

**LEGAL SERVICES AGENCY CORPORATE PLAN 2022–2025
AND BUSINESS PLAN 2023–2024**

**LEGAL SERVICES AGENCY
CORPORATE PLAN 2022–2025
&
BUSINESS PLAN 2023–2024**

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CHIEF EXECUTIVE’S INTRODUCTION

I am pleased to present the Legal Services Agency’s (the Agency) update on its 2022-2025 Corporate Plan and Business Plan for 2023-2024. The Business Plan outlines the business objectives and priorities, which can be delivered within the budget available. This Plan will, of course, be subject to review as necessary by an incoming Minister on the establishment of an Executive.

The Agency has delivered against its 2022-2023 Business Plan and has developed a challenging Business Plan for 2023-2024 which will continue to deliver against our strategic objectives and priorities in the Corporate Plan.

The Agency worked closely with Departmental colleagues, the Law Society and Bar to manage a challenging financial environment in 2022-2023. The Agency will strive to maintain those effective working relationships in 2023-2024 which will be another challenging year.

The Business Plan outlines plans to enhance the Agency’s digital platform, LAMS, and further expand the measures the Agency has in place to enhance the controls within the legal aid system. The Agency also plans to publish a suite of information to provide greater visibility over how legal aid funding is utilised.

The Agency consistently delivered against its Business Plan for 2022-2023 through the dedication and effort of every member of staff. I appreciate the commitment of the Agency’s skilled staff and look forward to continuing to embed and improve the performance culture within the Agency. We will continue to focus on staff development in 2023-2024 as we pursue excellence in public legal services and continuous improvement in all we do.

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VISION, MISSION AND VALUES

Our Vision

The Agency's Vision is to provide fair and transparent access to quality funded services to support individuals seeking access to justice.

Mission Statement

To facilitate access to justice by delivering timely and high-quality decisions and payments which secure value for money.

Our Values

All of us within the Agency seek to uphold the NICS values¹ of:

- Integrity: putting the obligations of public service above our own personal interests.
- Honesty: being truthful and open.
- Objectivity: basing advice and decisions on rigorous analysis of the evidence; and
- Impartiality: acting solely according to the merits of the case and serving equally well Ministers of different political persuasions.

We have also committed to the following:

Leadership

To build high performing teams and develop staff whilst appreciating, recognising, and celebrating achievements. Staff will always act with integrity and will be authentic, open, and honest in relationships with colleagues and practitioners, demonstrating trustworthiness in the course of their work.

Making a Difference

To support each other and providers to facilitate meaningful access to justice for those who could not otherwise defend themselves or assert their rights.

¹ <https://www.finance-ni.gov.uk/publications/nics-code-ethics>

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THE ROLE OF THE LEGAL SERVICES AGENCY IN NORTHERN IRELAND

The Agency supports the justice system and enables access to justice by administering publicly funded legal services impartially, effectively and efficiently within the established governing legislative and policy framework.

The Agency works closely within the Department of Justice (DoJ) to achieve the Department's wider strategic objectives. It works in partnership with providers of services to enhance customer service delivery and to ensure that legal services are available to those who meet the statutory eligibility tests, which support those in greatest need. It also ensures that publicly funded services reflect overall budgetary constraints and value for money.

The Agency decides on applications for civil legal services against the statutory financial and legal tests to determine whether an individual should receive support. The Courts are responsible for granting criminal legal aid for defendants in criminal cases. The Agency also makes payments to the legal profession for services provided under both the criminal legal aid and civil legal aid services schemes while ensuring value for money.

HOW WE DELIVER

The Agency's main deliverables include:

- deciding applications for civil legal services in respect of advice, assistance, and representation and authorising independent legal representation for applicants to enable them to enforce and protect their rights.
- deciding requests for civil and criminal authorities to include expert witnesses and interpreter/translator requests.
- assessing and paying bills received for civil and criminal legal aid.
- conducting internal reviews and redeterminations of decisions as necessary.

