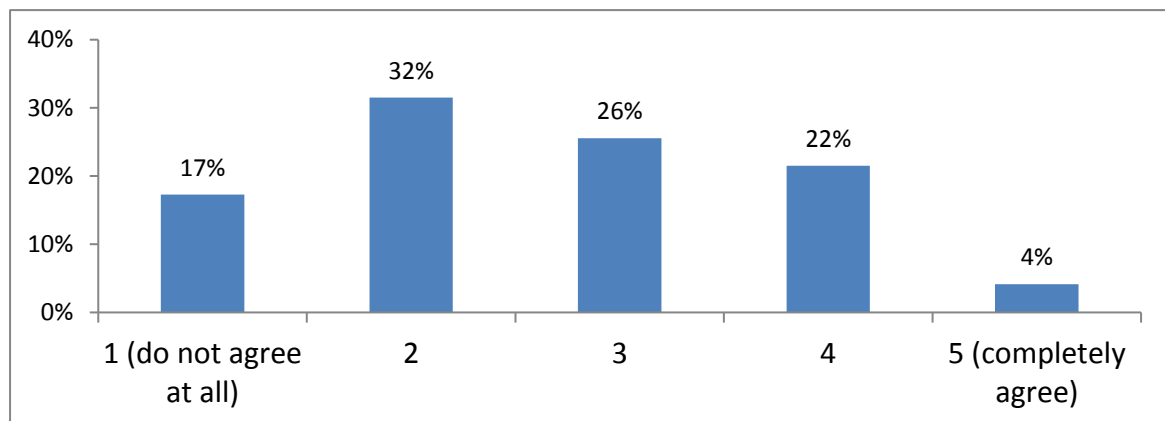
Responses to 'delivery' questions

Question 1 - How far do you agree that SLAB manages the statutory civil legal assistance system (including civil legal aid, ABWOR and A&A) effectively? (Fig. 1)



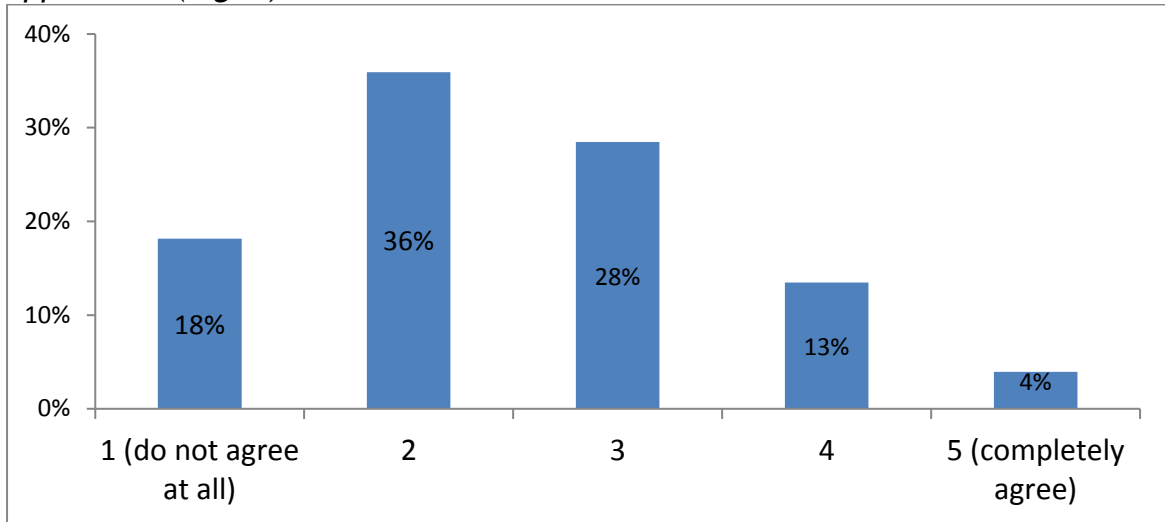
Total number of responses: 155

Question 2a - How far do you agree that SLAB tries to improve the operation of civil legal aid? (Fig. 2)



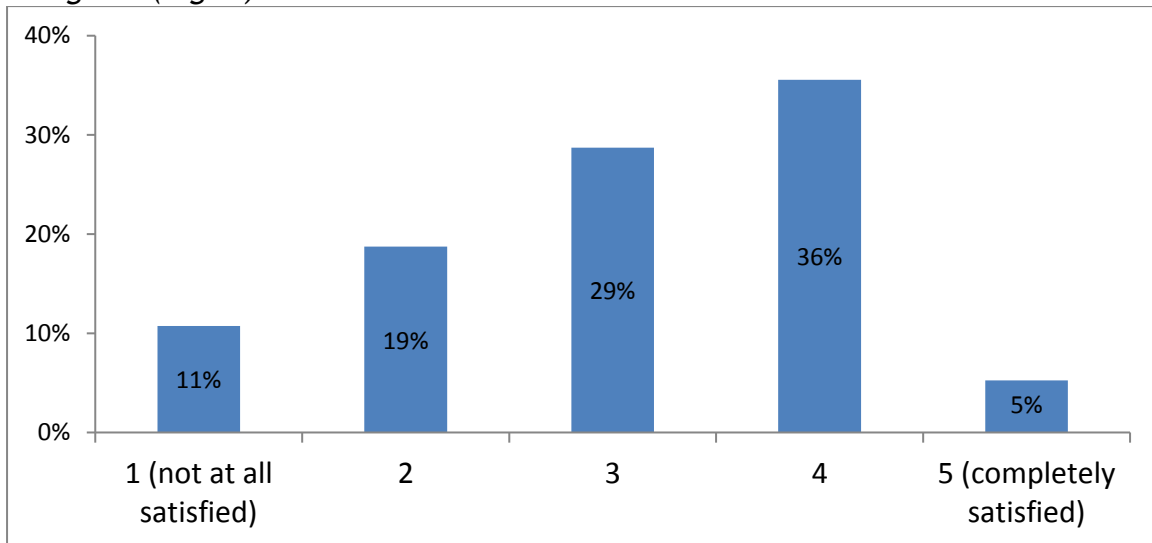
Total number of responses: 144

Question 2b - How far do you agree that SLAB provides a good service for applicants? (Fig. 3)



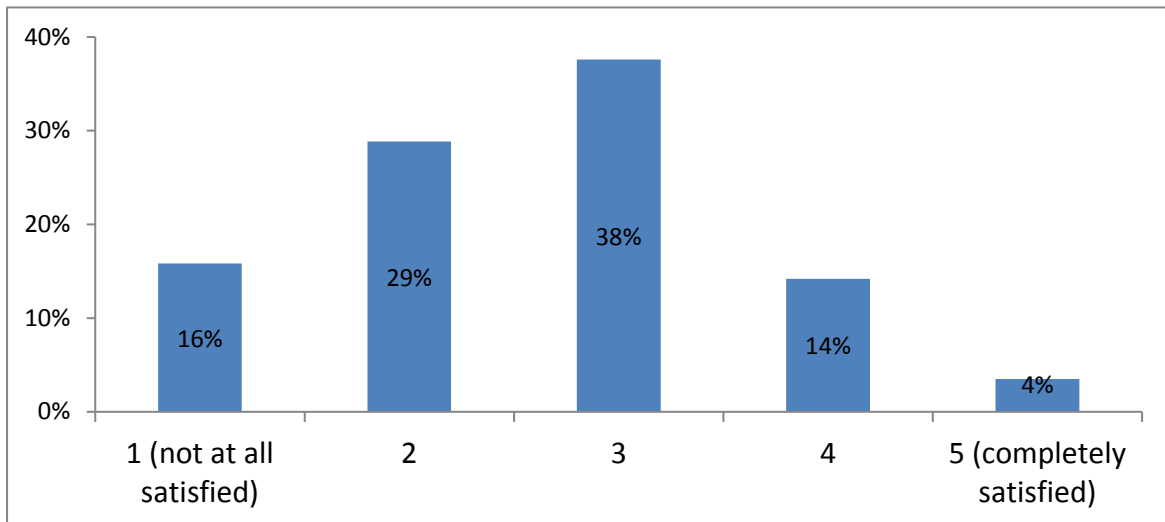
Total number of responses: 143

Question 3a - How satisfied are you that Legal Aid Online (LAOL) is easy to navigate? (Fig. 4)



