



LEGAL AID BOARD
AN BORD UM CHÚNAMH DLÍTHIÚIL



An Roinn Dlí agus Cirt
Department of Justice

Performance Delivery Agreement

2021

between

the Legal Aid Board

and

the Department of Justice

1. Introduction and Objectives of the Agreement

This Performance Delivery Agreement (PDA) has been drawn up by the Legal Aid Board in consultation with the Department of Justice (the Department) in accordance with the 2016 edition of the [Code of Practice for the Governance of State Bodies](#) (Code of Practice). It, together with the separate but related Oversight Agreement (OA) for the period 2020-2022 succeeds the previous Performance Delivery Agreement for 2020.

This Performance Delivery Agreement shall be reviewed and updated annually, and will be utilised to formalise the process through which the outputs and outcomes required from the LAB can be measured and assessed.

As per the Code of Practice, with reference to PDAs, "These agreements will act as a performance contract between the parent Department and the State body in which an agreed level of performance/service is formalised and which will ultimately result in improved efficiency and effectiveness in the delivery of public services. The agreements allow for the adoption of both annual and multi-annual targets, and the development of output and outcome indicators, including milestones to measure performance against targets."

To achieve this, it is necessary to set out the following:

- The key inputs, outputs and expected outcomes of the LAB's activities, in quantitative, measurable terms;
- Assessment of performance by monitoring of agreed targets, around those key outputs, inputs and outcomes.

The Agreement sets out the LAB's key targets for 2021 and defines the output and outcome indicators on which performance should be measured. In addition it also highlights any potential risk factors, allows for a level of flexibility and amendments of targets where necessary, and specifies the monitoring arrangements between the Department and the LAB.

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 Department in achieving Goal 2 "*Improve access to justice and modernise the courts system*" of its Strategic Plan 2021 – 2023 and associated Justice Plan 2021, along with other Departmental Goals also and will support the Legal Aid Board in achieving its high level goals as set out in its Strategic Plan 2021 - 2023. This will be aligned with the

Department's Action Plan for the justice sector as part of the Government's response under the "Covid-19 Resilience and Recovery 2021: The Path Ahead".

2. Inputs

2.1 Financial Inputs

The following table summarises the Board's operating budget allocation for 2021.

Departmental Funding	
Pay	€24,382,000
Non-Pay	€20,193,000
Sub-Total	€44,575,000
Other Income	€2,700,000
Funds on hand at 01/01/2021	€3,225,000
Total	€50,500,000

In addition, with regard to Criminal Legal Aid, the Board is responsible for the administration of €3 million under Subhead A.16 of the Justice Vote, which relates to the Legal Aid – Custody Issues Scheme. It is also responsible for the administration of the Garda Station Legal Advice Revised Scheme, and the Criminal Assets Bureau Ad-hoc Legal Aid Scheme, which are funded from Subhead A.15 of the Justice Vote. In total the Board is responsible for administering expenditure of around €6M under the Criminal Legal Aid schemes that it administers on behalf of the Department.

2.2 Staffing Resources

Grade	WTE Staffing Level 01/01/2021
Head Office	
CEO	1
POs and Equivalentents <i>(Includes POs, Director of Civil Legal Aid Services, and Regional Managers [Legal Services])</i>	6
Assistant Principals and Equivalentents <i>(Includes Professional Accountant)</i>	8
Higher Executive Officer	15.69
Eos	17.13
Paralegals	1
Cos	36.71
Service Officers	2
Total	87.53
Law Centres	
Solicitor G 1 <i>(PO Equivalent)</i>	5.6
Solicitor G 2 <i>(AP Equivalent)</i>	30.7
Solicitor G 3 <i>(HEO Equivalent approx.)</i>	83.98
Legal Staff Officers	1
Paralegals	53.3
Executive Officer	1
Clerical Officers	113.4
Totals	288.98
Family Mediation Services	
Director <i>(Engineer G 1 Level)</i>	1
Managing Mediators <i>(Engineer G 2 Level)</i>	2
Mediators <i>(Engineer G 3 Level)</i>	22.1
Legal Staff Officer	1
Eos	1
Clerical Officers	15.5
Totals	42.6
GRAND TOTAL	419.11

3. 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 strategic areas;

1. The efficient and effective delivery of legal aid and family mediation services, and integrating family mediation and civil legal aid services to the greatest extent possible;
2. Administering three of the five criminal legal aid schemes on behalf of the Department, and working with the Department to finalise the transfer of responsibility for all elements of criminal legal aid to the Board subject to enactment of the relevant legislation;
3. Ensuring effective corporate governance and providing effective support to front-line service delivery of services to clients.

