



LAO's Clinic Draft Performance Measures

For Consultation

Original Version: July 2013

Amended: September 2013



Performance Measures Development

What is a performance measure?

- A quantifiable description of the impact or results of an organization's work.

Why are performance measures developed?

- Performance measures are a management tool
- Performance measure provide the data for organizations to gauge whether it is achieving its goals and objectives.

The development of performance measures for the clinic system considers LAO's four strategic goals:

- Value for Clients
- Support for Service Providers
- Value for Taxpayers
- Institutional Enhancements

The following guiding principles were used:

- Supports Legal Aid Ontario in meeting its legislative requirements (LASA and TPAD)
- Collecting data for performance measures should have minimal impacts on the end user.
- Reports should not take more time to generate than the value they add.



Why do We Have Performance Measures?

Demonstrates whether the organization is meeting its mandate and strategic goals

Is a management tool that informs decisions and promotes continuous improvement

Fulfils obligations for accountability and transparency to the public

Are neutral and provide evidence, supporting information and insight to an organization's activities.



These Draft Performance Measures will evolve

These PMs were created to meet LAO's legislative requirements.

All PMs are a work in progress and evolve over time.

LAO has implemented similar PMs for its own program areas and the clinics are one of the last to be implemented.

Systemic measures:

- The ACLCO and LAO have discussed developing “systemic outcome” measures
- Input on how to approach developing systemic outcome measures will be subject to a separate discussions.



Clinic Consultation Process

LAO is seeking input from clinics on the draft performance measures.

Each performance measure is followed by a series of consultation questions. The responses to these questions are valuable to LAO, but the questions are not meant to limit comments – all feedback is encouraged.

The consultation process will be supported through:

- Online responses using the Requirements Tracking Tool (RTT)
- In person meetings with clinics, board chairs, or a representative of the board, and Executive Directors
- Teleconferences

Estimated timelines for consultations - July to November 2013.



CIMS & Clinic Performance Measures

The Clinic Information Management System (CIMS) and LAO's Clinic Performance Measures (PM) are two separate endeavours.

CIMS is the tool used to support the gathering of data required to produce the measures.

CIMS requirements include the details required to produce the PMs as presented in the consultation paper, dated March 2013 → The requirements will be updated to reflect the feedback received through this consultation.

Phase 3 of the CIMS project plan includes a training component which will highlight the fields that will support the final performance measures.



History of PMs

The draft clinic performance measures are based on the Ontario Public Service (OPS) Performance Measures Guide.

Research was conducted and best practices were followed in the development of the material presented in this paper.

Previous work completed by joint LAO and clinic committees including the Integrated Performance Measures Advisory Committee (IPMAC) were also reviewed and taken into consideration.

LAO needed to do its own thinking on what it needed to meet its oversight responsibility, resulting in the draft clinic performance measures included in this paper.



Draft Performance Measures link to LAO's Strategic Goals

Value for Clients

- Quality of services provided
- Timeliness of services provided
- Measurement of outcomes/success
- Access to justice for low-income Ontarians
- Reach as many clients as possible
- CIMS (Client Case Management)

Value for Taxpayer

- Effective use of taxpayer dollars & public resources (cost-effectiveness)
- Efficiency of resources spent on programs
- Accountability for program expenditures
- Value for money
- CIMS (Client Case Management)

Support for Service Providers

- CIMS (Client Case Management)
- Clinic Reporting Module
- Performance Measurement framework

Institutional Enhancements

- Support for governance framework
- Oversee success of legal aid services
- Performance Measurement framework

Measure	Value for Taxpayers	Value for Clients	Support for Service Providers	Institutional Enhancements
1	X	X	X	X
2	X		X	X
3	X	X	X	X
4		X	X	X
5	X	X	X	X
6		X	X	X
7		X	X	X
8	X		X	X



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LAO's Performance Measurement Overall Desired Outcomes

To meet LAO's mandate, as stipulated in the Legal Aid Services Act, 1998 (LASA), to: "promote access to justice throughout Ontario for low-income individuals by means of providing consistently high quality legal aid services in a cost-effective and efficient manner."

To enhance oversight of the clinic law service delivery system through the implementation of performance measures and to meet its obligations under the Legal Aid Services Act (LASA) and the Transfer Payment Accountability Directive (TPAD).

To address the recommendations made by the Auditor General in his 2011 value for-money audit of LAO*.