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- operational delivery of interpreting services.
- supporting the independent civil legal services appeals function.
- investigating and tackling fraud and error.
- registering firms, solicitors and barristers who do legal aid work.
- maintaining and developing systems, procedures and relationships which support all our key activities and the wider strategic aims of the DoJ.
- supporting the development and implementation of legal aid reform; and
- processing all business in a modern, digitally enabled, and sustainable way to deliver a high-quality user focused service.

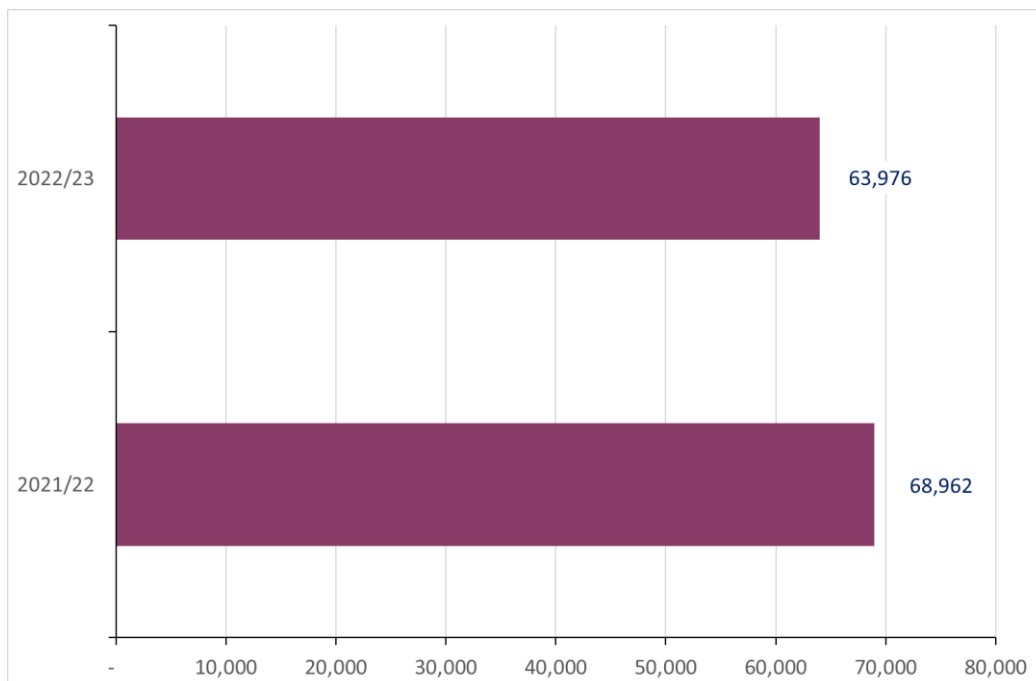
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THE 2022-2023 LANDSCAPE

The Agency granted 63,976 applications in 2022-2023. This represents an overall decrease of 7.2% compared to 68,962 applications granted in 2021-2022. This decrease is primarily due to a reduction in the number of Advice and Assistance applications received during 2022-2023, driven by applicants needing to satisfy the full financial eligibility test, including capital threshold.

Applications granted, 2021-2022 and 2022-2023



Note: 1. Figures for 2021-2022 have been revised to reflect a more accurate picture of granted applications within the LAMS environment, following an internal review of underpinning metrics.

Applications for legal aid are received across five levels of services: Advice and Assistance, Representation Lower and Representation Higher (the court tier determining the distinction), Exceptional Funding (primarily in respect of Legacy Inquests) and Criminal. By year-end, the Agency was receiving applications in respect of the majority of case types (excluding Advice and Assistance for the reason outlined

