

Resolving Complaints | Improving Practice | Inspiring Confidence

Our operating plan for 2017 to 2018

Complaints handling which is:

Independent | Fair | Impartial
Accessible | Efficient | Effective



TABLE OF CONTENTS

1	Introduction	3
2	Our operating focus	3
3	Our top six objectives	4
4	The environment we are working within – drivers of cost	5
Appendix 1: Operating Plan – 2017/18		7
Appendix 2: Acronyms and terms		19

1 Introduction

- 1.1 This document sets out the SLCC's final Operating Plan for the operational year 2017/18 (**Appendix 1**).
- 1.2 A consultation on the Operating Plan, and Budget, as required by our statute, was held between January and March 2017.
- 1.3 The Operating Plan delivers the second year of work under our Strategy for 2016 to 2020. We consulted on the Strategy in January 2016, and the Board of the SLCC has confirmed its commitment to it during the preparation of this Operating Plan.
- 1.4 The strategy sets out the SLCC's statutory functions, gives details of the complaints process, describes our five main strategic priorities, sets out our values, sets out the environment in which we are operating, 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>
- 1.5 Full details of the consultation and all responses are available at: <http://www.scottishlegalcomplaints.org.uk/consultation>
- 1.6 Acronyms or technical terms we use are explained in a glossary at **Appendix 2**.

2 Our operating focus

- 2.1 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, and our performance is monitored monthly by our Board.
- 2.2 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 1,100 incoming cases a year) and have a statutory obligation to have adequate resource to process that workload. However, the purpose of our Operating Plan is not to detail this complaint handling work - it is taken as a given – and as a result the Plan has greater focus on the specific projects and improvements planned for the operating year.
- 2.3 Information about our core processes is available on our website at: <https://www.scottishlegalcomplaints.org.uk/making-a-complaint/complaints-process.aspx> as is information on our performance: <https://www.scottishlegalcomplaints.org.uk/resources/annual-report-accounts.aspx>
- 2.4 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 and Master Policy; and supporting our statutory Consumer Panel.
- 2.5 Over 90% of our staff work directly on tasks that deliver these statutory functions – the remainder support these functions with internal services (Facilities, HR, Finance) or through external work (engagement with stakeholders, outreach, and communications). Finally, we have a small

amount of project work we undertake each year - the work and projects are drawn from our strategy. This accounts for around 1-2% of our direct costs (for example, a payment for a product, service, contractor or license to deliver the project which is met from our budget), and a small amount of staff time.

2.6 Following feedback to our consultation on last year's Plan, we have this year used our statutory functions as a framework for the Operating Plan. Where we make reference to "section ('s') numbers", these relate to the Legal Profession and Legal Aid (Scotland) Act 2007 ("the Act"). Columns to the right then indicate how each planned item of work links to our strategic priorities in delivering those functions. Our strategic priorities are to:

- Build trust
- Promote strong relationships
- Deliver early resolution and redress
- Drive improvement
- Develop as a high performing organisation

2.7 A number of this year's 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.

2.8 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.

2.9 Whilst each project is only summarised in this document, we aim to provide enough detail on key stages and output to allow our stakeholders clarity on what they can expect us to deliver as part of our work. This may not cover every aspect of the project or activity, but will help stakeholders track our progress.

3 Our top six objectives

3.1 Our detailed Operating Plan (**Appendix 1**) covers all work and projects which are not part of our day to day operations – helping to deliver our wider statutory duties and develop our work. However, some projects are more significant in scale, or important in impact, than others. The Board and management team identified six objectives, from the longer list, which will be the top priorities for the year. These are marked as 'priority objectives' within the Operating Plan.

- *We will improve the efficiency and effectiveness of the complaints process, where it is within our control.*
- *We will aim to ensure that all cases impacted by the ruling of the Inner House of the Court of Session on 'hybrid issues' have completed their progress through our processes, and that we return to, or improve on, our previous performance levels.*
- *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 in Scotland.*
- *We will promote legislative changes which will assist in further improving the efficiency and effectiveness of the complaints process.*

- *We will work with the Law Society of Scotland to understand their plans for development of rules, guidance, advice and information, and explore how we may be able to add value to that process.*
- *We will improve our website, which is our most cost effective, and most transparent, communication tool to ensure it is easily used by all users, especially those on mobile 'phones or tablets, and those with visual impairments.*

