PROGRAMME/POLICY AREA: ABS / APPEALS MECHANISMS

KEY OBJECTIVES: Widening access to the legal market

LINK TO REGULATORY OBJECTIVES: RO1, RO3, RO4, RO5, RO6, RO8



### PROJECT HEADLINES

Key achievements of Q3 reporting period:

1. Appeals Mechanisms consultation closed. Five responses received and analysis completed.



- S69 consultation closed, summary of responses prepared and submitted SI to Lord Chancellor.
- Agreement reached with SRA that they will develop and run consultation on S69 Sole Practitioners, final planning timelines and discussion of policy issues between SRA, LSB and MoJ held.
- 4. Worked with SRA to scope-out and publish Sole Practitioners consultation and draft SI.
- 5. SRA draft licensing authority application received and substantive comments made and returned.
- 6. Joint ABS project board with MoJ set up and first meeting held.
- 7. Joint ABS risk register established.
- 8. Paper to LSB Board on contingency planning to be a direct licensor.

- 1. 2.
- 3. Publish summary of responses/decision document on Appeals Mechanisms.
- Sign-off MoU with Tribunals Service, SRA and CLC.
- 5. Maximum financial penalty order to be sent to MoJ for LC consent. Will then be returned to the Board to be signed.
- 6. Second ABS Project Board to be held.
- 7. ABS Consequential Orders Brainstorming Workshop to be held with MoJ, SRA, CLC and LS.

Q3 and Q4 PROJECT MILESTONES						
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE				
Preparation for ABS go-live	Fulfilling MoJ requirements	On-going				
	Agreement with SRA on approach to Sole Practitioners	Completed				
	35 645,00	(30/10/2010)				
	S.69 Consultation closes	Completed				
		(20/12/2010)				
	Board SI approval	Completed				
		(06/01/2011)				
	Submission of S.69 recommendation to MoJ	Completed				
	1800 William State States States	(07/01/2011)				
	Submission of Maximum Financial Penalty SI to Lord	Due 11/02/2011				
	Chancellor					
	Board approval of S.80 Appeal Mechanisms	Timeline currently				
	recommendation	on hold whilst				
	Submit recommendation to MoJ	resolution of issue				

On-going development of market readiness for ABS	1.	Regular ABS implementation group meetings	On-going
Appeals Mechanisms	•	Consultation Closes	Completed (12/11/2010)
		Funding agreement with applicant LAs	Completed (29/10/2010)
		Submit S.80 recommendation to MoJ	Due 17/01/2011

PROJECT RISKS:		ARTHUR SE		<b>如</b> ,只是我们是这个人的。
RISK	IMPACT (1-5)	LIKELIHOO D (1-4)	RAG RATING	ACTION TAKEN
[REDACTED]				

OVERALL PRO	DIECT STATUS:
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1	



**KEY OBJECTIVES:** Improving services by resolving complaints effectively

LINK TO REGULATORY OBJECTIVES: RO1, RO2, RO4, RO6, RO7, RO8



### PROJECT HEADLINES

Key achievements of Q3 reporting period:

- Agreed to SRA, BSB, IPS, IPReg and CLC signposting requirements submissions for exemption to rule change.
- 2. [s36 tbc]
- Analysed and reviewed regulatory review responses. This includes ongoing engagement and analysis of ARs submissions regarding compliance with signposting requirements and rules reflecting LSB guidance on outcomes for consumers from first-tier complaints handling.
- FTCH review paper to the Board providing an assessment of the FTCH regulatory review and suggesting next steps. This was noted and agreed to by the Board.
- Engagement with BSB regarding its concerns over the signposting requirements and responding to letters from Chambers, barristers and The Bar Council.
- 6. Consumer FTCH research spec for 2011 developed and reviewed by Senior Management Team (SMT).
- 7. Development of draft information needs of the LSB from LeO. Meeting with LeO in Birmingham to discuss information provision and follow up.
- 8. LCS reported that it was still comfortably meeting timeliness targets. October performance improved substantially on September on the three month target (up from 68% in September to 77% in October) and the six month target (up from 87% in September to 96% in October). This level of performance was maintained for November where the three month performance was 81% and six month performance was 96%.
- LCS Receipts in October were higher than forecast (318 against a forecast of 200). However, cases are being closed quicker than expected. There were 48 receipts received in November (again higher than the 15 predicted).
- 10. The LCS customer satisfaction score has now been removed from the performance report however the Chief Executive of the LCS has reported that performance against internal quality auditing measures remains strong.
- 11. The LCS's Learnington office closed on 17 December, and the remaining 500 cases have been transferred to the LCS's temporary London office at The Law Society.
- 12. A letter to the LCS from the Chairman was sent to congratulate and thank LCS staff for their hard work.