3.1 Strategic Area 1: – The efficient and effective delivery of legal aid and family mediation services, and integrating family mediation and civil legal aid services to the greatest extent possible; (*Estimated Cost of Delivery - €36.281M)

Goals	Actions	KPIs	Target
Department of Justice Strategy Statement Goal: <i>Improve access to justice and modernise the courts system</i>			
We will facilitate a timely consultation following receipt of an application for services. We will assess and implement measures including empowering staff to assist in meeting this target.	In 2021 we will put in place formal arrangements to have non solicitor / mediator staff engage with clients for the purpose of giving early assistance.	Reduce the number waiting for legal services to a figure of 1,200 or less and for family mediation services to a figure of 400 or less. The capacity to achieve this is influenced by the level of demand for services. The targets of 1,200 and 400 are set on the basis of demand returning to 2019 levels or thereabouts and also the Board being in a position to recruit suitably qualified solicitors when the need arises and the resources are available to do so.	Q4

	In 2021 we will examine how we can better present metrics in terms of the organisation's effectiveness.	Set of effectiveness metrics approved.	Q3
We will work with our stakeholders to improve the level of awareness of the Board's services and also to address how we can meet the needs of persons and/or communities who may be marginalised or in danger of marginalisation.	In 2021 we will hold at least four meetings of our External Consultative Panel. We will initiate at least two projects in partnership with stakeholders.	Two partnerships with NGOs in operation.	Q4
	In 2021 we will initiate engagements with stakeholders who represent the most marginalised with a view to developing ideas and actions to provide better legal support.	Set of actions for reaching marginalised communities agreed with stakeholders and put into operation.	Q4
We will seek to put in place solutions to facilitate those that are not within easy reach of our offices. Those solutions will have regard to the availability of	In 2021 we will focus our potential for providing outreach services in the International Protection area.	Outreach service for International Protection applicants established and operational.	Q4
	We will initiate the development of a policy	Policy in place re facilitating our services to	Q4

information on our services and access to those services and to how technology can assist.	though it may depend on the on-going impact of COVID-19.	those not within easy reach of our offices.	
We will continue to strengthen our relationship with stakeholders across the justice system, maximising our influence to ensure improved services for those in need and access to the pursuit of justice.	Develop with the Courts Service the first year of a two year project to develop an improved model of family justice delivery (Limerick being the location).	Significant new initiatives being trialled in Limerick with a view to improving the end user experience.	Q4
We will strengthen our relationship with service providers undertaking legal aid work and use this relationship as a means of ensuring clients of the Board get an efficient and effective	Quality assure the work carried out by private practitioners undertaking work on our panels.	Files of 60 private practitioners will be reviewed in 2021.	Q4
	We will extend our remote file review capacity in 2021.	Procedure for remote file reviews in place and operational.	Q2
	Provide training on dealing with domestic violence issues.	Training on domestic violence issues completed.	Q4

<p>service. We will implement technological solutions to help facilitate this relationship.</p>	<p>Commence the development of an online portal for private practitioner solicitors.</p>	<p>Specification approved and development commenced.</p>	<p>Q4</p>
<p>Monitor, anticipate and respond to legislative changes. We will seek to involve ourselves at the earliest opportunity when relevant legislation is being drafted and offer observation from the perspective of those in need of our services and from the perspective of our operating environment.</p>	<p>Support the Department of Justice in progress towards the enactment of a Family Court Bill.</p> <p>Support and assist the commencement of the Assisted Decision Making legislation.</p> <p>Support the Department on amendments to the Civil Legal Aid Act to give effect to recommendations in the O'Malley Review.</p>	<p>All requested inputs provided in required timeframe.</p> <p>Subject to commencement of the relevant provisions.</p>	<p>Q4</p>