4 The environment we are working within

- 4.1 The environment has also changed significantly since our last Operating Plan was published. In this section we set out the factors that are increasing the cost of our operations.
- 4.2 **We saw a significant increase in complaints in 2015/16.** We reported a rise of 12% in our Annual Report for 2015/16 and in the first six months of this year we saw this increase further to 23%. The increase in complaints may relate to greater visibility of the SLCC, an increased volume of legal work over the last couple of years as we came out of the economic downturn, or to other factors. Whatever stage in the system complaints reach they have a cost (even if dismissed at prematurity or eligibility). The previous Operating Plan had been based on the prediction of a stable number of complaints, which had been consistent with our experience of the preceding two years. This rise in complaint numbers impacted on our costs and resource requirements in 2015/16, and we released funds from reserves to meet this demand. However, continuing this level of funding from reserves was not sustainable.
- 4.3 **The increases suggest a new trend, and we have seen complaints rising further in the second half of 2016/17 and, predictably, on into 2017/18.** We have been working with an independent statistician to understand five years of complaints data and the best predictions we can make based on this. At the time of approval of the budget the best predictions that could be made suggested an environment of increasing complaints in the sector, and we must make budget predictions based on this. It is recognised this trend prediction could change (several lower months in a row would bring the future projection closer to a flat line) but at the time of setting our budget, and due to the gap between the levy being consulted on (January 2017) and the 18 months before the next levy is set and collected (July 2018), prudent budgeting means we must take account of the best data available at this time.
- 4.4 **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 was starting to stall due to higher numbers of incoming complaints, and is now impacted further due to some of the factors listed below. 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 where we focus our work.
- 4.5 **A key court ruling from the Inner House of the Court of Session also changed the landscape considerably.** The Court of Session ruled that 'hybrid issues', which had been a feature of legal complaints handling for the last 30 years, were not a valid 'categorisation' of a complaint. This had a significant impact. Firstly, we had to communicate with several hundred parties about how their cases are affected, and this had to happen on more than one occasion. We also experienced an increased number of incoming enquiries, and increased demand for engagement with stakeholders and government, as the situation developed. Our legal advice indicated that many cases part way through our process needed to be re-categorised, and although much of that work is now complete, the impact will be felt into 2017/18. Almost one month of normal workload (that is, complaints assessed and resolved) across 29 staff was lost, and, in a second month, production was 50% below

normal rates. This has resulted in other work falling behind schedule, and we need to act to minimise delays for the consumers and lawyers involved in a complaint.

- 4.6 **Increased appeals and a judicial review relating to the above case are also increasing risk and projected costs considerably.** The SLCC and the Law Society of Scotland received differing legal advice on how to manage the impacts of the above court ruling. At the time of preparing this budget it meant that we were facing seventeen Court of Session Appeals (more than the total number of appeals we received for the whole of 2015-16), and a separate Judicial Review. The costs of all this legal action will be significant. Depending on the outcomes we may recover some costs or have to pay further costs. As well as external fees to our legal advisers and counsel, this also creates a significant internal workload administratively and legally, and also in terms of communicating with affected parties, stakeholders and government. The SLCC must ensure that budgets are prepared to take account of a number of possible outcomes.
- 4.7 **The legal action also, unfortunately, created a backlog of cases which had to be put on hold until such time as the court processes were worked through.** Our Case Investigators have been fully productive in the meantime, working on new complaints. However, we need to plan for working on the large volume of cases which were delayed for a considerable period pending clarity from the Court of Session. The requisite additional capacity to address this cannot be quickly sourced – new Case Investigators require a six-month training lead, for example. As a result, the backlogs created by the above litigation represent a real challenge in resource planning.
- 4.8 **For the last four years we have been gradually reducing our reserves.** This was something stakeholders had encouraged, and was appropriate as the organisation increased its experience in budgeting and managing risk. This year, we propose another deficit budget, but reduced the amount taken from reserves (£99k vs £145k last year). This means that even if all expenditure had remained static, we would have needed to raise an additional £46k from the levy in 2017/18. We have been transparent in previous consultations on what the ‘real’ levy would be if we were recovering full costs for that year, and the ‘adjusted’ levy on the basis of a ‘subsidy’ from reserves. Our reserves policy is to aim to have a minimum of 2 months operating costs available.
- 4.9 **It had been predicted that ‘Alternative Business Structures’ may have been authorised in the 2016/17 business year** under the Legal Services (Scotland) Act 2010, but this did not happen, meaning our role in this is delayed. We will need to await decisions in 2017/18 to see what preparations the SLCC may need to make.
- 4.10 The context of how the levy has changed since the SLCC was established in 2008 is also relevant. In the nine accounting years since creation the levy has moved up or down every year but one. This reflects the statutory requirement to fund necessary work each year counterbalanced by work on efficiencies and ensuring the lowest practicable levy is set. Looking at the five year period since the 2012/13 levy, the increase proposed in 17/18 represents only a 5% rise over that whole period. A lower levy was possible in the intervening years due to rigorous cost control and efficiency work, use of reserves remaining from our ‘set-up phase’, and the delay of investment in projects which now cannot be postponed further (for example, the urgent need for a website which meets current equality and accessibility guidelines). Our willingness to lower the levy in the recent past shows our focus on efficiency, reflecting the complaints volumes in the sector at the time, and budgeting only for the work required to dispense our statutory role.