To provide efficient, effective, quality clinic law services to low-income individuals and disadvantaged communities.

* Annual Report of the Office of the Auditor General of Ontario, 2011 (http://www.auditor.on.ca/en/reports_en/en11/2011ar_en.pdf)



Common Measurement Tool Measures – An Overview

Measure Type	Factors to measure	Measure
Timeliness	<ul style="list-style-type: none">• Satisfaction with amount of time it took to get service	3, 5, 7
Ease of Access	<ul style="list-style-type: none">• Easy to find what client was looking for• Process was easy to follow• It was clear what I should do if I had a problem• Instructions were easy to understand	2, 3, 4, 7
Staff Attributes	<ul style="list-style-type: none">• Staff know and understand clients' needs• Staff went above and beyond expectations to resolve problem• Staff went the extra mile• Staff demonstrated they care about what they do• Staff were competent	3, 4, 6
Outcome	<ul style="list-style-type: none">• In the end, the client got what he/she needed• I got clear, accurate information• I was treated fairly	3, 5, 6



How can Clinics use the measures?

1. Supports Clinic Boards and Executive Directors decisions
2. Measures whether services offered meet clients' needs
3. Provides a means of tracking progress through year-to-year trends
4. Helps to analyze whether the services are being provided in the way clients want to be served
5. Helps to identify service gaps
6. Provides a means to benchmark against other clinics, other community organizations, or other similar service providers
7. Provides information to assist clinics with case selection
8. Helps to understand issues that result in complaints
9. Helps to identify ways to improve governance
10. Provide a foundation for discussions between LAO RVPs and the clinics.



How will LAO use the measures?

Provide evidence to LAO's funders that it is meeting its legislative requirements and mandate around efficiency, effectiveness and quality.

To provide a foundation for discussions between LAO RVPs and the clinics.

To ensure high quality services are being provided in a efficient and effective manner

Demonstrate the effectiveness of the clinics.

- Provides data for direct cost comparisons to other programs, previous years, other clinics, various areas of law.

Measure	Efficiency	Effectiveness	Quality
1	X	X	
2	X	X	
3	X	X	X
4	X	X	X
5	X	X	X
6	X	X	X
7	X	X	X



Standard Terms and Definitions

A list of performance measure related terms and definitions has been developed with defined events and triggers. The purpose of these definitions is to:

- Enable clinics and the system to know how to categorize work.
- Help ensure that all parties are using a consistent definition of key terms.
- Produce more reliable statistics and reports.

General Definitions * :

Matter: A client's concern/issue/questions

File Work: Legal or non-legal work relating to a Referral, Non Retained, Retained or Initiative File

Case File: Any group of services related to a matter

Non Retained Services: Services provided where a retainer is not in place for those services

Retained Services: Services provided to a client with a retainer in place for those services

Initiative File: Work completed or services provided in support of Public Legal Education, Community Development and Law Reform

Denial of Service for PM #4 : If the normal clinic services are denied to a client for their matter, or if a referral is provided, the user identifies why the service was denied (drop down list)


** Definitions under review*



Measure #1

Clients Served & Services Provided with Cost per Client and Case

Objectives/Desired Outcomes

-  To ensure legal services are delivered in a manner that provides optimal services within allocated resources (as per IPMAC)
- ~~– Identify the number of clients served and services provided.~~
- ~~– Track the average cost per client and cost per case.~~

Why does LAO need this measure?

- Provides an understanding of the services provided to clients, the cost of the services and the public resources being expended on cases and clients at a high level and by area of law.
- Provides a holistic view of the client's legal needs and the ability to determine whether changes could be made to the service delivery model to better meet these needs.
- Costs per assist are known for all LAO programs except for the clinic law program (other LAO programs where costs are being captured include the certificate program, Duty Counsel program and staff and Per Diem Duty Counsel program).
- Provides data for case cost comparisons to other programs, previous years, other clinics and various areas of law.
- The date of oldest case help ensure cases are closed and the number of active cases reported are accurate.

Revisions


- Better reflect clinic initiative/outreach work → Add initiative counts by types and docketing and explore how measures can better reflect speciality clinics' work



Measure #2

Resource Allocation

Objective / Desired Outcomes

-  To ensure legal services are delivered in a manner that provides optimal services within allocated resources (as per IPMAC)
- ~~– To determine the percentage of time and funds used to deliver direct legal services vs. administrative tasks and other functions.~~

Why does LAO need this measure?

