

Programme Board Performance Report		
Date of Programme Board: 18/12/09		Reporting Period: 27/11/09 – 28/01/10
1.	In attendance: Julie Myers (JM) Michelle Jacobs (MJ) Craig Jones (CJ) Alex Roy (ADR)	Lucas Ford (LF) Chris Baas (CB) Lesley Davies (LD) Crispin Passmore (CP) Steve Brooker (SB) Apologies: Chris Handford
2.	Progress Report – Progress against project milestones was reported and is recorded in the progress report attached. Areas to note:	
	ABS	<ul style="list-style-type: none"> • The Designation and Cancellation of Designation Consultations have been launched. • Started to develop MOU with potential LAs. • Joint Board Meeting held with SRA including discussions about Section 69 – SRA is due to consult on plans to move to outcomes-based regulation as part of its internal reform programme which also includes an enabling project. SRA has stated that it will be ready for ABS in October 2011. <ul style="list-style-type: none"> ○ SRA readiness impacts on the internal discussions around moving Schedule 10 commencement to before ‘purdah’ begins – if SRA, as noted above, publically states October 2011 as its intended start date, could mean that commencement of S10 could be delayed until after the election. ○ The process around holding discussions and making a decision about whether to approach MoJ about moving Schedule 10 commencement forward has highlighted that there is no internal process for handling and finalising a clear position on issues, or for ability to have theoretical discussions with MoJ without the potential of issues being escalated. This must be addressed. ○ A further meeting was held on 22/01/10. • Professional Indemnity – the size of this piece of work suggests that it would be appropriate to capture this as a project in its own right. The Indemnity Task force is being set up, but it is vital that this is done effectively with a suitable governance structure in place. Scoping and planning work around PII and Compensation has begun with LF. • There have also been requests for ABS seminars from other business groups. • 12 research articles have been commissioned on future developments in the legal services market. It is intended that this research will provide a context for ABS. • Work around Appellate bodies remains on-going. • The ABS team is assisting in organising an ABS event around local authorities.

		<ul style="list-style-type: none"> • For February Reporting Period: <ul style="list-style-type: none"> ○ ABS Open Forum in Newcastle to be confirmed and planned. ○ Consultation on draft procedures/criteria to become a licensing Authority to close on the 12/02/10. ○ At time of writing the plan to accelerate the implementation of Schedule 10 remained live, therefore the consultation responses will be reviewed throughout February for agreement by the Board on 22/02/10 and published on 24/02/10. If implementation is not accelerated, then consultation responses will follow the same timeline as the Guidance to LAs consultation. ○ Consultation on draft Guidance to LAs to close on 19/02/10. ○ Consultation responses will be reviewed through February and March for Board agreement on the 24/03/10 and publication on 31/03/10. ○ Planning for March ABS Open Forum in Bristol will begin.
	Enforcement	<ul style="list-style-type: none"> • Finalised Enforcement Policy statement has been signed-off and published on the website. • Martin Montague is compiling 'Enforcement handbook' to cover when and how to take enforcement action and how to handle appeals against any action, this will remain a work in progress until enforcement action is required when how this works in practice will be reviewed. • Will now keep a 'watching-brief' over ARs' compliance, when the first action is required it is anticipated that it will be a slow and careful process as we ensure that it is effective, transparent and robust. • LD to plan a training session on Enforcement for internal staff. • For February reporting period: <ul style="list-style-type: none"> ○ Ongoing 'watching-brief' over AR compliance against rules and internal awareness-raising of the enforcement process as it is developed.
	Access to Justice	<ul style="list-style-type: none"> • Deliverables and Timelines refined for agreement by SMT in January – there is slippage on gaining agreement, however this does not affect the overall timelines for 2009/10 A2J. • A2J Strategy has been drafted, there is now a need to ensure that A2J becomes a feature in everyone's work and to create a common understanding across the whole organisation of how A2J impacts on each workstream. • Deliverables and timelines for Strategy to be agreed by Board. • For February reporting period: <ul style="list-style-type: none"> ○ Finalise the strategy and present to Board for agreement.
	First tier Complaints	<ul style="list-style-type: none"> • Letter issued to ARs calling on them to signpost to their First Tier Complaints procedures and to monitor their success. • The team has arranged and carried out 1-2-1s with ARs regarding the LSB programme for first tier complaints handling regulation, which included developing actions plans and assessing and monitoring process. • This process has included understanding each AR's current process and developing targeted questions to ask the specific AR.

