

Resolving Complaints | Improving Practice | Inspiring Confidence

Our operating plan 2018 to 2019

Complaints handling which is:

Independent | Fair | Impartial
Accessible | Efficient | Effective



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1 Introduction

- This document sets out the SLCC's Operating Plan for the operational year 1 July 2018 to 30 June 2019.
- The operating plan is aimed at ensuring we deliver the required work for:
 - the current volume of complaints against lawyers
 - the implementation of new responsibilities under the Legal Services (Act) 2010, which are activated this year
 - our contribution to the goals of the Scottish Government's National Performance Framework
 - the third year of work under our Strategy for 2016 to 2020
- The strategy sets out the SLCC's statutory functions, gives details of the complaints process, describes our five main strategic priorities, defines our values, sets out the environment we are operating in, provides context to the way we operate and explains why we selected certain priorities for the four year period covered. More details on our strategy are available at: <https://www.scottishlegalcomplaints.org.uk/about-slcc/our-purpose.aspx>.
- A consultation on the Operating Plan took place, as required by statute, between 18 January 2018 and 3 March 2018, with responses published on 29 March 2018.
- The Operating Plan is presented in **Appendix 1**. The Budget for the year, which we also consulted on, is available separately on our website.
- Acronyms or technical terms we use are explained in a glossary at **Appendix 2**.

2 Our operating focus

- Our core focus is to deliver an independent, impartial, fair and accessible complaints process which is efficient and effective. This is where the majority of our staffing and resource is directed. Our performance is monitored regularly by our Board.
- How we deal with legal complaints is shaped by several factors – the incoming number of complaints, how these complaints are categorised, whether they pass the first stages of our process, whether an agreed resolution is achieved or formal determination required, and whether they are appealed. We have to respond to a demand-driven case load (over 1,200 incoming cases a year) and have a statutory obligation to have adequate resource to process that workload.
- Information about our core processes is available on our website at: <https://www.scottishlegalcomplaints.org.uk/making-a-complaint/complaints-process.aspx> and information on our performance can also be found on our website at: <https://www.scottishlegalcomplaints.org.uk/resources/annual-report-accounts.aspx>
- We have a range of other statutory functions which must also form part of our annual priorities. These include: giving advice on complaints; issuing best practice guidance; monitoring trends; investigating 'handling complaints' which look at how the professional bodies (RPOs) deal with

conduct complaints; monitoring the effectiveness of the Client Protection Fund (formerly the Guarantee Fund) and Master Policy; and supporting our statutory Consumer Panel.

- A number of this year's proposed projects have a consumer focus. The feedback we collect from lawyers and consumers shows that consumers are relatively less aware of our services and need more support to engage in the process effectively. However, it is important to emphasise that projects which are based on trends and aimed at improving confidence in the sector have benefits for both consumers **and** lawyers. Academic research has shown that this also improves economic sustainability and growth.
- In taking these projects forward, we will try wherever possible to work collaboratively with stakeholders including consumer groups and the RPOs. This helps us access expert knowledge and ensures that costs and duplication of work are minimised.