- 1. Send relevant sections of report of regulatory review to ARs for information/review.
- Engagement with ARs in relation to remaining regulatory review questions, including monitoring and enforcement.
- 3. Finalise FTCH regulatory review report and publish.
- 4. Establish more regular information channel between the Legal Ombudsman and the LSB.
- 5. Continue development of assessment framework for qualitative review.
- LCS continues to work towards closing the 500 remaining cases by March 2011. Any 'uncloseable' cases are likely to become apparent.
- 7. Review December 2010 LCS figures.

Q3 and Q4 PROJECT MILESTONES	<b>可以是一种的企业的</b>	
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Regulatory Review - Complaints Handling	Two-tier AR compliance review responses in	Completed (29/10/2010)

	<ul> <li>Review of thematic review responses</li> <li>Complete tender for Consumer FTCH research</li> <li>Undertake research</li> <li>Report due</li> </ul>	Completed (30/11/2010) 31/01/2011 30/04/2011 31/05/2011
Agree and monitor performance targets with OLC	Initial KPIs agreed	Completed (30/09/2010)
Oversee the maintenance of customer facing performance by current second-tier complaints	<ul> <li>Ongoing performance monitoring</li> <li>LeO opens</li> </ul>	On-going Completed (06/10/2010)
bodies	Leamington Office shuts down	Completed (31/12/2010)

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**KEY OBJECTIVES:** Securing Independent Regulation

LINK TO REGULATORY OBJECTIVES: RO1, RO2, RO4, RO5, RO6, RO7



### PROJECT HEADLINES

Key achievements of Q3 reporting period:

- 1. Final positions signed off by Board for 2010/11 IGR dual self-certificates for each applicable Approved Regulator but with some outstanding issues of non-compliance which we are monitoring. The key issues have been satisfactorily resolved without the need to mandate any changes to governance arrangements (possibly through enforcement action). Each applicable AR has received the Board's final assessment and been informed that we will move to risk based assessments of how independence is being delivered in practice next year.
- 2. Final assessments published on LSB website.
- 3. All PCFs have been approved this year.
- 4. We have conducted a lessons learned exercise on PCFs incorporating a survey of ARs and internal stakeholders to inform next year's process.

Key activities for Q4 reporting period:

1. PCF lessons learned process begun, paper due to go to the Board at the end of January. Considering a risk based approach for next year.

Q3 and Q4 PROJECT MILESTONES	<b>福斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯斯</b>		
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE	
Practising certificate approval	<ul> <li>Receive, consider and determine applications</li> <li>Lessons learnt exercise</li> <li>Begin PCF approval process for 2011/12</li> </ul>	Completed (31/12/2010) 31/03/2011 31/03/2012	

OVERALL P	PROJECT STATUS:	
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PROGRAMME/POLICY AREA: Workforce – Diversity / Workforce-QAA

KEY OBJECTIVES: Developing a workforce for a changing market

LINK TO REGULATORY OBJECTIVES: RO1, RO3, RO4, RO5, RO6, RO8



#### PROJECT HEADLINES

Key achievements of Q3 reporting period:

- 1. Letter sent to ARs about diversity progress so far and next steps, including a paper on the potential diversity impact of ABS. One response received so far, from the BSB.
- 2. Final research report from Leeds-Westminster published and conference held with approx 100 stakeholders attending. Associated opinion piece by Crispin Passmore published in the Guardian online. Coverage in the Law Society Gazette.
- 3. Chief Executive addressed the Society of Black Lawyers/NUS Black Students Campaign conference on 6 November, highlighting our proposal on workforce diversity.
- 4. Responsibility for development of a "regulatory toolkit" on social mobility as part of the post-Milburn work on social mobility has now been transferred to Professions for Good, a new network of professional bodies being spearheaded by RICS, with Bar Council and Law Society involvement.
- The Research Team have conducted a mapping exercise of diversity initiatives through interviews with ARs.
   This is a continuation of the initial work conducted by the Equality and Human Rights Commission (EHRC) through the Diversity Forum. This work has been published on the LSB website.
- 6. The Career Pathways website has been reviewed and amended by each AR. Final content will be forwarded to Skills for Justice to upload onto the website by 23 December although the 'go live' date has been postponed by Skills for Justice to March 2011.
- 7. The consultation paper 'Increasing diversity and social mobility in the legal workforce: transparency and evidence' was published this month on the LSB website the consultation will close on 09 March 2011.
- 8. Further discussions about JAG QAA consultation proposals and handling. Letter and paper drafted and sent to JAG setting our further development required and engagement with LSC and Thomas LJ's office in relation to consultation proposals.
- Meeting with JAG on design and implementation issues at meeting on 27 October particularly assessment methods, coverage of established advocates at levels 1 and 2, and governance/proposed delivery approach for scheme.
- 10. CEO letter sent to JAG following Board agreement on 30/11/10, enclosing the Board paper.
- 11. Research specification developed and issued to potential bidders for project to research best practice assessment methods and develop a model scheme.