- Allows LAO to understand the proportion of staff resources providing direct legal services vs. administrative and other functions.
- Identify areas where administrative burdens exist and seek ways to reduce these burdens.
- Provides a measure of the costs of direct legal services (file related) compared to total costs, including administrative costs.
- Provides data for case cost comparisons to other programs, previous years, other clinics and various areas of law.

Revisions



- Definitions are unclear → Definitions will be revised
- When calculating resource allocation, initiative and administrative work are lumped together → Add optional docketing for administrative tasks (HR, payroll, procurement, etc.) and initiatives



Measure #3

Service Outcomes & Client Satisfaction

Objective/ Desired Outcomes

-  Provision of competent legal services; strive for high levels of client satisfaction with legal services received (as per IPMAC)
-  Provide legal service that meets high professional standards (as per IPMAC)
 - ~~– Identify the results achieved/benefits to the client or the public & average case cost to obtain these results.~~
 - ~~– Provides an indicator of the quality of services provided to clients.~~

Why does LAO need this measure?

- Measures quality of service provided by the primary drivers of client satisfaction: timeliness, ease of access, satisfaction with staff attributes, and outcome of services.
- Identifies the results being achieved for the funds being provided.
- To identify if there have been improvements in client satisfaction and quality services over time.
- Provides overall measure of success of the services to the client.
- Provides data for analysis of successful/unsuccessful/withdrawn cases and effectiveness of clinic's triage process and case merit evaluation to ensure public funds are directed to cases with merit.

Revisions

- Clients may want to respond to surveys anonymously → Allow clients to choose between responding anonymously or relating response to a specific case



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Measure #3

Sample Update Revision

Proposed revisions due to clients responding anonymously to the client satisfaction surveys

Current Version

Type of Representation	Service outcomes	As expressed by client	As perceived by clinic staff	
		# cases	# cases	# initiatives
Clinic Representation	Successful	1145	625	165
	Partially Successful	675	221	562
	Unsuccessful	300	225	421
	Withdrawn/Discontinued	130	99	50
	Unknown	25	36	10
	Total	2275	1206	1208
	Client Self-Representation	Successful	1000	745
	Partially Successful	650	226	-
	Unsuccessful	250	212	-
	Withdrawn/Discontinued	130	105	-
	Unknown	30	36	-
	Total	2060	1324	-

Revised Version


Service outcomes	As expressed by client	As perceived by clinic staff	
	# cases	# cases	# initiatives
Successful	625	1145	165
Partially Successful	221	675	562
Unsuccessful	225	300	421
Withdrawn/Discontinued	99	130	50
Unknown	36	25	10
Total	1206	2275	1208



Measure #4

Clients Served vs. Denied service (Eligibility)

Objective / Desired Outcomes (Revised)

-  Identify systemic barriers and advocate for improvements to provide better service to clients (as per IPMAC)
 - ~~– Identify the number of clients served and not served.~~

Why does LAO need this measure?

- Provides data for identification of service gaps, in order to address capacity issues, eligibility criteria issues and other reasons for denial of services.
- Provides LAO with a means of identifying the number of clients serviced and the amount of services being provided.
- Helps ensure that all communities across Ontario have similar access to services and that unique services are available for specific communities.

Revisions



- Services are sometimes denied due to the fact that the issue has little or no merit
 - Add “Case has no/little merit” to the reasons for denial options



Measure #5

Stage when case file outcomes are achieved with clinic involvement

Objective/Desired Outcomes

-  Provide legal services that advance clients' interests and achieve appropriate results in individual circumstances (as per IPMAC)
-  Deliver legal services in a manner that provides optimal service within allocated resources (human, time, dollars) (as per IPMAC)
 - ~~Identify the stage at which a client's issues are resolved.~~

Why does LAO need this measure?



- Ability to understand when cases are being resolved and to determine whether the impacts of early resolution of matters includes increased cost effectiveness and improved client satisfaction.
- Early resolution of matters improves efficiency of the justice system. This measure will help support LAO's efforts to identify opportunities for systemic change in the justice system to help improve efficiency, effectiveness and quality of service.
- The earlier a case is resolved the less the overall cost and impact for the justice system and is better for the client which can result in increased client satisfaction.



