

To:	Legal Services Board	Agenda Item:	4
Date of Meeting:	19 July 2017	Item:	Paper (17) 45

Title:	OLC performance assurance
Workstream:	Performance, evaluation and oversight
Author / Introduced by:	Julie Myers, Corporate Director Julie.myers@legalservicesboard.org.uk / 020 7271 0059
Status:	Official

Summary:
<p>At its meeting in March 2017, the Board agreed that it would continue to monitor the OLC's performance in administering an effective Legal Ombudsman (LeO) scheme without using its section 120 powers. This was with the proviso that the OLC was willing to continue to provide assurance to the Board on its performance including performance reports to the LSB on a voluntary basis and to begin reporting publicly on its own performance. Authority was delegated to the Chair and CEO to discuss this approach with the OLC.</p> <p>Those discussions have now concluded and the letter from the OLC Chair to the LSB Chair at Annex A reflects their outcome.</p>

Recommendation(s):
<p>The Board is asked to note the voluntary arrangements proposed by the OLC for providing assurance on their administration of the Legal Ombudsman scheme as regards performance to the LSB.</p>

Risks and mitigations
Financial: N/A
Legal: N/A
Reputational: tbc
Resource: N/A

Consultation	Yes	No	Who / why?
Board Members:	X		Interim Chair has led these discussions with OLC Chair
Consumer Panel:		X	
Others:	N/A		

Freedom of Information Act 2000 (Fol)		
Para ref	Fol exemption and summary	Expires

None		
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LEGAL SERVICES BOARD

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OLC performance assurance

Executive Summary

Background

1. At its meeting in March 2017, the Board agreed that it would continue to monitor the OLC's performance in administering an effective LeO scheme without using its section 120 powers. This was with the proviso that the OLC was willing to continue to provide assurance to the Board including performance reports to the LSB on a voluntary basis and to begin reporting publicly on its own performance. Authority was delegated to the Chair and CEO to discuss this approach with the OLC.

OLC response to LSB

2. Further to those discussions, the OLC Chair wrote to the LSB Chair on 29 June 2017 setting out the OLC's proposed approach to providing assurance. The letter is at Annex A. The proposals are:
 - a. Information about the LeO's performance to be put on their website quarterly
 - b. Comprehensive information on scheme performance will continue to be sent to LSB through OLC Board papers and minutes
 - c. Quarterly meetings between OLC and LSB will take place to discuss performance as agreed in the Tripartite Operating Protocol, delivered in practice through:
 - i. LSB Chair and CEO attending OLC Board meetings twice yearly in September and March
 - ii. OLC Chair, CEO and Chief Legal Ombudsman meeting LSB Chair and CEO regularly with two of these meetings concentrating on performance (alternate quarters) with a quarterly performance report being provided in advance
 - d. The OLC Chair sending a short voluntary assurance note to the LSB, following each OLC Board meeting, explaining how LeO performance has been dealt with at that meeting.

Observations

3. The proposal from OLC:
 - a. **Provides transparency of LeO scheme performance** – OLC commit to putting scheme performance into the public domain via their website

every quarter. For 2016/17, this data was only publicly available through the S120 reports provided to and published by LSB. (The LeO website refers to 2016-17 KPIs being updated and contains data up to 2015/16 only.)

- b. **Reflects the tripartite operating protocol** agreed between LSB, OLC and Ministry of Justice (MoJ) as regards frequency of performance review meetings and meetings between Chairs and CEOs
 - c. **Retains the long-standing protocol of mutual sharing of Board papers.**
4. The proposal as outlined appears to meet the expectations of the Board as discussed at its March 2017 meeting but the Board will no doubt wish to reflect on the effectiveness of the arrangements in light of experience. In this regard, the Board should also be aware that the Audit and Risk Assurance Committee is undertaking a 'deep dive' into risks to LSB related to OLC in September. The Committee will report to the Board in September.

Recommendation

5. The Board is asked to note the voluntary arrangements proposed by the OLC for providing assurance on their administration of the Legal Ombudsman scheme as regards performance to the LSB.