- 1. Hand-over of the work of sub-group 5 (GPCF) including the Social Mobility Survey and Social Mobility toolkit proposal to Professions for Good.
- 2. A review of the feedback from the members of the Diversity Forum of Professional Regulators in regard to the future of the Forum.
- Appoint researchers and commence research project for QAA.
- 4. CEO-level JAG meeting convened for 2 February to discuss next steps. Wider stakeholder roundtable planned for February.

Q3 and Q4 PROJECT MILESTONES					
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE			
Workforce access/ diversity and social mobility	<ul> <li>Framework and guidance to go out to consultation</li> </ul>	Completed 15/12/2010			

	•	Diversity Forum  Framework and Guidance consultation	Completed 06/10/2010 09/03/2011
	•	closes AR's implement framework and begin data collection	From April 2011
Initial proposed measurement framework considered by Diversity Forum	•	Publish single source map of education routes	Delayed until 31/03/2011
QAA	•	Appoint researchers and commence research project	31/01/2011

PROJECT RISKS:	CONTRACTOR OF THE	Y CONTRA			EA.
RISK	IMPACT (1-5)	LIKELIHO OD (1-4)	RAG RATING	ACTION TAKEN	
[REDACTED]					

OVERALL PE	ROJECT STATUS:
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PROGRAMME/POLICY AREA: Access to Justice / Referral fees / Improving Access to Justice

scope of regulation

**KEY OBJECTIVES:** Improving Access to Justice

LINK TO REGULATORY OBJECTIVES: RO3, RO4, RO5, RO7

### PROJECT HEADLINES

Key achievements of Q3 reporting period:

- We met with officials to discuss the proposed consultation on the Jackson recommendations and provided comments.
- 2. The Chairman and Crispin Passmore met Lord Young.
- 3. Opinion Leader has drawn a draft set of consumer outcomes from the results of focus groups and depth interviews with different types of consumers as well as interviews with Board and Consumer Panel members. Invitations to participate in the on-line review of the draft outcomes have been sent to a wide range of relevant stakeholders and initial take up rate is high.
- The Steering group comprises representatives from the Board, Consumer Panel and the two stakeholders
  that have committed financial support (OFT and SRA). Terms of reference and research plan are available on
  request.
- 5. The Steering Group has awarded the contract for research into the consumer experience of will-writing to the IFF Research.
- Good coverage of the LSB / Panel review of will-writing has been achieved resulting in high level of engagement in relation to the call for evidence.
- 7. Pilot of shadow shopping for the consumer experience of will-writing research started. Expert panel to evaluate the quality of wills written and induction meeting scheduled. Consumer Panel call for evidence closed about issues relating to the will-writing industry closed with a good response including case studies running into the hundreds.
- 8. Referral Fees Consultation closed.

- 1. Final report on the economic rationale for regulation of legal services to be submitted by the Regulatory Policy Institute.
- 2. On-line group review of emerging consumer outcomes to be undertaken with a range of stakeholders.
- 3. Think piece article on issues that the LSB must grapple with in relation to reservation and different methods of regulation to be placed with a legal journal.
- 4. Referral fees consultation responses being reviewed to produce Board proposals by March.

