

SLCC Strategy
2010-2013 Corporate Plan
Scottish Legal Complaints Commission



Author: SLCC Management Team
Recipient: Board
Date: 08 May 2010 (updated)

The SLCC's purpose is to investigate and to either resolve or direct the settlement of complaints about legal professionals registered in Scotland. We have a role to look into the way the professional bodies concerned deal with complaints about their members' conduct, and about how these bodies make arrangements for professional indemnity insurance. We also have a role in promoting and advising on good complaint handling across the legal profession. We make recommendations in order to contribute to the development of good professional legal practice in Scotland. We deliver our service in line with the values and objectives set out in our strategic statement.

Contents

1	About us	3
2	Strategic Aims	4
3	Scottish Government National Outcomes	4
4	Key Strategic Objectives 2010 – 2013	5
5	Resources	6
6	Key Performance Indicators and Targets	6

1 About us

- 1.1 The SLCC opened for business on 1 October 2008 when the Legal Profession and Legal Aid (Scotland) Act 2007 (The Act) was introduced. Our creation and the changes to the way complaints about the legal profession in Scotland are dealt with was the result of an Inquiry into the Regulation of the Legal Profession was conducted by the Justice Committee of the Scottish Parliament.
- 1.2 The SLCC provides a single point of contact for all complaints against legal practitioners in Scotland; a legal practitioner is someone who is a qualified solicitor, advocate, conveyancing and executry practitioner or commercial attorney.
- 1.3 The Act encourages practices and practitioners to resolve complaints themselves. Where this is not possible, we provide an easily accessible and effective dispute investigation and resolution service.
- 1.4 Complaints received about a legal practitioner will be considered and a decision taken on whether or not these should be investigated. The SLCC investigates and tries to resolve complaints about service provided by a legal practitioner and we pass complaints about professional misconduct or unsatisfactory professional conduct to the relevant professional body for investigation. The SLCC oversees how these complaints are investigated by the professional bodies.
- 1.5 The SLCC aims to be of service to both the public and the profession. We have an additional responsibility to share best practice, monitor trends, and highlight areas of concern. We are committed to the use of mediation to resolve disputes between practitioners and their clients.
- 1.6 The SLCC has the authority to oversee and monitor the way in which the Professional Bodies investigate conduct complaints. We also have the powers to monitor and to issue guidance to practitioners about dealing with legal complaints.
- 1.7 Under the terms of the Act, the SLCC also has the authority to oversee the way in which the Law Society of Scotland administers Master Policy and Guarantee Fund.

2 Strategic Aims

- 2.1 The SLCC's strategic aims are to deal with all our responsibilities **independently**, **impartially** and to be **accessible** to all who need to use our services.

Independent	Impartial	Accessible
<ul style="list-style-type: none"> We are established by law and do not promote the interest of any party, either the person complaining or the person complained against We operate free from any outside influence or control We look carefully at all the facts presented to us 	<ul style="list-style-type: none"> We are fair and even-handed to all the parties to a complaint We offer advice to any party to a complaint to allow the matter to be resolved early, avoiding the necessity of a formal complaint to us We make fair and reasonable proposals for settlement and determination, based on facts 	<ul style="list-style-type: none"> We are approachable and communicate clearly, understandably and in the most appropriate way We explain all our decisions Our service is available to everyone We are not a court and will deal as informally as possible with the circumstances of the case before us. No one should need expert legal help to pursue or defend their case with us

3 Scottish Government National Outcomes

- 3.1 In delivering our business effectively we will contribute to Scottish Government's aim "To focus Government and Public Services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable growth". We will contribute directly to achieving five of the Scottish Government's National Outcomes as set out in the National Performance Framework.

National Outcome 1: We live in a Scotland that is the most attractive place for doing business in Europe.

Our contribution to driving up and maintaining standards in the legal profession will help to promote business confidence in Scotland being a nation where businesses are served by a confident, capable legal profession.

National Outcome 7: We have tackled significant inequalities in Scottish society.

Our work will contribute to the principle and ethos of access to justice by giving everyone a voice in relation to complaints and standards.

National Outcome 9: We live our lives free from crime, disorder and danger.

An efficient complaint handling system contributes to an effective Scottish Legal System which in turn helps to make the way Scotland deals with crime and disorder more effective.

National Outcome 11: We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.

By dealing with complaints impartially, independently and making our service accessible to all, we will promote appropriate healthy challenge of the legal profession and encourage the legal profession to adopt a resolution-based approach to dealing with complaints.

National Outcome 14: We reduce the local and global environmental impact of our consumption and production.

The SLCC will deliver its service according to the 'green' principles of reduce, re-use and recycle.

National Outcome 15: Our public services are high quality, continually improving, efficient and responsive to local people's needs.

The SLCC endeavours to ensure our services provide value for money and are subject to ongoing improvements in quality and efficiency.