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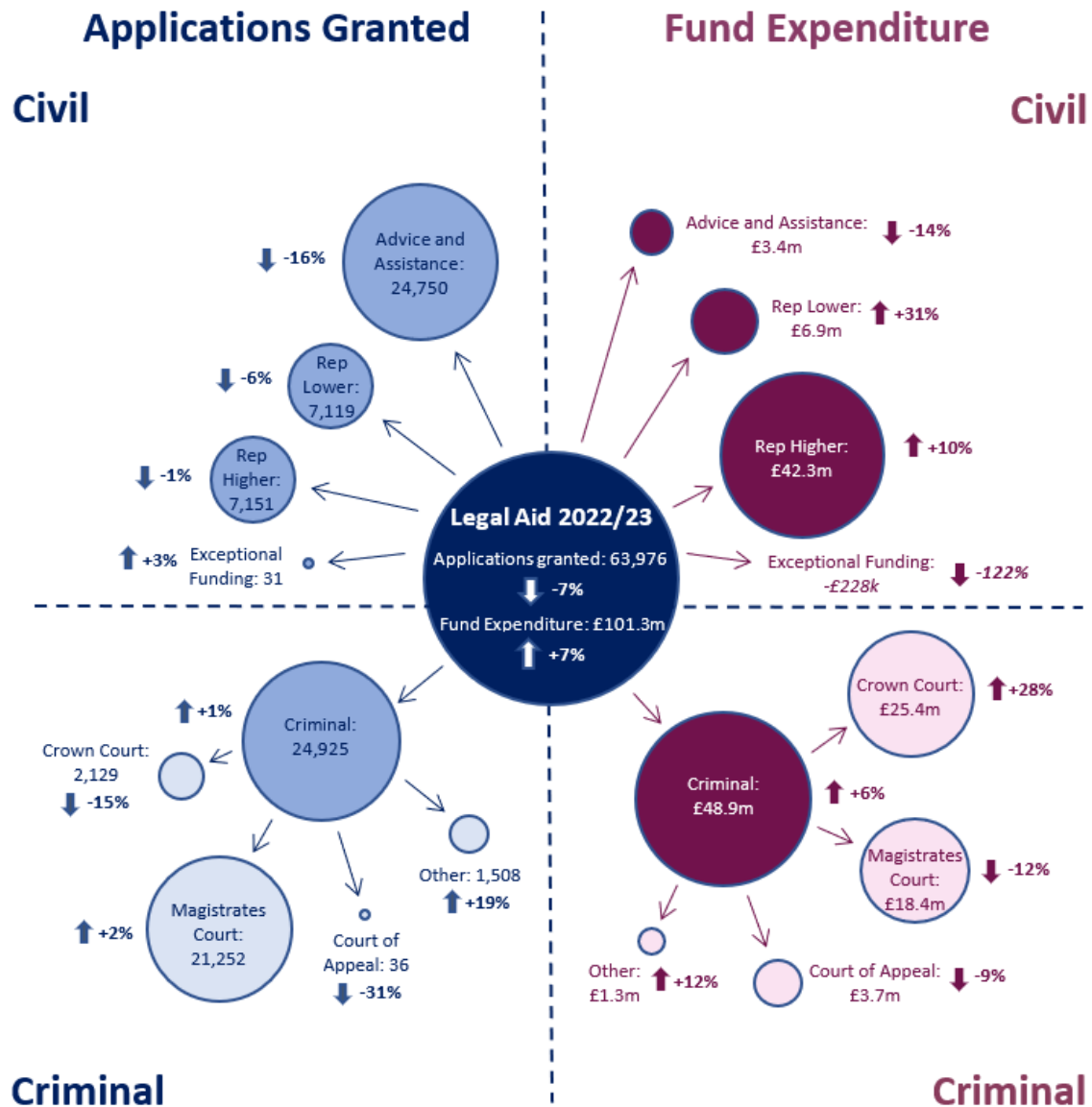
above) at around 93.5%² of pre-pandemic level. Detailed planning has been undertaken to estimate the potential Covid-19 backlogs in cases and the recovery efforts required over the period 2022-2025 to return to the baseline position but additional funding would be required to deliver this objective.

² This percentage has been derived using monthly averages obtained during the periods 'September 2019 to February 2020' (pre-pandemic) and 'April 2022 to March 2023' (current reporting year).

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Applications granted and fund expenditure, by category of service, 2022-2023



Footnotes:




1. Arrow and percentage denote difference to 2021/22, with direction and +/- symbol illustrating an increase or decrease.
2. Expenditure figures represent fund expenditure only and have been rounded for presentational purposes. Subsequently, totals may differ to a sum of sub-categories.
3. A substantial recoupment of Exceptional Funding expenditure from a previous year resulted in an overall negative accounting total for Exceptional Funding expenditure reported in 2022/23.