3 The environment we are working within

- **The environment in which we operate continues to change.** In this section we set out the factors that are increasing our workload and the cost of our operations.
- **We saw a significant increase in complaints in 2015/16.** We reported a rise of 12% in our Annual Report for 2015/16. Previous Operating Plans had been based on a prediction of a stable number of complaints. This meant the unexpected increase had a significant impact on cost and resource needs. On the basis of on-going trends, we predicted complaints would increase again in 2016/17.
- **As predicted, complaints increased again in 2016/17, coupled with a decrease in the number of premature and ineligible complaints.** Complaints rose steeply at the start of the year, although this reduced in the second half of the year. This resulted in an overall year-end increase of a further 2% on top of last year's record 12% increase (a total of 14% over two years). The fact that premature and ineligible cases also continued to fall (48% over three years) meant that more complaints entered the later stages of the system.
- **This year, 2017/18, again as predicted, we currently are still experiencing increasing complaints numbers.** At the six month point, when we consulted on our budget, complaints were up 8.6% 'year to date' on the previous year, but we anticipated this increase might start to tail off in the latter part of our business year. This has proved the case to some extent, but not significantly so. By the end of month 11 of our operating year complaints remained up 6% 'year to date' on the previous year.
- **In December 2018 we will again need to make predictions for budgeting purposes, for the 2019/20 financial year.** Many factors could change before then, but at the moment our predictive works continues to anticipate increasing complaints based on our historic trend information.
- **During the past year we undertook work, including discussions with the RPOs, to look at why a long-term and significant rise of complaints might be occurring.** We can analyse complaints by practice area (conveyancing, or family) and type (delay or communication). Complaints appeared to be rising across in all areas and all types. We can examine trends in the types of law firm being subject to complaints, but no significant trends were identified. We looked at the market, and increasing levels of business as the country came out of the worst of the downturn and at increased solicitor numbers, either of which might influence a proportional increase in complaints. We also assessed data on consumer trends – an increasing trend to complain overall, and change in Scotland where evidence has historically always suggested consumers have complained less, but with some studies showing Scottish people now starting to be more willing to complain. We liaised with other complaints bodies, and noted legal complaints were increasing in England too. No single factor provides clear statistical evidence. It cannot be

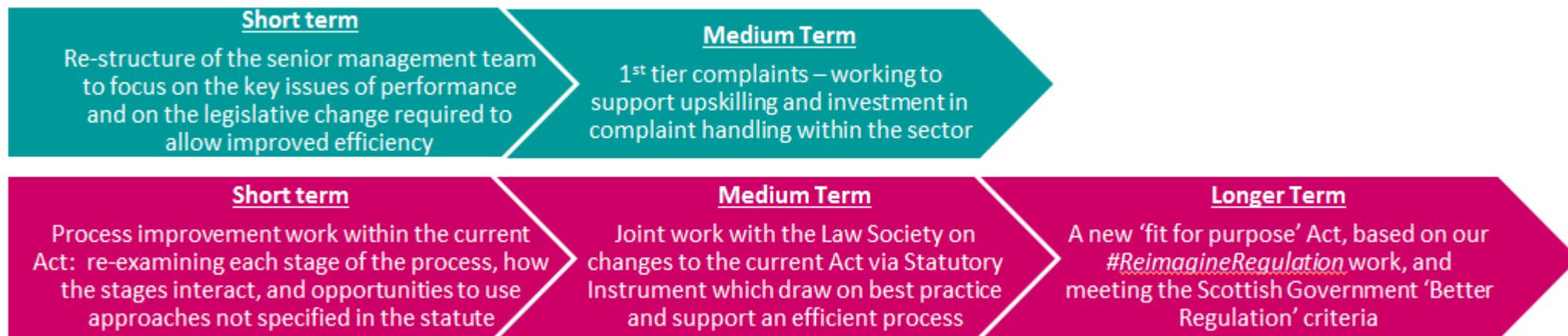
said, from the evidence, that standards of work have changed, only that complaints increased. For the SLCC, that continues to mean increasing work (irrespective of cause).

- **We wish to reduce further the time taken to resolve complaints.** This was showing significant progress at the end of 2015/16 through improved working practices, but that progress stalled due to higher numbers of incoming cases, and cases being placed on hold due to litigation by the Law Society of Scotland. By the first quarter of 2017/18 times are again showing improvement. Our board sees this as a priority for both consumers and those subject to a complaint – for both parties a swift outcome is important. Our key stakeholders indicated this was also a high priority for them, in terms of how we focus our work. Resourcing in this plan is directed at this goal. More information on this is provided in Section 4 below.