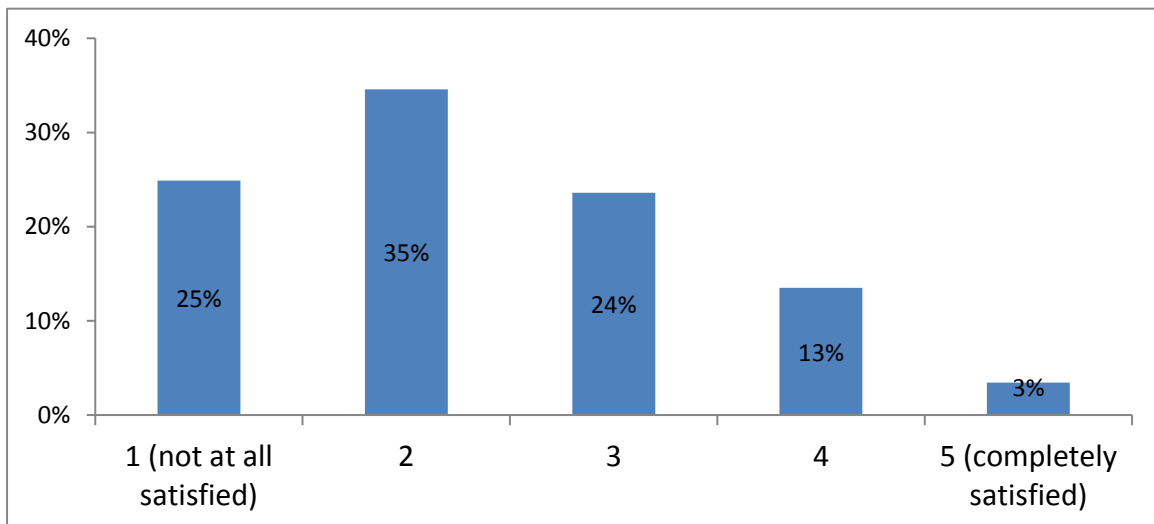
Total number of responses: 147

Question 4b - In general how satisfied are you with how easy it is to navigate guidance on applications? (Fig. 5)



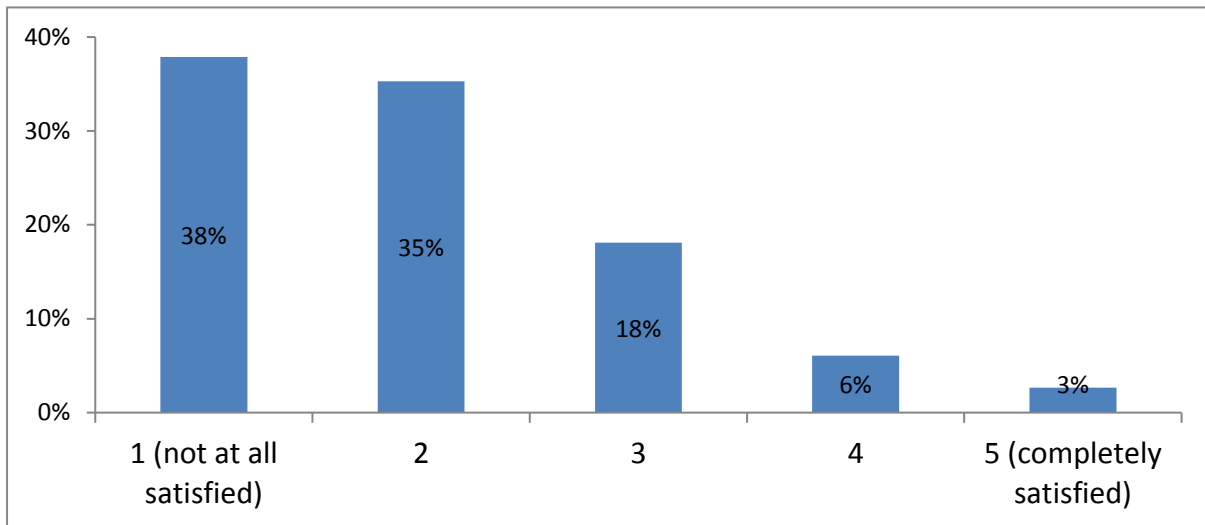
Total number of responses: 137

Question 5a - In general how satisfied are you with the efficiency of the civil legal aid applications process? (Fig. 6)



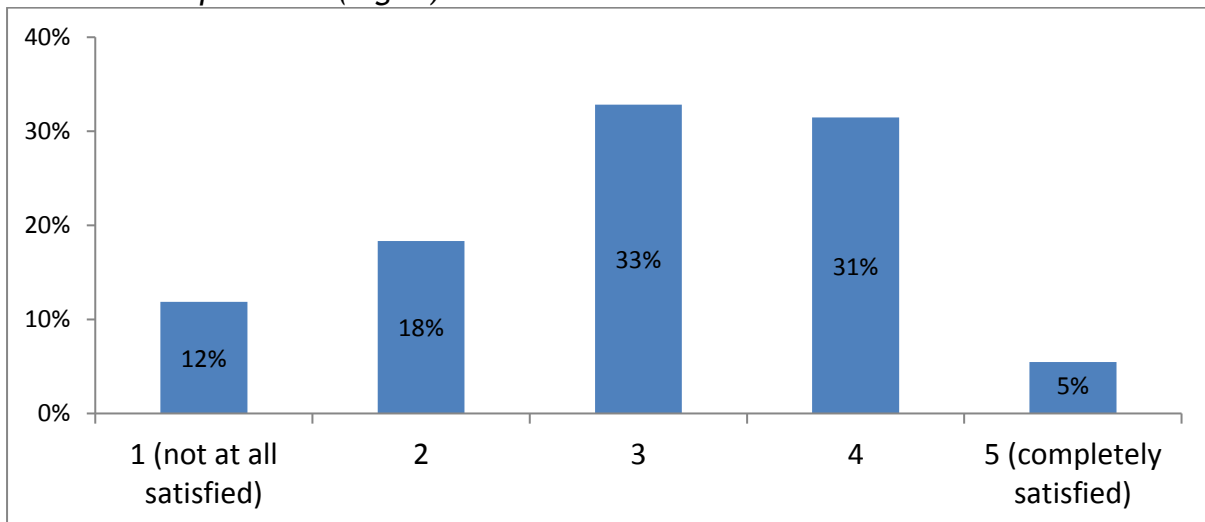
Total number of responses: 136

Question 5d - In general how satisfied are you with how consistent decisions on civil legal aid applications are? (Fig. 7)



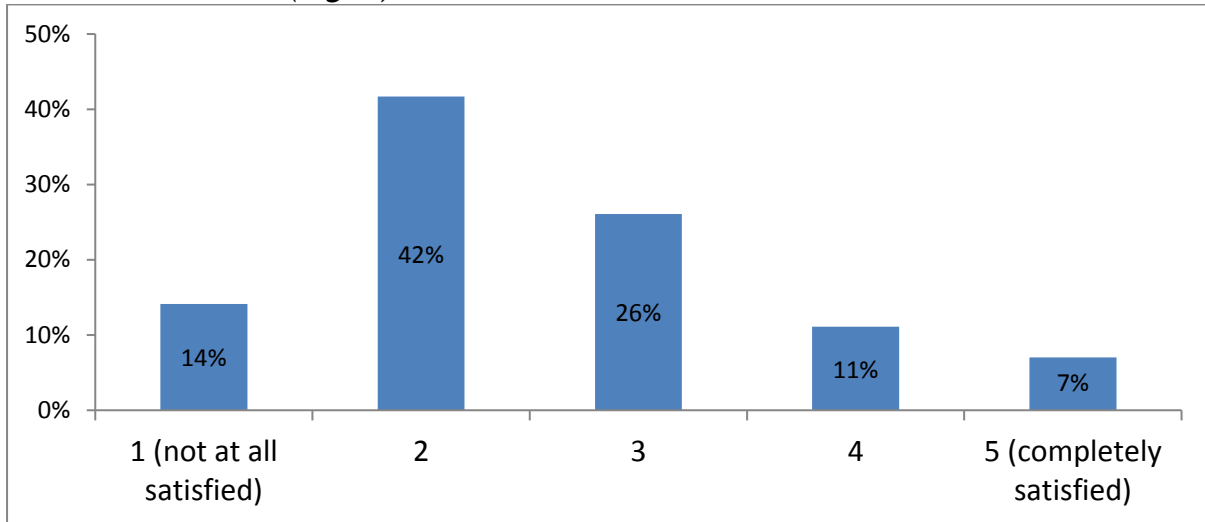
Total number of responses: 134

Question 6a - In general how satisfied are you with the efficiency of the A&A/ABWOR process? (Fig. 8)



