



**An Roinn Dlí agus Cirt  
agus Comhionannais**  
Department of Justice  
and Equality

**Oversight and Performance Agreement 2019  
between the Legal Aid Board and the Department of Justice  
and Equality**

## **Part I – Oversight Agreement**

### **1. Introduction**

The Legal Aid Board (“the Board”) is the statutory, independent body responsible for the provision of civil legal aid (legal advice and legal representation) to persons of modest means, in accordance with the provisions of the Civil Legal Aid Act, 1995 (the “Act”).

#### **1.2** In accordance with Section 5 of the Civil Legal Aid Act, 1995 (as amended by the Civil Law (Miscellaneous Provisions) Act 2011) the principal functions of the Legal Aid Board are:

1. To provide, within the Board’s resources and subject to the other provisions of the Act—
  - (i) legal aid and advice in civil cases to persons who satisfy the requirements of the Act, and
  - (ii) a family mediation service;
2. Where the Board considers it necessary or expedient to do so to make arrangements for the provision of—
  - (i) family mediation services on its behalf by the engagement of persons appointed by it for that purpose, and
  - (ii) training in family mediation, either by itself or by persons appointed by it for that purpose.

**1.3** The Board's remit is in the process of being further expanded, following a Government decision in 2010, to transfer responsibility to the Board for the management and administration of the various criminal legal aid schemes previously administered by the Department of Justice and Equality. Responsibility for the administration of the Garda Station Legal Advice Scheme transferred to the Board on the 1st October 2011, for the Legal Aid – Custody Issues Scheme (formerly the Attorney General's Scheme) on the 1st June 2012 and for the Criminal Assets Bureau legal aid scheme on the 1st January 2014.

**1.4** The Board's head office is located in Cahirciveen, Co. Kerry. Some of the headquarter functions also operate from a Dublin office.

## **2. Role of the Legal Aid Board within the Justice & Equality Sector**

### **2.1 Mission**

The Legal Aid Board is a statutory agency of the Department of Justice and Equality. The work of the Legal Aid Board contributes to the Department's strategic objective of 'Access to Justice: To support efficiency and reform in the administration of Justice including in relation to the provision of improved services to victims'.

The Board's mission is to facilitate the effective resolution of civil disputes through the delivery of efficient and accessible legal aid and family mediation services and to effectively manage and administer the State's criminal legal aid schemes.

### **2.2 Function**

The core functions of Board are to facilitate the effective resolution of civil disputes through the delivery of efficient and accessible legal aid and family mediation services and to effectively manage and administer the State's criminal legal aid schemes.

### **2.3 Vision**

The Board's vision is to facilitate access to justice through providing for resolution of civil disputes in the most appropriate manner while keeping in mind the dignity of the person, the nature of the dispute and the impact of the dispute on the parties immediately involved and wider society and further to manage the provision of criminal legal aid in an efficient, effective and accountable manner.

This vision is underpinned by the organisations values which include high professional and ethical standards in the provision of all services, having the client and access to justice as central to services and a focus on innovation in the delivery of services.

## **3. Corporate Governance**

### **3.1 Roles and Responsibilities**

#### *Accounting Officer*

The Legal Aid Board falls under the Department of Justice and Equality's Vote (Vote 24) and as such the Department's Secretary General is the Accounting Officer. The Accounting Officer is responsible for the safeguarding of public funds and property under his control, for the efficiency and economy of administration by his Department and for the regularity and propriety of all transactions in the appropriation account. Further external scrutiny and governance is provided through the submission and analysis of the Financial Statements to the Comptroller and Auditor General and ultimately to the Oireachtas through the Public Accounts Committee.

#### *The Board*

Section 4 of the Civil Legal Aid Act 1995 requires the Legal Aid Board to consist of a chairperson and an ordinary membership of twelve members. The term of membership of any Board member does not exceed five years and no member can serve any more than two terms. Each member is appointed by the Minister for Justice & Equality ("the Minister") subject to the provisions of the Act.

The members of the Board are collectively responsible for leading and directing the Legal Aid Board's activities within a framework of prudent and effective control as set forth in the *Code of Practice for the Governance of State Bodies* (2016).

