

ILEX PROFESSIONAL STANDARDS LTD

PRACTICE RIGHTS SCHEME IMPLEMENTATION PROJECT PLAN

INTRODUCTION

1. This document sets out IPS' plan to develop arrangements to enable it to implement the practice rights schemes and to become a regulator of reserved and regulated legal activities of entities.
2. The document covers the following:
 - overview of the project
 - project scope
 - assumptions
 - project objectives and key requirements
 - project roles
 - approach
 - deliverables, milestones and schedule of activity
 - resource needs
 - quality assurance strategy
 - risks and issues
 - project constraints.

PROJECT OVERVIEW

3. The project will develop arrangements for IPS to become a regulator of reserved and regulated legal activities of entities.

PROJECT SCOPE

4. The project has been split into award of practice rights, entity regulation, client protection, investigation and enforcement activity.

PROJECT ASSUMPTIONS

5. The project relies on a number of assumptions which are summarised below. They are:
 - the LSB will approve the applications by September 2013 and the required orders will be granted by March 2014. The Parliamentary timetable is being discussed with the Ministry of Justice.
 - the demand for practice rights and entity regulation demonstrated by IPS' research materialises.

PROJECT OBJECTIVES AND KEY REQUIREMENTS

6. The objective of the project is to develop arrangements to deliver practice rights and entity regulation. There are number of requirements which are key to IPS meeting this objective.
7. The key requirements are to:
 - develop application and assessment processes for applicants seeking practice rights
 - develop application and assessment processes that support a risk based approach to regulation of entities. The risk framework will be capable of adaptation to changes in risks and risk profiles
 - implement an outcomes focused approach to regulation
 - develop client protection arrangements
 - pilot and test the regulatory arrangements.

PROJECT OFFICERS AND TEAM

8. Responsibility for the project will rest with team managers as project managers. The Head of Operations will have oversight of the project as project director.
9. The project managers will be responsible for ensuring delivery of the project, monitoring activity and achievement against the plan and providing support to the project team. The Practice Regulation Working Group is the project board.
10. The work will be completed by IPS staff. Project managers will take lead responsibility for activities that are assigned to them in the project schedule.
11. The staff and post holders' responsibilities are summarised below:
 - Practitioner Authorisation and Supervision Manager - develop applications for practice rights; assessment processes; recruitment of external advisors; and training of the Admissions and Licensing Committee on their new roles
 - Entity Authorisation and Supervision Manager – test and update proposed entity application and assessment processes; risk framework; intelligence gathering systems; consumer feedback website; support recruitment of Strategic Risk Committee members; appoint Relationship Officer
 - Client Protection Manager – liaison with insurance brokers; set up with support of Director of Group Services the compensation fund; finalise insurance of compensation fund; develop forensic investigation

arrangements; identify practice manager criteria (for practice management arrangement under IDAR); support recruitment of trustees to compensation fund

- Investigation Manager – working with investigation/enforcement team to develop procedures and policies for investigation and enforcement activity against entities; update existing procedural documents for new Investigation, Disciplinary and Appeal Rules (IDAR); support recruitment of new panellists, and train new and existing panellists on new IDAR and extended remit; recruit new team members.

The project team will be supported by:

- HR Manager – support recruitment processes.
- Head of Communications – publicity and communication of new schemes.

PROJECT APPROACH

12. The project has been split into the following activities:

- practice rights (authorisation and supervision)
- entity regulation (authorisation and supervision)
- client protection
- investigation/enforcement.

Each aspect of the project plan below has been developed by reference to the activities that need to be undertaken.

13. Practice rights – March to December 2013. Develop applications for practice rights and assessment processes, building on existing processes used for rights of audience and work based learning. Development to include application form, application handbook and guidance. Recruit external advisors through setting appointment criteria, advertising, application and assessment process. Develop programme to train the Admissions and Licensing Committee on their increased remit. Appoint and train education officer. Development of new CPD scheme to include practice rights schemes.

14. Entity regulation – January to December 2013. Test and update proposed entity application and assessment processes with entities who have volunteered for testing. Through testing refine risk framework and assessment of risks. Develop a process for recording intelligence on risk and regulatory market. Work with the IT team to update database to meet entity regulation recording fields and consumer feedback website. Recruit the Strategic Risk Committee members and appoint a Relationship Officer, develop appointment criteria and advert, application and assessment process. Develop a programme to train the Committee and new staff.

