

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

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

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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 2024-2025. The Business Plan outlines the business objectives and priorities, which can be delivered within the budget available. This Plan has been approved by the Justice Minister and is subject to review.

The Agency delivered against its 2023-2024 Business Plan and has developed a challenging Business Plan for 2024-2025, increasing targets, which will continue to deliver against our strategic objectives and priorities in the Corporate Plan.

The Agency worked closely with Departmental and Department of Finance colleagues to manage a challenging financial environment in 2023-2024. This engagement saw an additional £14m allocated to legal aid, which together with other savings resulted in legal aid expenditure of £113.5m.

The Business Plan outlines the Agency’s plans to continue to develop its digital platform, deliver awareness and training to further enhance quality and controls within the legal aid system, and to expand the information published through its annual official statistics report.

The Agency will seek to work collaboratively with Departmental colleagues and the Law Society and Bar to maintain effective working relationships in 2024-2025.

The Agency was only able to deliver against its Business Plan for 2023-2024 through the dedication and effort of every member of staff. I appreciate the commitment of the Agency’s skilled staff and look forward to making further progress in delivering a performance culture within the Agency. We will continue to support staff in their

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development and practitioners in their improving their engagement with legal aid in 2024-2025.

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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.

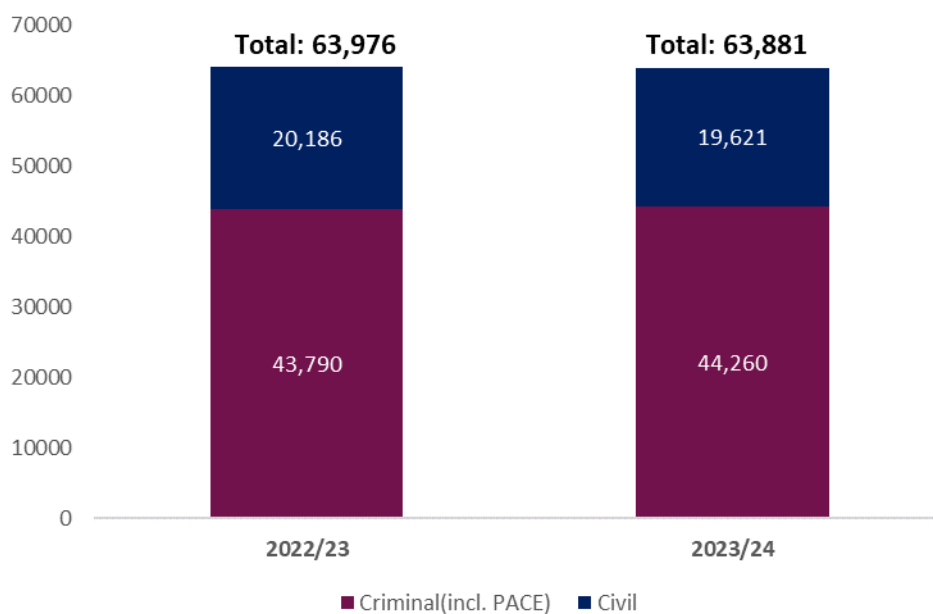
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THE 2023-2024 LANDSCAPE

A total of 63,881 Legal Aid applications were granted in 2023-2024. This is a slight decrease but broadly consistent with 63,976 applications granted in 2022-2023. A further breakdown by Category of Service shows that Criminal Legal Aid including Advice and Assistance PACE increased by 1% to 44,260 applications whilst Civil Legal Aid (Advice and Assistance Non PACE, Representation Lower, Representation Higher and Exceptional Funding) decreased by 3% to 19,621 applications.