#### *Chairperson of the Board*

The Chairperson is responsible for leading and guiding the Board in its task of setting the State body's strategic policies. The Chairperson works with the CEO to manage the Board's agenda and provides direction to the Secretary to the Board. The Chairperson furnishes a Comprehensive Report to the Minister, in conjunction with the Board's annual report and financial statements, affirming the Board's compliance with relevant codes and regulations, in accordance with the *Code of Practice for the Governance of State Bodies* (2016), in particular addressing the requirements of paragraph 1.9 of the 'Business & Financial Reporting Requirements' Annex to the 2016 *Code of Practice for the Governance of State Bodies*.

#### *Chief Executive Officer*

In accordance with Section 10 of the Civil Legal Aid Act 1995, the Chief Executive (CEO) is appointed by the Minister on the recommendation of the Public Appointments Service (formerly the Civil Service Commission). Reporting to the Board, the CEO is responsible for the day to day management and administration of the business and resources (financial and non-financial) of the Board. He is responsible for the establishment and maintenance of high standards in implementing the functions of the Board and ensuring a reputation for impartiality, management of conflicting interests, and upholding the public interest at all times. The CEO is also responsible, in conjunction with the Board, for setting strategic direction and being the Legal Aid Board's public face.

### **3.2 Annual Self-Assessment Evaluation**

The Board undertakes an annual self-assessment evaluation of its own performance and that of its committees in accordance with the *Code of Practice for the Governance of State Bodies*. Guidance on how to conduct this evaluation can be found in the *Board Self-Assessment Evaluation Questionnaire* document which has been appended to the *Code of Practice for the Governance of State Bodies* (2016). An external evaluation of the Board's performance is carried out every three years. An external evaluation is being conducted in 2018.

### **3.3 Statement of Strategy**

In accordance with Section 1.17 of the *Code of Practice for the Governance of State Bodies*, has a formal process in place for the setting of strategy and adopts a Statement of Strategy every three to five years. The Legal Aid Board currently has a Corporate Plan in place which covers the period 2018 to 2020, and largely meets the criteria of a Statement of Strategy. A copy of the Statement of Strategy is submitted to the Minister for consideration before adoption by the Board.

### **3.4 Draft Unaudited Financial Statements**

Draft unaudited annual financial statements are submitted to the Department not later than two months after the end of the relevant financial year, in accordance with the *Code of Practice for the Governance of State Bodies* (1.4 (ii) – 'Business and Financial Reporting' Annex).

### **3.5 Annual Report and Accounts**

Section 9 of the Civil Legal Aid Act 1995 requires the Board to make a report to the Minister, not later than 30 September in each year, in relation to the performance of the functions and activities of the Board during the preceding year. The Department of the Taoiseach has indicated that such reports should be submitted to the Government, prior to presentation to the Oireachtas, "within six months of the end of the year to which they relate, unless a shorter period is specified by statute".

### 3.6 Reporting Requirements – Annual Report

In accordance with Appendix A of the 'Business & Financial Reporting' Annex to the *Code of Practice for the Governance of State Bodies*, the Annual Report includes:

- i. Confirmation that this Oversight Agreement has been reached with the Department of Justice and Equality and, in particular, indicating the Board's level of compliance with the requirements of the *Code of Practice for the Governance of State Bodies*.
- ii. A statement of how the Board operates, including the types of decisions to be taken by the Board and those delegated to management;
- iii. A statement of how the performance evaluation of the Board and its committees has been conducted;
- iv. The number of Board meetings and the attendance record of each Board member;
- v. The names of the Chairperson, the CEO and members of the Board and its committees;
- vi. Confirmation that an appropriate assessment of the Board's principal risks has been carried out, including a description of these risks, where appropriate and associated mitigation measures or strategies;
- vii. Confirmation that the Legal Aid Board is adhering to the relevant aspects of the *Public Spending Code*;
- viii. Confirmation that the Legal Aid Board has complied with relevant tax law during the reporting period in question; and
- ix. A statement on the system of internal controls in the Legal Aid Board, addressing each of the items listed in Appendix D of the 'Business and Financial Reporting' document of the *Code of Practice for the Governance of State Bodies*.