4 Improving efficiency – the cost of complaints, and the speed at which they are resolved

- Improving the efficiency and proportionality of our work is the key focus of the coming year. There is a focus on Journey Time (from complaint from being submitted to resolution), the level of ‘Work in Progress’ (the number of cases we have open at any one time), and Cost per Case (what a complaint, and services needed to support it, cost).
- A variety of process improvement projects have been underway over the last 18 months, and these have delivered minor improvements in Journey Time in particular, and in improving the efficiency of the organisation.
- More major work had been commissioned, but was then put on hold for over a year due to the litigation by the Law Society against the SLCC’s process, creating a period where more substantial changes became challenging both legally (as they were a matter of dispute), and due to resources having to be reallocated to the litigation and its impact on cases and parties.
- With those issues resolved, the SLCC is now restarting this work to look at more substantial potential changes to our process aimed at improving the efficiency of our work, and cost per case, and the speed at which complaints are handled (which is important to all parties involved).
- Shifting the cost of complaints further towards those generating complaints must also be a focus of improving the efficiency of the organisation and for the sector as a whole. We will be reviewing the use of our ‘Complaints Levy’ at Determination Committee stage, but also how it may be used at other stages in our process.
- We anticipate parties to complaints, and stakeholders, will start to see us testing new techniques and approaches from the start of this Operating Plan year, and we will carefully monitor the impact of these.
- At the end of the current year we also initiated a recruitment exercise as part of an internal management restructure focussed on the key challenges and opportunities facing the organisation.
- In the medium term we are also working collaboratively with the Law Society of Scotland to approach government for changes, by Statutory Instrument, to some elements of the statutory process.

- In the longer term we have actively contributed to the independent review of legal regulation and complaints with radical proposals for how the system could be improved.
- Finally, we await the outcome of decisions by the Law Society which may allow a better understanding of complaints at 1st tier to more effectively target the common causes of complaints and assess opportunities for improved resolution at 1st tier reducing the need for complaints to progress to the SLCC.
- These three phased, but co-ordinated, programmes of work can be summarised as:



Appendix 1: Operating Plan – 2018/19

| STATUTORY DUTIES | | | | | |
|--|-----------|-----------|-----------|-----------|------------------------|
| Provide a gateway for all complaints about lawyers in Scotland (s2 to s19) | Quarter 1 | Quarter 2 | Quarter 3 | Quarter 4 | SMT member responsible |
| <p>➤ Manage service complaints directly – providing redress where appropriate</p> <p>➤ Refer conduct complaints to the ‘relevant professional body’</p> <p>Give advice on complaints to all parties (s34)</p> <p>1. PRIORITY OBJECTIVE – EFFICIENCY (Short Term): We will improve the efficiency and effectiveness of the complaints process where it is within our control:</p> <p><i>Which strategic aims does this work link to:</i> 1, 3, 4 and 5</p> <p><i>Over the last two years we have:</i> carried out a review of each stage of our process, amended various aspects of our approach in summarising the issues in a complaint; created a ‘predictive model’ to track and predict complaint handling rates and work in progress levels; piloted three different approaches to the ‘eligibility’ stage of our process to see if they offered greater efficiency; trained a team of staff in the Lean Six Sigma performance improvement methodology (to yellow-belt standard, this is a tool which focusses on reducing waste and increasing productivity and quality); and reviewed our approach to the complaints levy to encourage mutually agreed settlements in appropriate cases, while continuing evolution of our ‘polluter pays’ approach. We have changed how we report management information data to the Board to achieve a greater focus on outputs and production of reports. A next phase of improvement work was approved by our Board in spring 2018.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Re-engineer our entire complaints process, using our own version of an agile project methodology. 2. Work on simultaneous short projects called “sprints” to try to achieve improvement and impact as quickly as possible, looking at all aspects of the process at each stage. 3. Methods fully tested by year end will include, but will not be limited to, various ‘checklist’ assessment models at eligibility, a tiered approach to investigation, fast-tracked methods at Determination Committee, the use of powers to improve initial complaint handling within law firms, and the application of complaints levies to incentivise reasonable settlements. 4. Seek improvements in journey and working time as well as improve consumer and solicitor experience of the process. 5. Continue to evolve our predictive model, allowing us to plan resource and costs more effectively, and monitor any impact from the Re-engineering work. 6. Deliver a session where our independent statistician briefs our board directly on efficiency pilots and predictive work. 7. Deliver further training to our staff of using our case management system and reporting data, and produce short guidance on key issue around data recording. | ⇒ | ⇒ | ⇒ | ⇒ | HI |

