

LEGAL SERVICES BOARD PERFORMANCE MANAGEMENT FRAMEWORK

Key Objectives	Programme / Policy Area	Link to Regulatory Objectives	Programme / Policy Deliverables (How will the objectives be achieved?)	Project Milestones	Milestone Delivery Date	Key Achievements for Q4 reporting period (Commentary)	Key Activities in the next reporting Quarter	Project Status
Putting consumer and public interest at the heart of regulation	Consumer Panel	RO1, RO3, RO4, RO6	Develop working arrangements	LSB to endorse LSCP 2010/11 work plan and research priorities	31/03/2010	Board endorsed Consumer Panel work programme for 2010/11.	We have agreed that the Consumer Panel will provide a quarterly report on activities to the Board alongside this report. The first report is attached.	This line of activity is re-scoped for 2010/11.
Widening Access to the Legal Market	ABS	RO1, RO3, RO4, RO5, RO6, RO8	Establish process for Approved Regulators (AR) to seek designation as a Licensing Authority (LA)	Issue final Rules	Completed 26/03/2010	Newcastle (15/02/10) and Bristol (10/03/10) Open Fora held.	Produce updated Project Initiation Document, outlining all milestones and deliverables for the life of the project.	Status remains green/yellow. The project is on track but will continue to require substantial attention. Work is highly visible to external stakeholders and final policies are open to challenge. Agreement was reached with MoJ for earlier commencement date for Schd 10-11 of the Act and this has been met. Resource has been recruited to support Project Manager. The shift in focus from LSB to ARs for implementation will also require close monitoring - and there are increasing inter-dependencies with development of revised rule-books and outcome-focussed regulatory practice within ARs.
				Fulfilling MoJ requirements	01/04/2010	Consultation on draft criteria for designation as licensing authority or cancellation of designation completed, rules agreed and published.	Submission of Maximum Financial Penalty SI to Lord Chancellor for consent.	
				Assess market readiness for ABS	Completed 04/02/2010	Consultation on draft ABS guidance completed, agreed and published.	Lay Maximum Financial Penalty SI.	
				Address structural/resource implications for LSB of the possibility of direct regulation of ABS firms	01/04/2010	Schedule 10 and 11 commenced.		
				Recruit staff to process applications for licences	Completed 01/03/2010	Regulatory Associate recruited. PI Insurance and Compensation roundtable held Clear message from attendees of wish to maintain status quo and that the cost of innovation would outweigh the benefits.		
Developing excellence in legal services regulation	Enforcement		Establish the approach, philosophy and processes related to the use of our enforcement powers	On-going watching brief over Approved Regulators compliance against rules and internal awareness raising of enforcement processes as it is developed	On-going	On-going watching brief over AR compliance. As yet no enforcement action has been required.	On-going watching brief over AR compliance. As yet no enforcement action has been required.	Project Status remains Green: Policy development is now complete and a watching brief is being kept over ARs for compliance issues.
Promoting access to a diverse legal profession	Access to justice	RO3, RO4, RO5, RO7	Communicate priorities for Public Legal Education and Access to Justice Strategy	Board approve A2J strategy	Completed 24/03/2010	Final Strategy presented to Board and approved.	Further work to define how Access to Justice will link to other projects.	Project Status remains green. The Board has approved the approach to an A2J strategy document and the timing of the publication is being planned, however, this will be delayed past 30/04/2010 due to purdah.
				Publication of PLE priorities	31/05/2010 (slipped from 31/03/2010)	Public Legal Priorities agreed, publication date delayed to align with other communications and purdah restrictions.	Contributing to planning and analysis of Market Review Research Project.	
				Publication of A2J Strategy	31/05/2010		Produce updated Project Initiation Document, outlining all milestones and deliverables for the life of the project.	