### 3.7 Reporting Requirements – Financial Statements

In accordance with Appendix B of the 'Business & Financial Reporting' Annex to the *Code of Practice for the Governance of State Bodies*, the Financial Statements include:

- i. Details of non-salary related fees paid in respect of Board members and the salary of CEO;
- ii. Aggregate pay bill, total number of employees and compensation of key management level;
- iii. Total costs incurred in relation to travel, subsistence and hospitality;
- iv. Details of expenditure on legal costs and external consultancy/adviser fees;
- v. Details of the number of employees whose total short-term employee benefits for the reporting period fell within each band of €10,000 from €60,000 upwards;
- vi. Details of termination/severance payments and agreements with a value in excess of €10,000, made within the period.

The above disclosures should be included in the Governance Statement & Board Member's Report in the Financial Statements as set out in the Department of Public Expenditure and Reform's *"A Guide to the Implications for the Annual Financial Statements and the Annual Report"* (Nov 2017).

### **3.8 Internal Audit**

The Legal Aid Board's Internal Audit Unit is responsible for monitoring and reviewing the effectiveness of the Board's arrangements for governance, risk management and internal control.

### **3.9 Audit and Risk Committee**

The Board's Audit and Risk Committee consists of at least three independent non-executive Board members, and has written terms of reference which clearly outline the Committee's authority and duties. The role of the Committee is to ensure that the interests of Government and other stakeholders are fully protected in relation to business and financial reporting and internal control.



### **3.10 Protected Disclosures**

In accordance with Section 21(1) of the Protected Disclosures Act 2014, the Board has established and maintains appropriate Protected Disclosures Procedures for the making of protected disclosures by workers who are or were engaged by the Board and for dealing with such disclosures.

### **3.11 Procurement**

In accordance with section 8.16 of the *Code of Practice*, the Board will ensure that competitive tendering is standard procedure in the procurement process of the Legal Aid Board and that procurement policies and procedures have been developed and published to all staff.

The Chairperson should affirm adherence to the relevant procurement policy and procedures in the annual Comprehensive Report to the Minister.

### **3.12 Customer Charter**

The Legal Aid Board should have a customer charter setting out the level of service a customer can expect. The charter should be displayed prominently on the Legal Aid Board's website and should be supported by a customer action plan. Guidance on each of these documents can be found on [www.per.gov.ie](http://www.per.gov.ie).

### **3.13 Data Protection**

The Legal Aid Board will engage proactively with its data protection obligations and ensure substantial compliance with the General Data Protection Regulation (GDPR) (in force from May 25, 2018).

### **3.14 Public Sector Equality and Human Rights Duty**

Section 42 of the Irish Human Rights and Equality Commission Act 2014 establishes a positive duty on public bodies to have regard to the need to eliminate discrimination, promote equality and protect the human rights of staff and persons to whom services are provided.

In particular, the Legal Aid Board will have regard to its obligations under section 42 of the Act to:

- Assess and identify human rights and equality issues relevant to its functions, particularly when preparing its Strategic Plan 2021 – 2023;
- Identify the policies and practices that are in place/ will be put in place to address these issues; and
- Report on developments in that regard in its Annual Report.

Guidance on how public bodies can meet the requirements of this Public Sector Duty can be found on [www.ihrec.ie](http://www.ihrec.ie).

### **3.15 Environmental and energy issues**

The Legal Aid Board will fulfil statutory and other obligations in relation to environmental and energy issues, as follows;

1. In accordance with requirements set out in the Department of Communications, Climate Action and the Environment's Public Sector Energy Efficiency Strategy 2017 the Legal Aid Board has appointed an Energy Performance Officer, who will have responsibility for the delivery of the following actions and targets:
  - a) Striving to achieve the statutory target of a 33% reduction in energy use by 31st December, 2020, in accordance with S.I. 426 of 2014 (European Union (Energy Efficiency) Regulations).
  - b) Accurately reporting energy use, annually, to the Sustainable Energy Authority of Ireland (SEAI), in advance of their deadline.
  - c) Publishing progress (or lack thereof) achieved on energy reduction in the annual report.
2. Eliminating the use of single-use plastics from the organisation, in accordance with the Government Decision of 3 January 2019; and

3. Participating in Justice-sector and wider public sector initiatives in relation to energy and environmental issues.

### **3.16 Governance Obligations**

As an agency operating under the aegis of the Minister, the Legal Aid Board is subject to a range of statutory and corporate governance obligations including the 2016 *Code of Practice for the Governance of State Bodies*. The Board ensures that all the necessary obligations, including those for risk management, internal audit and the Public Spending Code are fully complied with.

