

Programme Board Performance Report		
Date of Programme Board:		02/03/2010
Reporting Period:		22/02/2010 – 24/03/2010
1.	In attendance:	<p>Lucas Ford (LF)</p> <p>Chris Baas (CB)</p> <p>Lesley Davies (LD)</p> <p>Chris Handford (CH)</p> <p>Martin Montague (MM)</p> <p>Crispin Passmore (CP)</p>
2.	Progress Report – Progress against project milestones was reported. Areas to note:	
	ABS	<ul style="list-style-type: none"> • Agreement reached with MoJ for an earlier Schedule 10 commencement date. Scheduling for submission dates has been completed. • Open Forum held in Bristol 10/03/2010. 140 people attended. • Consultation on draft rules for the designation and cancelation of designation of LAs closed on 12/10/10. Consultation responses were analysed and rules were agreed by the Board on 22 February 2010. The rules for the designation and cancellation of designation of LAs and the impact assessment have been submitted to the MoJ and HMT. Approval expected in w/c 15/03/10 (to submit to the Lord Chancellor w/c 22/03/10 at the latest). • Consultation on draft guidance to Licensing Authorities closed on 19/02/10. 47 responses were received and have been distributed around Project Managers to be analysed. Final guidance is coming to the Board on 24/03/10 for approval. • PII and Compensation roundtable held on 04/02/10 – clear message from attendees of wish to maintain status quo and that the cost of innovation would outweigh the benefits. However, subsequent correspondence from ABI has expressed a less obstructive view. • Work around scoping out Appellate bodies is ongoing. This work will be taken forward by Michael Stacey, who will be joining the LSB in April. • The work with potential LAs is increasing. IPREG and ILEX are thinking about what they will need to do to become LAs. The policy team is currently holding planning and policy meetings twice a month with SRA (at SRA request) to support its moves to outcomes based regulation. These meetings need to be factored into ABS planning and assessed in terms of capacity of the team and the impact of that support on other RA. • Key deliverables for next reporting period: <ul style="list-style-type: none"> ○ Planning for 2010/11.

	<ul style="list-style-type: none"> ○ Subject to 'purdah' and Board decisions, publication of licensing rule guidance.
Enforcement	<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"> ● A2J Strategy refined and finalised. ● Finalise the Strategy and present to Board for agreement 24/03/10. ● Key deliverables for next reporting period: <ul style="list-style-type: none"> ○ Publish Strategy paper. ○ Define how A2J will be split to link with other projects. ○ Scope out further work on comparison websites and A2J market. ○ Planning for 2010/11.
First tier complaints	<ul style="list-style-type: none"> ● Roundtable event held with ARs to discuss general issues raised in 1-2-1s. There have been good discussions and relationship building with ARs. Understanding amongst the ARs has not been great with regards to signposting but through the roundtable and 1-2-1s this has been rectified. Also the need for evidence to back up the responses in their self assessments has been made clear. ● AR self-assessments have been submitted. There will now be a period of review and analysis after which team will be working with ARs to develop their action plans based on the outcomes of their self-assessment. ● Meeting held with LeO on 09/03/10 to gather their views on the submissions. ● Grey area about complaints against notaries and possibly other groups, currently handled by representative bodies rather than individuals or firms – LSB has considered the issue and agree that there may be certain circumstances where this could be appropriate subject to certain caveats around transparency, which are unlikely to be suitable for all ARs, and no impact on ability of consumers to access LeO. ● Key deliverables for next reporting period: <ul style="list-style-type: none"> ○ Continued work with ARs to reach agreement over action plans based on outcomes of self –assessment. ○ Planning for 2010/11.
Regulatory reviews	<ul style="list-style-type: none"> ● Meeting collectively with 'small' ARs and separately with the SRA and BSB about IGRs throughout February, March and April (also see Independence). ● SRA review has now been re-scoped due to launch of the SRA outcomes-focused regulation programme which has mitigated some of the areas that would have been reviewed and also because of a lack of suitable consultants emerging to take forward work. We now plan to develop questions to assess AR effectiveness based on ITQ document and draft Business plan and send to all ARs to self-assess in Q3/4 2010. ● Revised Board paper on Regulatory Review Framework postponed until later in 2010. ● Key deliverables for next reporting period:

		<ul style="list-style-type: none"> ○ Begin to scope out AR effectiveness questions and strategy for taking forward reviews. ○ Planning for 2010/11.
	Designation and Regulatory rules	<ul style="list-style-type: none"> ● Continue to deal with applications within targeted timescales – ‘business as usual’. ● 1-2-1s with ARs to discuss content of forward plans to be completed by early March. ● Building on embedding forward plans in 2010/11 – an outcome of the AR 1-2-1s was to recognise that smaller ARs would not have enough change in 2010 to warrant the resource to compile a plan. ● 3x rule change applications received. Extensions of initial 28-day period necessary because of poor quality of application and/or policy complexity. ● Early March has been taken up with a considerable amount of resource intensive ‘fire-fighting’ with regards to the rule change application of one AR and a disagreement about the level of review and feedback that the LSB will undertake with rule change applications. ● Plan to feedback lessons learned to ARs after more applications have been received. This will also feedback into plans for enforcement actions. ● Key deliverables for next reporting period: <ul style="list-style-type: none"> ○ Ongoing work on applications – 8x rule change applications expected up to April. ○ Continue providing support to ARs to compile their forward plans. ○ Planning for 2010/11.
	Independence	<ul style="list-style-type: none"> ● Continued informal meetings with ARs re IGRs and practising fees. ● Met with all ARs about practising fees and IGRs throughout February, March and April (also see Regulatory reviews). The response from ARs has been positive and there appears to be effort to comply. However, some ‘political’ difficulties in securing agreement may raise difficult handling issues in late April/May. ● Continued support of ARs as they work towards submitting self-certification (also see Regulatory reviews). ● Delegation process for approving practising fees needs to be developed. Alternative is to have this as a standing item at the Board. ● Key deliverables for next reporting period: <ul style="list-style-type: none"> ○ Further informal meetings with ARs re IGRs and practising fees. ○ Reporting on AR compliance, enforcement issues and risk assessment to SMT following informal meetings. ○ Agreement from SMT on enforcement strategy. ○ Timetable budget cycles for every AR. ○ Planning for 2010/11.
	Workforce development	<ul style="list-style-type: none"> ● Further meetings with groups to discuss Equalities scheme. ● First two meetings of Government’s Collaborative Forums of the Professions for Social Mobility. Chris Kenny chairing sub-

		<p>group on regulatory action and Chris Handford sitting on sub-group on recruitment, training and progression.</p> <ul style="list-style-type: none"> • Started to push measurement framework for ARs and to ascertain how they measure diversity in the profession. • Developing Equalities Impact Assessment to address whether opening up the market would impact on equalities and diversity, including consideration of the impact of any restrictions that are in place now. • Single equalities scheme consultation ended on 10/03/10 – 10 responses were received. Held workshop with two groups attending – The Black Solicitors’ Network and the Disability Law Service. • Initial report from research project to be presented. • Strategy paper to be presented to Board. • Key deliverables for next reporting period: <ul style="list-style-type: none"> ○ Following approval of strategy paper, begin to develop 3-5 year plan with diversity integrated into all project work streams. ○ Planning for 2010/11.
	Referral fees	<ul style="list-style-type: none"> • Initial project brief being developed to specify work required in 2010/11. • Research that is currently being conducted by Charles Rivers and feedback from the Consumer Panel to create an evidence base to form a view. LSB has no official mandate for dealing with referral fees therefore evidence is key to dealing with it and the process for coming to a view must be communicated clearly and effectively. • Key deliverables for next reporting period: <ul style="list-style-type: none"> ○ Planning for 2010/11.
	Research (new line)	<ul style="list-style-type: none"> • Research Strategy and Plan broadly approved by Board in February. To be fine tuned in light of discussion with Research Strategy Group on 15 March. • Re-drafting of small firms research to be completed and published by the end of March. • Initial drafting stage of Consumer Panel referral fees study (May publication date). • Contracts being signed for diversity research. • Future of industry reports due in by mid-March for publication in April.
	Comms (new line)	<ul style="list-style-type: none"> • Public affairs: <ul style="list-style-type: none"> ○ Further relationship building with Shadow Bench and BIS. ○ Welsh engagement – met with John Griffiths AM (oversees relationship with Assembly and UK public bodies). ○ Attended MoJ Natcen research launch and Bridget Prentice MP farewell – Chairman delivered speech. ○ APPG meeting held 01/03/10. ○ Announcement of October start date for ABS and LSB involvement in Milburn Panel work has provided good coverage and has shown the LSB providing a leadership role. • Newcastle ABS forum – 91 people attended.

		<ul style="list-style-type: none"> • Bristol ABS forum (10/03/10) – 140 people attended. • CK gave speech to LPMA conference 26/02/10. • LSB engaging with RA ABS events – CJ attended SRA event in Leeds 23/02/10. • CK gave speech at ILEX National Conference 11/03/10. • Developing an internal style guide. • Planning for possible impact of ‘purdah’ has begun.
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4.	Project Risks: The full project risk register was reviewed and is attached. Three new project risks were added to the risk register and are outlined below:
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