15. Client protection – January to December 2013. Finalise the Qualifying Insurers Agreement; work with broker to appoint insurers; develop a programme for gathering intelligence from insurers. Set up with the support of Director of Group Services the Compensation Fund; finalise insurance of the Compensation Fund; and develop application forms, policies and procedures for claims against the Fund. Develop forensic investigation process, forms, policies and test through voluntary visits to entities. Set practice manager criteria (for practice management arrangement under IDAR), develop the intervention process and develop processes to monitor closure of entities and compliance of entities to take run-off insurance cover. Support recruitment of Trustees to the Compensation Fund, developing appointment criteria, advertising, application and assessment process. Develop programme to train the Trustees.
16. Investigation – March to September 2013. Develop procedures and policies for investigation and enforcement activity against entities, including updating sanctions guidance, adjournment policy, publication policy and procedures manual. Support recruitment of additional panellist and appoint additional team member(s), developing appointment criteria, advertising, application and assessment process. Develop programme to train the Committee and new staff.
17. Publicity – April to September 2013. Develop plan to publicise new schemes.

MAJOR DELIVERABLES AND KEY MILESTONES

18. The project will achieve the outcomes set out below. The milestones have been set out above in terms of timescales.
19. Overall deliverable - production of arrangements to implement practice rights and entity regulation scheme and appointment of additional resources.
20. Staffing – having set new IPS structure the role profiles will be finalised; existing staff roles mapped to new roles under designation process; development gaps identified and training put in place and recruitment to new posts.
21. Application processes – IPS will have developed and tested processes for applications to be made by applicants and entities for regulation; developed and tested supporting procedural documents.
22. Applications processes – developed process for handling conduct matters and compensation claims; developed supporting guidance and policies.
23. IT – developed and tested processes for recording and managing applications for regulation and compensation and investigation cases.

24. Communication – developed communication plan to publicise new practice rights schemes and entity regulation.

PROJECT SCHEDULE

25. A schedule setting out the activity and timescales is attached to this document.

RESOURCE NEEDS

26. Staffing needs have been identified in Part 11 of the Applications titled 'delivering the practice rights schemes'. Designation of staff to new roles and additional recruitment will require the support of the HR Manager, which has been secured.
27. Client protection arrangements require engagement with insurance brokers, insurance providers, support of the Director of Group Services, which has been secured. Insurance brokers are appointed and working with IPS.
28. Communications team support has been identified and secured to develop publicity material, support IPS production of application packs, and to promote the scheme.
29. IT support is required to make identified adjustments to the database to enable recording of data.

IMPLEMENTATION STRATEGY

30. The deliverables from the project will enable IPS to be ready to deliver regulation under its new responsibilities at the time when the practice rights are granted.

QUALITY ASSURANCE AND CONTROL STRATEGY

31. Quality assurance and control mechanisms have been built into the project. They are summarised below.
32. The Practice Regulation Working Group is responsible for ensuring delivery of the project. Reports will be provided to the Working Group at its meetings, which take place at regular intervals, updating it on progress. The project managers will be responsible for ensuring delivery within the office, with overall lead by Head of Operations. Delivery will be monitored against the project plan.

33. The Practice Regulation Working Group and entities with which processes are tested, insurance brokers and committee members will provide mechanisms through which feedback can be sought on the project deliverables.

CONFIGURATION STRATEGY

34. Document version control will be used on all products for all work streams. A plus 0.1 increase in the version number will represent a minor revision to the product. Major product releases will be issued with the next incremental number, eg 1.0, 2.0 etc.

RISKS AND ISSUE MANAGEMENT

35. IPS has a table which sets out the risks surrounding this project and a table to record issues as they arise.

PROJECT CONSTRAINTS

36. The project will be developed under the following constraints:
- timing – the window for completion of the work is small (8 months)
 - funding – CILEx will make available the funds needed to employ the resources required to deliver the project
 - validity of research – the demand and staffing resources have been set from research conducted into regulatory demand
 - decision making – there is uncertainty in respect of the time the LSB, Lord Chancellor and Parliament will take.

PRACTICE RIGHTS PROJECT SCHEDULE

	Project phase	Activities	Tasks	Milestones	Timeline	Resources
1	One	Organisation restructure	<ul style="list-style-type: none"> • Complete role profiles • Map existing roles to new roles • Designation of staff to new roles • Recruitment programme for new roles • Skills gaps identified and training undertaken 	<ul style="list-style-type: none"> • Profiling completed • Mapping completed • Designation completed • Recruitment programme completed • Skills analysis and training 	Feb 2013 March 2013 March 2013 Initial completed Sept 2013, then ongoing July 2013	Senior team, recruitment and training costs
2	Two	Practice rights	<ul style="list-style-type: none"> • Develop applications for practice rights and assessment processes to include <ul style="list-style-type: none"> ○ application form ○ guidance ○ IT recording • Recruit external advisors setting <ul style="list-style-type: none"> • appointment criteria, 	<ul style="list-style-type: none"> • Development completed • External advisors appointed for litigation and immigration • External advisors appointed 	July 2013 July 2013 December	Practitioner A&S Manager, IT team and database supplier

