

Efficiency Impact Assessment

Introduction

The Tribunal aims to balance high standards of service and the timely determination of proceedings with its objective to remain as efficient and cost effective as possible.

The purpose of this document is to outline the steps that the Tribunal has taken during 2018 to improve efficiency and reduce costs where possible. Opportunities for further potential savings are also identified for consideration and, if appropriate, implementation in the coming months.

CaseLines

On 29 August 2018 the Tribunal's Board approved the implementation of CaseLines for all Tribunal hearings.

CaseLines is a cloud-based evidence management and presentation system. It enables parties in a case to upload evidence documents directly into the CaseLines system, thereby eliminating the need for paper hearing bundles (other than in exceptional cases). It reduces the time, effort and cost involved in the preparation, collaboration and Courtroom presentation of legal evidence bundles and other (including multi-media) evidence.

CaseLines has the potential to transform the way the Tribunal works, enabling us to provide a more cost effective, efficient and enhanced service which meets the expectations of users in a digital age.

A significant proportion of the Tribunal's case management resource is focused on the creation, amendment, distribution, condensing, archiving and disposal of paper hearing bundles. CaseLines will eliminate much of this administrative work and, combined with a new, workflow-enabled case management system, will enable us to deal with cases more efficiently, expeditiously and cost-effectively by streamlining and, where appropriate, automating processes. Staff resources will be freed up to focus on other key priorities as part of our continuous improvement strategy and deliver the objectives set out in our business plan. These include:

- Optimising court utilisation, thereby reducing the cost per court by freeing up resources to deal with more cases simultaneously (subject to the availability of hearing days and clerking resource).
- The procurement of a new, fit for purpose case management system to maximise the return on investment in technology. This will become imperative in the next 12-24 months as the current Opsis system becomes obsolete and is no longer supported.
- Reviewing and streamlining administrative processes to capitalise on technology.
- Service quality feedback and evaluation initiatives and sustained improvement in performance against KPIs, productivity and quality.

- Improving reporting capability and operational forecasting.
- The digitisation of historical judgments to reduce storage costs and improve access to records for service users.

CaseLines is certified to ISO 27001 for Information Security Management and will significantly improve data security in relation to case files. Files are held securely in the cloud and data is encrypted and stored in European Tier 1 data centres. Data is backed up and replicated leading to improved business continuity.

As well as the transformational benefits, it is anticipated that the introduction of CaseLines will result in ongoing annual savings of almost £8,000 for the Tribunal, with the potential for possible headcount reductions in the longer term.

It is important to note that, in addition to savings for the Tribunal, the use of CaseLines will reduce the cost of bringing and defending a case for all parties, including the SRA, Lay Applicants and Respondents. The SRA estimates that it costs between approximately £275 and £660 per case to produce a bundle (including staffing costs). In 2019 the SRA anticipate sending the Tribunal 205 cases so this represents a significant potential saving to the SRA. The use of CaseLines will, therefore, result in ongoing savings for the solicitors' profession overall.

Case Management

Steps taken to date

Whenever a Respondent files an Answer, the Answer is reviewed by a member of the clerking team to ascertain whether or not the case is one that could potentially be brought forward and/or whether the time estimate assigned on issue is still appropriate. This is to ensure that where fewer days are required than originally anticipated the hearing dates can be re-allocated to other matters. Conversely it allows the identification of matters where the original time estimate is insufficient and those matters can then be listed for a case management hearing with the aim of avoiding a part heard substantive hearing.

The case management team review the Certificates of Readiness that are filed 28 days before substantive hearings to ensure that any procedural issues or concerns in relation to the time estimate are identified at that stage. A number of listings in 2018 have been extended at a late stage to avoid the hearing being adjourned.

Where the Tribunal has identified that it has hearing dates available that are no longer required for the allocated matter, enquiries have been made of parties in other matters listed at a later date to see whether or not that case can be brought forward. This has resulted in some earlier hearings than would otherwise have been the case, although there can be resistance/objections from the parties to the amendment of the listing.

The Tribunal has explored the possibility of listing cases "at-risk" or in a "warned" list. This approach is not generally used in the regulatory field. In the last quarter of 2018 a number

of cases have been listed in “reserve”. In practice this means that two or more substantive cases are allocated to a Division because it is considered that the longer substantive hearing will not be effective or will not require the number of days suggested by the Applicant. By listing a second substantive hearing the Tribunal’s allocated hearing days can be fully utilised. The success or otherwise of this approach will be evaluated in due course.

Non-compliance courts before a clerk have continued to be utilised. In a number of cases these non-compliance courts have resulted in Respondents who had not previously engaged with the proceedings engaging and complying with the Tribunal’s directions.

Guidance for Lay Applicants and for non-represented Respondents will shortly be published on the Tribunal’s website. The Tribunal has developed an interactive courtroom (on its website) so that those attending hearings are able to access information about how the Tribunal operates in practice and so be better prepared for the proceedings.