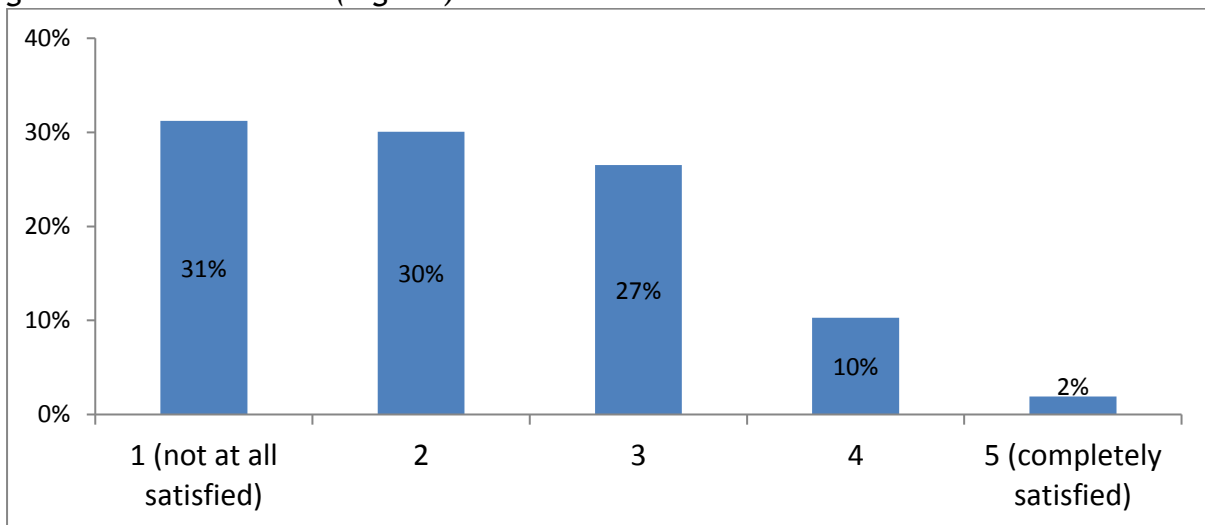
Total number of responses: 134

Question 6c - In general how satisfied are you with how consistent decisions on A&A / ABWOR are? (Fig. 9)



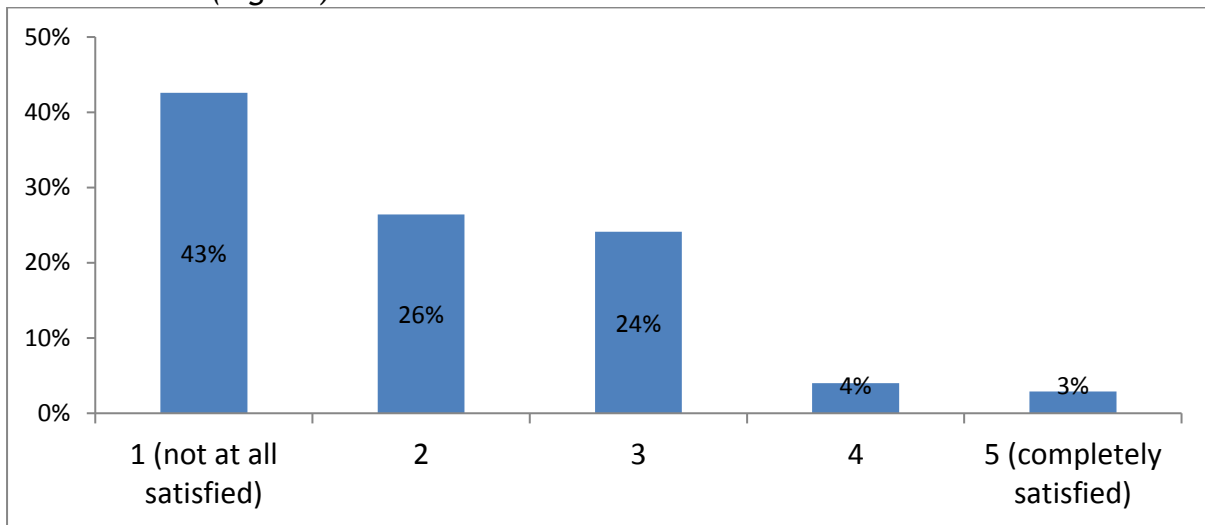
Total number of responses: 133

Question 7c - In general how satisfied are you with the ease of navigating guidance on accounts? (Fig. 10)



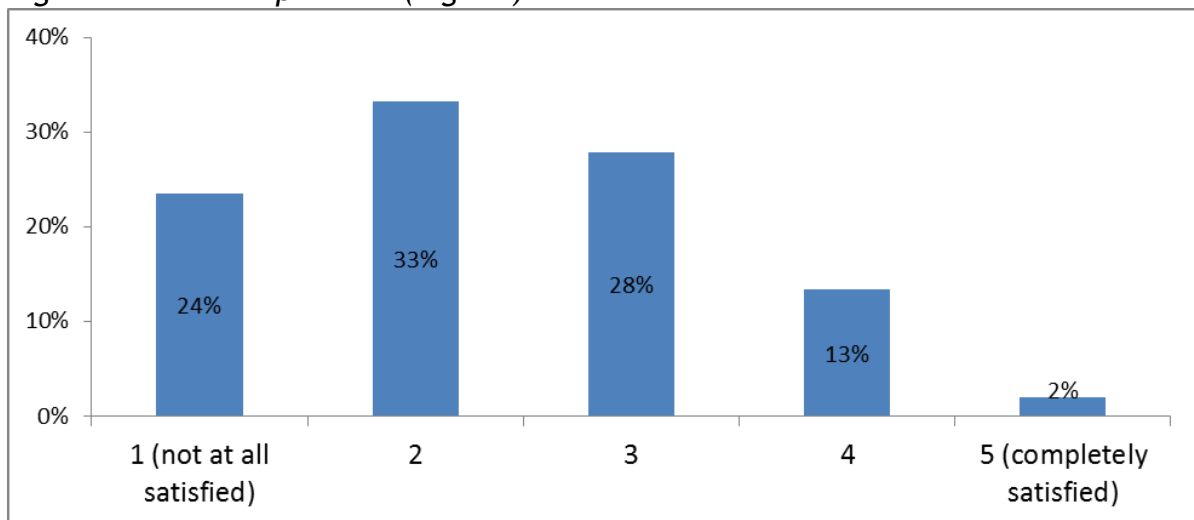
Total number of responses: 121

Question 7e - In general how satisfied are you with how consistent decisions on accounts are? (Fig. 11)



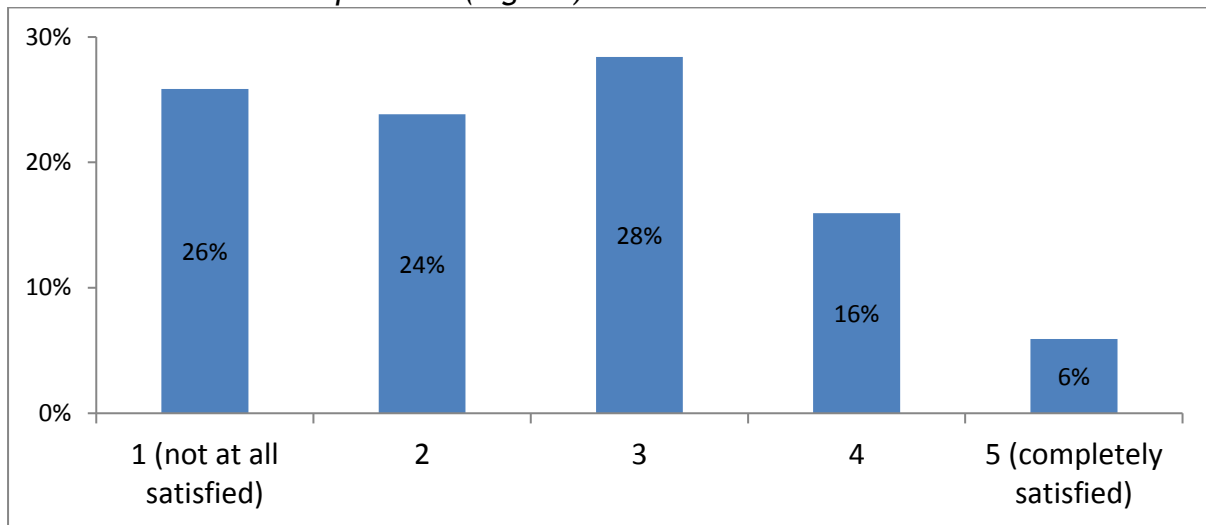
Total number of responses: 124

Question 8a - In general how satisfied are you with the efficiency of the civil legal aid accounts process? (Fig. 12)



Total number of responses: 121

Question 9a - In general how satisfied are you with the efficiency of the A&A/ABWOR accounts process? (Fig. 13)