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KEY ACHIEVEMENTS 2022-2023





The progress against 2022-2023 objectives are as follows:

	Completed/Achieved
	In Progress
	Not Achieved

Service Delivery

Project	Progress
Determine properly presented applications for civil legal services and criminal exceptionality within Key Performance Indicators (KPIs)	
Consistently pay properly presented payment requests within KPIs, subject to adequate funding	
Process amendment and authority requests within KPIs	
Process reviews, redeterminations and appeals of decisions within KPIs	 <i>Reviews KPI not met (<2%)</i>

Systems and Policy Development

Project	Progress
Implement the new Support Contract for LAMS	
Establish and maintain Working Group with key stakeholders and the professional bodies to identify LAMS changes and agree a programme of work	
Deliver changes to LAMS in line with agreed programme of work	
Support the development and delivery of departmental reform projects	

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People

Project	Progress
Develop a Workforce Strategy to identify resource requirements, skills gaps and succession planning	✓
Expand knowledge, technical skills base/cross skilling across all grades and disciplines	✓
Develop Corporate Training Plan for the year to include enhancing leadership, induction and management skills base	✓
Facilitate a move to suitable premises to accommodate our teams and optimise our service delivery model, including hybrid working policy and practice	✓
Address feedback from NICS People Survey through development and implementation of an action plan	✓




Governance, Accountability and Decision Making

Project	Progress
Timely preparation and publication of our Annual Report and Accounts	✓
Implement Practitioner Fraud and Error Reviews	✓
Reduce the official error rate by 1% against the 2021 rate	✗ <i>The Official Error rate remained statistically the same as the 2021 rate</i>
Develop and implement applicant fraud and error prevention strategies	✓

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Communication and Information

Project	Progress
Maintain effective group forums between the Agency and professional bodies	
Develop Official Statistics and build and deposit annual Open Data outputs	
Enhance management information and information sharing agreements to inform decision making and reduce fraud and error	

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FINANCIAL AND OPERATING ENVIRONMENT 2022-2023

In the absence of an Executive, the Agency opened 2022-2023 with a 'Contingency Planning Envelope'. This was then replaced by a formal Budget announced by the Secretary of State on 24 November 2022.

The table below illustrates the opening and closing financial positions for 2022-2023.

	Opening Contingency Planning Envelope	Adjustments	Closing Approved Budget
	2022-2023	2022-23	2022-2023
	£k	£k	£k
Staff costs	7,570	(639)	6,931
Non-staff costs	2,072	(13)	2,059
Receipts	(1,535)	800	(735)
Legal Aid - General	74,784	21,828	96,612
Legal Aid - Legacy Inquests	0	0	0
Un-ringfenced Resource DEL	82,891	21,976	104,867

In addition to the approved budget position, and in anticipation of late easements emerging elsewhere in the Justice system, the Agency was given approval to overcommit by an additional £4.6m to maximize legal aid payments in the 2022-2023 year. As a result of this significant in-year injection and pragmatic budgetary approach, total legal aid spend for 2022-2023 totaled £101.3m (including Legacy Inquests) – the highest level since 2014-2015. Despite this, the balance of unassessed bills at year end was £20.1m.