Q3 and Q4 PROJECT MILESTONES		
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Access to Justice	<ul> <li>Review research on legal need.</li> </ul>	On-going
Reserved and non-reserved legal activity	Receive in commissioned research	Completed (30/11/2010)
	Will-writing call for evidence closes	Completed (31/12/2010)
	<ul> <li>Will writing shadow shopping research completed</li> </ul>	31/03/2011

	New project plan completed to account of new approach	take 31/01/2011
Referral Fees	Stakeholder engagement	On-going Completed
	Consultation closes	(22/12/2010)

OVERALL PI	ROJECT STATUS:
4	
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**PROGRAMME/POLICY AREA:** Research – Regulatory Information Review

KEY OBJECTIVES: Putting consumer and public interest at the heart of regulation

LINK TO REGULATORY OBJECTIVES: RO1, RO3, RO4, RO5, RO6, RO7

### PROJECT HEADLINES

Key achievements of Q3 reporting period:

- 305 studies are now included in information scan out of 600 identified; all logged by area of LSB interest on the Knowledge Bank and are available for use by LSB staff. Two staff training sessions held on how to maximise the value of this resource. Analysis of emerging knowledge gaps undertaken. We continue to work through this exercise.
- 2. An initial discussion was held with the SRA to discuss their capability for supplying data to support this project and consider market segmentation and agreement was reached with the Legal Services Research Centre to supply demand side data by postcode.
- 3. Development and circulation of a survey of information held by Regulators and Professional Bodies. The deadline for the completion of the survey was 25 November. To date 7 out of 14 surveys have been returned, (TLS, SRA, BSB & Bar Council, ILEX & IPS, MoFa). Activity to encourage the reminder to respond to the survey is ongoing. A final report will be available at the end of January.
- 4. Follow up meeting with Ministry of Justice economists and Office of Fair Trading to review and finalise market hypotheses and information classification.
- 5. Initial data cleanse of the 29 data sets completed, and analysis begun to build the platform for supply and demand mapping.

- 1. Ongoing completion of the Knowledge Bank.
- 2. Ongoing analysis of data sets to develop supply and demand mapping.
- 3. Meeting with the Regulators and Professional Bodies to assist with completion of the survey.

Q3 and Q4 PROJECT MILESTONES		
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Research designed to provide evidence to meet the LSB's Business Plan 2010/11	<ul> <li>Building up evidence base to support policy decisions</li> <li>Assist with the development of Impact Assessment to fulfil legislative requirements</li> <li>Agree Research strategy for 2011-12</li> </ul>	On-going On-going 31/03/2011
Regulatory Information Review	<ul> <li>Set up knowledge bank and begin to populate</li> <li>Ongoing completion of Knowledge bank</li> <li>Receive remainder of survey information from regulators and Professional bodies</li> </ul>	Completed 30/10/2010 Ongoing 31/01/2011

OVERALL PR	ROJECT STATUS:
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**External relations** PROGRAMME/POLICY AREA:



LINK TO REGULATORY OBJECTIVES:



### PROJECT HEADLINES

Key achievements of Q3 reporting period:

- 1. [S36]
- 2. 3. Letters sent to all ARs informing them of the smaller AR research project. Meetings with the Chief Executives and the Chairman of the ARs and their regulatory arms held.
- 4. Draft document on AR information requirements created and circulated for comment internally.
- 5. Meeting with the new Chief Executive of the CLSB (ALCD's new regulatory arm) together with ALCD chair and vice chair. The meeting covered all aspects of our agenda.
- 6. Smaller AR PID and project plan has been updated and approved.
- 7. A workshop for the regulator arms of the smaller ARs was held to discuss the Capacity and Activity research.
- 8. Board paper on smaller AR project produced and presented to Board.
- SMT brainstorming session on contingency planning work and capacity and activity research. 9.

10.

- 11. SMT agreed position regarding accountancy ARs and a letter sent to ICAEW.
- 12. Early draft of first stage smaller AR research received and initial assessment made.
- 13. Speech by Fran Gillon to LAPG Annual Conference 2010.
- 14. Speech by Chris Kenny to Westminster Conference.
- 15. Speech by David Edmonds to RIAD Congress.
- 16. Speech by Chris Kenny to Harvard on The future of legal education and the relationship between what is happening in this arena and the changes in legal practice.
- 17. Speech by David Edmonds to the Bar Conference.
- 18. Speech by Chris Kenny to the BSC Legal Futures 2010 Conference.
- 19. Speech by Chris Kenny to the The Lawyer's Alternative Business Structures conference.
- 20. Speech by Crispin Passmore to The Society of Will Writers' annual conference.
- 21. Speech by Fran Gillon to The Lawyer's New Solicitors Code of Conduct Outcomes Focused Regulation conference.
- 22. Speech by Chris Kenny to GC and senior law firm lawyer breakfast.
- 23. Speech by David Edmonds to 2010 Lord Upjohn Lecture.
- 24. Speech by Chris Kenny to APP Legal Services Board on The story so far.