		<ul style="list-style-type: none"> • There have been different reactions from ARs to the ‘signposting and monitoring’ letter. This has mostly reflected the resources of the AR. • A common issue for the ARs was to query what the LSB wanted from each of them to support that they are meeting the outcomes the LSB wanted from first-tier complaints handling attached to the 30 November letter. In particular for data collection and monitoring purposes. The LSB response was that this would be a matter for each AR to determine in the first instance having regard to their particular circumstances and share of market risk, however the LSB expected that whatever was asserted by ARs regarding meeting the outcomes is expected to be drawn from objectively verifiable information. Staff met internally and agreed that statistically valid surveys would be sufficient rather than requiring ARs to collect data from their entire membership. This would allow for proportionate, yet accountable responses by the ARs. • For February reporting period: <ul style="list-style-type: none"> ○ AR Roundtable event to discuss general issues from the 1-2-1s. ○ AR Self-Assessments due in by 26 February. ○ Work with ARs to develop AR action plan.
Regulatory Reviews		<ul style="list-style-type: none"> • Independence Certificate for Compliance issued. • Requests to draft action plans for Dual Self-certification issued. • Formal agreement to proceed with SRA review on-going pending meeting with SRA consultants and steer from CK. There is a risk of where the funding will come from for this work if it creeps into the next financial year. • LF met with BRE, FRC and NAO to inform Regulatory Review Process. • Issued letters to ARs re: developing action plans on Internal Governance and Practising Fees and outlining requirements and deadlines. • Processed responses to this letter and arranging/planning meetings. • Draft Terms of Reference for SRA review developed and circulated internally for comment and to Antony Townsend for information. • For February reporting period: <ul style="list-style-type: none"> ○ Begin tender process for SRA review.
Designation and Regulatory Rules		<ul style="list-style-type: none"> • Final rules and architecture (including prescribed Fee) submitted to MoJ and Published • Post Consultation decision document and forward plan & exemption document published • Development work and relationship building with early applicants has begun • Still awaiting first batch of live applications and have begun preliminary talks with ARs to inform project planning • Began to plan how process for reporting progress on applications will feed through from Programme Board to Board. • Forward plan and exemption process in place and disseminated to AR’s • Process for Mandatory Consultees in place

		<ul style="list-style-type: none"> • For February reporting period: <ul style="list-style-type: none"> ○ Dealing with live applications within targeted timeframes ○ 1-2-1's with AR's to discuss content of forward plans to be completed by end of February
	Independence	<ul style="list-style-type: none"> • Final Rules and architecture submitted to MoJ and published. • Post consultation decision document published. • Roundtable and 1-2-1 meetings offered to ARs to discuss implications. • Issue letters to ARs re: developing action plans on Internal Governance and Practising Fees and outlining requirements and deadlines. • Contacted ARs and offered 1-2-1 meetings to support action plan development. • Continued informal discussions with ARs regarding IGR and Practising Fees. • For February reporting period: <ul style="list-style-type: none"> ○ Meetings with ARs . ○ Starting to work towards AR self-certification. ○ Practising Fees – map of budget cycles for each AR developed to inform internal timetable for approvals – this will feed into the scheme of delegation.
	Workforce Development	<ul style="list-style-type: none"> • On-going development work. • Consulting on Equalities Scheme and Expectations statement. • Higher Education Forum, hosted by Minister for HE, will was held covering: (i) diversity issues in HE; and (ii) how the LSA impacts on training and qualifications. • Received EHCR draft report on Diversity issues, initiatives and gaps commissioned by Diversity Forum. Comments returned. • Consultation on Advocacy Standards (QAA) by Joint Advocacy Group begun. • For February reporting period: <ul style="list-style-type: none"> ○ Next Diversity Forum for ARs, focussing on measuring outcomes of diversity initiatives. ○ Meeting groups to discuss Equalities Scheme and diversity research. ○ Award tender for diversity research project.

4.	Project Risks: The full project risk register was reviewed. Risks to note:
	[REDACTED]