

Programme Board Performance Report		
Date of Programme Board: 04/02/2010		Reporting Period: 28/01/10 – 22/02/2010
1.	In attendance: Julie Myers (JM) Michelle Jacobs (MJ) Craig Jones (CJ) Alex Roy (ADR)	Lucas Ford (LF) Chris Baas (CB) Lesley Davies (LD) Chris Handford (CH)
2.	<p>Progress Report – Progress against project milestones was reported. Areas to note:</p> <p>Alternative business structures (ABS)</p> <ul style="list-style-type: none"> <li>• ABS Open Forum held in Newcastle 16/02/2010. At time of writing, 75 attendees expected.</li> <li>• Consultation on draft procedures/criteria to become a Licensing Authority (LA) closed on the 12/02/10. Consultation responses reviewed throughout February for agreement by the Board on 22/02/10 and published on 24/02/10.</li> <li>• Consultation on draft guidance to LAs closed on 19/02/10.</li> <li>• Planning for March ABS Open Forum in Bristol has begun.</li> <li>• PII and Compensation roundtable held on 04/02/10 to discuss alternatives to the status quo for the purposes of ABS. View was that current arrangements could be expanded for ABS, however, there are wider issues that need to be considered as part of a separate piece of work.</li> <li>• Indemnity taskforce meeting held with the purpose of identifying the issues and/or agreeing a way forward.</li> <li>• Ongoing work on appellate bodies now to be undertaken by LD.</li> <li>• 2x regular monthly meetings with Solicitors Regulation Authority (SRA) scheduled for Policy and Planning, in terms of their move to outcomes-focussed regulation and becoming a LA.</li> <li>• Initial meeting with Council for Licensed Conveyancers held to discuss the changes required to become an LA.</li> <li>• Development of memorandum of understanding to cover ARs' collective relationship with each other now being led by SRA. SRA will be holding a workshop to identify the issues.</li> <li>• Positive response from Bridget Prentice on accelerating SI on implementing Sch 10 of Legal Services Act 2007 ('the Act'). Work underway with MoJ lawyers and economists to underpin this.</li> <li>• For March reporting period: <ul style="list-style-type: none"> <li>○ Processing of consultation responses and draft guidance document for Board agreement on the 24/03/10 and publication on 31/03/10.</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>○ ABS implementation group meeting to be held.</li> <li>○ Bristol Open forum to be held.</li> </ul>
Enforcement	<ul style="list-style-type: none"> <li>● Ongoing ‘watching-brief’ over AR compliance against rules and internal awareness raising of the enforcement process as it is developed.</li> </ul>
Access to justice (A2J)	<ul style="list-style-type: none"> <li>● A2J refined and finalised.</li> <li>● For March reporting period: <ul style="list-style-type: none"> <li>○ Finalise the strategy and present to Board for agreement.</li> <li>○ Publish strategy paper.</li> </ul> </li> </ul>
First tier complaints handling (FTCH)	<ul style="list-style-type: none"> <li>● Letter issued to ARs calling on them to signpost to their first tier complaints procedures and to monitor their success.</li> <li>● 1-2-1s with ARs regarding the LSB programme for first tier complaints handling regulation completed and a watching brief is now being held over action plan development.</li> <li>● AR roundtable event held to discuss general issues arising from the 1-2-1s. Overriding concerns from smaller ARs centred around the compliance burden.</li> <li>● AR Self-Assessments due in by 26 February, after which they will be reviewed and analysed.</li> <li>● Work with ARs to develop AR action plans.</li> <li>● Work has led to thinking about the wider issue of smaller ARs, what they regulate and LSB requirements and the implications of this on smaller AR survival. LF to put paper together outlining issues. The risk is to be considered as a reputational risk for the LSB and incorporated into the Corporate Risk Register.</li> <li>● For March reporting period: <ul style="list-style-type: none"> <li>○ Continued work with ARs to reach agreement over action plans.</li> <li>○ Work with ARs to review the implementation of their complaints sign-posting rule.</li> <li>○ Settle final wording of FTCH outcomes with ARs.</li> </ul> </li> </ul>
Regulatory reviews	<ul style="list-style-type: none"> <li>● Issued letters to ARs regarding developing action plans on Internal Governance Rules (IGR) outlining LSB requirements and deadlines (also see Independence).</li> <li>● Meet collectively with ‘small’ ARs and separately with the SRA and Bar Standards Board (BSB) about IGRs throughout February, March and April (also see Independence).</li> <li>● Began tender process for SRA review through Catalyst closed-list tender process.</li> <li>● Began scoping out plans for assessment methodology.</li> <li>● Planning for public messaging and press responses following award of tender has begun.</li> <li>● ARs notified at FTCH roundtable on 5 February that regulatory review of FTCH is likely later this year.</li> <li>● Discussions continuing with SRA on ideal timing for pilot review. Current management changes at SRA add degree of uncertainty to the process.</li> </ul>