Improving service by resolving complaints effectively	First-tier Complaints	RO1, RO2, RO4, RO6, RO7, RO8	Review the requirements ARs impose on authorised persons in terms of first-tier complaints handling	Develop FTCH strategy	Completed 31/03/2010	Round table and 1-2-1s held with ARs to discuss issues with self-assessments and action plan development.	Produce updated Project Initiation Document, outlining all milestones and deliverables for the life of the project.	Project Status is green. Project is on track. Action plans have been received and have been analysed and workstream is on track to issue the final wording of the signposting rule and outcomes of the review of effective complaints handling in April.
				ARs provide self-assessment regarding FTCH and Monitoring and agree/settle regulatory outcomes	Completed 26/02/2009	AR self-assessments and action plans submitted.	Ongoing monitoring of ARs' implementation of action plans.	
				Agreement on issues to be addressed in review	Completed 26/02/2009	Reviewed and analysed AR self-assessments and action plans; responses issued.	Begin to consult and engage with ARs on the form of complaints handling review.	
				Benchmark best practice in first-tier complaints handling with view to consulting on a base-line of requirements that ARs should reasonably require of authorised persons' complaints handling process	Completed 31/03/2010	Reviewed the implementation of AR complaints sign posting rule.	Submit final wording of signposting rule to Board 27/04/2010 for agreement to be in effect by LeO go-live.	

Improving service by resolving complaints effectively	OLC establishment	RO1, RO2, RO4, RO6, RO7, RO8	Agree the LSB / OLC performance management framework	Agree appropriate performance measurement framework with the OLC - ideally endorsing OLC measures, and/or setting additional measures if judged necessary.	Autumn-10		Tri-partite meeting with MoJ and LeO to discuss performance measurement framework.	Project status is green/yellow. Draft KPIs expected from LeO in February 2010 but received in April. More work will be needed on the KPIs before agreement is reached	
			Oversight of existing complaints handling arrangements to ensure appropriate levels of consumer service maintained during close-down	Discuss with the LCS the levels of performance they intend to deliver until close-down	30/04/2010	Initial meeting with LCS and receipt of monthly performance statistics.	Further meetings with LCS and continued review of performance.		
				Consider whether it would be appropriate for the LSB to issue guidance to The Law Society and/or others around acceptable performance levels in complaints handling	30/04/2010		Paper on approach to close-down oversight to LSB in May.		
Developing excellence in legal services regulation	Regulatory Review	RO1, RO4, RO6, RO7	Agree strategy for the LSB on how to build continuous improvement in regulatory practice and agree process which identifies lessons learnt	Develop Regulatory Review approach/strategy	30/06/2010 (slipped from 31/03/2010)	Issued letters to ARs re developing action plans on internal governance and practising fees and outlining requirements and deadlines. Processed responses to letter and arranging/planning meetings.	Produce updated Project Initiation Document, outlining all milestones and deliverables for the life of the project.	Project status is yellow/red. There was initially some slippage in milestone dates due to a delay in moving the SRA review forward. However this review has now been re-scoped due to launch of the SRA outcomes focussed regulation programme and also because of a lack of suitable consultants emerging to take forward work. However, the re-scope has mitigated some of the slippage as we are now not dependant on SRA availability to take the work forward and we can begin to consider and set new milestones. We now plan to develop questions to assess AR effectiveness based on ITT and Business plan and send to all ARs to self assess in Q3/4 2010.	
				Pilot Entity Review - Tender and engage consultant	Re-scope in progress	Undertook tender process for SRA review. Process did not deliver required results therefore new approach in development.	Begin to consult and engage with ARs on the form of complaints handling review (also see first tier complaints handling).		
			Agree methodology for use by ARs and LSB to assess regulatory performance	Pilot Entity Review - Develop scope of review	Re-scope in progress	Met with 'small' AR's about practising fees and IGRs and separately with SRA and Bar Council.	Begin to develop appropriate methodology and scope to assess AR effectiveness.		