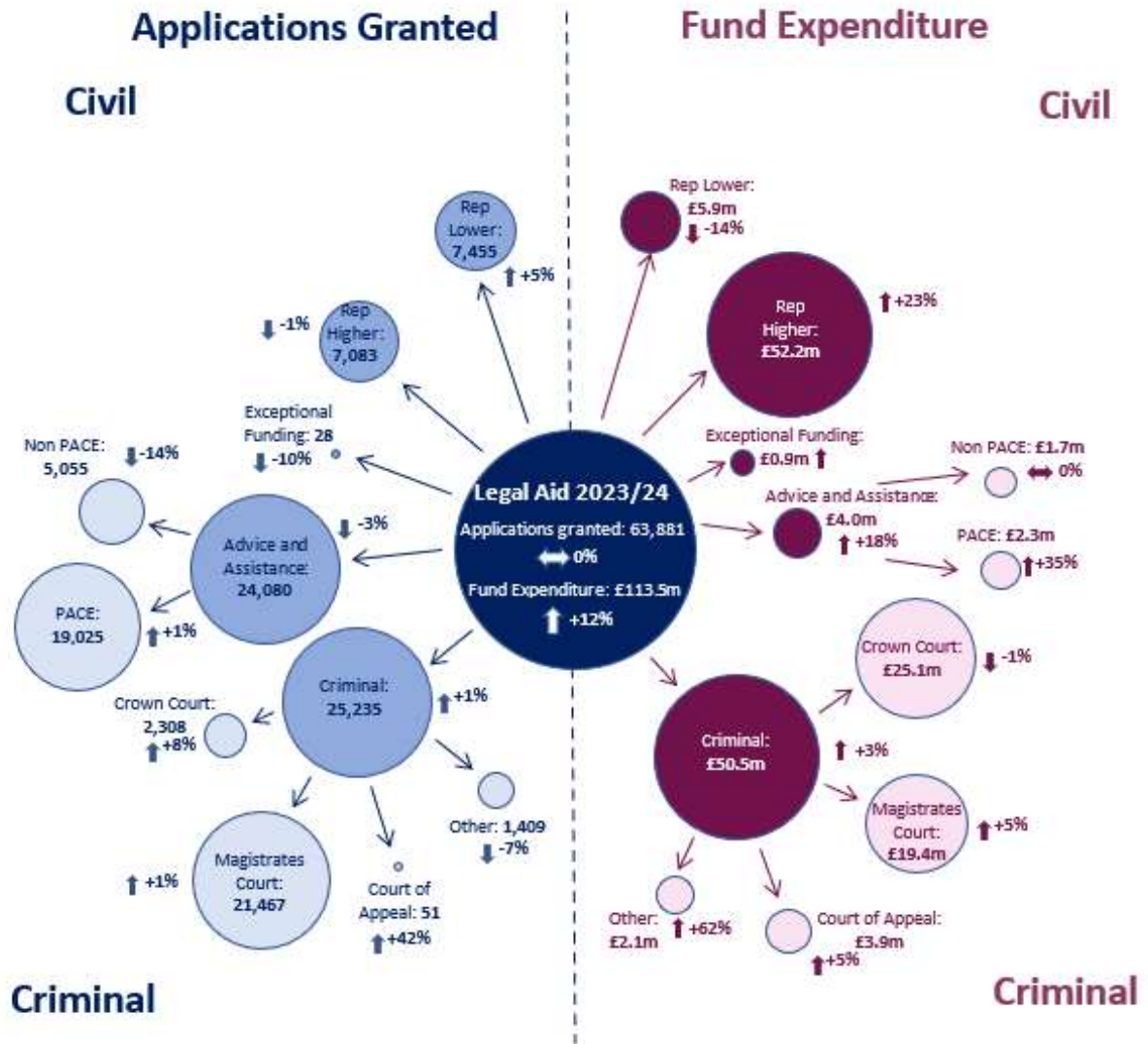
Applications granted, 2022-2023 and 2023-2024



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Applications granted and fund expenditure, by category of service, 2023-2024



Footnotes:




1. Arrow and percentage denote difference to 2022/23, 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 percentage change is not presented on fund expenditure for Exceptional Funding due to 2022/23 resulting in an overall negative accounting total (-£228k).

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KEY ACHIEVEMENTS 2023-2024




The progress against 2022-2023 objectives are as follows:

	Completed/Achieved
	In Progress
	Not Achieved


Service Delivery

Action	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.	

Systems and Policy Development

Action	Progress
Continue Working Groups with internal staff and key stakeholders, including the professional bodies, EAJD and NICTS to identify LAMS changes.	
Deliver changes to LAMS in line with agreed programme of work.	
Support the development and delivery of departmental reform projects.	

People

Action	Progress
Investing in, and encouraging, leadership at all levels.	