Total number of responses: 121

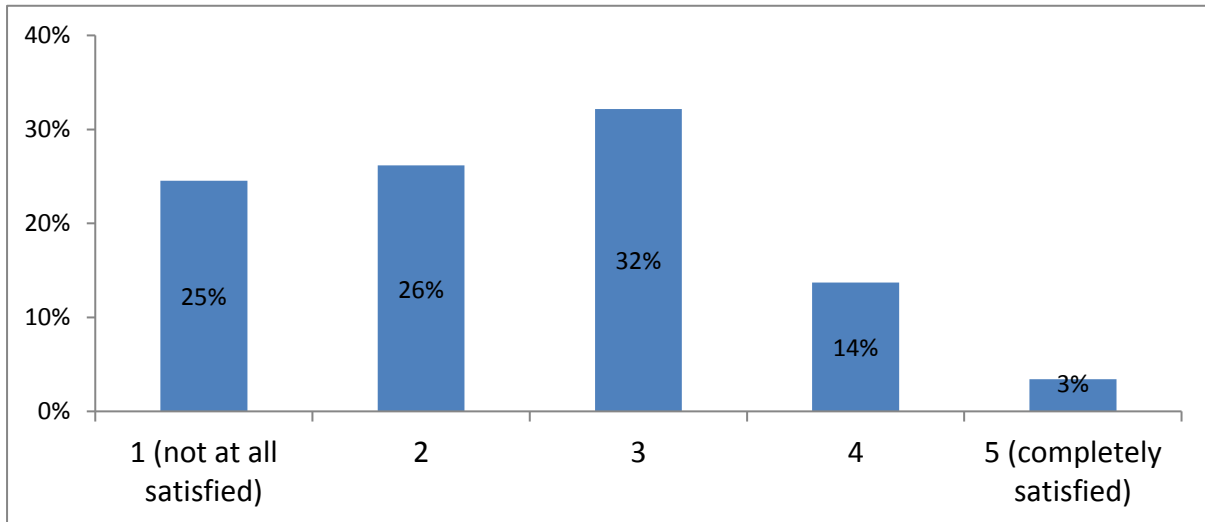
Timeliness measures

24. The research confirms the importance of SLAB's focus on timeliness. Solicitors were asked to rate their satisfaction on speed of decisions and number of interactions on A&A/ABWOR or civil legal aid applications and accounts. Over half of respondents rated themselves 'dissatisfied' on 6 out of the 7 timeliness measures. The exception to this was 'number of interactions on A&A/ABWOR' (Fig. 16), where the largest group (43%) had no strong views (rating of '3'); even so, twice as many solicitors were dissatisfied than were satisfied on this measure.

25. Some solicitors commented on overall time taken on applications, and the negative effect they felt this had on applicants. They also described how processes seen as bureaucratic caused solicitors to spend additional time (compared with the private client process) at both the applications and accounts stages.

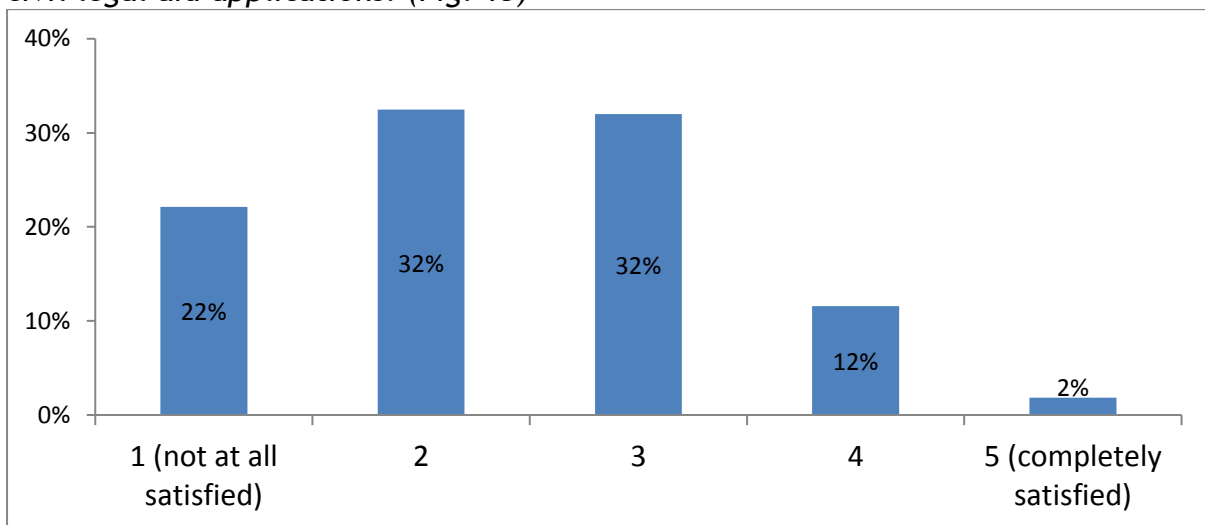
Responses to 'timeliness' questions

Question 5b - In general how satisfied are you with the speed of decisions on civil legal aid applications? (Fig. 14)



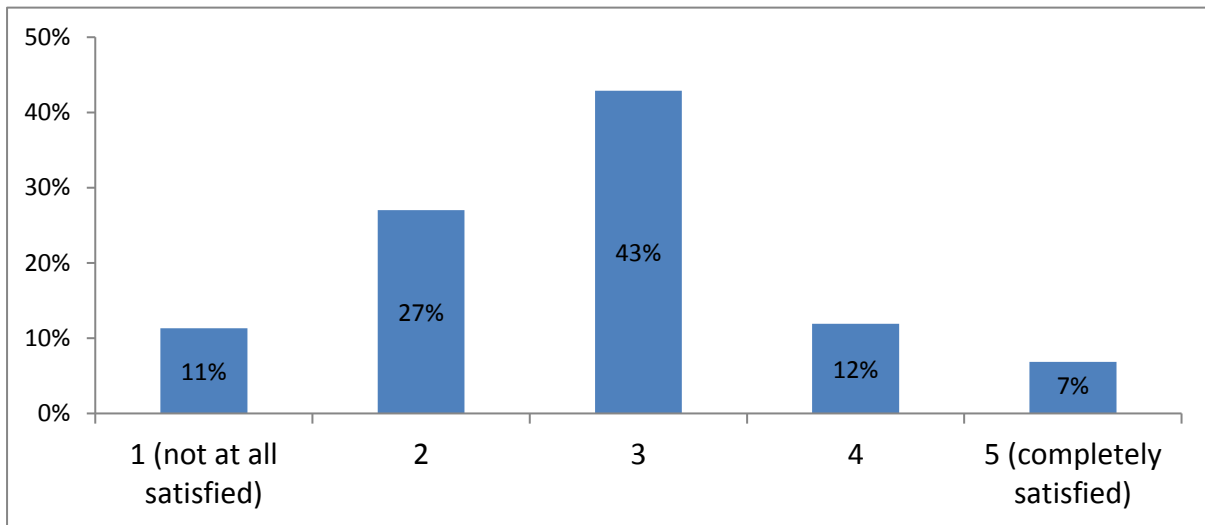
Total number of responses: 136

Question 5e - In general how satisfied are you with the number of interactions on civil legal aid applications? (Fig. 15)



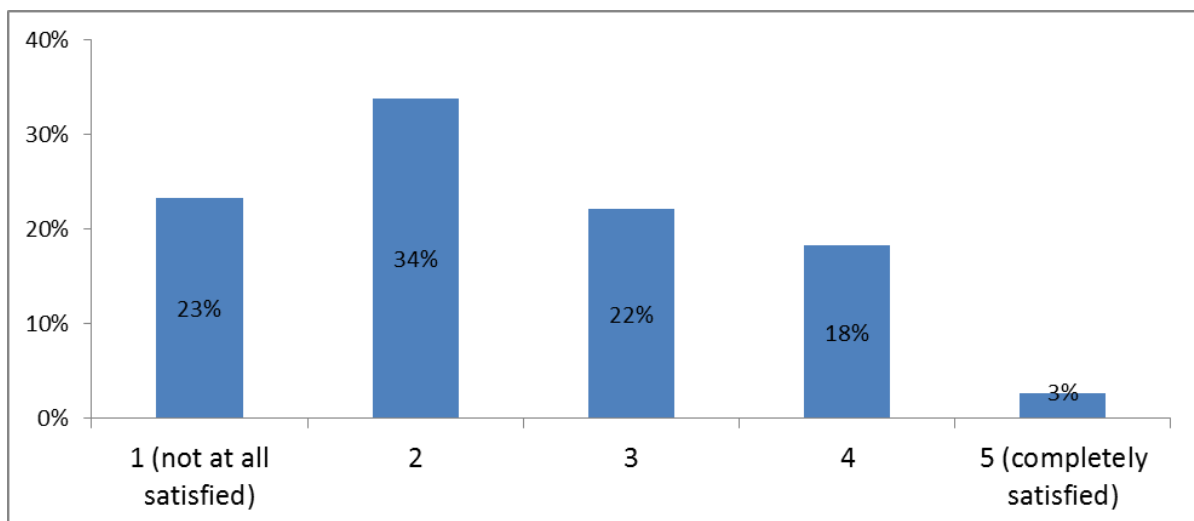
Total number of responses: 129

Question 6d - In general how satisfied are you with the number of interactions on A&A / ABWOR ? (Fig. 16)