Appendix 1: Operating Plan – 2017/18

STATUTORY DUTIES	QUARTERLY MILESTONES				LEAD SMT
<p>Provide a gateway for all complaints about lawyers in Scotland (s2 to s19)</p> <ul style="list-style-type: none"> ➤ Manage service complaints directly – providing redress where appropriate ➤ Refer conduct complaints to the ‘relevant professional body’ <p>Give advice on complaints to all parties (s34)</p>					
<p>1. PRIORITY OBJECTIVE: 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> 3, 4 and 5</p> <p><i>Last year we:</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 two 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.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Continue to evolve our predictive model, allowing us to plan resource and costs more effectively. 2. Create new information displays in our case management system to increase our ability to respond to and understand real-time workload data. 3. Continue to trial and monitor improvements to the eligibility stage of our process. This would include: a second pilot splitting aspects of eligibility to best use staff resource, monitoring the improvements from last year’s changes to make internal Quality Assurance more proportionate, work to review Eligibility Reports and Notices, Summary of Complaint work, reviewing eligibility templates, and revising the Complaint Form. 4. Develop and enhance how we measure the time complaints take through the SLCC process – so we can better understand the overall time complaints take for consumers and lawyers, but also the time we are actually working on a file, the time we are waiting for incoming information, and the time it is sitting in our system awaiting the next action. 5. We will report on the outcome of this work on efficiency in our Annual Report 	⇒	⇒	⇒	⇒	HI / FCS M

<p>2. PRIORITY OBJECTIVE: We will aim to ensure that all cases impacted by the ruling of the Inner House of the Court of Session on ‘hybrid issues’ have completed their progress through our processes, and that we return to, or improve on, our previous performance levels:</p> <p>Which strategic aims does this work link to: 1, 2 and 3</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Implement the decision of the test appeal case (when received) and make any necessary changes to our processes. We will publish on our website how we intend to respond to the outcome of this case. 2. Track cases which were impacted by the original ruling (and the test appeal case) and, as far as within our control, ensure each one reaches a final decision within our complaints process. 3. Plan legal strategy for, monitor and track the impact of, the Judicial Review and other appeals taken by the Law Society of Scotland (both on individual cases and how they need finalised, and on new trends as to the outcome of cases and compensation awarded). 4. Produce a report on what impact the decisions had immediately, how it was managed, lessons learnt, and the longer term implications and issues for consideration. 	⇒	⇒	⇒	⇒	HI
<p>3. 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>Last year we: considered groups that had lower awareness of our service, and developed a targeted awareness raising plan. 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. Undertake quantitative research to assess public awareness of us and to assess consumer confidence in our role and approach/process (and summarise findings on our website or in our Annual Report). 2. Increase editorial coverage of the SLCC. 3. Develop and enhance the video content on our website. 4. Produce two ‘Easy Read’ Guides for consumers. 5. Achieve ‘Plain English’ Accreditation. 6. Update and publish our guide for Client Relations Managers (CRMs) on how to manage complaints. 7. Rebrand /relaunch CRM guidance. 8. Update and publish our guidance on wills for practitioners and consumers. 9. We will work to encourage lawyers to ensure their terms of business, other relevant correspondence, and websites refer consumers to the SLCC and provide information on time limits. 	⇒	⇒	⇒	⇒	HO