Measure #6

Complaints Filed and Founded

Objective/Desired Outcomes

-  Provide legal service that meets high professional standards (as per IPMAC)
-  Identify systemic barriers and advocate for improvements to provide better service to clients (as per IPMAC)
 - ~~Identify unmet client needs and concerns.~~

Why does LAO need this measure?



- Provides an understanding of the number and types of complaints that the clinics are receiving and the level and timeliness of the resolution of these complaints.
- Provides a picture of where issues are with respect to program delivery.
- Complaints are a good management tool to identify areas for improvements.
- Ensure complaints are resolved within LAO's service standards.



Measure #7

Initial File Evaluation Response Time

Objective /Desired Outcomes

-  Provision of competent legal services; strive for high levels of client satisfaction with legal services received (as per IPMAC)
-  Deliver legal services in a manner that provides optimal service within allocated resources (human, time, dollars) (as per IPMAC)
 - ~~– Identify the wait time for a client to receive triage from the clinic regarding advice on a course of action to be taken by the clinic and/or a referral.~~

Why does LAO need this measure?



- Provides an indicator of the timeliness of response to the client's request for service(s) and clients' accessibility to clinic services.
- Standard wait times = driver of quality.
- Ensure triage is completed within set service standards.



Measure #8

Governance Scorecard

Objective/Desired Outcomes

-  Improve legal and administrative, policy and judicial processes affecting low income individuals and disadvantaged communities (as per IPMAC)
-  Be connected to and rooted in their communities to ensure that quality, effective, efficient services respond to their needs (as per IPMAC)
 - ~~– Evaluates the effectiveness of the clinic board in their oversight of the clinic.~~

Why does LAO need this measure?

- Provides indication of the strength of the clinic board and governance structure.
- Clinic boards are responsible and accountable for the oversight of the funding provided by LAO and for the clinic's overall operations.
- LAO is accountable to ensure that public funds are used effectively and that clinics have a strong governance structure.



Feedback Still under Consideration

What is the trigger that makes a case count in the average case cost calculation?

- Retained/Not Retained was proposed; however, feedback has indicated that this may not be the best trigger
- For discussion at a later date → When should clinics have a retainer in place (i.e. insurance reason, best practises, etc.)?

How to calculate the hourly rate to determine average cost per case?

- How to incorporate standard hours per year taking into account holidays, vacation and sick days?

Add mandatory docketing for initiative and administrative work?

- When calculating resource allocation, initiative and administrative work are currently lumped together. Docketing of these activities would separate the two types work.

PMs are too high level and do not reflect clinic specific work

- Clinics can create custom PM that they will report on to address clinic specific activities.



APPENDIX



Comparator of IPMAC PMs to LAO PMs

CLINIC LAW SERVICES GOAL: LAO will provide efficient, effective, quality clinic law services to low-income individuals and disadvantaged communities to promote full and equitable participation in society, recognizing clinics as the foundation for the provision of legal aid services in the area of clinic law.

	PM 1	PM 2	PM 3	PM 4	PM 5	PM 6	PM 7	PM 8
QUALITY								
<ul style="list-style-type: none"> Provide competent legal service Provide legal service that meets high professional standards Strive for high levels of client satisfaction with legal service received 			X			X	X	
EFFECTIVE								
<ul style="list-style-type: none"> Provide legal services that advance clients' interests and achieve appropriate results in individual circumstances 					X			
EFFICIENT								
<ul style="list-style-type: none"> Deliver legal services in a manner that provides optimal service within allocated resources (human, time, dollars) 	X	X			X		X	
EQUITY & ACCESS:								
<ul style="list-style-type: none"> Identify systemic barriers and advocate for improvements to provide better service to clients 			X	X		X		
COMMUNITIES:								
<ul style="list-style-type: none"> Be connected to and rooted in their communities to ensure that quality, effective, efficient services respond to their needs Assist individuals and communities in reducing poverty and enhancing their collective well being 								X
SYSTEMIC REFORM:								
<ul style="list-style-type: none"> Improve legal and administrative, policy and judicial processes affecting low income individuals and disadvantaged communities. 								X



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Key Highlights from PM Consultation Revisions