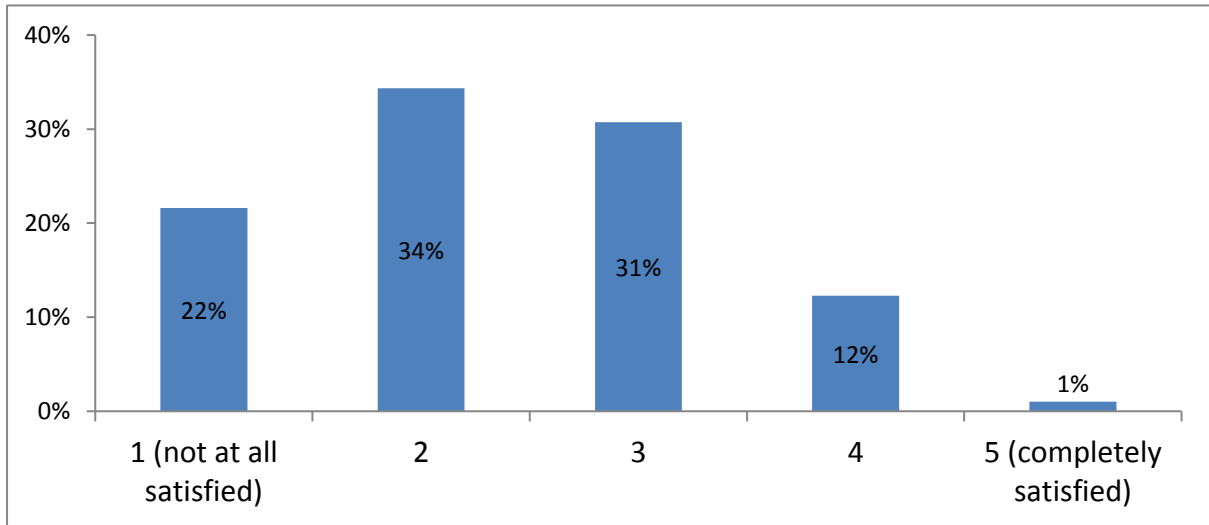
Total number of responses: 131

Question 8b - In general how satisfied are you with the speed of decisions on civil legal aid accounts? (Fig. 17)



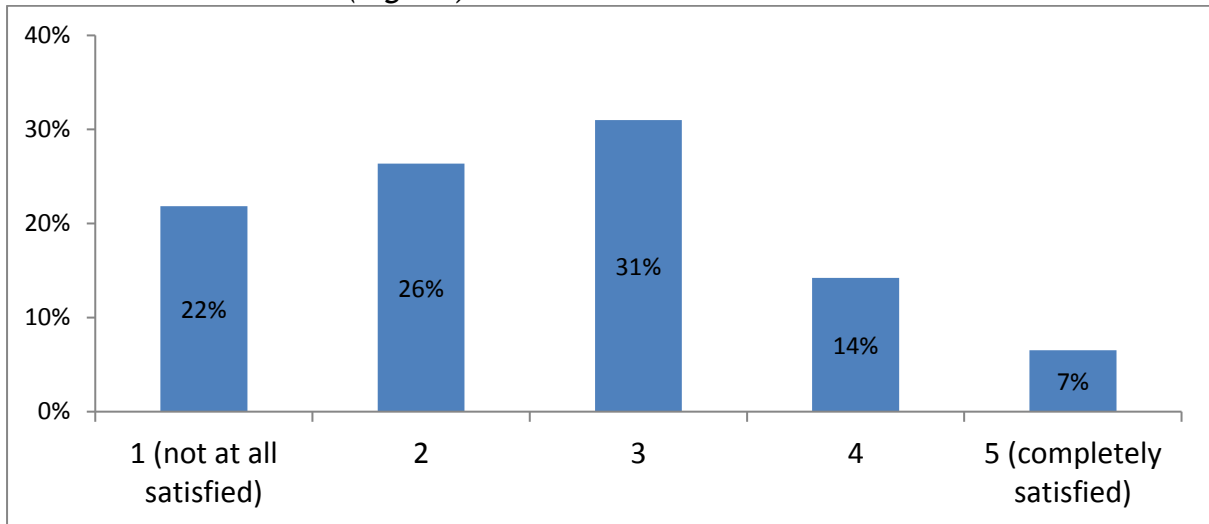
Total number of responses: 122

Question 8c - In general how satisfied are you with the number of interactions on civil legal aid accounts? (Fig. 18)



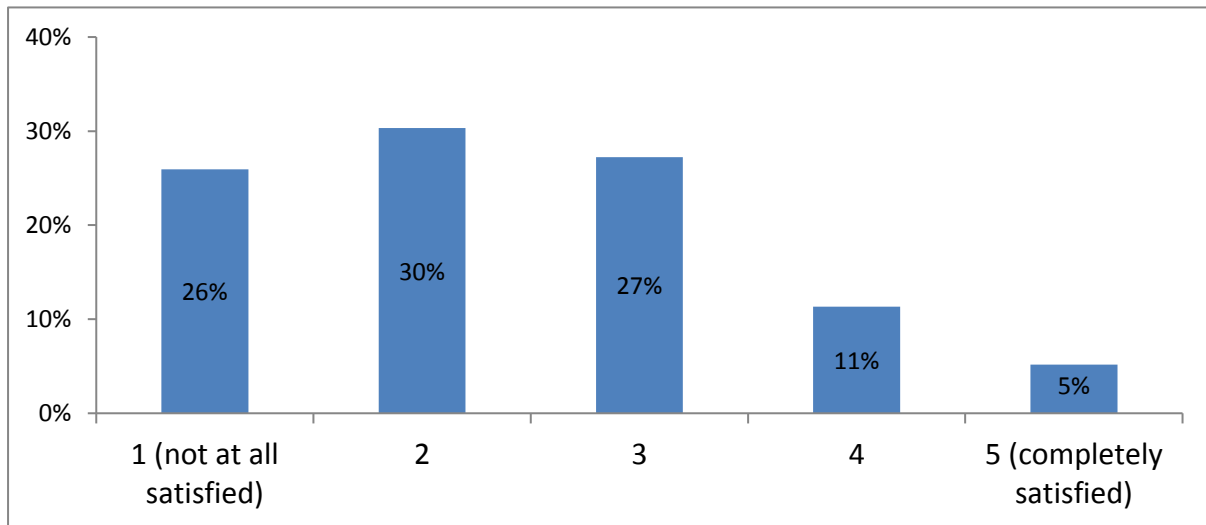
Total number of responses: 118

Question 9b - In general how satisfied are you with the speed of decisions on A&A/ABWOR accounts? (Fig. 19)



Total number of responses: 122

Question 9c - In general how satisfied are you with the number of interactions on A&A/ABWOR accounts? (Fig. 20)



Total number of responses: 118

Information

27. Solicitor views on information provision from the survey are less extreme than on delivery and timeliness. However they are still fairly negative, with solicitors rating themselves as ‘dissatisfied’ on 5 out of the 8 measures.

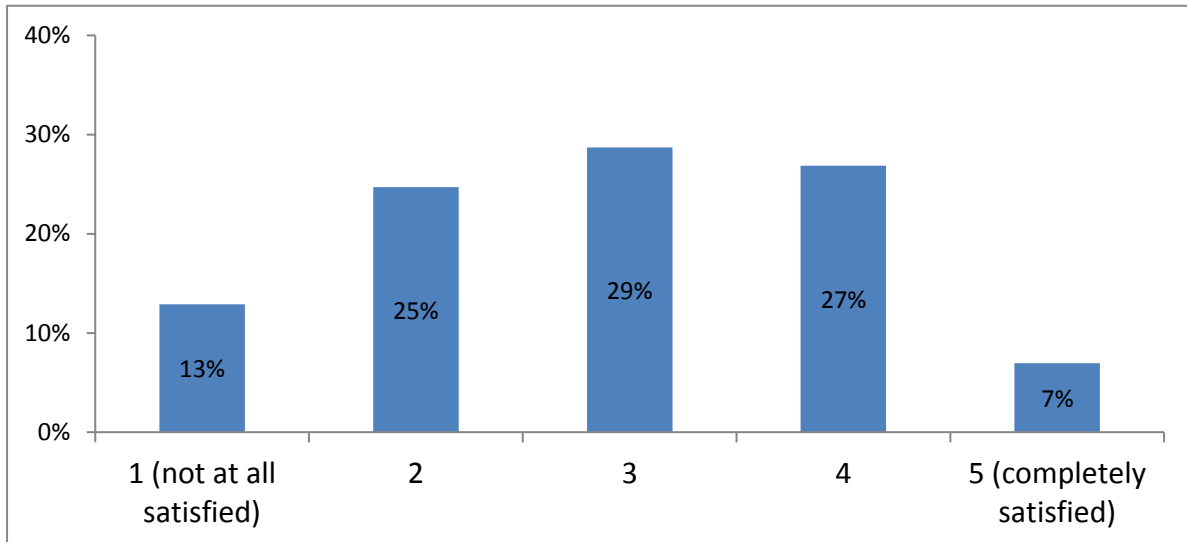
28. One overall measure of information provision, whether ‘SLAB uses the appropriate channels to deliver information on civil legal assistance’, was rated positively by 43%. However respondents were mainly negative or neutral on the helpfulness of guidance on applying for civil legal aid or granting A&A/ABWOR. Respondents were fairly evenly split on whether SLAB provides solicitors with comprehensive information on civil legal assistance, with a slightly greater proportion being negative (38%) than positive (34%).