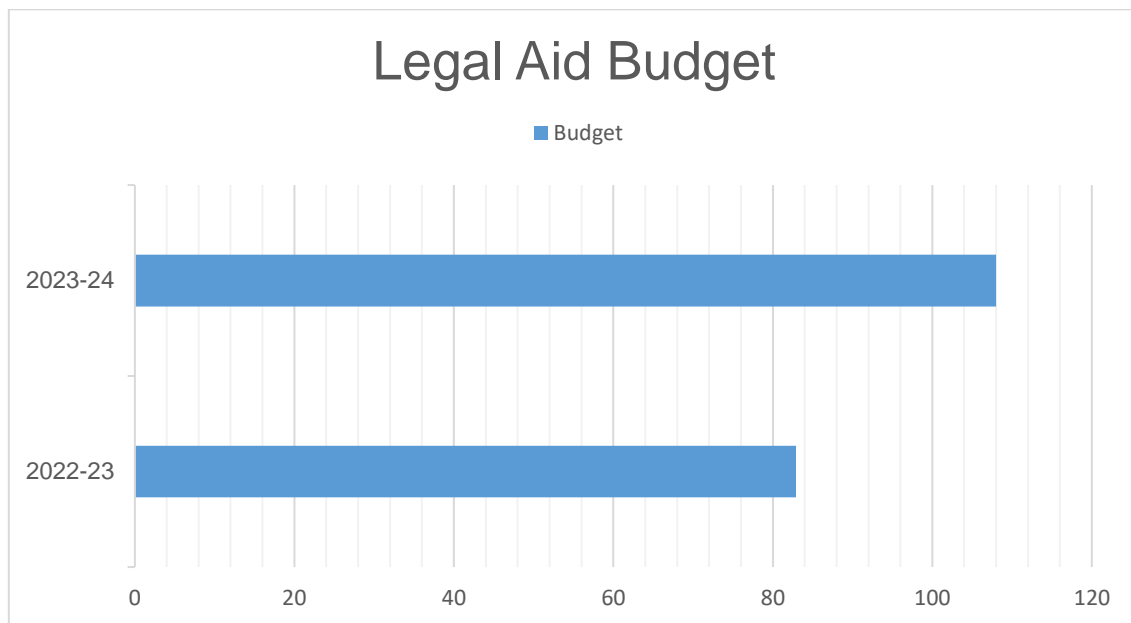
2023-2024 Position

On 27th April 2023 the Secretary of State set a budget for 2023-2024 for each of the Northern Ireland departments. The Department of Justice subsequently considered how its budget could be allocated across each of the departmental business areas against the backdrop of significant pressures. The Agency's opening budget was confirmed on 18th May 2023 and, excluding a small number of one-off adjustments, represents a 1.7% reduction to the Agency's 2022-2023 final agreed budget – while

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this still falls well short of assessed need, it represents a much-improved opening position to that of 2022-23. The Agency experienced increasing demand through 2022-2023 which is anticipated to continue in 2023-24. A conservative estimated Legal Aid requirement for 2023-2024 is currently £112m based on Legal Aid bills received in recent months. Even before factors such as exceptional exceptional cases, the effect of the economic climate on eligibility for legal aid and the continued recovery of Crown Court cases, despite being a better position than anticipated a budget of this level will fall far short of demand and will have an impact on payment processing times. The Agency will keep targets under review in view of demand and the availability of funding.

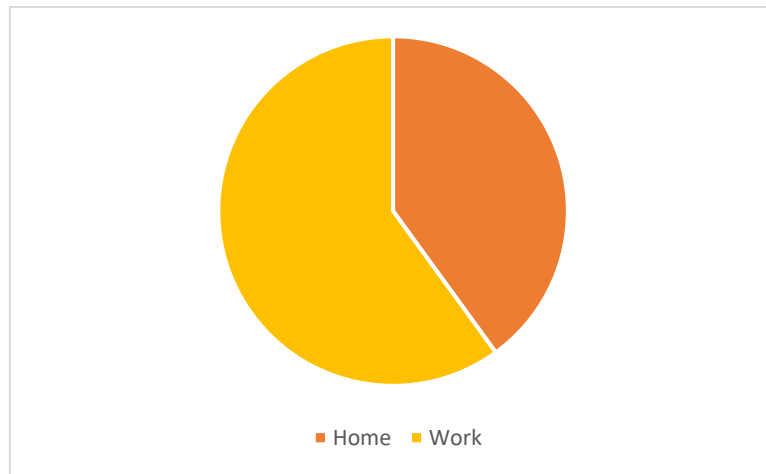


New Ways of Working

The Agency implemented the NICS Hybrid Working Policy during 2022-2023 and will further embed this policy during 2023-2024.

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The Agency also moved accommodation during 2022-2023 to the AIB Building in Ann Street, Belfast. This has provided a flexible agile working space to facilitate hybrid working while reducing the floor space by around 25-30% and associated reduction in costs.