Developing Excellence in legal services regulation	Designation and Regulatory Arrangements	RO1, RO4, RO6, RO7		Meet each AR to formulate annual Forward Plan	Completed 28/02/2010	Started to consider live applications within targeted timescales. 3x rule changes received.	Produce updated Project Initiation Document, outlining all milestones and deliverables for the life of the project.	This work has now moved into 'business as usual' as the process has been established and requests for approvals are now being received. We will review the way we report BAU for 2011/11 reports. Work status is yellow/green. Processes have been successfully implemented and have begun to consider live applications. The first rule approvals were completed in March 2010. However two issues have come to light that will require attention. 1) Miscellaneous section of LSA provides the LSB powers to approve the rules of SDT and also to issue direction against them if they are not performing their functions to "an adequate" standard. LSB has not yet developed or consulted on its own rules and processes for this activity. Therefore a consultation to amend rule approval process to include SDT will be undertaken when the SRA application for new disciplinary arrangements is submitted. 2) [REDACTED]	
			Put rules and procedures in place to enable LSB to approve the rules of ARs and other bodies to become ARs		Implement Forward Plan and Exemptions for ARs that have enough changes to warrant regulatory and admin burden	Completed 31/03/2010	Developed process for reporting progress on applications will feed through from Programme Board to Board.		On-going processing of live applications in targeted timescales.
					Forward plan and exemption process in place and disseminated to ARs.	Completed 31/03/2010	1-2-1s with ARs to discuss content of forward plans - outcome of 1-2-1s was to recognise that smaller ARs would not have enough changes in 2010 to warrant the resource to complete a forward plan. BSB and SRA to embed their forward plans in next financial year.		Consider lessons learnt on basis of experience of first five applications.
		AR and Rule Approval	On-going AR and Rule Approval	On-going					
Securing independent regulation	Independence	RO1, RO2, RO4, RO5, RO6, RO8	Design mechanisms that will test the degree to which regulatory independence has been achieved	Ongoing roundtable and one to one meetings from January - April	31/04/2010	Letters issued to ARs re developing action plans on internal governance and practising fees and outlining requirements, deadlines and offer of 1-2-1s to work towards self-certification.	Receive dual self-certifications from ARs.	Project Status is yellow/green. Project remains on course to process self-certification and action plans for compliance by November 2010. Good progress has been made developing an internal timetable for approvals and establishing a delegation process. However there still may be issues over the degree and pace that some ARs propose that they should comply and the ability of others to comply at all. This will need careful management.	
				Roundtable and one to one meetings from January - April	31/04/2010	Budget cycles for each AR timetabled to inform internal timetable for approvals. Delegation process considered as part of this work.	Begin review and compliance process, assess likely risk and any necessary enforcement action.		
			Agree rules to ensure that all practising fees paid by authorised persons are as transparent and fair as possible	Agree MOU with ARs about practising fee approval	30/04/2010	Reporting on AR compliance and risk assessment to SMT following informal meetings in second half of March.	Produce updated Project Initiation Document, outlining all milestones and deliverables for the life of the project.		
						Agreement from SMT re: enforcement strategy based on compliance and risk assessment presented to SMT.			

Developing research and public legal education strategies	Workforce Development	RO1, RO3, RO4, RO7,	Review work already underway within sector on professional diversity to identify gaps and facilitate sharing of best practice	Organise programme of Professional Regulators forums	On-going	Held Higher Education Forum hosted by Minister for HE, covering (i) Diversity issues in HE (ii) How LSA impacts of training and Qualifications.	Publish paper setting out analysis and focus for future activity.	Project Status is green. The workstream has made significant progress engaging with the sector through attendance and organisation of diversity and education fora. The Single equalities scheme has also been consulted, agreed on and a publication date is currently being agreed. However work to put a map of routes into the profession on the website has slipped slightly due to other work priorities.
			Ensure that arrangements are in place which facilitate constructive working relationships between the profession	Enter into dialogue with higher education providers	On-going	Single Equalities Scheme consulted and agreed. Scheme outlines LSB approach to equalities and will be published after election.	Produce updated Project Initiation Document, outlining all milestones and deliverables for the life of the project.	
			Drive forward a small number of diversity initiatives with will have a tangible impact	Organise research seminars	On-going	Awarded tender for diversity research project.	Publish single source map of qualification routes.	