29. Solicitors were least likely to be satisfied with clarity of information around decisions on accounts and civil legal aid applications. This is likely to be part of a related set of dissatisfactions with the consistency of decisions, discussed previously. This did not apply to such an extent to A&A/ABWOR; the largest proportion held no strong views around this, although the remaining responses were more frequently negative than positive.

30. Key themes from the comments about the written guidance covered the large amount of guidance, the perceived need for solicitors to have background knowledge in order to use it, as well as problems in finding what they were looking for within the guidance.

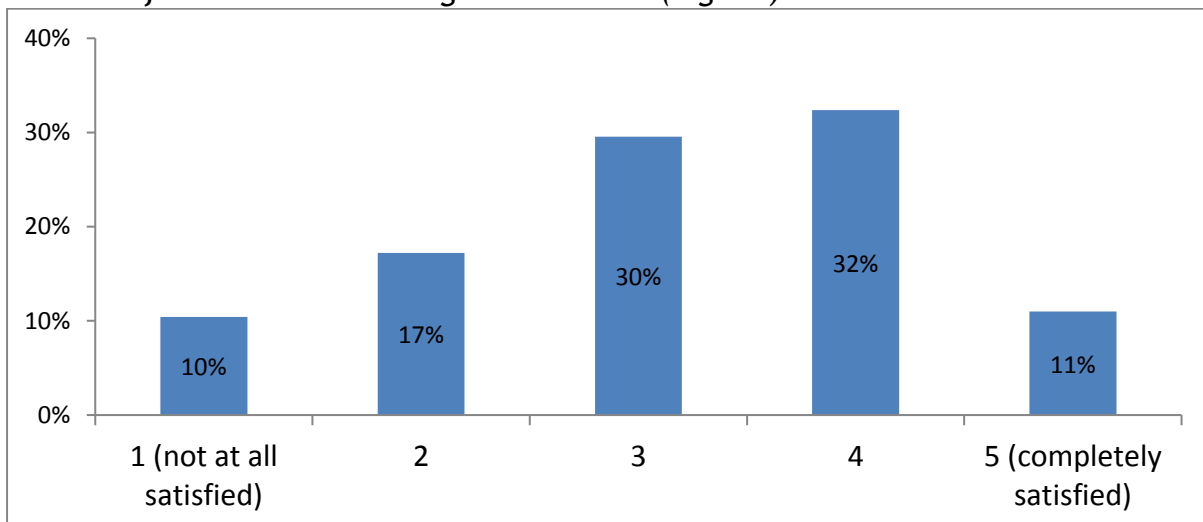
Responses to 'information' questions

Question 3b - How satisfied are you that SLAB provides solicitors with comprehensive information on civil legal assistance? (Fig. 21)



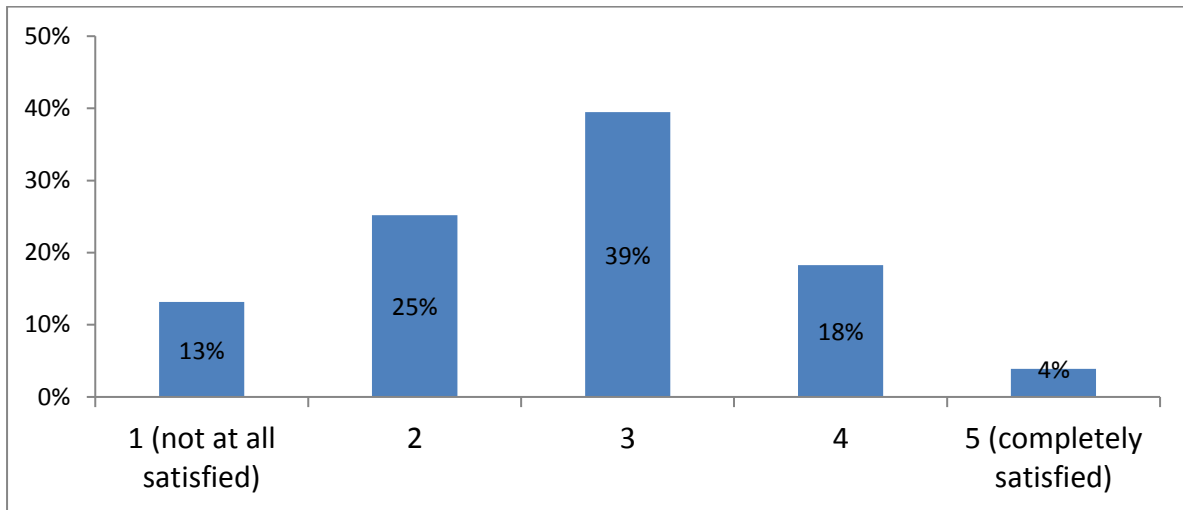
Total number of responses: 146

Question 3c - How satisfied are you that SLAB uses the appropriate channels to deliver information on civil legal assistance? (Fig. 22)



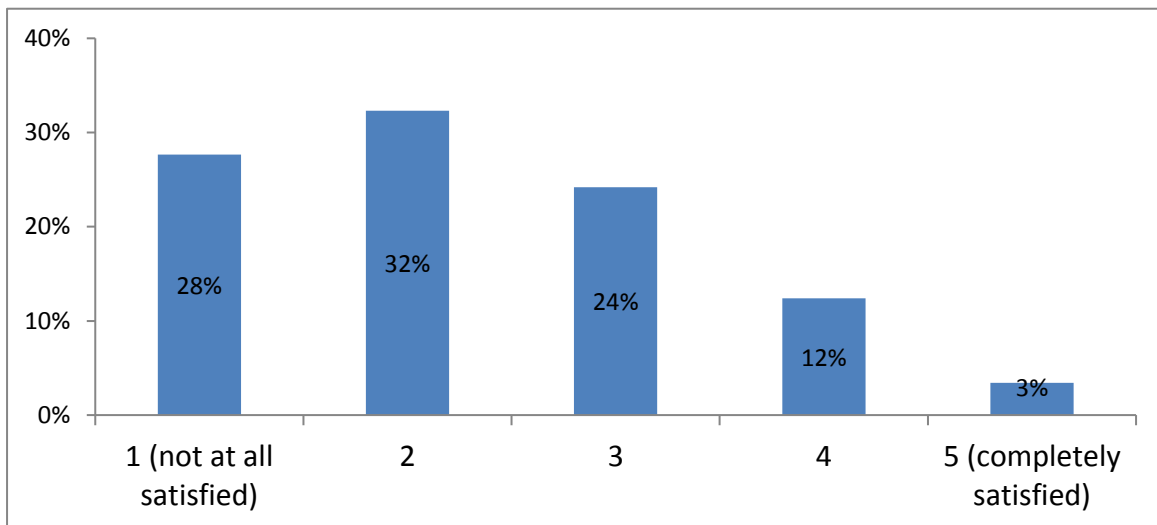
Total number of responses: 145

Question 4a - In general how satisfied are you with the helpfulness of guidance on applying for civil legal aid or granting A&A/ABWOR? (Fig. 23)



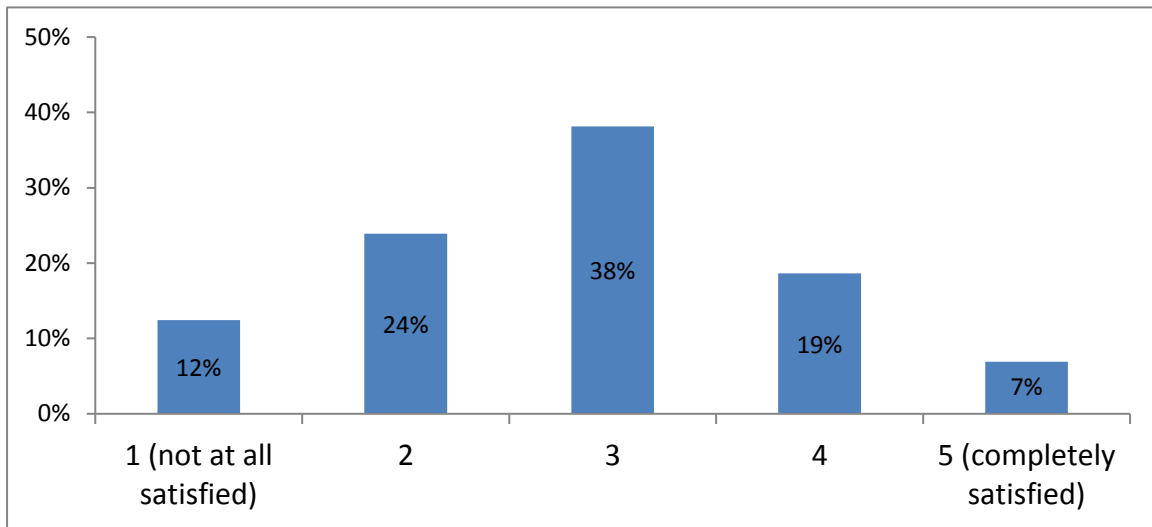
Total number of responses: 136

Question 5c - In general how satisfied are you with how clearly decisions on civil legal aid applications are explained? (Fig. 24)