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Training identified and delivered to enhance capability, business resilience and productivity.	✓
Address feedback from NICS People Survey through development and implementation of an action plan.	✓

Governance, Accountability and Decision Making

Action	Progress
Timely preparation and publication of our Annual Report and Accounts.	✓
Continue to address Accounts Qualifications and PAC Recommendations by reducing the official error rate by [1] % (monetary value and percentage) against 2022 rate.	<p style="text-align: center;">✗</p> <p style="text-align: center;"><i>*The 2023 Official Error rate was estimated at 4.0%. This is the lowest rate since testing began and represents a 0.8 percentage point reduction since 2022.</i></p>
Embedding SAU Practitioner Fraud and Error reviews and measurement.	✓
Continuing with applicant fraud and error prevention strategies.	✓
Improving the estimated value of our legal aid provisions.	✓
Implement our Counter Fraud Strategy.	✓

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Communication and Information

Action	Progress
Maintain effective group forums between the Agency and professional bodies.	✓
Develop Official Statistics strategy leading to annual publications.	✓
Refine the management information suite the Agency publishes on its operational performance.	✓

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FINANCIAL AND OPERATING ENVIRONMENT 2023-2024

The starting point for the 2023-24 Legal Services Agency's budget was a 1.7% cut compared to the Budget approved by the Secretary of State in 2022-23. Despite being a significantly improved opening position compared to 2022-23 this opening budget was expected to fall far short of projected demand. As a result, the Agency pro-actively engaged with the Department to present impact analysis of an inadequate budget, highlighting key risks for the Agency to the profession, Department and Department of Finance. This resulted in the Secretary of State approving additional budget for Legal Aid to the value of £10.9m in November 2023. Following the return of the Executive a further £3m was allocated for Legal Aid in February 2024 with the aim of maximizing legal aid payments in 2023-24 and reducing the level of unassessed, unpaid bills flowing through to 2024-25.

The table below illustrates the opening and closing financial positions for 2023-2024.

	Opening Approved Budget	Adjustments	Closing Approved Budget
	2022-2023	2022-23	2022-2023
	£k	£k	£k
Staff costs	6,510	(265)	6,245
Non-staff costs	1,582	(3)	1,579
Receipts	(400)	(1000)	(1,400)
Legal Aid - General	94,161	15,218	109,379
Legal Aid - Legacy Inquests	0	1,321	1,321
Un-ringfenced Resource DEL	101,853	15,271	117,124

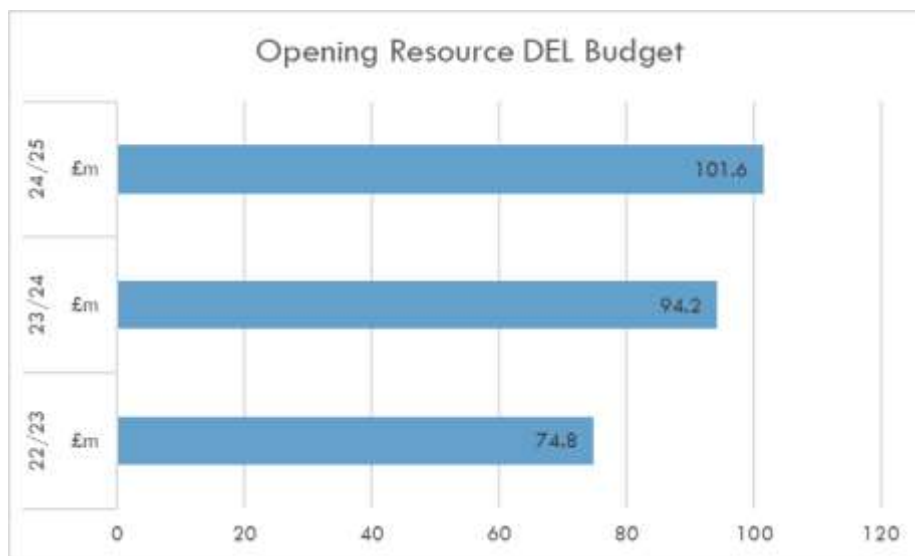
These significant in-year injections, combined with some small internal reallocations and additional funding made available from Departmental underspends facilitated total Legal Aid expenditure in 2023-24 of £113.5m – the highest in the history of the legal aid scheme. Despite this, the balance of unassessed bills at year end was £19.8m.