<p>4. PRIORITY OBJECTIVE: 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>Last year we: developed and published a paper on legislative reform (<i>#ReimagineRegulation</i>), and hosted discussions, on what that legislative change might look like.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Continue dialogue with our sponsor team in the Scottish Government. 2. We will play an active role in the independent review of the regulation of legal services: http://www.gov.scot/About/Review/Regulation-Legal-Services 3. Further develop our MSP newsletter – providing new content which assists MSPs to support their constituents and informs the debate about legislative change. 4. Meet justice and consumer spokespeople across all parties to discuss the potential for changes. 5. Engage with our Consumer Panel and consumer groups on their expectations of effective complaint handling. 6. Continue to monitor changes and market reviews in England and Wales. 	⇒	⇒	⇒	⇒	CEO / HO
<p>5. PRIORITY OBJECTIVE: We will work with the Law Society of Scotland to understand their plans for development of rules, guidance, advice and information, and explore how we may be able to add value to that process:</p> <p>Which strategic aims does this work link to: 3 and 4</p> <p>Last year we: consulted on a project to review service standards from the perspective of consumer clarity, but in light of stakeholder feedback did not include this in our final Plan. However, we continue to identify, through practical experience of dealing with complaints and through our project work, areas where rules, guidance and information can be enhanced.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Liaise with stakeholders (including the Law Society of Scotland and our Consumer Panel) on a methodology, approach and timescale for work relating to this objective. 2. Identify instances where there appear to be overlaps between the conduct and service standards, and work to develop a methodology for dealing practically with these. 3. We will open dialogue on possible changes to the rules about what information on the SLCC should be providing to consumers 4. Engage with our Consumer Panel on any implications the consumer principles may have on any amended rules and guidance, and publish a report on this. 5. If it is possible, publish an update from this joint work with the Law Society of Scotland. 	⇒	⇒	⇒	⇒	HO

<p>6. We will upgrade our case management system – focussing on efficient working practices and the delivery of better information to our management team and board:</p> <p><i>Which strategic aims does this work link to: 5</i></p> <p>Last year we: engaged our staff on potential improvements, scoped the changes which needed to be made, implemented a series of more minor changes to get us on the best footing for a future upgrade, liaised with stakeholders to find out what data they would like us to publish, and delivered staff training.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Upgrade the case management system to the latest version of the software (version 3.10) 2. Commission and deliver a number of bespoke adjustments to the system (a module for managing appeals, a module for advanced file management to assist with out compliance with new statutory duties on records management and the new requirements of the General Data Protection Regulation, and efficiency improvements for email handling). 3. Review how this work will take us forward in our move to becoming a ‘paper-lite’ organisation. 	⇒	⇒	⇒	⇒	CEO / HI
<p>7. 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><i>Which strategic aims does this work link to: 3 and 5</i></p> <p>Last year we: 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, and created a basic process map.</p> <p>This year – if the government authorises a new Approved Regulator - we propose to:</p> <ol style="list-style-type: none"> 1. Publicly consult on the complaints levies and funding model for this work. 2. Develop a complaints scheme to meet the new statutory requirements placed upon us. 3. Monitor the impact of new complaints received under the scheme. 4. Publish on our website information for lawyers and the public on these new types of complaint. 5. If complaint numbers allow, undertake an analysis of complaints received to identify any differences in consumer expectations or issues being complained about. 	⇒	⇒	⇒	⇒	CEO/ HO/ HI

Ensure conduct complaints are properly dealt with by the 'relevant professional bodies' through handling complaints and oversight of their process (s23-25, s35 & 36)	QUARTERLY MILESTONES				LEAD SMT
<p>8. We will review how we deliver handling complaints and oversight of 'relevant professional body' processes, and how to achieve great value and impact from the work.</p> <p><i>Which strategic aims does this work link to:</i> 4 and 5</p> <p><i>Last year we:</i> Received seven handling complaints; issued seven reports; made three s.24 and one s.36 recommendations.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Review our 'handling complaints' process in relation to how we report recommendations made under the respective sections of the Act. 2. Work with the relevant professional organisations to agree a mechanism for publication. 			⇒	⇒	HO
Issue guidance and encourage best practice (s40)	QUARTERLY MILESTONES				LEAD SMT
<p>9. 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>Last year we:</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.</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 - building on projects from the previous year - which better meets the changing needs and preferences of the profession. 2. Produce a pack of revised training modules taking into account feedback received from previous attendees. 3. Continue to explore cost-efficient opportunities to provide training jointly with other organisations such as commercial CPD training providers, Scottish universities and the professional bodies. 	⇒	⇒	⇒	⇒	HO

10. PRIORITY OBJECTIVE: We will improve our website, which is our most cost effective, and most transparent, communication tool to ensure it is easily used by all users, especially those on mobile 'phones or tablets, and those with visual impairments:

Which strategic aims does this work link to: 1 and 5

Last year we: surveyed website users, gained input from stakeholders, reviewed best practice on accessibility, and scoped the required work on our website.