Governance obligations will also be reviewed as part of the overall monitoring process of this Oversight Agreement itself.

### **3.17 Chairperson's Comprehensive Report to the Minister**

To confirm compliance (or otherwise) with key provisions of the Code of Practice and the Governance Standard for Justice and Equality Sector Bodies, the Chairperson of the Board completes, on an annual basis, a Comprehensive Report to the Minister in order to provide assurance to the Department that the systems of internal control, risk management and other areas of compliance are operating effectively. This report will address all of the requirements of paragraph 1.9 of the '*Business & Financial Reporting Requirements*' Annex to the *Code of Practice for the Governance of State Bodies*.

### **3.18 Provision of Information to Members of the Oireachtas**

In accordance with D/PER Circular25/2016 - *Protocol for the Provision of Information to Members of the Oireachtas by State Bodies under the aegis of Government Departments/Offices*, the Board is obliged to:

- i. Provide and maintain a dedicated email address (oireachtas\_enq@legalaidboard.ie) for Oireachtas members.
- ii. Put in place formal feedback processes to obtain feedback from Oireachtas members.

- iii. Comply with target deadlines and standards in terms of acknowledgements and responses to queries.
- iv. The officer within the Board with responsibility for ensuring the timely provision of information to members of the Oireachtas is Donal Reddington, Director of Corporate Services.
- v. Report annually (in the Chairperson's comprehensive report to the Minister) on compliance with standards set out in Circular 25/2016.
- vi. Seek, where appropriate, to publish the response to queries from members of the Oireachtas on the Board's website.

### **3.19 Periodic Critical Review**

It is proposed to initiate a Periodic Critical Review (PCR) of the Legal Aid Board in 2020. The purpose of this PCR will be to consider whether there is an ongoing business case for the Legal Aid Board, in accordance with paragraph 8.14 of the *Code of Practice for the Governance of State Bodies*.

### **3.20 Comply or Explain**

The Legal Aid Board seeks to comply fully with the *Code of Practice for the Governance of State Bodies* 2016.

## **Part II - Performance Delivery Agreement**

### **4. Objectives of the Agreement**

The purpose of this agreement is to formalise a process through which the outputs and outcomes required from the Board can be measured and assessed. Equally, the agreement will set out the expectations of the Board in relation to the support, guidance and information flow from the Department of Justice and Equality (“the Department”), which are vital in enabling the Board to achieve its strategic and operational goals. To achieve this, it is necessary to set out the following:

- The Department’s expectations of the Board;
- The key inputs, outputs and expected outcomes of the Board’s activities;
- Assessment of performance by monitoring of agreed targets, around those key outputs, inputs and outcomes;
- Support of the Board by the Department in the delivery of its functions as set out in the Civil Legal Aid Act 1995 (as amended).

This Agreement documents the agreed level of service between the parties in order to facilitate improved effectiveness and efficiency of relevant public services. It sets out the Board’s key targets for 2019 and defines the output and outcome indicators on which performance should be measured.

The Agreement seeks to (a) facilitate the Board in carrying out its functions, (b) progress the ongoing development of output measures for its expenditure, and (c) improve the effectiveness and efficiency of public services.

The Agreement will support the Board in achieving its high level goals.

## **5. Commitments**

### **5.1 Mutual Commitments**

- Both parties agree to proactive and timely communications, cooperation and information on service delivery;
- Both parties support the effective achievement of agreed targets, as well as the promotion of partnership, responsiveness and mutual cooperation in their ongoing interactions;
- Both parties agree to consult and to keep each other fully apprised on all matters of mutual relevance;
- Both parties agree on the effective realisation of this agreement and the agreed targets that will come about.

The annual budgetary provision for the Legal Aid Board will form part of the estimates for the Justice and Equality Vote and will be considered in that context.