Potential for future savings

The possibility for cases to be, in effect, “double-listed” or listed “at risk” needs further exploration so that the impact of late adjournments and Agreed Outcomes is reduced. If the Tribunal is sitting on more days and has more Divisions available on any given day there is more potential for this approach to listing to be adopted. However, given the possibility that cases may not be heard on the specified date if they are listed in this way, further evaluation of the benefits and disadvantages of this approach is required.

Salary and Related Costs

Steps taken to date

The work in the Case Management was restructured in 2017/18, resulting in an additional 1 FTE in the Case Management team to manage the increasing caseload.

Current clerking levels are sufficient for circa 300 hearing days per annum. However a 1 FTE of clerking resource is required to service the estimated 406 hearing days in 2019.

The Finance function has been restructured to improve in-house capability and end reliance on external resource for professional finance activities. This has resulted in a significant improvement in finance and accounting procedures and budget management capability. Investment in in-house HR expertise since 2016 has reduced reliance on external recruitment/employment input.

Tribunal staff received a 1.5% salary increase effective from January 2018. Other benefits have not been enhanced for some years.

Potential for future savings

Investment in technology (computerised evidence management and case management systems) will result in more streamlined and cost-effective ways of working and longer term savings. During 2019 there will be a review of work processes across all functions to ensure that work is being carried out at the appropriate level.

The training budget (which is circa 2.5% of the overall salary bill) includes investment in staff development and skills linked to business objectives and statutory obligations. Training includes in-house and online delivery where possible to minimise costs e.g. mandatory health and safety and GDPR training. There is future potential to reduce the training budget whilst maintaining a commitment to work-related development by prioritising training initiatives in line with key business priorities and identifying cost-effective delivery methods (e.g. bespoke in-house training).

Members' expenses

Steps taken to date

A review of the Members' expenses policy was carried out including a review of the overnight cap for hotel accommodation. Earlier this year the Board decided not to reduce the current cap as it was comparable with organisations within the sector. In any event most claims fall below the cap.

Potential for future savings

There will be a further review of the Members' Expenses Policy in late 2018. There will be ongoing monitoring of travel/hotel expenses with potential for further review of the overnight cap if appropriate.

The Board have agreed the introduction of a Trainline account which is currently being set up. This account will reduce the extra cost of on-the-day bookings. The Tribunal is also exploring access to hotel discounts via corporate hotel deals.

General Administration Costs

Steps taken to date

The documents held by the Tribunal in archive storage have been reviewed in 2018. This has resulted in an approximate 40% reduction of storage capacity for archived case documents and improved compliance with data protection obligations.

Telephony costs have been reduced due to a more favourable long-term combined internet/landline contract. Printers have been replaced on a more favourably priced five year contract, including 3 printers/copiers, one of which is for provision of a free copying

facility for parties. Postage costs have been reduced by the agreement of a more favourable contract.

In June 2018 the Tribunal moved to a hosted IT infrastructure to support longer term IT developments more cost-effectively. The benefits of the hosted environment include:

- Better IT/data security and compliance with GDPR.
- More robust business continuity provision.
- Reduced hardware costs and access to the latest technology (with upgrades included in hosted costs).
- An IT infrastructure which supports flexible/remote working, improving productivity.
- Immediate access to IT support.

Potential for future savings

The implementation of CaseLines in quarter four of 2018 will result in a reduction in printing, photocopying, stationery, confidential waste disposal and archiving costs. There will also be a consequent reduction in postage, courier and DX costs.

The current case management system is expected to become obsolete and unsupported within 1-2years. Together with CaseLines, a new case management system (with workflow) will support the streamlining/automation of case management processes and improve reporting capability, freeing up staff resource to meet strategic objectives.

The use of pin-enabled technology to permit recharging of costs incurred by the Tribunal photocopying to parties will be investigated.

There will be a further reduction in printing costs by discontinuing the use of some desk-top printers (thereby reducing the cost of toner cartridges).

The hosted IT environment may provide for a shift towards more flexible working which could reduce accommodation costs in the longer term. This will be relevant when considering the Tribunal's office accommodation post 2022.

The current contract for the Audit arrangements is due to expire. There will be a tendering exercise to ensure that the arrangements are as cost effective as possible. There is the potential to reduce external costs by preparing the statutory accounts in-house but this would require additional in-house resource.

The cost of the water contract will be reduced by installing plumbed-in cooling machines.

Building Costs

Steps taken to date

The use of an agent resulted in favourable rent review in 2018 with an increase from £40 to £45 per square foot. This was considerably lower than the landlord's initial proposal.

The Tribunal has experienced a significant increase in business rates. An agent was engaged to consider whether or not there were grounds to challenge the new business rates. The agent concluded that any challenge/appeal was unlikely to succeed.

Potential for future savings

The Tribunal's lease is due for renewal in 2022. There is the potential to reduce facilities management costs by moving to flexible serviced office space. Consideration should also be given to the potential for wider significant cost savings across regulators by sharing office space/administrative resources.

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