This year we propose to:

1. Tender for, and commission, the work.
2. Plan and design a new website which meets current accessibility standards and is easily usable on mobile devices (which currently account for over a quarter of site visitors – a figure which continues to rise).
3. Benchmark our website and service against the Scottish Government’s Digital First Standard for digital public services and the WAI AA access standard.
4. Start the migration of data, and population of new content.
5. Ensure web content complies with Plain English guidelines.
6. Undertake user access testing (making sure that a variety of users, with different needs, can easily access our website).

NB: it is currently anticipated that the new website will not go live until the next business year, to phase both costs and staff time required against other work. This work also relates to our s34 statutory duty to provide advice.



HO

11. We will actively publish information to assist lawyers in complaint handling:

Which strategic aims does this work link to: 3, 4, and 5

Last year we: developed our new quarterly CRM newsletter, published guidance to assist new lawyers and CRMs with issues around complaints, and refreshed and reissued some of our section 40 guidance in relation to complaint prevention and best practice complaint handling at 1st tier.

This year we propose to:

1. Continue to publish our CRM newsletter – aiming to make it more interactive (helping us to gain feedback) and increase its readership. We issue at least four quarterly editions a year.
2. Develop further s.40 guidance, consolidated into an on-line manual to assist CRMs and other practitioners.



HO

Monitor practice and publish trend reports – to help ensure the sector learns from complaints made (s35 & s36)	QUARTERLY MILESTONES				LEAD SMT
<p>12. 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>Last year 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. 3. Publish our internal complaints handling policies and processes to inform consumers and the profession better as to how we handle complaints. 	⇒	⇒	⇒	⇒	HO
Monitor the effectiveness of the various indemnity arrangements in the sector (s39)	QUARTERLY MILESTONES				LEAD SMT
<p>13. We will build on work in 2016/17 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><i>Which strategic aims does this work link to:</i> 2, 3 and 4</p> <p><i>Last year we:</i> scoped options for dispensing this statutory duty and engaged with key stakeholders on how we might deliver our statutory oversight function in this area.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Hold further discussions with key stakeholders focussing on the proposed projects we outlined in 2016/17 2. Commence and deliver a report on at least one agreed project in quarters 3 & 4 	⇒		⇒	⇒	HO

<p>14. We will continue to raise the profile of the small number of instances where consumers do not receive redress, despite the SLCC having made an award using our statutory powers:</p> <p><i>Which strategic aims does this work link to:</i> 2, 3, 4 and 5</p> <p>Last year we: raised our concerns about a small number of parties who do not receive redress awarded by us in our paper on legislative change. We also raised these issues in relevant consultation responses during the period.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Continue to make this a key element in discussion around legislative reform. 2. Approach parties who have not received awards for an ‘impact statement’ to help raise awareness as to the real impact such failures in redress can have on consumers. 3. Use these ‘impact statements’ to enhance our work to encourage the sector and government to consider how we can ensure consumers always receive redress awarded. 	⇒	⇒	⇒	⇒	HO / FCSM	
Support, and be guided by, our independent Consumer Panel (Schedule 1, 11A)					QUARTERLY MILESTONES	LEAD SMT
<p>15. 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><i>Which strategic aims does this work link to:</i> 1, 2, 3, and 4</p> <p>Last year the Panel: 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, and replied to consultations on our strategy and on a proposed ‘Approved Regulator’ scheme.</p> <p>This year the Panel proposes to:</p> <ol style="list-style-type: none"> 1. Build on last year’s initial <i>Demographics Yearbook</i> by producing the first annual demographics tracker. 2. Work with the SLCC in improving consumer-focussed communications. 3. Host a further round table on the Consumer Principles and their application to the legal sector. 	⇒	⇒	⇒	⇒	HO	

Improvements, efficiency and best value to ensure a high performing organisation	QUARTERLY MILESTONES				LEAD SMT
<p>16. We will prepare to review three major long-term contracts as part of our work on ‘best value’ – our premises lease, our supply of legal services, and our case management system:</p> <p><i>Which strategic aims does this work link to:</i> 5</p> <p><i>Last year we:</i> 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.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Review our lease arrangements, and make proposals. 2. Review our legal panel arrangements, and consider options for tendering. 3. Benchmark against the case management systems used by other Ombudsman and Complaints organisations. 	⇒	⇒	⇒	⇒	FCSM / HI
<p>17. We will commit to the Scottish Government’s ‘Social Impact Pledge’ scheme:</p> <p><i>Which strategic aims does this work link to:</i> 4 and 5</p> <p><i>Last year we:</i> were recognised as a 50:50 by 2020 partner organisation and were accredited as a Living Wage Employer.</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Work with staff to identify three pledges, ensuring at least one pledge relates to the legal community and one to the public and consumers (the two big constituent groups we work with). 2. Formally make the Social Pledge commitment. 3. Deliver the pledges within the business year. 	⇒	⇒	⇒	⇒	CEO