### **5.2 Department of Justice and Equality Commitments**

The Department will provide the following supports to the Board to enable it deliver on its objectives:

- Liaise with the Department of Public Expenditure and Reform to ensure as far as possible, timely sanction for expenditure in line with Public Financial Procedures and Public Service Numbers policy;
- Provide updates on Public Financial Procedures and Civil Service HR Policy Guidelines;
- Provide guidance on Civil Service HR Policy, public expenditure, remuneration and industrial relations, procurement and contracts;
- Provide guidance on Government Accounting and Governance;
- Inform and involve the Board in any activities related to the role that the Board plays or may be required to play within the Department;

- Provide monthly financial reports and general financial advice via the Department's Financial Management Unit (FMU);
- Provide assessment and sanction of IT expenditure through the ICT Governance Group;
- Ensure that the State Boards process is initiated at an early stage (when vacancies arise or are anticipated).

## 6. Inputs

### 6.1 Financial Inputs

The following table summarises the Board's operating budget allocation for 2019.

<b>Departmental Funding</b>	
Pay	20,527,000
Non-Pay	20,269,000
<b>Sub-Total</b>	<b>40,796,000</b>
<b>Other Income</b>	<b>€3,452,000</b>
<b>Funds on hand at 01/01/2019</b>	<b>€3,790,000</b>
<b>Total</b>	<b>€48,038,000</b>

## 6. 2 Staffing Resources

Grade	WTE Staffing Level March 2019
<b>Head Office</b>	
CEO	1
POs and Equivalents <i>(Includes POs, Director of Civil Legal Aid Services, and Regional Managers [Legal Services])</i>	7
Assistant Principals and Equivalents <i>(Includes Professional Accountant)</i>	7
Higher Executive Officer	13.89
Eos	19.67
Cos	32.3
Service Officers	2
Total	82.86
<b>Law Centres</b>	
Solicitor G 1 <i>(PO Equivalent)</i>	5.8
Solicitor G 2 <i>(AP Equivalent)</i>	31.3
Solicitor G 3 <i>(HEO Equivalent approx.)</i>	85.95
Legal Staff Officers	3
Paralegals	63.8
Clerical Officers	116.36
Totals	306.21
<b>Family Mediation Services</b>	
Director <i>(Engineer G 1 Level)</i>	1
Managing Mediators <i>(Engineer G 2 Level)</i>	4
Mediators <i>(Engineer G 3 Level)</i>	23.10
Staff Officers	1
Clerical Officers	15.5
Totals	44.6
<b>GRAND TOTAL</b>	<b>433.67</b>



## **7. Outputs /Targets**

The following section sets out the Key Performance Indicators which will be used to assess the Legal Aid Board's progress towards achieving its key mandate and core functions under the Civil Legal Aid Act, 1995 (as amended by the Civil Law (Miscellaneous Provisions) Act 2011).

The Board's current work programme can be broken down into the following key objectives;

1. The efficient and effective delivery of legal aid and family mediation services;
2. Integrating family mediation and civil legal aid services to the greatest extent possible;
3. Working with the Department of Justice and Equality to finalise the transfer of responsibility for all elements of legal aid to the Board.

### 7.1 Strategic Objective 1 – Civil Legal Aid (\*Estimated Cost of Delivery - €33.168M)

Goals	Actions	KPIs	Target
Seek to optimise the throughput of cases in the both the law centre and family mediation network consistent with ensuring the delivery of a quality professional service to every client.	Ongoing engagement with local managers, improving support for service delivery staff and improving clarity of expectations.	Reduce the number waiting for legal services to a figure of 1,200 or less.	Q4
	<p>Increase the level of one to one engagement between senior managers and local managers, improving IT capability particularly on the case management system.</p> <p>Focused training programmes to improve expertise.</p> <p>Recruit additional solicitors where vacancies arise.</p>	<p>The capacity to achieve this is influenced by the level of demand for services.</p> <p>The target of 1,200 is set on the basis of demand remaining static from 2018 and also the Board being in a position to recruit suitably qualified solicitors where vacancies arise.</p> <p>Open 1,100 new client files per month.</p>	Q4
Ensure that no client waits longer than three months to see a solicitor or a family mediator.	Seek to ensure that every eligible applicant for legal services and / or for family mediation services gets those services within three months.	All applicants approved for legal aid seen by a solicitor within a period of three months.	Q4