Area	Clinic Concerns	Proposed Revision
PM #1	Better reflect clinic initiative/outreach work	Add initiative counts by types and docketing
PM #1	PMs are too high level	Complexity factors to be captured in CIMS Applicant Profile Clinics can create custom PMs that they will report on to address clinic specific activities
PM #2	When calculating resource allocation, initiative and administrative work are lumped together.	Add optional docketing for Administrative tasks (HR, payroll, procurement, etc.)
PM #3	Clients may want to respond to surveys anonymously	Allow clients to choose between responding anonymously or relating response to a specific case
PM #4	Services are sometimes denied due to the fact that the issue has little or no merit	Add “Case has no/little merit” to the reasons for denial options
General	Definitions are unclear (e.g. denial of service, when a retainer is required, etc.)	Clarify definitions
General	Measures do not reflect speciality clinics’ work	Explore how measures can be better targeted to reflect speciality clinics’ work



IPMAC - Clinic Law Services Model Mapping to PMs

KEY GOALS & OBJECTIVES	OUT-PUTS	SUCCESS INDICATORS
QUALITY		
<ul style="list-style-type: none"> provide competent legal service provide legal service that meets high professional standards strive for high levels of client satisfaction with legal service received 	<ul style="list-style-type: none"> # client surveys completed # agency surveys completed # clinics evaluated # of CPD programs provided by or contributed to by clinics % clinic staff participation in: CPD & Mentoring relationships 	<ul style="list-style-type: none"> % positive client and community partner feedback re quality of service provided all clinics participate in Internal Audit and Program Evaluation
EFFECTIVE		
<ul style="list-style-type: none"> provide legal services that advance clients' interests and achieve appropriate results in individual circumstances 	<ul style="list-style-type: none"> Number of services provided by area of law & <ul style="list-style-type: none"> Referral, Advice, Brief service, Case, PLE, Community development & law reform # of agency contacts by type e.g.: <ul style="list-style-type: none"> Referral, Committee work, Joint project & Training 	<ul style="list-style-type: none"> benefits to clients through client feedback and/or agency surveys legal outcomes reported by clinics regarding the impact on the client and community
EFFICIENT		
<ul style="list-style-type: none"> deliver legal services in a manner that provides optimal service within allocated resources (human, time, dollars) 	<ul style="list-style-type: none"> Clinic program financial metrics (e.g. average case cost, ratio over \$10K) 	<ul style="list-style-type: none"> new efficiencies are evaluated & shared e.g. technology use, streamlined processes, co-ordination of client services with programs/agencies serving same clients & service delivery mix



Common Measurement Tool (CMT): A Foundation in Research

A critical dimension that makes the use of the CMT so powerful is the use of drivers of satisfaction identified by ICCS research. Throughout all iterations of Citizens First, there has been little variation in key drivers by service type and channel. In almost all cases, the four primary drivers of satisfaction have been:

Timeliness: *I was satisfied with the amount of time it took to get the service*

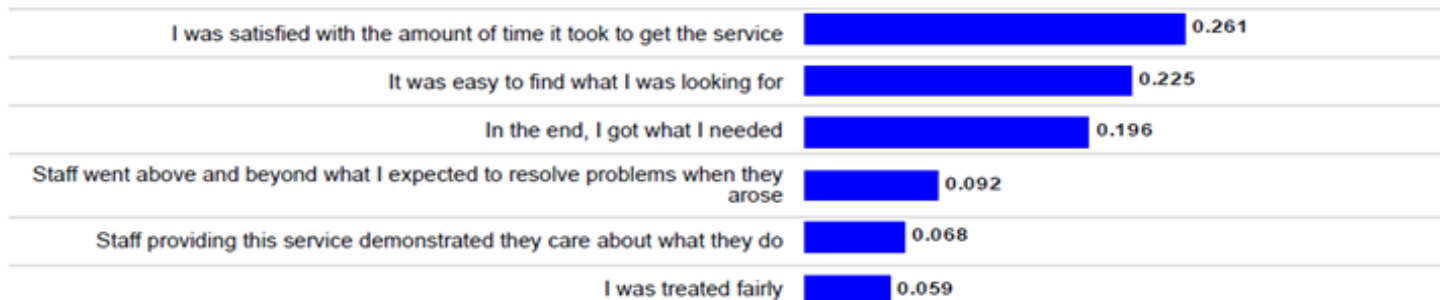
Ease of Access: *It was easy to find what I was looking for*

Outcome: *In the end, I got what I needed*

Staff Attributes: *Staff went the extra mile to get me what I needed, etc.*

These drivers, accounting for nearly 80% of all variance in satisfaction ratings, form the basis of the *Core CMT Questions*.

Primary drivers identified by Citizens First 6:



Source: Institute for Citizen Centred Services