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OUR STRATEGIC OBJECTIVES AND PRIORITIES

The Agency's five strategic objectives for 2022-2025 are outlined below. Some of the objectives have been achieved or part achieved in 2022-2023 and are outlined in our key achievements. The 2023-2024 actions outlined in Annex B will continue to deliver against these objectives.

Priority 1: Service Delivery

We will deliver modern, high quality digitally enabled legal aid services that can respond to customer and practitioner needs and support a faster more effective justice system to serve the needs of those who engage with it.

1. Deciding on applications for civil legal services and criminal exceptionality within key performance indicators.
2. Providing guidance and training to assist practitioners in the application and payment processes.
3. Processing properly presented bills within key performance indicators to maximize the available budget.
4. Processing applications for reviews and appeals of decisions within key performance indicators.
5. Enhancing our debt processes to maximize income collection.

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Priority 2: Systems and Policy Development

We will work to streamline and enhance our digital services and contribute to policy development and implementation of Legal Aid reform.

1. Continuing to refine our processes to improve accuracy, reduce fraud and error and process more efficiently.
2. Developing functionality informed by delivery partners to enhance LAMS thereby streamlining our processes, tackling fraud and error and safeguarding the public purse.
3. Collaborating in the development and delivery of policy and legislative change.

Priority 3: People

We will create a culture where well-being and learning are at the forefront of what we do. We will support and develop our people to lead, manage and embrace diversity, inclusion, and a new culture of working whilst continuing to improve capacity and capability. We will invest in and encourage leadership at all levels.

1. Empowering staff to have the knowledge skills and ability to lead and engage in transformative change.
2. Enhancing digital skills across all grades and disciplines.
3. Designing and delivering a Corporate Training Plan to improved performance.
4. Planning and delivering a premises move and implementing new ways of working.
5. Promoting health and well-being.
6. Increasing staff engagement/satisfaction scores through addressing feedback from the NICS People Survey.

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Priority 4: Governance, Accountability and Decision Making

We will strengthen governance, accountability and decision-making consistency and transparency of our decisions and delivery in line with our Governance Framework.

1. Developing and implementing a Counter Fraud Strategy
2. Continuing to drive down fraud and error through guidance and training of staff and practitioners, quality assurance checking and enhanced controls.
3. Implementing Future Overpayment Prevention initiative to reduce applicant fraud and error.
4. Complete the review of aged and inactive cases on LAMS to improve the accuracy of the carrying value of provisions.
5. Investigating and detecting fraud through detailed business analytics and a risk-based approach.
6. Complying with legislation, government guidelines and implementing independent review recommendations.

Priority 5: Communication and Information

We will develop new and more effective ways to engage with stakeholders, justice partners and customers to deliver a more effective service.

1. Maintaining the Operational Forum and Engagement and Communications Forum to promote effective working between the profession and the Agency.
2. Developing and implementing a Communications Strategy.
3. Obtaining feedback and insight from our suppliers to inform policy development and service improvement.

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4. Developing Official Statistics and building and recording annual Open Data outputs.
5. Enhancing management information and information sharing agreements to inform decision making.

A summary of our priorities and objectives for 2022-2025 is included at **Annex A**. Further detail on what we will do to deliver on these priorities during 2023-2024 is included in **Annex B**. Our Organisational Structure is included at **Annex C**.

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AGENCY BUSINESS PLAN ON A PAGE 2023-2024

ANNEX A



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Strategic Objective 1: Service Delivery

ANNEX B

We will deliver modern, high quality digitally enabled legal aid services that can respond to customer and practitioner needs and support a faster more effective justice system to serve the needs of those who engage with it.

ACTION	TARGET	DATE
Determine properly presented applications for civil legal services and criminal exceptionality within Key Performance Indicators (KPIs).	For KPIs see Annex D	Q1-Q4
Consistently pay properly presented payment requests within KPIs, subject to adequate funding.	For KPIs see Annex D	Q1-Q4
Process amendment and authority requests within KPIs.	For KPIs see Annex D	Q1-Q4
Process reviews, redeterminations and appeals of decisions within KPIs.	For KPIs see Annex D	Q1-Q4

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Strategic Objective 2: Systems and Policy Development

We will work to streamline and enhance our digital services and contribute to policy development and implementation of Legal Aid reform.