- Stakeholder workshops on draft Business Plan 2011/12.
- 2. Document on AR interactions will go live with LSB colleagues and so we can look to reduce the incidence of multiple information requests from ARs.
- 3. Comments on first stage smaller AR research formalised and submitted to author.
- 4. Contingency planning output documents reviewed and approved.
- 5. Second stage smaller AR research project meetings arranged.
- 6. Speech: Chris Baas City of Westminster and Holborn Law Society lecture.
- 7. Speech: Bruce Macmillan The FT Lawyers 2011 Dinner.
- 8. Speech: Chris Kenny Speech to Heads of University Law Schools (University of Warwick).
- 9. Panel: Chris Kenny Inner Temple Conference on Legal Education.
- 10. Speech: Bruce Macmillan Huron Consulting Group summit -Change management and legal process for law departments.
- 11. Speech: Crispin Passmore Seminar on LSB delivered to LSE Masters Regulation students.

- 12. Speech: Bruce Macmillan The Global LPO Conference 2011 London Buyers and Vendors Meet in The UK.
- 13. Speech: David Edmonds Address to students at Lincolns Inn.
- 14. Speech: Crispin Passmore ALCD National Conference March 2011.

Q3and Q4 PROJECT MILESTONES		
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Small ARs	<ul> <li>Develop Smaller AR contingency planning summaries</li> <li>Develop Smaller AR relationship management plans</li> <li>Complete and publish small AR research</li> </ul>	Postponed 31/01/2011 Postponed 31/01/2011 31/03/2011
Communications and Public Affairs	<ul> <li>Conduct programme of speeches</li> <li>Chris Kenny speech to Harvard Law School and Chairman's Lord Upjohn Lecture</li> <li>Business Plan Consultation launched</li> <li>Business plan agreed and published</li> </ul>	On-going Completed (30/10/2010) Completed (31/12/2010) 31/04/2011

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**Providing Value for Money** 



**KEY OBJECTIVES:** Finance

### LINK TO REGULATORY OBJECTIVES:

### PROJECT HEADLINES

Key achievements of Q3 reporting period:

- 1. Ongoing financial management.
- 2. Draft Business Plan 2011/12 and budget published for consultation.
- 3. Roll out of delegated budgets.

Key activities for Q4 reporting period:

Internal and external audit programme.

Q3 and Q4 PROJECT MILESTONES		MILESTONE
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	DELIVERY DATE
Ensure appropriate procurement processes are in place	Provide quarterly financial reports	On-going
Constant review of spending decisions	<ul> <li>Produce Annual report and Budget, gain sign off from NAO, submit to Minister and lay</li> </ul>	

OVERALL P	PROJECT STATUS:	
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KEY OBJECTIVES: Ensuring that a system of risk management is maintained to inform decisions on financial and

operational planning

LINK TO REGULATORY OBJECTIVES: All projects are risk assessed and measures taken to mitigate or exploit are

integral to planning, approval and operational activities

### PROJECT READLINES

Key achievements of Q3 reporting period:

- 1. 2<sup>nd</sup> annual Audit and Risk Committee oversight.
- 2. Board review of amended risk strategy and Corporate Risk Register.

- 1. On-going review of corporate and project risk.
- 2. Annual Internal Audit by KPMG.
- 3. Audit and Risk Committee meeting to be held 28/02/2011.

Q3 and Q4 PROJECT MILESTONES		
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Formal risk management system maintained by executive and reviewed by Audit and Risk Committee	<ul> <li>2<sup>nd</sup> annual Audit and Risk Committee oversight</li> <li>1<sup>st</sup> Audit and Risk Committee meeting of 2011 to be held</li> </ul>	Completed 11/10/2010 28/02/2011
All projects are risk assessed and measures taken to mitigate or exploit are integral to planning, approval and operational activities	<ul> <li>Ongoing project and corporate risk maintenance in line with risk strategy</li> </ul>	On-going

OVERALL PE	ROJECT STATUS:
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**KEY OBJECTIVES:** The Levy

### LINK TO REGULATORY OBJECTIVES:

### PROJECT HEADLINES

Key achievements of Q3 reporting period:

1. Lay Levy SI.

Key activities for Q4 reporting period:

1. Start invoicing ARs.

Q3 and Q4 PROJECT MILESTONES			
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE	
Development of methodology for running costs recovery	Approval from Board of final agreed SI	Completed 31/10/2010	
recovery	Levy SI laid	Completed 31/12/2010	
	<ul> <li>Consider and plan on-going process, including learning lessons from Merits Committee feedback.</li> </ul>	31/03/2011	
Recoup of running costs	Begin to invoice ARs	31/01/2011	

OVERALL PROJECT STATUS:	
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