			Routes into the profession which can be explained in ways easily understood by consumers	Develop guidance by pulling together information from ARs to contribute to map of routes into the profession.	Completed 31/03/2010	First meetings for Gov'ts collaborative forums of the professions for social mobility. CK chaired sub group, CH sat on other sub-group. Follow up action to produce policy audit and tool kit for stakeholders.		
			Develop map of routes into the profession and post on web-site		31/04/2010 (slipped from 31/03/2010)	Held diversity forum for approved regulators - focussing on measures on diversity initiatives. Timetable agreed to implement measures by Q1 next year.		
Ensure that diversity and mobility issues are integral to the model of regulatory excellence which we plan to develop	Address diversity and mobility issues in relation to the LSB model of excellence.	Completed 31/03/2010	Routes into profession information collected from ARs and being developed into map to be posted on website.					
Developing research and public legal education strategies	Research	RO1, RO3, RO4, RO7,	Develop draft research strategy for consultation with partners	Develop research Strategy	Completed 31/03/2010	Research planning seminars held to discuss proposed research strategy. Research strategy agreed by Board.	Consumer Panel Referral Fees report published. Complete and publish CRA Economic referral fees project. Publish Diversity research. Collate Future of the Industry articles into publication and hold seminar.	Project status remains green. Research strategy has been approved by Board and collaborative approach to developing strategy supported by stakeholders through attendance at Research planning seminars. Individual research projects remain on track to complete work by due dates however publication dates for some projects has had to be delayed due to purdah.
Providing value for money	Finance		Ensure appropriate procurement processes are in place	Provide quarterly financial reports	On-going		Identify value for money measures with view to reporting in 2010/11	
			Constant review of spending decisions	Spending kept with DEL	31/03/2010			
Ensuring that a system of risk management is maintained to inform decisions on financial and operational planning	Risk		Formal risk management system maintained by executive and reviewed by Audit and Risk Committee	Q4 Audit and Risk Committee oversight and reporting to full Board	03/03/2010	Risk Strategy signed off by ARC.	Q1 2010/2011 Audit and Risk Committee.	Status is yellow. Risk process has been implemented across organisation and final strategy and reporting cycle has been signed off by ARC. The process still has to embed fully and areas for improvement have already begun to emerge, especially regarding the process for identifying and collecting Project Risk. The process will be reviewed in September.
			All projects are risk assessed and measures taken to mitigate or exploit are integral to planning, approval and operational activities	Internal Audit Commenced		Q4 Audit and Risk committee held, Corporate risk register reviewed and updated Risk Management Strategy agreed. Internal Audit commenced.	Complete internal audit and implement responses as appropriate.	
Establishing the LSB	Establishing the LSB		Financial Handover	Affirmative secondary legislation tabled	Completed 08/12/2009	LSB go-live 01/01/2010.	On-going regular meetings with MoJ	
			Development of necessary Rules and frameworks to allow commencement	Negative resolution 'Sis laid'	Completed 08/12/2009	On-going regular meetings with MoJ.		
				On-going joint plan to commencement developed/ progressed.	Completed 31/03/2010			
The Levy	The Levy		Recoupment of start-up costs	Initial work on planning levy timetable for publication and initial HMT clearance	Completed 31/01/2010	Set up levy costs SI approved by Board and laid.	Consult on allocation of running costs levy May - July 2010	Work is on track to be able to begin to collect running costs from January 2010 despite running costs levy consultation delayed due to Purdah restrictions.
			Development of methodology for running costs recovery	Develop IA and consultation for running costs SI in liaison with MoJ and HMT	31/04/2010	Start to collect start up levy costs.		
				Consult on allocation of running costs levy and SI	31/07/2010			
				Approval from Board of SI	31/10/2010			
			Recoup of running costs	Begin to invoice ARs	31/01/2011			

Highly problematic: requires urgent and decisive action.
Problematic: requires substantial attention, some aspects require urgent attention.
Mixed: aspect(s) require substantial attention, some good.
Good: requires refinement and systematic implementation.
No information available.