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2024-2025 Position

As part of the departmental budgets announced by the Finance Minister on 25th April 2024 the Department of Justice received £95m (approximately 21%) towards its declared pressures. Having considered the competing pressures across the Justice family the Minister subsequently approved opening budgets for each of the Justice business areas. Confirmation of the Agency’s opening budget of £109.6m (including running costs) was received on 21st May 2024 and represents a 7.6% uplift to the Agency’s opening 2023-24 budget with approximately 29% of its forecast pressures met. Of this total budget, £101.6m has been allocated specifically to the Legal Aid Fund. This once again represents an improved opening position to that of the prior year. However, despite the improved opening budget allocation, demand is expected to exceed the budget available for legal aid and this will have a negative impact on both the level of unassessed bills and on payment processing times. The Agency will keep targets under review in view of demand and the availability of funding.



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OUR STRATEGIC OBJECTIVES AND PRIORITIES

The Agency’s five strategic objectives for 2022-2025 are outlined below. The majority of the objectives have been achieved or part achieved in 2022-2023 and 2023-24 and are outlined in our key achievements. The 2024-2025 actions outlined in Annex B will ensure that the five strategic objectives for the period 2022-2025 will be met.

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 2024-2025 is included in **Annex B**. Our Organisational Structure is included at **Annex C**.

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AGENCY BUSINESS PLAN ON A PAGE 2022-2025

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 bills to ensure full annual legal aid budget is utilised throughout the year.	For KPIs see Annex D	Q1-Q4
Support the independent appeals process.	For KPIs see Annex D	Q1-Q4
Process authority requests within KPIs.	For KPIs see Annex D	Q1-Q4

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ACTION	TARGET	DATE
Process amendment 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
Provide guidance and training to assist practitioners in the application and payment processes.	<ul style="list-style-type: none"> • Deliver six awareness sessions to the legal profession. • Deliver awareness session to the Institute of Advanced Legal Studies. • Participate in Law Society Events. 	Q1-Q4
Enhance our debt processes to maximize income collection.	<ul style="list-style-type: none"> • Review processes against other jurisdictions. • Identify potential statutory changes. 	Q1

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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.	<ul style="list-style-type: none"> Internal and external changes scoped through effective engagement and issued to contractor for impact assessment. Changes prioritized in line with budget allocation. 	Q1-Q4
Deliver changes to LAMS in line with agreed programme of work.	Deliver priority changes and Programme of Change for 2024-2025 maximising the budget allocation.	Q1-Q4
Support the development and delivery of departmental reform projects.	Participation on policy working groups and delivery of key outputs for projects, including complex data analysis for legal aid reform.	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.	Establish baseline for digital skills for the Agency.	Q2
Training identified and delivered to enhance capability, business resilience and productivity.	<ul style="list-style-type: none"> • Training needs assessed for all business functions. • Prioritised training delivered to maximise budget allocation. 	Q1 Q1-Q4
Address feedback from NICS People Survey through development and implementation of an action plan.	Update the Agency’s Supporting Our People Plan following 2023 NICS People Survey and implement agreed actions.	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 0.5% (monetary value and percentage) against 2023 rate.	0.5% reduction in official error rate.	Q1-Q4
Embedding SAU Practitioner Fraud and Error reviews and measurement.	Support in reducing practitioner fraud and error through guidance to practitioners.	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
<p>Improving the estimated value of our legal aid provisions.</p>	<ul style="list-style-type: none"> Continue to review inactive cases on LAMS through engagement with the legal profession. Refine inactivity settings by case type. Review and take final action on 95% of inactive cases within 120 days of flag. 	<p>Q1-Q4 Q2 Q1-Q4</p>
<p>Implement our Counter Fraud Strategy.</p>	<ul style="list-style-type: none"> Implement Counter Fraud Action Plan. Deliver Fraud and Error Awareness Session to all staff. Ensure all staff undertake mandatory fraud training. 	<p>Q1-Q4 Q2 Q4</p>

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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.