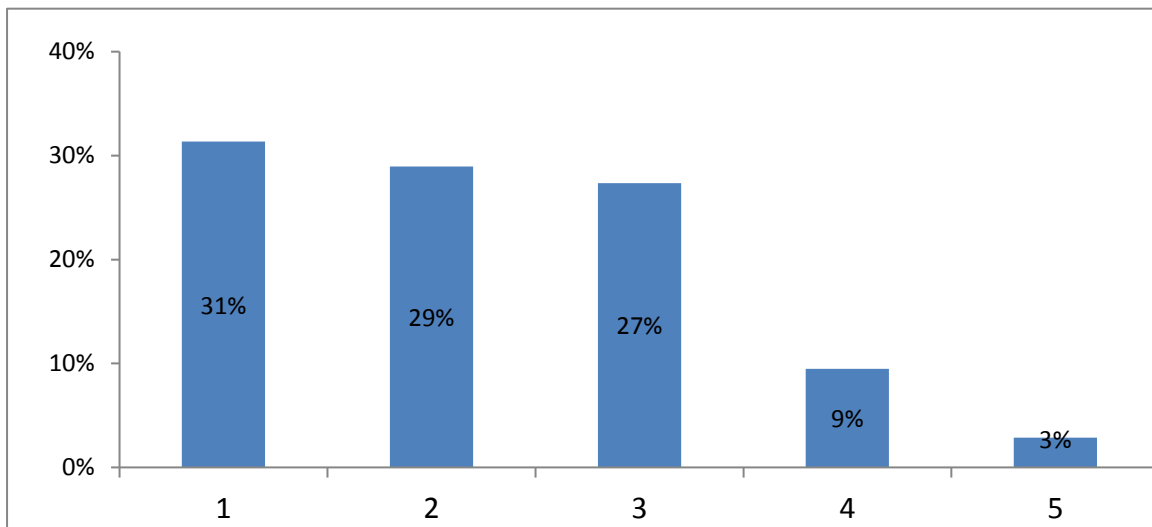
Total number of responses: 136

Question 6b - In general how satisfied are you with how clearly decisions on A&A/ABWOR are explained? (Fig. 25)



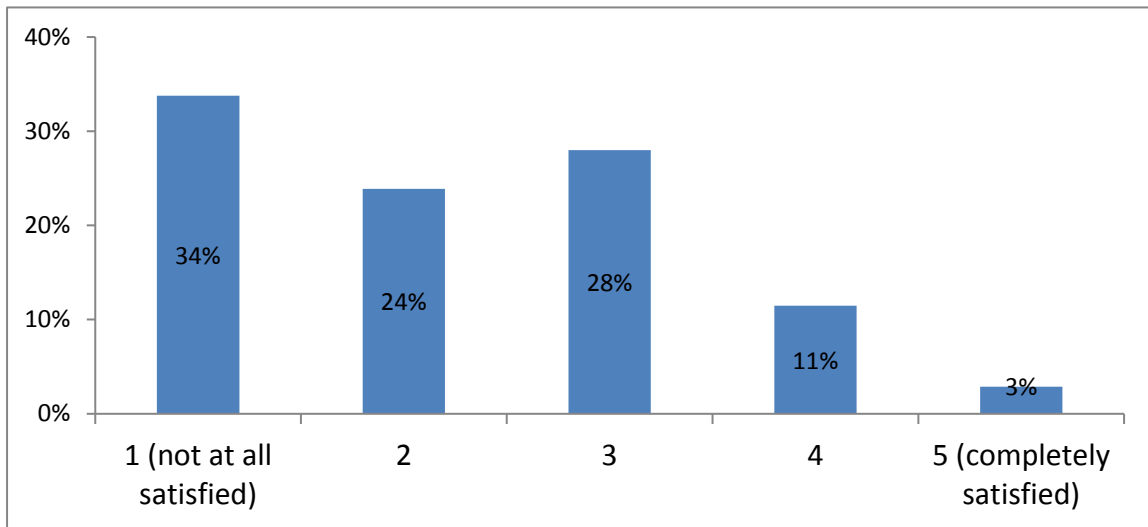
Total number of responses: 134

Question 7a - In general how satisfied are you with the helpfulness of guidance on accounts? (Fig. 26)



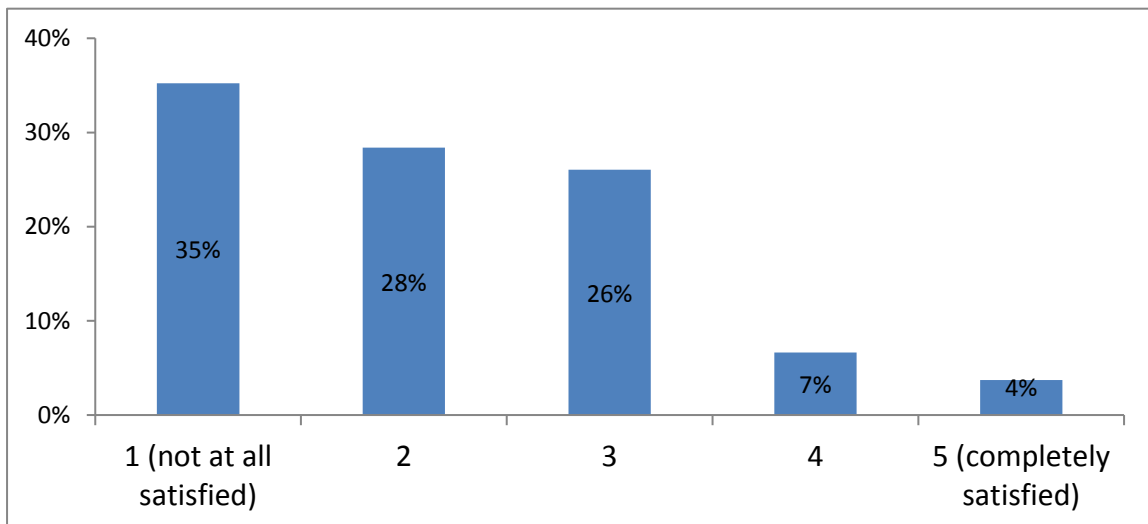
Total number of responses: 122

Question 7b - In general how satisfied are you with the way guidance on accounts is presented? (Fig. 27)



Total number of responses: 121

Question 7d - In general how satisfied are you with how clearly decisions on accounts are explained? (Fig. 28)



Total number of responses: 125

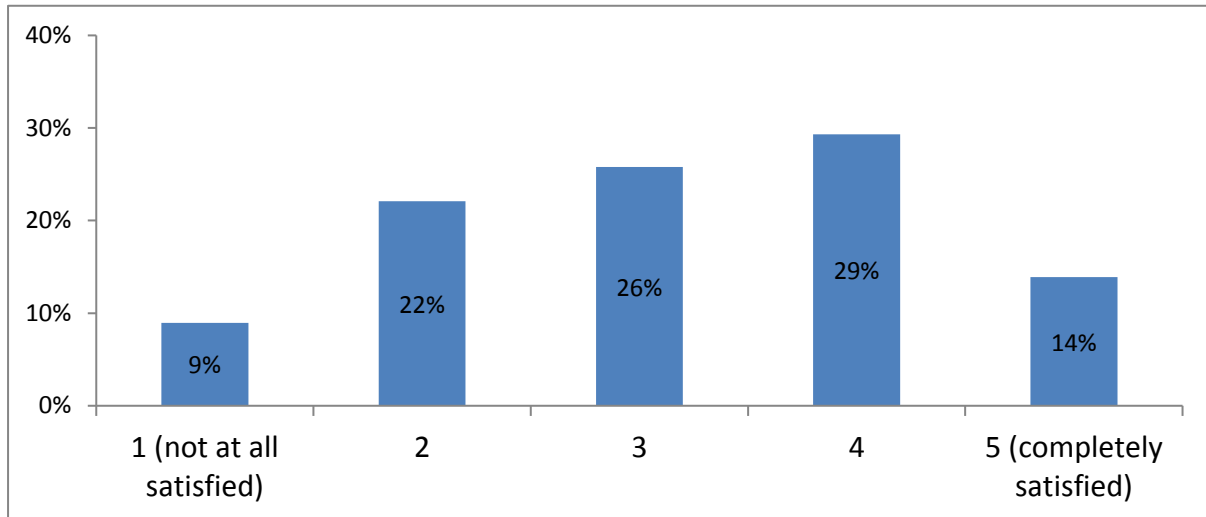
Professionalism

33. Overall, respondents to the civil solicitors' survey were more likely to be positive than negative that when problems do arise SLAB staff are generally able to assist. They were also positive about the quality of help provided by applications staff. More respondents were dissatisfied than were satisfied with the quality of help provided by accounts staff, with a large proportion having no strong views on this measure.