	Proactive management, engagement and support of the law centre network.		
Review and enhance the quality assurance mechanisms the Board applies to both its legal services and its family mediation services.	Develop the capacity to review private solicitor files remotely to assist in ensuring that at least 50 solicitors, whose files were not reviewed in 2018, have their files reviewed. A particular focus will be put on reviewing files in International Protection cases.	At least 50 visits to private solicitor offices to have been completed, and a similar number of solicitors' files to be reviewed remotely. (50 solicitors represents approx 5% of those on the Board's panels. 57 visits were undertaken in 2018.)	Q4
Review on an ongoing basis the Board's services on foot of the Abhaile Scheme and take steps to ensure the Scheme is efficient and effective from both the client and the State's perspective.	Contribute and actively engage in the work of the Abhaile Steering Group.	All required inputs provided to enable effective evaluation of the Abhaile Scheme.	Q2
Review the manner in which the Board delivers all of its services in order to ensure there is coherence from the	Review the Kilkenny Project to identify what can be learned from experience to date and identify elements with wider application.	Review conducted and results submitted to the Board.	Q3

<p>client's perspective, the review to have regard to issues such as the possibility of a client receiving both family mediation and legal services.</p>			
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### 7.1 Strategic Objective 2 – Family Mediation (\*Estimated Cost of Delivery - €3.084M)

Goals	Actions	KPIs	Target
Noting that the Board has a number of family mediation related initiatives including mediator court attendance, develop a clear strategy for the use of the family mediation resources that are available to the Board.	Complete, with the assistance of any relevant business information / research that is available, a documented review of the manner in which the Board uses its family mediation resources with a view to using available family mediation resources to best effect.	Review completed with a recommended strategy for the further development of mediation services submitted to the Board.	Q3
Complete a consideration of the merits or otherwise of introducing financial eligibility criteria and / or a contributions regime for family mediation cases.	Revisit the issue of financial contributions criteria for family mediation.	Review completed and submitted to the Board.	Q3
Optimise the throughput of cases in the law centre network and the family mediation network consistent with ensuring the delivery of a quality	Support the resolution of family disputes outside of Court proceedings.	2,000 mediation cases completed. (2,584 cases in 2018 excluding cases opened but not progressed beyond Information Sessions)	Q4

professional service to every client.			
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### 7.1 Strategic Objective 3 – Criminal Legal Aid (\*Estimated Cost of Delivery - €1.210M)

Goals	Actions	KPIs	Target
Support the Department of Justice and Equality in finalising the necessary legislation to transfer responsibility for the main criminal legal aid scheme to the Board.	Actively engage with the Department in relation to the drafting of criminal legal aid legislation.	Requests for observations/comments responded to within deadlines.	Ongoing (Subject to legislative changes)

**7.1 Strategic Objective 4 – Corporate Support and Other Services (\*Estimated Cost of Delivery - €10.576M)**

Goals	Actions	KPIs	Target
Maximise the benefits obtainable from the Board's IT systems by developing the systems to ensure they meet the business needs of the organisation and by focusing on staff making best use of available technology	Redevelop / upgrade the Board's legal case management system (EOS) and its online applications system.	Revised RFT published and development contract in place.	Q2
	Complete the upgrade of the Board's VPN lines.	VPN installation completed in all 44 Board offices.	Q2
	Examine the feasibility of developing the EOS case management system to facilitate an online portal for engagement with private practitioners on the Board's Panels.	Business process changes and system design parameters completed.	Q4
Examine the availability of Skype or other similar technologies as a means of conducting meetings with clients.	Assess technology options for suitability and conformity with Board's IT infrastructure.	Decision taken on the most appropriate technology to deploy.	Q2
Roll out improved voice recognition / dictation support for service delivery offices.	Roll out in the Board's law centres, either voice recognition software or digital dictation support.	Dictation or voice recognition support available in 30 law centres.	Q3