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| <p>2. PRIORITY OBJECTIVE – EFFICIENCY (Medium Term): We will work with the Law Society of Scotland and the Scottish Government to identify changes to the current Act which can be made by Statutory Instrument which will draw on best practice and increase efficiency and effectiveness:</p> <p>Which strategic aims does this work link to: 2, 3, 4 and 5</p> <p>Over the last two years we have: in addition to our work on longer term change (see below, <i>#ReimagineRegulation</i>) we have reviewed the current Act and the examples of best practice and greater efficiency being regularly cited (for example, the Legal Ombudsman in England and Wales and the Scottish Public Services Ombudsman). We agreed a joint letter to government with the Law Society of Scotland on potential changes. We have performed a comparison of the legislation with other bodies, drawn on our own evidence as to those issues which cause inefficiency, and have drafted a detailed matrix of changes to the 2007 Act to explore, presenting these to the Law Society of Scotland for discussion.</p> <p>This year we propose to work with the Law Society of Scotland to:</p> <ol style="list-style-type: none"> 1. Finalise a detailed proposal for changes to the Act. 2. Draft a policy note on how the changes would impact the process, different groups, and outcomes. 3. Liaise with the Consumer Panel and other key stakeholders (including RPOs). 4. Liaise with the Scottish Government . 5. Jointly communicate with the Law Society as the project develops to ensure a consensus message most likely to achieve change. | ⇒ | ⇒ | ⇒ | ⇒ | HI |
| <p>3. PRIORITY OBJECTIVE – EFFICIENCY (Longer Term): We will promote legislative changes which will assist in further improving the efficiency and effectiveness of the complaints process:</p> <p>Which strategic aims does this work link to: 2, 3, 4 and 5</p> <p>Over the last two years we have: developed and published a paper on legislative reform (<i>#ReimagineRegulation</i>), and hosted discussions on what that legislative change might look like. This was one driver of an independent review of the regulation of legal services being announced, which is now underway and which the SLCC are actively participating in.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Consider and respond to the outcome of the independent review, expected in September 2018 – making clear what we support and areas we think need further consideration. 2. Engage with our Consumer Panel and consumer groups on their expectations of effective complaint handling within a reformed system. 3. Start developing our position on how policy recommendations could be converted into draft legislation ensuring an agile and proportionate system. 4. Further develop our MSP newsletter – providing new content which assists MSPs to support their constituents and informs the debate about legislative change. 5. Meet justice and consumer spokespeople across all parties to discuss the potential for changes. 6. Ensure that the issue of ensuring redress is awarded, and issues around taxation of fees, remain a priority for reform. | ⇒ | ⇒ | ⇒ | ⇒ | HO |

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| <p>4. PRIORITY OBJECTIVE: We will aim to ensure that all consumers of legal services know the SLCC exists and how we can help - this is vital in successfully delivering our function as the single gateway for all complaints about lawyers:</p> <p>Which strategic aims does this work link to: 1, 2 and 3</p> <p>Over the last two years we have: assessed public awareness and considered groups that had lower awareness of our service, and developed a targeted awareness raising plan up to 2020. We have increased our editorial coverage and publication of materials for consumers and the profession (with a particular focus on 'Plain English'). We reviewed data on how complainers heard about us, and noted that web searching and referrals from bodies such as the Law Society of Scotland and Citizens Advice were the most common ways: referrals by the lawyers offering the original service was one of the least common ways.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Adapt our strategy to allow for a greater focus on digital marketing (with a digital plan to be developed and to include 'paid for' digital for the first time). 2. Increase our focus on content marketing (content plan to be developed – to include video as the main component) 3. Upskill our staff on digital media relevance and use. 4. Work to raise the profile of our Board members, and increase their visibility to stakeholders. | ⇒ | ⇒ | ⇒ | ⇒ | HO |
| <p>5. We will ensure we are prepared to deliver our new statutory functions in relation to 'Alternative Business Structures' in Scotland, if the Scottish Government authorises an 'Approved Regulator':</p> <p>Which strategic aims does this work link to: 3 and 5</p> <p>Over the last two years we have: carried out training on the Legal Services (Scotland) Act 2010 with the Board and staff, reviewed cost implications and issues which the SLCC would need to address, liaised with government on a wide range of issues around implementation, and created a basic process map. We have secured funding for the set-up from the Scottish Government. In the latter half of our 2017/18 year we consulted on and finalised a budget for the first year of operation. We were due to have a detailed process in place, but the date for implementation was again moved, meaning the SLCC could not finalise its own work.</p> <p>On the basis that a new Approved Regulator will have been authorised in 2018, we propose to:</p> <ol style="list-style-type: none"> 1. Develop a basic complaints scheme to meet the new statutory requirements placed upon us – this will be an outline process only at this stage, developed iteratively as the market evolves and our experience on the nature of complaints in this sector develops. 2. Deliver staff and Commissioner training, to ensure we can meet our statutory duties to give advice to the public and sector and to investigate and determine cases. 3. Publish on our website information for lawyers and the public on these new types of complaint. 4. Further evolve our policies and processes in light of early experience. | ⇒ | ⇒ | ⇒ | ⇒ | HO |