ACTION	TARGET	DATE
Continue Working Groups with internal staff and key stakeholders, including the professional bodies, EAJD and NICTS to identify LAMS changes.	Working Groups to meet 3 times per year to agree and review change.	Q1-Q4
Deliver changes to LAMS in line with agreed programme of work.	Deliver priority changes and Programme of Change for 2023-2024 agreed in line with budget allocation.	Q1-Q2
Support the development and delivery of departmental reform projects.	Participation on policy working groups and delivery of key outputs for projects.	Q1-Q4

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Strategic Objective 3: People

We will create a culture where well-being and learning are at the forefront of what we do. We will support and develop our people to lead, manage and embrace a new culture of working whilst continuing to improve capacity and capability.

ACTION	TARGET	DATE
Investing in, and encouraging, leadership at all levels.	Resource requirements/skills gaps identified and communicated to NICS HR.	Q1-Q4
Investing in, and encouraging, leadership at all levels.	Line Management and Performance Management training delivered to all Agency Staff.	Q1-Q4
Training identified and delivered to enhance capability, business resilience and productivity.	Training delivered and needs assessed for all business functions.	Q1-Q4
Address feedback from NICS People Survey through development and implementation of an action plan.	Implement actions from the Agency’s Supporting Our People Plan	Q1-Q4

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Strategic Objective 4: Governance, Accountability and Decision Making

We will strengthen governance, accountability and decision-making consistency and transparency of our decisions and delivery in line with our Governance Framework.

ACTION	TARGET	DATE
Timely preparation and publication of our Annual Report and Accounts.	Annual Report and Accounts prepared and signed off within reporting deadline.	Q1-Q2
Continue to address Accounts Qualifications and PAC Recommendations by reducing the official error rate by [1] % (monetary value and percentage) against 2022 rate.	[1] % reduction in official error rate.	Q1-Q4
Embedding SAU Practitioner Fraud and Error reviews and measurement.	Baseline for Practitioner Fraud and Error established for 2023.	Q1-Q4
Continuing with applicant fraud and error prevention strategies.	Continue with Future Overpayment Prevention initiative.	Q1-Q4

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ACTION	TARGET	DATE
Improving the estimated value of our legal aid provisions.	Continue to review inactive cases on LAMS through engagement with the legal profession.	Q1-Q4
Implement our Counter Fraud Strategy.	Agree and implement 2023-2024 Counter Fraud Action Plan.	Q1-Q4

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Strategic Objective 5: Communication and Information

Develop new and more effective ways to engage with stakeholders, justice partners and customers to deliver a more effective service.