Ensure there is greater internal mobility for staff where practical.	Develop an internal mobility programme with an aim to ensure that where possible each staff member receives a broad range of experience.	Internal mobility arrangements in place.	Q1
Develop a strategy for talent acquisition and retention, including a defined graduate traineeship programme	Commence implementation of a graduate traineeship programme for Solicitors, to be rolled out as resources become available.  Ensure that every new, or newly promoted, staff member is assigned a mentor.	Implementation of graduate traineeship for Solicitors commenced  First two trainees recruited.  Mentors assigned to all new entrants and recently promoted staff.	Q3  Q3  Q1 and ongoing
Identify specific actions that will enable staff to broaden their experience.	Complete and review the first iteration of a modular training programme (run over a period of six months) for Clerical Officers with a view to expanding the approach, subject to availability of resources.	Modular training programme in place.	Q2
Better equip staff to fulfil their existing and future roles to include: a further leadership programme for managers; further	Commence the development of a wellness programme for all staff, with a particular emphasis on those engaged in high conflict cases.	Wellness programme in place.	Q3  Q3



professionalising support areas (HR, IT, Legal and Corporate Services); further enhancing solicitors' skills in relation to non court based dispute resolution; and enhancing IT capacity among all staff.	Facilitate participation by managers across the Board in centrally-provided training relevant to management and leadership.	Relevant training made available.	
Improve the levels of management information available in relation to the work of the Board and in relation to the experience of the client, to include costing individual cases, costing services in specific areas of work, and establishing or refining value for money criteria with a view also to having a greater evidence basis when deciding on policy matters and examine and measure outcomes for the Board's clients.	Appoint a staff member at HEO level with responsibility for working with a Research Group to develop and lead the delivery of relevant research within the Board.	Research plan in place.  Specific research being undertaken.	Q3  Q4

## **8. Potential Risk Factors**

The Legal Aid Board operates a formal Risk Management policy and maintains a Risk Register and, in accordance with the Department of Finance Guidelines, this is updated on an ongoing basis. The maintenance of the Register ensures that risks are identified and assessed and necessary mitigating actions are, where resources allow, put in place.

Reflecting the key priorities of the organisation, the main potential risks to the achievement of targets set out in this Agreement at the time of writing relate to:

- the availability of sufficient legal resources (drawing on a combination of the Legal Aid Board's employed solicitors and private solicitors who are members of the Board's private practitioner panels and are available to take cases on referral from the Board),
- the Board's financial commitments under the Abhaile Scheme remaining in line with expectations during 2019.
- A critical incident such as a breach of data security or internal financial control that would impact on the credibility of the organisation.

The Audit and Risk Committee, a committee of the statutory Board, will oversee the continued implementation of the risk management policy in the organisation. The Committee will do so taking account of the most recent revisions to the *Code of Practice for the Governance of State Bodies*.

## **9. Flexibility and Amendment of Targets**

Where amendments become necessary, both parties will engage to agree on amended targets.

## **10. Monitoring Arrangements**

The Department of Justice and Equality commits to a formal meeting at least twice annually between the Head of Civil Governance in the Department and the Chief Executive of the Legal Aid Board in which the objectives agreed and issues relating to the governance structures and processes between the Department and the Board will be discussed. The Department also commits to a minimum of two meetings per year between the Board and relevant officials in which there will be detailed consideration of progress made on the objectives agreed and any new objectives that may need to be put in place as a consequence of legislative change or Departmental or Government policy.

The Board undertakes to return:

- (a) Relevant and appropriately detailed performance information to allow for monitoring of this Agreement.
- (b) Relevant and appropriately detailed performance information for inclusion in the Revised Estimates for Public Services volume; and
- (c) Performance information in line with the set of such indicators, and in keeping with the timeframe, agreed with the Department.

## 11. Duration and Signatories to the Agreement

John McDaid, Chief Executive Officer, Legal Aid Board and Yvonne White, Head of Civil Governance, Department of Justice and Equality agree that the arrangements as set out in this Agreement will apply with effect from the date signed hereunder until 31st December 2019.



John McDaid  
Chief Executive Officer  
Legal Aid Board

Date: 14<sup>th</sup> Nov 2019



Yvonne White  
Head of Civil Governance  
Department of Justice and Equality

Date: 14 November 2019