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| <p>6. We will review our arrangement for quality assurance of complaints at each stage in our process:</p> <p><i>Which strategic aims does this work link to:</i> 5</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Deliver a cross team project to examine our current quality assurance arrangements throughout our process, and their efficiency, effectiveness and proportionality. 2. Confirm or change arrangements to deliver proportionate QA and ensure this is reported to management and the Board. 3. Develop a system to ensure that complaints about our own service levels are reviewed objectively. 4. Develop a process for effective feedback to ensure that learnings are captured and acted upon. | | | | | HO/HI |
| <p>Ensure conduct complaints are properly dealt with by the ‘relevant professional bodies’ through handling complaints and oversight of their process (s23-25, s35 & 36)</p> | | | | | |
| <p>7. Audit the implementation of previous recommendations to the Faculty of Advocates on their complaint handling process:</p> <p><i>Which strategic aims does this work link to:</i> 2 and 4</p> <p><i>Over the last two years we have:</i> carried out a Benchmarking Report on the Faculty of Advocates. We valued the positive engagement of the Faculty throughout the process, and in their response to the final report. In that report we said that if we didn’t carry out a further audit of FA in the operational year 17/18 (which we did not do), it would be undertaken in 18/19.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. We will carry out an audit this year to ensure that all recommendations that we have previously made have been implemented. | | | | | HO |

| Issue guidance and encourage best practice (s40) | | | | | |
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| <p>8. We will actively engage with professionals to provide relevant training which promotes best practice in complaint handling:</p> <p><i>Which strategic aims does this work link to:</i> 1, 2, 3, 4 and 5</p> <p><i>Over the last two years we have:</i> continued to provide CPD training to groups of solicitors, advocates and their support staff as well as training to diploma students and Faculty Devils. We developed new materials and presentations, and worked to incorporate more data, and more case studies, to help tackle common causes of complaints.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Continue to produce outreach and training in best practice complaint handling which better meets the changing needs and preferences of the profession. 2. Explore options to develop online training in complaint handling best practice for practitioners. 3. Develop a training page for the website. 4. Continue to explore cost-efficient opportunities to provide training jointly with other organisations. | ⇒ | ⇒ | ⇒ | ⇒ | HO |
| <p>9. We will improve our website, which is our most cost effective, and most transparent, communication tool to ensure ease of access and use, especially for those on mobile phones or tablets, and those with visual impairments:</p> <p><i>Which strategic aims does this work link to:</i> 1 and 5</p> <p><i>Over the last two year we:</i> surveyed website users, gained input from stakeholders, reviewed best practice on accessibility, and scoped the required work on our website. We then tendered the work, and in the second half of our 2017/18 year will start generating new content, with a focus on accessibility and plain English, and migrating data.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Complete the migration of data and population of new content on our website – using the ‘Site Improve’ system to target content with the best opportunities to improve readability, and refreshing content and layout where practicable. 2. Re-test compliance with the Scottish Government’s Digital First Standard for digital public services and the WAI AA access standard. 3. Undertake user access testing (making sure that a variety of users, with different needs, can easily access our website). 4. Launch the new website. | ⇒ | ⇒ | ⇒ | ⇒ | HO |