3.3 Strategic Area 3: – Corporate Support and Other Services (*Estimated Cost of Delivery - €12.97M)

Goals	Actions	KPIs	Target
Department of Justice Strategy Statement Goal: <i>Accelerate innovation, digital transformation and climate action across the justice sector</i>			
Develop and align the Board’s resources and capabilities with demand on our services to ensure an efficient and effective service for the client.	Commence a resource and capability audit to inform workforce planning allowing in anticipation of where resources should be placed. Develop a resource allocation model that has regard, among other things, to the needs of the client / potential client and the learning and development needs of staff in order to meet those needs.	Resource and capability audit commenced. Resource allocation model developed in place for the law centres and family mediation offices.	Q4 Q2
Explore and implement solutions as regards how technology can provide access to and assist with learning and development.	Assess the extent to which areas of learning should continue to be delivered via technology following the end of COVID-19 restrictions on travel.	Schedule of training areas for delivery via technology approved.	Q3

<p>We will foster an environment focused on staff development, learning and innovation in the delivery of services in response to an ever-changing legal and social environment.</p>	<p>Updated job descriptions for law centre staff with specific learning needs and training programmes in place.</p>	<p>Updated descriptions in place.</p>	<p>Q4</p>
	<p>Continued facilitation of learning opportunities through the academic fees policy. Targeted learning opportunities in place.</p>	<p>Refund of fees provided within the available budget to all eligible applications.</p>	<p>Q3</p>
	<p>Develop a new CPD model initially for mediators but also for other staff.</p>	<p>CPD model implemented.</p>	<p>Q4</p>
	<p>Develop a training programme in place for managers with a much greater emphasis on staff development.</p>	<p>Training programme in place.</p>	<p>Q2</p>
<p>We will commence an on-going assessment of our workforce with a view to the organisation being reflective of the broader community</p>	<p>Provide training in diversity, and focused interviewer training.</p>	<p>Training programme in place.</p>	<p>Q4</p>
	<p>Carry out analysis of how we advertise recruitment with regard to attracting suitable candidates from a variety of backgrounds.</p>	<p>Analysis completed and applied to future</p>	<p>Q4</p>

in terms of gender, race, and diversity.		recruitment programmes.	
Develop our research function, liaising with service users, third level institutions and other relevant stakeholders, to further our collective knowledge and ensure our policy decisions are evidence based to the greatest extent possible.	Engage in one specific project with a 3rd level institution and we will look at extending this in 2021.	First research project significantly progressed. Second project commenced.	Q4
	We will put in place improved research policies in 2021.	New research policy in place.	Q3

4. 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),
- A critical incident such as a breach of data security or internal financial control that would impact on the credibility of the organisation.
- COVID-19: The onset of the COVID-19 crisis and the Government’s guidelines to combat the spread of the disease have necessitated the Legal Aid Board to substantially change its working arrangements, with the primary additional risks in the context of COVID19 including risk to health of staff/others visiting Legal Aid Board offices, and of service delivery.

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*.

5. Flexibility and Amendment of Targets

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

6. Monitoring Arrangements

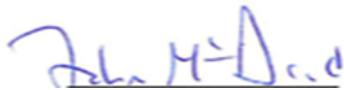
The Department of Justice commits to a formal meeting at least twice annually between the Director of Civil Governance and the Chief Executive of the Legal Aid Board in which the objectives agreed and issues relating to the governance structures and processes between the Department and the Board will be discussed. The Department is also happy to meet at any time in addition to regular day to day contacts as part of the annual governance cycle.

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.

7. Duration and Signatories to the Agreement

It is agreed that the arrangements as set out in this Agreement will apply with effect from the date signed hereunder until 31st December 2021.



John McDaid
Chief Executive Officer
Legal Aid Board

Date: 03/06/2021



Yvonne White
Head of Civil Governance
Department of Justice

Date: 03/06/2021