

To:	Board
Date of Meeting:	28 January 2010
Item:	Paper (10) 05

Title:	Q3 performance report: October – December 2009
Workstream(s):	N / A
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Status:	Protect

Summary:
<p>This paper provides a summary of the Board’s performance in delivering its published Business Plan commitments during Q3 2009 (October - December). It also contains the draft Q3 submission for the Ministry of Justice’s (MoJ) Non-Departmental Public Body (NDPB) performance reporting requirements (Annex A).</p>

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

Consultation	Yes	No	Who / why?
Board Members:		✓	Regular performance report
Consumer Panel:		✓	Regular performance report
Others:	N / A		

Recommendation(s):
<p>The Board is invited:</p> <p>(1) to review and to comment on the draft Q3 performance report (both content and format); and</p> <p>(2) to agree to its use as a basis for discussion with MoJ.</p>

LEGAL SERVICES BOARD

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Q3 performance report: October – December 2009

Recommendation(s)

The Board is invited:

- (1) **to review and to comment** on the draft Q3 performance report (both content and format); and
- (2) **to agree** to its use as a basis for discussion with MoJ.

Introduction

1. This paper provides a summary of the Board's performance in delivering its published Business Plan commitments during Q3 2009 (October - December). It also contains the draft Q3 submission for the Ministry of Justice's (**MoJ**) Non-Departmental Public Body (**NDPB**) performance reporting requirements (**Annex A**).

Overview

2. The LSB Business Plan for 2009/10 stated what LSB expected to achieve on a quarter-by-quarter basis. Progress against those commitments for Q3, and an update on any commitment which was outstanding from Q2, is reported below:

Q2 commitment	Progress
Consult on the procedures and criteria we will apply when considering applications from Approved Regulators (ARs) to become Licensing Authorities	Publication of the Discussion Document on 18 November 2009. Whilst this was not in line with the Q2 timetable from the Business Plan, it was consistent with the timetable published in the May discussion Document.
Consult on guidance to Licensing Authorities on the content of licensing rules	As above.
Consult on the rationale for our approach and an outline methodology to assess regulatory performance	A paper on the way forward for regulatory review was discussed at the November Board. Re-scoping the timetable was necessary due to resource constraints and the need to prioritise other areas of work in the Business Plan. We are about to share a proposal for a pilot study with the Solicitors Regulation Authority (SRA).
Begin to develop the detailed programme for performance reviews with individual ARs	As above.

Develop proposals for consultation on regulatory performance accreditation with a view to consulting later in the year	As above.
Develop and begin a series of research-based seminars on challenges for legal services regulators	Seminars held in January 2010.

Q3 commitment	Progress
Stakeholder Engagement Strategy	Communications strategy agreed at the September Board.
Agree the workplan and terms of reference of the Consumer Panel	Panel workplan to end 2009/10 endorsed, and Terms of Reference agreed at the December Board.
Consult on a Policy Statement regarding alternative business structures (ABS)	Policy statements will follow November/December ABS consultations.
Publish rules on enforcement and regulatory arrangements	Published December 2009.
Publish rules on approval of ARs and rule approval mechanism	Published December 2009.
Make internal governance rules and rules under s51 requiring ARs to comply with those rules from 2010 onwards	Published December 2009.
Arrange meetings and events throughout the country to highlight our work to encourage increased diversity, including our work to support the outcomes of the work of the Panel on Fair Access to the Professions	Overtaken by development of workforce strategy agreed at the November Board. But London-based Diversity Forum meetings have continued and CEO now on post-Milburn implementation group and leading cross-sector work on regulatory implications.

3. The table above only reports on publicly committed deliverables and, as such, does not present a full picture of the Board's achievements to date, all of which have been reported to the Board on a monthly basis through the Chief Executive's progress reports. The arrival of Michelle Jacobs (Business Planning Associate) has resulted in more comprehensive programme and project reporting, as can be seen from the draft Q3 report for MoJ (**Annex A**).

MoJ performance management framework

4. Feedback from MoJ on the Q2 performance report was that it lacked detail on the full range of achievements and did not fully explain the nature of risks faced in each project. The new reporting format proposed in Annex A seeks to address both of these criticisms.