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| <p>10. We will actively publish information to assist lawyers in complaint handling:</p> <p><i>Which strategic aims does this work link to:</i> 2, 4 and 5</p> <p><i>Over the last two years we:</i> developed our new quarterly CRM newsletter, published guidance to assist new lawyers and CRMs with issues around complaints, and refreshed and reissued our section 40 guidance in relation to complaint prevention and best practice complaint handling at 1st tier.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Continue to publish our CRM newsletter and issue at least four quarterly editions a year. 2. Where relevant, update and publish further s.40 guidance to assist the promotion of best practice in complaint handling. 3. If the LSS Rules are changed (following their recent consultation), scope and carry out an initial assessment of 1st tier complaints records. 4. Publish proposals on how 1st Tier complaints systems, and those undertaking the work, could be better supported within the regulatory framework and through professional services provided by sector bodies. | ⇒ | ⇒ | ⇒ | ⇒ | HO |
| <p>Monitor practice and publish trend reports – to help ensure the sector learns from complaints made (s35 & s36)</p> | | | | | |
| <p>11. We will continue to publish information in relation to complaints to inform the profession, and consumers:</p> <p><i>Which strategic aims does this work link to:</i> 1, 4 and 5</p> <p><i>Over the last two years we:</i> developed the information published on upheld complaints, provided trends information in our new CRM newsletter, and published guidance aimed to assist newly-qualified solicitors.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Review the scope of publishable decisions on our website. 2. Continue to provide informed trends-based commentary on complaints outcomes. | ⇒ | ⇒ | ⇒ | ⇒ | HO |

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| <p>12. We will build on work over the last two years to consider how we exercise our oversight function in relation to the Client Protection Fund (formerly the Guarantee Fund) and the Master Policy:</p> <p>Which strategic aims does this work link to: 2, 3, and 4</p> <p>Over the last two years we: scoped options for dispensing this statutory duty and engaged with key stakeholders on how we might deliver our statutory oversight function in this area. In December 2017 we agreed a Memorandum of Understanding (MoU) with the LSS which will allow the sharing of information relating to both the CPF and MP.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Invite the Law Society and Scotland and Lockton to prepare and deliver a presentation to our Board, independent Consumer Panel, and relevant senior staff, on the operation of the Master Policy and the Client Protection Fund (formerly the Guarantee Fund) and future plans for these schemes. 2. To reassess our approach to monitoring, partly in light of the above, and set out future proposals for our 2019/20 Operating Plan. | | | | | <p>⇒</p> <p>HO</p> |
| Support, and be guided by, our independent Consumer Panel (Schedule 1, 11A) | | | | | |
| <p>13. We will provide support to the independent Consumer Panel as it works to add value to the sector by exploring the experience of consumers:</p> <p>Which strategic aims does this work link to: 1, 2, 3 and 4</p> <p>Over the last two years <u>the Panel</u>: supported the SLCC’s work on legislative change; examined the demographics of those who use the SLCC’s service and published information; considered the needs of vulnerable users; reviewed templates and correspondence as part of our Plain English work; replied to consultations on our strategy and on a proposed ‘Approved Regulator’ scheme; published information and hosted a round table on how the Consumer Principles apply to legal services and regulation.</p> <p>This year <u>the Panel</u> proposes to:</p> <ol style="list-style-type: none"> 1. Provide further input to any proposals for legislative change (medium term by regulation, and longer term in a new Act). 2. Produce a further demographics tracker (Q.2) and report on three-year findings. 3. Host a further round table event on issues relevant to legal consumers. 4. Work with the SLCC to research accessibility, and reduce barriers, for legal complainers. | <p>⇒</p> | <p>⇒</p> | <p>⇒</p> | <p>⇒</p> | <p>HO</p> |

