

To:	Board
Date of Meeting:	27 April 2010
Item:	Paper (10) 32

Title:	Q4 performance report: January – March 2010
Workstream(s):	Business plan 2010/11
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Status:	Protect

Summary:

This paper provides a summary of the Board's performance in delivering its published Business Plan commitments during Q4 2010 (January – March). It also contains the draft Q4 submission for the Ministry of Justice's (**MoJ**) Non-Departmental Public Body (**NDPB**) performance reporting requirements (**Annex A**).

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:	Draft Q4 performance report sent to MoJ. Any feedback will be reported to the meeting.		

Recommendations:

The Board is invited:

- (1) to review and to comment on the draft Q4 performance report; and
- (2) to agree to its use as a basis for discussion with MoJ.

LEGAL SERVICES BOARD

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Introduction

1. This paper provides a summary of the Board's performance in delivering its published Business Plan commitments during Q4 2009/10 (January - March). It also contains the draft Q4 submission for the MoJ's 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 Q4, and an update on any commitment which was outstanding from Q2 or 3, is reported below:

Q2 commitment	Progress
Consult on the rationale for our approach and an outline methodology to assess regulatory performance	The Board discussed a paper on the way forward for regulatory reviews in November. Re-scoping the timetable was necessary due to resource constraints and the need to prioritise other areas of work in the Business Plan. We intend to carry out 'thematic' reviews of complaint handling and internal governance later in the year, and are currently considering options for the more wide ranging reviews.
Begin to develop the detailed programme for performance reviews with individual Approved Regulators (AR)	As above.
Develop proposals for consultation on regulatory performance accreditation with a view to consulting later in the year	As above.

Q4 commitment	Progress
Publish a set of core requirements for ARs to incorporate into the authorised persons complaints handling procedures	Outcomes of first-tier complaints rules have been the subject of discussion with approved regulators and discussion of compliance assessments of current rules is underway with each AR.
Commence regulatory reviews and consider future approach in light of experience	See comments on Q2 as to re-scoping of regulatory review project.
Publish a paper on the challenges for legal services regulators	This was intended to be a deliverable from the 'Developing research and public legal education strategies' workstream. The approach to this work altered over the course of the year and the idea behind such a paper was judged not to be appropriate at this time.
Research strategy published for consultation	The research strategy was developed in consultation with stakeholders through a series of research seminars.
Discussion document on public legal education and Board's roles in driving improvement	This activity was subsumed into the Board's paper on an approach to access to justice.
Initial payment received from the levy	Because of the delay in the laying of the relevant SI, we will now receive initial payments before the end of May 2010.

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.

MoJ performance management framework

4. The draft Q4 performance report for MoJ is attached (**Annex A**). Feedback from MoJ on the Q3 performance report, which was much fuller than those previously submitted, was again that it lacked detail on the full range of achievements and did not fully explain the nature of risks faced in each project. This was a similar criticism of our previous reporting format. MoJ's rationale is that we, and indeed all arms-length bodies, are heading into a period of much closer scrutiny that will be undertaken by people with much less understanding of our role, remit and day-to-day activities.
5. Whilst we had hoped the revised format would address these criticisms, this has proved not to be the case, so we will re-visit the reporting format and the content as we move into the new business plan year and are able to link reporting more closely to project plans.
6. As the meeting to review the Q3 report only took place at the end of March, we were already well advanced in preparing the draft Q4 performance report and

advised that we would not make wholesale changes to format for this reporting period. We have also reiterated that, whilst we understand our obligations to report on performance to our sponsor department, and to make sure this as robust as possible, we are not resourced to produce multiple format reports for different purposes. So, as far as possible, we need to adopt a consistent reporting format that meets the needs of the Board, SMT, MoJ and others.

7. One matter raised by the MoJ that we have been able to address promptly, however, is that of the formal reporting of Consumer Panel activity which MoJ was concerned was missing. Board Members will therefore find attached a report from the Panel covering its activities in the last quarter (**Annex B**).
8. In light of the discussion reported above, we have sent the draft reports to the MoJ for informal comment. We will update as to any MoJ reaction and recommendations for improvement to meet their needs at the Board meeting.