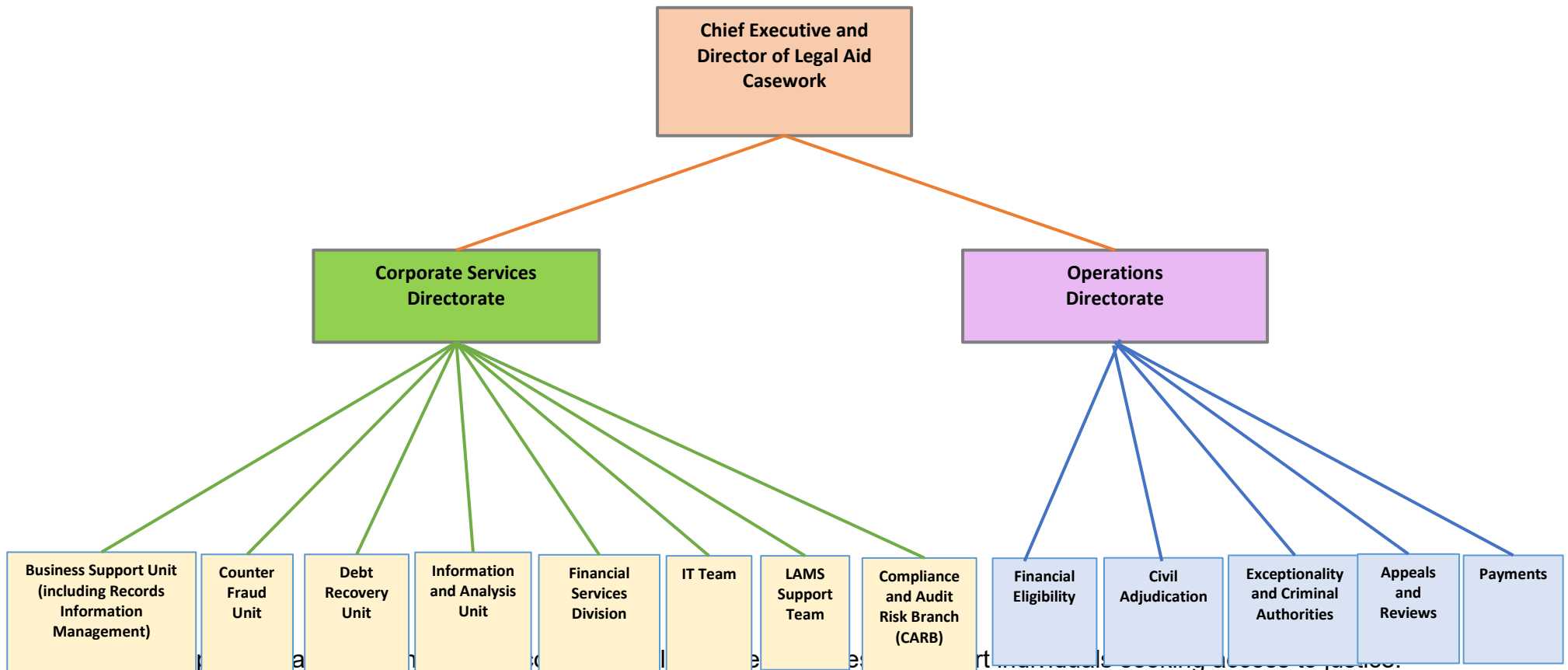
ACTION	TARGET	DATE
Maintain effective group forums between the Agency and professional bodies.	Participation in forums and policy working groups and delivery of key outputs.	Q1-Q4
Develop Official Statistics strategy leading to annual publications.	Maintain Official Statistics database covering to incorporate 2022/23 data and release inaugural.	Q1-Q4
Refine the management information suite the Agency publishes on its operational performance.	Refine management information to be published on a monthly basis.	Q1-Q4

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ANNEX C

ORGANISATION CHART



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ANNEX D

KEY PERFORMANCE INDICATORS

The Agency’s ability to meet the previously presented KPIs is largely dependent on the budget allocated and any budget less than the projected demand for services will inevitably increase the number of weeks to pay making achievement of KPIs unattainable. KPIs have therefore been set to provide visibility and transparency on performance and provide useful indicators for the sector.

KPI		Target ^{1,2,3,4}
PAYMENTS		
All payments	Authorise payments totalling on average £7.545m per month (gross) <i>Note: This exact amount will fluctuate depending on the number of working days in a given month as well as in-year variations to the annual budget.</i>	Authorise £7.531m per month from 1st April 2023
APPLICATIONS⁴		
Non–Emergency	For Representation Higher Courts	90% in 12 weeks
	For Representation Lower Courts	
	For Exceptional Funding	90% in 2 weeks
Emergency	Passported	90% in 48hrs
	Non-Passported	
AUTHORITY, AMENDMENT and REVIEW REQUESTS		
Authority and Amendment Requests	First Authority	85% in 4 weeks
	Subsequent Authorities and Amendment Requests	85% in 12 weeks
Reviews	All Reviews	85% in 8 weeks TBC
APPEALS		
Appeals	Non-panel Representation Higher appeals	90% in 8 weeks
	Civil Legal Services Appeal Panel (CLSAP; Panel sitting cases only)	

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	<p>NOTES:</p> <p>¹ The Agency will keep targets under review in view of demand and the availability of funding.</p> <p>² Excludes requests that have had one or more queries raised during the assessment process.</p> <p>³ Excludes migrated requests, including any cases that were retained within the LAMS 'bucket'.</p> <p>⁴ Excludes individual requests that have been reopened on LAMS after the initial outcome.</p>	
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