34. The solicitor comments expanded on their responses to questions about professionalism. These suggest that dissatisfaction with SLAB staff is most often in relation to two things. Firstly, staff lacking sufficient knowledge to respond definitively and, secondly, the impact of bureaucracy ("*the set-up*"), or lack of time, on the ability of staff to do their job.

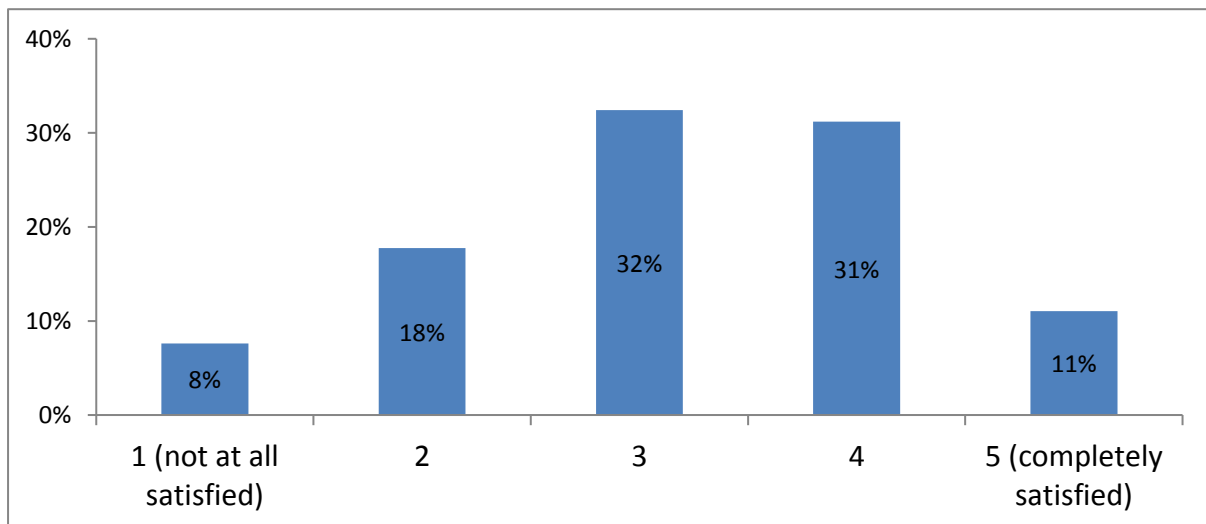
Responses to 'professionalism' questions

Question 3d - How satisfied are you that when problems do arise SLAB staff are generally able to assist? (Fig. 29)



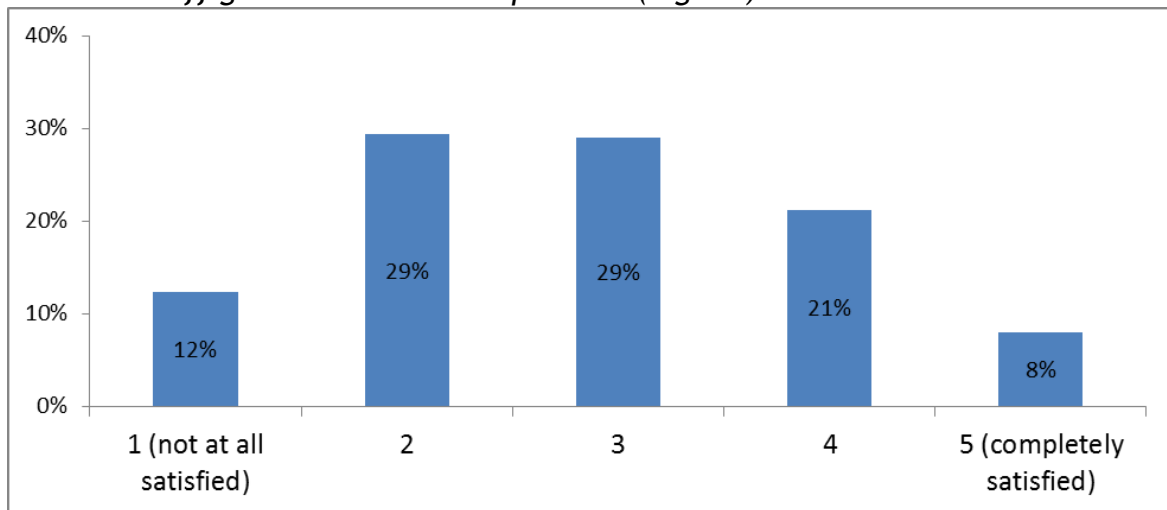
Total number of responses: 146

Question 4c - In general how satisfied are you with the quality of help SLAB applications staff give when this is requested? (Fig. 30)



Total number of responses: 132

Question 7f - In general how satisfied are you with the quality of help SLAB accounts staff give when this is requested? (Fig. 31)



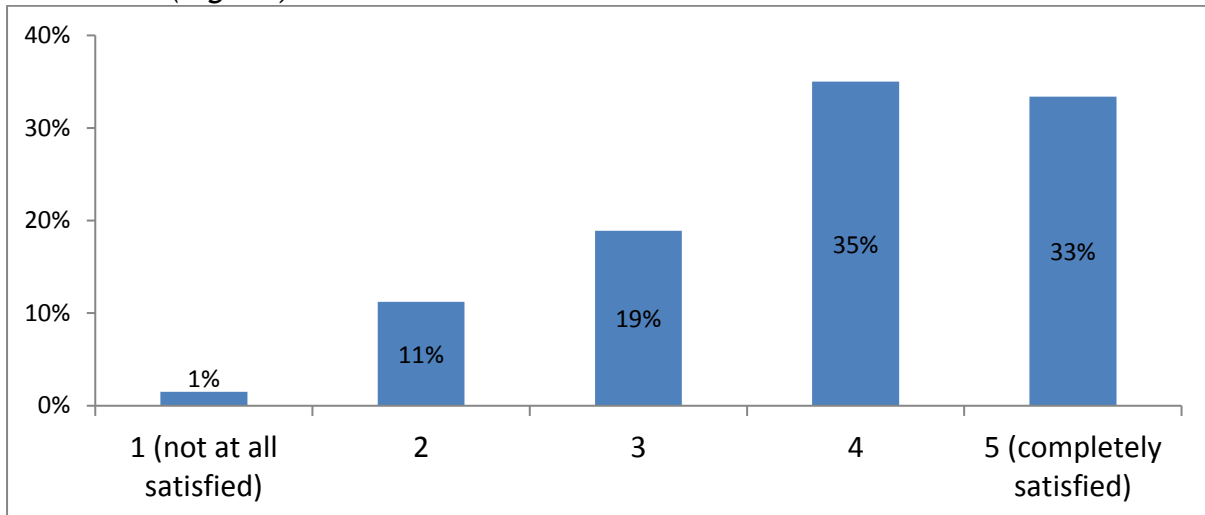
Total number of responses: 119

Staff attitude

36. The survey contained one measure relating to staff attitude. The response to this was positive, with over two-thirds of respondents agreeing that SLAB staff are generally courteous.

Responses to 'staff attitude' question

Figure 8: Question 3e - How satisfied are you that SLAB staff are generally courteous? (Fig. 32)



Total number of responses: 144

Conclusion and next steps

38. Operational improvements which have been made since the surveys took place include on-site training for practitioners, visits to solicitor firms to provide training and information, as well as improved remote guidance. The Performance Framework's focus on overall durations rather than time in our hands has provided a priority to addressing lower levels of satisfaction with the timeliness elements of legal aid amongst civil solicitors. Various possible improvements to the Legal Aid Online (LAOL) systems were also mentioned in response to the surveys. These systems are improved on an on-going basis, with capabilities being updated or added. Fee rates and some of the processes seen as 'bureaucratic' are not something that SLAB can act on.

39. The findings from the civil solicitors' survey confirm and validate the approach currently being taken by SLAB in addressing issues in relation to timeliness, information and delivery. This is being done through various reform and improvement projects, such as the streamlining work, the solicitor engagement programme and the people strategy. The findings have been actively shared with SLAB staff, and have contributed to existing action planning.

40. The civil solicitors survey supports other information gathered by SLAB, including research commissioned specifically to support and guide changes, such as the handbook research commissioned in March 2017. Other ways we communicate directly with solicitors (including seeking their views) are: formal consultations, roadshows on specific topics, attending / speaking at events organised by the Law Society and others, undertaking surveys on specific topics and meeting with individual solicitors / firms. In addition projects and other developments (such as legal aid online, criminal contributions) have an associated individual at SLAB that solicitors are invited to contact with queries and comments. The details are provided on our website, or in mailshots to solicitors.



'Findings from the 2016/17 survey of civil legal aid solicitors', published October 2018

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