<p>18. We will benchmark and review our rewards and benefits as we seek to ensure we can attract and retain high quality staff who can deal with the complexity and volume of caseload we require:</p> <p>Which strategic aims does this work link to: 5</p> <p>Last year 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.</p> <p>This year we propose to:</p> <ol style="list-style-type: none"> 1. Commission a Hay benchmark salary review, and submit report to the Board. 2. Review benefits in liaison with staff, publish results internally to our staff team 3. Review our recruitment and development approach, and approve new policy 4. Actively take part in national mindfulness and mental health awareness weeks. 5. Review job descriptions and our grade specific competencies to better align to our strategy 	⇒	⇒	⇒	⇒	CEO
<p>19. We will deliver a training plan for our staff and for our Commissioners, focussed on ensuring we retain and develop the talented individuals who deliver our functions, and ensuring our decision making is robust:</p> <p>Which strategic aims does this work link to: 5</p> <p>Last year we: ran training for Commissioners which included ‘unconscious bias’, board competencies, reasoned decision making, training on holding an oral hearing, risk management, briefings on ABS, and lessons learned from appeals. For staff 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.</p> <p>This year, for commissioners, we propose to:</p> <ol style="list-style-type: none"> 1. Create a knowledge and skills map for Commissioners (which details all the legal knowledge and skills which help them deliver their role) and use this to develop further our training plan. 2. Deliver further training to Commissioners on legal reasoning (how a decision is reached and explained based on the law and the professional standards, and the evidence available in the case), and on audit and 	⇒	⇒	⇒	⇒	CM

<p>risk responsibilities.</p> <ol style="list-style-type: none"> 3. Deliver a comprehensive and robust induction for the new Chair of the organisation. 4. Following completion of our 2016/17 project on learning from past determinations and past agreed Investigation Report settlements, design, complete and update a 'single toolkit' providing a single source of advice on decision making, drawing together statutory law, case law, and benchmark precedent from our own decisions. <p><i>This year, for staff, we propose to:</i></p> <ol style="list-style-type: none"> 5. Develop and maintain knowledge of different key legal practice areas (in particular those which lead to most complaints). 6. Focus on individual personal development requirements – this will build on the 'insights' work we delivered in 2016/17 looking at personalities and motivations and how to build effective communication and teams with different people. It will also build on our '360 Appraisal' process (which allows individuals to get feedback on their performance from a range of people) offering this opportunity to more colleagues. We will also provide additional support to colleagues to identify development opportunities of different types. 7. Once again have some focused training on soft skills – which is an important aspect in the majority of roles in the SLCC 					<p>HI</p>
<p>20. To consult on the apportionment of budget costs to levies for different groups of practising lawyers</p> <p><i>Which strategic aims does this work link to:</i> 4 and 5</p> <p><i>Last year we:</i> received feedback from the Law Society of Scotland to suggest that in-house lawyers and legal aid lawyers would especially feel the cost of any increase. In responding to the Society's concerns we agreed to consult on how the levy is apportioned between different groups</p> <p><i>This year we propose to:</i></p> <ol style="list-style-type: none"> 1. Consult on the apportionment of the levy in advance of our budget consultation 2. Assess the views expressed in the consultation 3. Publish responses and our policy decisions following the consultation 4. Use the apportionment principles to guide our formal budget consultation in January 2018. 	⇒	⇒			<p>HO / FCSM</p>

21. Examine why complaints against lawyers are rising:

Which strategic aims does this work link to: 4 and 5

Last year we: we reported on the second consecutive year of significant rises in the number of complaints against solicitors. In our budget consultation we indicated the surest way to reduce costs was for the sector to identify and tackle the common causes of complaint.

This year we propose to:

1. Develop a paper bringing together data and hypothesis on rising complaints
2. Seek the expert input of RPOs and other complaints bodies to assist our analysis
3. Publish the conclusions of the SLCC



**H/
FCSM**

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.
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 rights to practice.
FoA	Faculty of Advocates – the professional body for advocates and one of the 'Relevant Professional Organisations' in terms of our statute.
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.