| Improvements, efficiency and best value to ensure a high performing organisation | | | | |
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| <p>14. We will finalise our review of major long-term contracts as part of our work on ‘best value’:</p> <p><i>Which strategic aims does this work link to:</i> 5</p> <p>Over the last two years we: reviewed all our major contractual commitments, setting out potential review dates and identifying priorities for consideration around a mandatory review date, and/or potential to increase our efficiency, and/or potential to increase our effectiveness. We also undertook a property search as part of our lease review, and initiated a review of our legal services tender panel.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Finalise arrangements for, and transition to our new legal services panel, and monitor the first year of work. 2. Develop a specification of our IT (software and hardware) and facilities needs over the next three to five years, with a view to costing (capital expenditure), considering tender approach, and considering phasing of work – this will be reported to Board in time for the 2019/20 budgeting cycle. | ⇒ | | ⇒ | ⇒ HI / FCSM |
| <p>15. We will deliver a range of projects focussed on ensuring we can attract and retain high quality staff, and support their development to deal with the complexity and volume of caseload we require:</p> <p><i>Which strategic aims does this work link to:</i> 4 and 5</p> <p>Over the last two years we: completed a staff survey to canvass feedback, restructured our HR function, deployed an online HR management system, and worked with our staff representatives to update our employee handbook. In light of feedback we are increasingly using coaching to support and develop staff, and have done work focussed on recognising good work. For staff training we focussed on updates across a range of legal practice areas to support their core complaints investigation function, as well as developing team working, clearer communication and resolution-focussed skills, along with wider management development (such as training in change and conflict). We have also reviewed our reward and benefits approach against comparators and reviewed our approach to recruitment and selection</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Work with the Scottish Government on ways to implement recommendations coming out of our review of staff reward and benefits. 2. Review and amend our approach to performance appraisal. 3. Deliver a training plan, based on feedback from all colleagues on their priorities sought at the end of the previous year. 4. Learn from our first appointment of a Modern Apprentice and assess the opportunities to offer future apprentice roles. 5. Seek staff input on the annual training plan, and deliver a range of legal updates and customer focussed skills. 6. After the success of our mental health awareness week in 17/18 work with staff to identify and deliver another themed week focussed on inclusion, well-being, personal growth, or another related theme. 7. Review our approach to recruitment and selection. | ⇒ | ⇒ | ⇒ | ⇒ HI / FCSM |

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| <p>16. We will implement key projects from our review of Knowledge Management, and deliver a training plan for our Commissioners, focussed on ensuring efficient working, effective sharing of knowledge, and robust decision making:</p> <p>Which strategic aims does this work link to: 4 and 5</p> <p>Over the last two years we have: run training for Commissioners which included ‘unconscious bias’, Board competencies, reasoned decision making, training on holding an oral hearing, quantum, risk management, briefings on ABS, and lessons learned from appeals. We undertook a full review of our internal knowledge management (KM), and external best practice, and prioritised work (incorporating our existing work stream on ‘consistent decision making’ into the wider KM work). We created a ‘single toolkit’ of knowledge sources and a skills map for commissioners. We successfully completed induction for nine Board members, in three phases – a complete refresh of our Board. We prepared for the new GDPR (General Data Protection Regulations).</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Offer a programme of 6 x Commissioner development sessions on topics relating to the delivery of statutory functions to a high standard. 2. Finalise the system of case summaries screens in NewPro (our case management system) to aid consistent decision making. | ⇒ | ⇒ | ⇒ | ⇒ | CM |
| <p>17. We will mark the 10th anniversary of the SLCC (Oct 2018):</p> <p>Which strategic aims does this work link to: 1 and 5</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Undertake an analysis of service, conduct, and handling complaint trends across that period – using this data as a centre piece of anniversary communications (social media, CRM newsletter, special articles). 2. Where possible, benchmark against data from other jurisdictions and our own 5-year trends report published in 2013. 3. Publish a report on the above. 4. Consider the use of infographics or video to bring alive the performance of the SLCC, for the sector and consumers, over the last ten years. | ⇒ | ⇒ | ⇒ | ⇒ | HO |