	<ul style="list-style-type: none"> <li>• For March reporting period: <ul style="list-style-type: none"> <li>○ Submit revised paper on Regulatory Review Framework to Board.</li> <li>○ Award SRA tender contract.</li> <li>○ Conduct scoping meetings with Contractor.</li> <li>○ Develop assessment methodology.</li> <li>○ Ongoing meetings with ARs about IGRs.</li> </ul> </li> </ul>
Designation and Regulatory Rules	<ul style="list-style-type: none"> <li>• Begun preliminary talks with ARs to inform project planning.</li> <li>• Development of process for dealing with applications on track.</li> <li>• Dealing with live applications and in position to complete within targeted timeframes.</li> <li>• 1-2-1s with ARs to discuss content of forward plans to be completed by early March.</li> <li>• 2x rule change received (both from BSB, one unsignalled) and 4x rule changes expected in next few weeks.</li> <li>• Clearer defined process and requirements highlighting two issues: <ol style="list-style-type: none"> <li>I. There needs to be co-ordinated planning of requirements on ARs for designation applications and ABS applications. CH and CB planning integration piece to address the issues.</li> <li>II. The first applications have highlighted remaining tensions about the quality of policy making and submission processes with ARs and the level of detail LSB is actually checking.</li> </ol> </li> <li>• For March reporting period: <ul style="list-style-type: none"> <li>○ Ongoing work on applications – 8x rule change applications expected up to April.</li> <li>○ Continue providing support to ARs to compile their forward plans.</li> </ul> </li> </ul>
Independence	<ul style="list-style-type: none"> <li>• Issued letters to ARs regarding developing action plans on IGRs and practising fees and outlining LSB requirements and deadlines (also see Regulatory reviews).</li> <li>• Met with all ARs about practising fees and IGRs throughout February, March and April (also see Regulatory reviews).</li> <li>• Continued support of ARs as they work towards submitting self-certification (also see Regulatory reviews).</li> <li>• Completed budget cycle mapping for each AR to inform internal timetable for approvals. Delegation process being considered as part of this work.</li> <li>• Plans being made about the messaging needed regarding our approach to self-certification.</li> <li>• For March reporting period: <ul style="list-style-type: none"> <li>○ Further informal meetings with ARs re IGRs and practising fees.</li> <li>○ Reporting on AR compliance, enforcement issues and risk assessment to SMT following informal meetings.</li> <li>○ Agreement from SMT on enforcement strategy.</li> <li>○ Timetable budget cycles for every AR.</li> </ul> </li> </ul>
Workforce	<ul style="list-style-type: none"> <li>• Higher Education Forum, hosted by Minister for HE, was held covering: (i) diversity issues in HE; and (ii) how the Act impacts</li> </ul>

	Development	<p>on training and qualifications.</p> <ul style="list-style-type: none"> <li>• February Diversity Forum for ARs held, focussing on measures on diversity initiatives.</li> <li>• Team will be meeting groups to discuss Equalities Scheme.</li> <li>• Diversity research project tender contract awarded.</li> <li>• First meeting of Government's collaborative forum on access to the professions to be held. Chris Kenny to chair sub-group 5; CH to sit on sub-group 4.</li> <li>• Quality Assurance for Advocacy (QAA) scheme paper to go to Board.</li> <li>• For March reporting period: <ul style="list-style-type: none"> <li>○ Initial report from research project to be presented.</li> <li>○ Strategy paper to be presented to Board.</li> </ul> </li> </ul>
	Referral fees (new line)	<ul style="list-style-type: none"> <li>• Initial project brief being developed to specify work required in 2010/11.</li> <li>• For March reporting period: <ul style="list-style-type: none"> <li>○ Agreement on proposed project brief by Board.</li> <li>○ Project plan being developed – final position statement to be published in December following consultation.</li> </ul> </li> </ul>

4.	Project Risks: The full project risk register was reviewed. No new project risks were added to the risk register or increased in rating. [REDACTED]				
Risk ID	Work area	Risk Trend	Risk	Mitigation	RAG Rating (I/L)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]