

As new director responsible for Corporate Services and Accounts, I have taken over the responsibility for leading the programme on the Best Value Review of Accounts.

We indicated in a mailshot to the profession in August 2011 that “the Review will seek to ensure that the accounts assessment process supports achievement of best value for the Scottish Legal Aid Fund, whilst at the same time seeking to optimise the resources consumed in delivering the process. The Review will also examine the extent to which the burden on the profession relating to accounts preparation, submission and agreement can be reduced, subject to providing sufficient information to support effective assessment of accounts.”

What have we done so far?

We have concentrated on our internal structures and processes and made improvements in some key areas of interaction with firms, including:

- Improved the timescale for dealing with negotiated payments and shortened the timescale from 30 working days to 20 working days, but we aspire to deal with these sooner.
- Revised our team structures to increase specialisation. For example, all accounts for advocates and solicitor advocates are now dealt with by our Accounts Specialist Team. This adds to the staff currently dealing specifically with mental health and immigration accounts to improve the consistency of assessment as we recognised the specialist nature of these types of cases.
- We are engaging with a number of firms offering assistance with their accounts to help with assessment issues to reduce the number of interactions between us and reduce administration costs. This has included firms who undertake work involving wills and powers of attorney with a view to standardising the approach to these and controlling the costs.
- We have also been working on benefits cases to improve the handling of these and looking at issues with firms specialising in this area to see where costs can be reduced.
- Informal discussions have taken place with law accountants - we have agreed to work with a firm on some problem areas which will be shared with other law accountants.
- Training - Accounts staff have undertaken further training to gain a better understanding of the role of Curators and Reporters. We have also provided training in telephone skills to improve the handling of calls. Over the past year five Accounts staff have gained paralegal qualifications in criminal, family law and reparation. Two more gained law degrees with distinction.
- In conjunction with colleagues in the Principal Sums Team, we have improved the process for identifying at an earlier stage cases with potential recoveries.
- We have received agreement from Scottish Government to bring, over a period of time, payment targets for interest of justice criminal ABWOR cases into line with those for summary criminal cases.
- Legal Aid Online - a number of improvements have been made to the online accounts products, including improvements to the handling of accounts where verification has not been provided. A separate communication will be issued in January providing an update on progress and the next steps.

Current Work

Consulting with the profession on operational accounts issues - we are using the opportunity of the series of meetings with local faculties to discuss operational accounts matters - set in train by the Board's Chief

Executive's letter to local faculties of 5 October. These meetings are an opportunity to obtain valuable feedback from firms on accounts issues and processes which will feed in to the next stage of the review.

Accounts Guidance and Handbook

We have carried out an extensive review of all the accounts guidance and made a number of additions and improvements which we plan to publish early next year. This will become part of the revised legal aid Handbook and will mirror the substantial changes we have made to the applications sections of the Handbook. Our aim is to make the guidance readily accessible for the profession, law accountants and Board staff. In the meantime, we will provide more frequent mailshots on accounts issues to assist firms and law accountants.

Supplier Support - extension to cover accounts issues - you may already be aware that the Board launched its supplier support service earlier this year. This provides feedback to firms on their civil legal aid applications in terms of the grant and refusal rates and the number of rejected applications. The purpose of this service is to help firms improve their applications and to reduce unnecessary interactions with the Board, thus improving the efficiency of firms and the Board. We have provided this information to the 20 firms which carry out the highest volumes of civil legal aid work. The feedback from these firms on the new service has been very positive and they are using the reports to look at how they operate. During 2013 we plan to provide these reports to more civil firms and to extend the scope of the service to criminal applications and to accounts work.

Improvements to Offer Process

In February 2013 we will improve the offer process for paper accounts. Whilst 84% of firms are now using online accounts, we recognise that there are some improvements still to be made to the online accounts products, particularly with the larger accounts. There is a significant amount of development currently being undertaken to progress this. In the meantime, to further reduce the use of paper, we propose to issue in accounts processes an online notification of an offer made for a paper account. A PDF version of the abated account will be available to view from the online view case attachment tab. You will then have an opportunity to accept the offer using the online accept option rather than having to write to us. Full details of the how the process will operate will be issued prior to the implementation in February.

Expert Fees

We also discussed the steps we intended taking in relation to the review of experts fees. We will publish the details of the initial findings from our review and expect to have better controls on the costs of experts by initially halving the travel rate for experts and providing guidance on what is and is not chargeable. In addition, the Law Society is seeking members' views on their proposal to have a three tiered approach feeing structure of benchmark rates.

Reviewing feeing arrangements

During 2013 we will also be examining the scope for further simplification and streamlining of feeing arrangements. For example, we will look at where there is scope for increased use of fixed or block fees. We will engage with the Law Society on this aspect of the review. Clearly, proposed changes arising out of this work would, of course, require approval by the Scottish Government and changes to regulations.

Next Steps

I intend to arrange a series of focus groups to assist in the Best Value Review of accounts early next year to progress matters further.

Graeme Hill
Director of Corporate Services and Accounts