			<ul style="list-style-type: none"> • advertising, • application, • assessment process 	<ul style="list-style-type: none"> • Training completed 	<p>2013</p> <p>February 2014</p>	<p>training resources</p>
3		Entity regulation	<ul style="list-style-type: none"> • Application processes <ul style="list-style-type: none"> ○ Test and update proposed entity application and assessment processes ○ Through testing refine risk framework and assessment of risks. • Develop process for recording intelligence on risk and regulatory market • Work with IT team to update database to meet entity regulation recording fields 	<ul style="list-style-type: none"> • Identify entities for testing programme • Testing programme completed • Risk framework review undertaken • Process developed and ready to implement • Database development completed 	<p>February to July 2013</p> <p>July 2013</p> <p>July 2013</p>	<p>Entity A&S Manager and team, travel and accommodation</p> <p>Entity A&S and Client Protection Managers</p> <p>Entity A&S Manager, IT team, database supplier</p>

			<ul style="list-style-type: none"> • Develop Specialist Lawyers website and Consumer Feedback Programme on website • Recruit Strategic Risk Committee members, develop <ul style="list-style-type: none"> • appointment criteria • advertising • application • assessment process. • Develop and deliver programme to train the Committee and new staff. 	<ul style="list-style-type: none"> • Website developed and launched • Committee recruitment • Training programme developed and delivered 	<p>March 2014</p> <p>October 2013</p> <p>December 2013</p>	<p>Consumer engagement officer, Comms team</p> <p>Entity A&S Manager, HR support, adverts</p> <p>Entity A&S Manager, HR support</p>
4		Client protection	<ul style="list-style-type: none"> • Finalise qualifying insurers agreement; • work with broker to appoint insurers • develop programme for gathering intelligence from insurers 	<ul style="list-style-type: none"> • QIA finalised • Insurers appointed • Programme developed 	<p>March 2013</p> <p>September 2013</p> <p>September 2013</p>	<p>Client Protection Manager, Broker, solicitors drafting, Insurers committee</p>

			<ul style="list-style-type: none"> • Set up the compensation fund • finalise insurance of compensation fund; and develop application forms, policies and procedures for claims against fund • Develop forensic investigation process, forms, policies and test through voluntary visits to entities • Set manager criteria (for practice management arrangement under IDAR) • Develop processes to monitor closure of entities and compliance with run off insurance cover 	<ul style="list-style-type: none"> • Fund set up • Insurance finalised • Application and supporting documents developed • Forensic investigation process finalised and tested • Criteria produced • Process developed 	<p>September 2013</p> <p>July 2013</p> <p>July 2013</p> <p>July 2013</p>	<p>Client Protection Manager, Director of Group Services</p> <p>Client Protection & Entity A&S Manager, risk officers</p> <p>Client Protection Manager, Investigations Manager</p> <p>Client Protection Manager, Investigations Manager support</p>
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			<ul style="list-style-type: none"> Recruitment of trustees to compensation fund, developing appointment criteria, advertising, application and assessment process Develop and deliver programme to train the trustees. 	<ul style="list-style-type: none"> Trustees recruited and trained 	<p>December 2013</p> <p>December 2013</p>	<p>Client Protection Manager, HR support (adverts)</p> <p>Client Protection Manager</p>
5		Investigation	<ul style="list-style-type: none"> Develop procedures and policies for investigation and enforcement activity against entities, including <ul style="list-style-type: none"> updating sanctions guidance adjournment policy publication policy procedures manual. Recruitment of additional panellist, developing <ul style="list-style-type: none"> appointment criteria advertising, application assessment process. 	<ul style="list-style-type: none"> procedures and policies developed Recruitment completed 	<p>July 2013</p> <p>October 2013</p>	<p>Investigation Manager</p> <p>Investigation Manager, HR support (advert)</p>

			<ul style="list-style-type: none"> Develop and deliver programme to train the Committee and new staff 	<ul style="list-style-type: none"> Training delivered 	December 2013	Investigation Manager
6	Three	Publicity	<ul style="list-style-type: none"> Develop plan to publicise new schemes 	<ul style="list-style-type: none"> Publication plan developed 	April to August 2013	Comms Team, IPS support
7	Four	Scheme launch	Launch scheme	Scheme launched	<p>October 2013 (immigration and litigation)</p> <p>2014 (probate and reserved instrument and entity regulation)</p>	IPS team

