

# 2020 LSS Board Performance Assessment

Thursday, July 16, 2020

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Welcome to the LSS Board Performance Assessment 2020. The questionnaire is designed to help you consider the performance of the LSS Board of Directors as a group. It is part of a process intended to enhance the Board's overall effectiveness. The results will be summarized and presented at the In-camera Board meeting on September 11, 2020 for discussion and action.

Directions: Please indicate the extent to which you agree with the following statements concerning the functioning of the Board of Directors as a whole. Select one response for each item. For the descriptive questions, please provide a clear, concise response with adequate explanation of your perspective.

1) Please enter your name:

2) Within the past year, the board has reviewed and identified the organization's strategic direction and related priorities for attaining its long-term objectives.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

3) A sufficient amount of the board's time was spent in discussion on issues of importance to the organization's long-range future.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

4) The board has a clear process for setting strategic direction that involves the board and management jointly designing the future of the organization.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

5) The board addressed at least one strategic issue at each meeting.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

6) The board discusses strategic issues in the context of the larger environment.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

7) When presented, issues are framed in the context of the organization's overall strategy to enable board members to see a connection between the current challenge and LABC's future direction.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

8) A sufficient amount of the board's time is spent identifying risks to the organization.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

9) When unplanned issues come before our board, we draw upon multiple perspectives to understand the problem and to synthesize creative strategies.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

10) The board is well aware of the impacts its decisions will have on clients and stakeholders, and within the justice system.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

11) The board has sound processes in place to ensure they are kept informed of important trends in the larger environment that might affect the organization.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

12) The board not only assesses threats to organizational well-being, but also explores LABC's awareness of opportunities and capacity to respond to them.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

13) The board regularly receives information and advice from key stakeholders.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

14) The board monitors the impacts of its decisions on clients and stakeholders, and keeps current regarding their concerns.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do not know

15) Which of these concerns, if any, may warrant further attention (optional)?

16) Budget variances are reviewed and discussed each quarter; sound inquiries are made regarding these variations; and action is taken as warranted.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

17) The board effectively inquires into major performance deficiencies.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

18) The board annually verifies the integrity of the LABC's internal financial control and management information systems.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

19) When requested to do so, the board provides advice and counsel to the CEO in his areas of responsibility.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

20) The board does not involve itself in the day-to-day management or operations.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

21) A sufficient amount of the board's time is spent for the purpose of maintaining familiarity with LABC operations.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

22) The board has an effective process for assessing its own performance on an annual basis that results in a learning development plan for the board and its members.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

23) Board members receive helpful feedback on their performance as a member of the board.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

24) The board maintains a board succession planning policy and is satisfied with the succession planning for board members.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

25) Board members actively participate in deliberations and discussions; board members are able to speak freely without fear that they will be ostracized by other members of the board.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know



26) The board displays legal, ethical and moral conduct internally and externally to LABC.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

27) The board formally evaluates the performance of the Chief Executive Officer ("CEO") which identifies his/her strengths and results in a practical and productive development plan.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

28) The board openly and honestly communicates its expectations and concerns to the CEO on a regular basis.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

29) The board has adopted and maintains a CEO succession planning policy and is satisfied with succession planning for the CEO.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

30) Board members receive timely and accurate minutes, advance written agendas and meeting notices, and clear concise background material in preparation for meetings.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

31) Board meeting frequency and duration are adequate to complete the necessary responsibilities of the board.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

32) The chair engages a variety of board members to carry out the necessary functions and responsibilities of the board.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

33) The Board has established the appropriate committees to undertake the Board's mandate.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

34) Committee reports are timely, clear, and sufficiently comprehensive to provide the board with a good knowledge of the committees' deliberations and recommendations.

- Strongly Disagree
- Disagree
- Agree
- Strongly Agree
- Do Not Know

35) Do you have any general comments about any of the current Board committees on which you do not sit?

LABC 2020/21 Budget Uncertainty:

Significant uncertainty was introduced to the 2020/21 budget development process from November 2019 through March 2020:

In November 2019 LABC was asked to prepare a status quo budget with allowance made for the cost implications of the ALL/LSS/ AG tariff settlement.

On December 13, 2019 the board passed that budget and forwarded it to the AG along with 70 pages of supporting information requested by the Ministry.

On January 17, 2020 the budget was rejected and LABC was asked to prepare proposals for up to \$5.86 million of funding reductions.

In February further budget reduction proposals were requested.

In early March Ministry staff asked LABC to take no action to address possible budget reductions and LABC was advised that recent interest rate reductions will result in a significant revenue reductions to the Law Foundation and Notary Foundation.

In mid-March the Federal Government delayed the introduction of its own budget and BC asked all Crown agencies to refrain from laying off any staff for at least two months.

The CEO has kept the Chair updated and sought advice from the Board on strategies and priorities.

The CEO has kept the Federal Government advised that current provincial funding for immigration legal aid will not be sufficient to maintain services through the year.

The LABC Board relies on the Executive Committee to assess political risks and the Finance Committee to oversee financial risk management issues.

36) As a board member how satisfied are you that the Board was appropriately informed and involved in the 2020/21 budget issues?

- Dissatisfied
- Somewhat Dissatisfied
- Somewhat Satisfied
- Satisfied

37) As a board member how satisfied are you that the Finance Committee was able to do its job in assessing the LABC fiscal risk?

- Dissatisfied
- Somewhat Dissatisfied
- Somewhat Satisfied
- Satisfied

38) What could have been done differently to ensure that board members had the information needed to provide budget advice and make decisions in relation to the budget?

Board Member Engagement

There are typically six LSS board meetings a year. Board members can attend in person or by phone. Over the past fifteen years attendance at LABC board meetings has been high. Some years ago the Board members articulated an expectation that members would attend every board meeting. In the past year full attendance has been rare and for much of the February 14 board meeting only four board members were present.

39) How important is it for board members to give priority to attending every board meeting?

- Not important
- Somewhat not important
- Somewhat important
- Very important

40) How important is it for board members to give advance notice and a reason for their absence from a board meeting?

- Not important
- Somewhat not important
- Somewhat important
- Very important

Tariff withdrawal of services

In February 2019 LABC was facing a withdrawal of services by private lawyers who accept legal aid contracts. In March 2019 the Association of Legal Aid Lawyers (ALL) agreed to negotiate a settlement based on an interim agreement that included a commitment to negotiate and a 25% increase to legal aid fees for the negotiation period from April 1, 2019 through November 2019. The increase was funded by liquidating the LABC accumulated surplus with a matching amount contributed by government. The Law Foundation managed those payments to lawyers.

In the fall of 2019 ALL, LSS and BC reached an agreement on outstanding issues that included an ongoing consultation on legal aid eligibility and coverage issues.

41) How satisfied are you with the quality and quantity of information the board received relating to the withdrawal of services and the settlement of the agreement?

- Dissatisfied
- Somewhat dissatisfied
- Somewhat satisfied
- Satisfied

42) How satisfied are you with the level of the board's engagement on this issue?

- Dissatisfied
- Somewhat dissatisfied
- Somewhat satisfied
- Satisfied

43) What would you like to have seen done differently?

44) Please provide general comments about the board's performance.