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| <p>18. We will finalise lease negotiations at the Stamp Office Which strategic aims does this work link to: 5</p> <p>Over the last two years we have: carried out a full options appraisal, market search and key negotiations, and have delivered a proposal to Scottish Ministers on the future property arrangements for the SLCC, which was accepted. The preferred option delivers an annual saving of over £16,000 in each of the next five years (from Sept 18).</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Finalise the lease and sign the new terms. 2. Plan and cost what investment is needed in the office infrastructure to support efficient working – this will be reported to Board in time for the 2019/20 budgeting cycle. | ⇒ | ⇒ | ⇒ | ⇒ | FCSM |
| <p>19. We will recruit for and implement our new management structure, and start work on a strategy refresh Which strategic aims does this work link to: 5</p> <p>Last year we: carried out a review of our management structure, consulting internally and bringing in an external perspective. We have communicated with all colleagues within the organisation, and started recruitment of two new senior managers.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Appoint a new Senior Management Team, providing induction and leadership development for them. 2. Undertake a further management led review of work and priorities, once the posts are filled and inducted, to feed into the business planning for 2019/20 (which will be consulted on in January 2019). This will also incorporate previous recommendations. 3. Review management reporting to the Board, in light of the planned approach to the Operating Plan for 2019/20. 4. Have started work, by Quarter 4 of our business year, to define a new strategy for the organisation for public consultation in January 2020. | ⇒ | ⇒ | ⇒ | ⇒ | CEO |

20. We will continue to improve our records management and information security (including GDPR compliance)

Which strategic aims does this work link to: 5

Over the last two years we have: implemented our project plan to ensure compliance with the new GDPR and submitted our Records Management Plan to the National Records of Scotland to meet our new statutory duties. We also carried out an IT security internal audit and started work towards the Cyber Essentials Accreditation.

This year we propose to:

1. During the first 12 months of the new GDPR we will create a 3-year audit plan for GDPR compliance and implement the first year of the plan.
2. Following implementation of GDPR, the DPO will offer update sessions to Staff, Commissioners and key independent contractors on data security and data breach reporting, to ensure ongoing compliance.
3. Deliver further changes to our case management system to include new case types relating to ABS and to GDRP (breach reporting and amended access requests).
4. We will fully implement the 'file manager' functionality of our case management system to assist with archiving and record deletion.
5. We will review the first year of operation of our Records Management Plan.
6. We will ensure accreditation against the Cyber Essentials standard is completed.
7. We will carry out further training of our staff and Board on Cyber Security.
8. We shall meet our commitments under 'Safe, Secure and Prosperous: A Cyber Resilience Strategy for Scotland – Action Plan 2017-18'.



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Appendix 2: Acronyms and terms

| Acronym / term | Meaning |
|---------------------------------------|---|
| 1st tier complaints | When a law firm or advocate/advocate's clerk manages the initial complaint about a lawyer. Usually a consumer must first complain to that lawyer, before they can come to us. |
| 2nd tier complaints | When a complaint comes to us, generally after having given the lawyer and/or firm the opportunity to consider the complaint first. |
| ABS | 'Alternative Business Structure' created by the Legal Services (Scotland) Act 2010 |
| AR | Approved Regulator, regulatory body created by the Legal Services (Scotland) Act 2010. |
| CPD | Continuing Professional Development – the ongoing training many professionals are required to undertake as part of their right to practice. |
| FoA | Faculty of Advocates – the professional body for advocates and one of the 'Relevant Professional Organisations' in terms of our statute. |
| GDPR | General Data Protection Regulations |
| HR | Human Resources. |
| LSS | Law Society of Scotland – the professional body for solicitors and one of the 'Relevant Professional Organisations' in terms of our statute. |
| Our statute/ the Act | The Legal Profession and Legal Aid (Scotland) Act 2007. |
| Reporters | A reporter is an independent individual who assists in undertaking an investigation and writing an investigation report. |
| RPO | A 'Relevant Professional Organisation' in terms of our statute. |
| SLCC | Our own organisation, the Scottish Legal Complaints Commission. |
| SSDT | The Scottish Solicitors' Discipline Tribunal. This is the independent tribunal at which the LSS prosecutes solicitors for professional misconduct. |