(14 and 15 are compulsory for public bodies and NDPBs)

4 Key Strategic Objectives 2010 – 2013

- Strategic Objective 1** **The SLCC will provide a high quality, independent and impartial complaint handling service which focuses on early resolution.**
We will continue to reflect on and develop enquiry and complaint handling policies and procedures, learning from stakeholder feedback, the outcome of complaints and developments in interpretation of the 2007 Act. We will make good recommendations and decisions and publish accurate and influential reports. We will seek to resolve complaints at the earliest possible opportunity.
- Strategic Objective 2** **The SLCC will be an efficient, accountable organisation that works to best-value principles.**
We will make good use of resources and strive for operational efficiency and continuous improvement. We will ensure that we have appropriate corporate policies and procedures in place to support the planning and delivery of our business.
- Strategic Objective 3** **The SLCC will support and contribute to high standards in the legal profession in Scotland through our oversight and complaint-handling functions.**
We will develop our role in relation to oversight of how the professional bodies deal with complaints about practitioners' conduct. We will issue appropriate guidance to the profession on good and effective complaint handling. We will promote confidence in and understanding of the operation of the Master Policy and Guarantee Fund. We will actively participate in consultation that impacts on the legal profession, complaint handling and standards in public life.
- Strategic Objective 4** **The SLCC will promote understanding of its role.**
We will proactively promote our role and services to ensure our stakeholders have a clear understanding of what we do and how we do it. Through clear communication we will enhance public confidence in the SLCC and ensure that everyone knows how to access our services.
- Strategic Objective 5** **The SLCC will be recognised as expert in complaint handling and an organisation that attracts and retains experienced and skilled people.**
We will continue to develop the skills and competencies of all our people through a programme of continuous professional development, knowledge management and sharing learning from each-other and experience. We will take a team-based approach that encourages and promotes inclusion of all of our people in the delivery of our services. We will ensure that our organisational structure is fit for purpose.

- 4.1 During the 2010/11 operating year, our focus in relation to the above strategic aims will be one of consolidation and reflection on our practices, policies and procedures. We will build on the learning and experience of our first full year of operation to ensure that our policies and procedures are fit for purpose and meet statutory and other external stakeholder requirements.
- 4.2 During the 2011/12 and 2012/13 years the focus will be on efficiency improvements, reviewing costs and performance management.
- 4.3 The detail of how we will meet our objectives will be set out in our annual business plan.

5 Resources

People

- 5.1 The SLCC has nine Members (Commissioners); six lay members and three legal members. The SLCC is chaired by a lay member. More information about our Members can be found on our website <http://www.scottishlegalcomplaints.org.uk/>.
- 5.2 The operational arm of the SLCC plan to have in place 40.2 full time equivalent members of staff by the end of June 2012.

Financial

- 5.3 The SLCC has sets an annual budget each operating year, the greatest proportion of costs relating to staff and Members. The majority of its income will come from the general levy on the legal profession. Details of the SLCC's budget can be found on its website <http://www.scottishlegalcomplaints.org.uk/>.
- 5.4 This is likely to remain relatively constant for future years if complaint numbers remain at current levels. Each year of operation will enable to SLCC to forecast more accurately future resource requirements, based on increasingly robust actual costs. At the same time the SLCC will, in line with other NDPBs, endeavour to make efficiency savings and so reduce the financial burden on the legal profession.

6 Key Performance Indicators and Targets

- 6.1 The SLCC has set targets and Key Performance Indicators (KPIs) under each of its strategic objectives.

SO1 - The SLCC will provide a high quality, independent and impartial complaint handling service

The following KPIs will be put in place during the 2010/11 operating year and monitored to ensure they are realistic in light of the learning from complaints dealt with under the provisions of the 2007 Act. The KPIs will be reviewed and adjusted as appropriate at the end of 2010/11. From 1 July 2010, the adjusted KPIs will be formally applied as part of the SLCC's performance management framework and reported on in our Annual Report.

Overall complaint times

- 50% of complaints will be dealt with within 100 days
- 85% of complaints will be dealt with within 200 days
- 95% of complaints will be dealt with within 300 days

In addition to the time-based KPIs the SLCC will develop quality control procedures that enable it to report on the quality of complaint-handling within the timescales.

SO2 - The SLCC will be an efficient, accountable organisation that works to best-value principles

The SLCC will consult on its annual budget by the end of January each year for the upcoming operational years and lay its budget before the Scottish Parliament by the end of March each year in line with statutory timescales.

SO3 - The SLCC will support and contribute to high standards in the legal profession in Scotland

The SLCC will report its key findings and recommendations in relation to oversight of complaints each year in its annual report and as driven by specific issues that emerge.

SO4 - The SLCC will promote understanding of its role

The SLCC will deliver and report on a coordinated communication programme that includes:

- Development, maintenance and monitoring of its website
- Personal contact through enquiries, talks, presentations and seminars
- Development and publication of printed media, including leaflets and the Annual Report
- Proactive press contact

The Board will receive regular updates on progress and a general report on communication activity will be made as part of the SLCC's Annual Report.

SO5 - The SLCC will be recognised as expert in complaint handling and an organisation that attracts and retains experienced and skilled people

The SLCC will ensure that its people receive continual professional development and report on progress in its Annual Report.