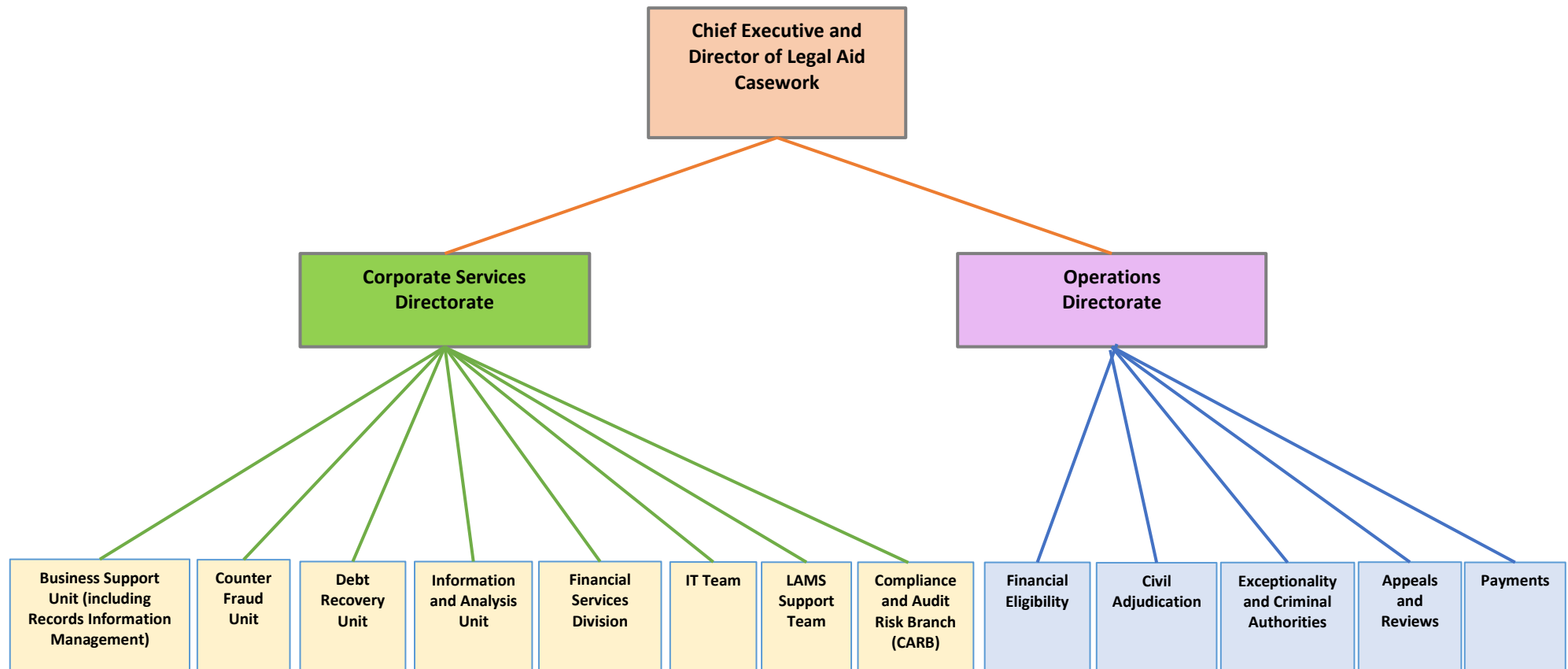
ACTION	TARGET	DATE
Maintain effective group forums between the Agency and professional bodies.	Participation in forums and policy working groups and delivery of key outputs.	Q1-Q4
Publish Official Statistics.	Publish Annual Statistics 2023/24. Develop further Official Statistics products.	Q1 Q1-Q4
Enhance the management information suite the Agency produces on its operational performance.	Refine the management information to be provided monthly. Enhance Qlik Apps to provide real-time internal business intelligence	Q1-Q4
Develop and implement a Communications Strategy.	Develop a Communications Strategy and implement associated Action Plan.	Q3

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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}	Previous Target Change ⁵
PAYMENTS			
All payments	LSA to pay the target spend each month (based on current budget).	<i><u>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.</u></i>	
APPLICATIONS⁴			
Non–Emergency	For Representation Higher Courts	90% in 12 weeks	 Increased from 90%
	For Representation Lower Courts	95% in 12 weeks	
	For Exceptional Funding	95% in 2 weeks	
Emergency	Passported	95% in 48hrs	
	Non-Passported		
AUTHORITY, AMENDMENT and REVIEW REQUESTS			
Authority Requests	First Authority	85% in 4 weeks	
	Subsequent Authorities Requests	85% in 12 weeks	
Amendment Requests	All Amendment requests	85% in 12 weeks	
Reviews	All Reviews	85% in 8 weeks	
APPEALS			
Appeals	Non-panel Representation Higher appeals	95% in 8 weeks	

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KPI	Target ^{1,2,3,4}	Previous Target Change ⁵
Civil Legal Services Appeal Panel (CLSAP; Panel sitting cases only)		Increased from 85%
<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> <p>⁵ On review of 2023/24 KPI outturns it was decided to increase selected target rates due to high performance seen in those lines during the year.</p>		

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