

To:	Legal Services Board		
Date of Meeting:	28 March 2012	Item:	Paper (12) 20

Title:	Draft Consumer Panel Work Programme 2012/13		
Workstream(s):	Corporate governance		
Presented by:	Elisabeth Davies, Chair of the Consumer Panel chair@legalservicesconsumerpanel.org.uk		
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Status:	Protected		

Summary:
The Consumer Panel's proposed Work Programme 2012/13 is attached at Annex A . The Board is asked to endorse the Work Programme, as set out in the memorandum of understanding between the Board and the Consumer Panel.

Risks and mitigations	
Financial:	The Consumer Panel has a small delegated budget. Funding is requested for research on consumers and risk.
FoIA:	Annex A - Intended for future publication exemption (S22)
Legal:	N/A
Reputational:	Effective communication will be needed to ensure the Work Programme is seen by key audiences and that the Panel's priorities are seen as complementary to those of the Board.
Resource:	The Plan is ambitious, but allows some unplanned time for reaction to emerging consumer detriment and unexpected additional work caused, for example, by a new LSB request for advice. Any significant new work will need to be matched by explicit subtractions from or re-planning of the work programme.

Consultation	Yes	No	Who / why?
Board Members:	✓		Barbara Saunders has seen the paper
Consumer Panel:	✓		The Work Programme has the full endorsement of the Consumer Panel following its meeting on 27 February
Others:			

Recommendation(s):
The Board is invited to: <ul style="list-style-type: none"> a) discuss the Work Programme's overall direction; b) endorse the Work Programme.

LEGAL SERVICES BOARD

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Draft Consumer Panel Work Programme 2012/13

Issue

1. The Board is invited to:
 - a) discuss the Work Programme's overall direction;
 - b) endorse the Work Programme attached at **Annex A**.

Overall approach

2. The Consumer Panel's Work Programme for 2012/13 has been written to reflect and respond to the changes within the economy, society and legal services.
3. The Programme sets out how the changing environment has influenced our priorities and themes for this year; it then includes a wide-range of initiatives and projects that will deliver against these themes. The three themes are:
 - Equality of access – by ensuring that all consumers, especially those in a position of vulnerability, have access to affordable and high quality advice;
 - Unleashing consumer power – by giving people the choice tools to drive greater competition in the market; and
 - Enhancing the safety net – through improving quality assurance, better financial protection and redress, and consumer-focused regulators.
4. Now that we approach our third year as a Panel, we are giving greater thought to how we communicate our role and priorities to a wide range of stakeholders within and outside the legal sector, reflecting the diversity of audiences that have an interest in the provision of legal services. This is reflected in how the work programme has been written and ordered. We have also been at pains to write the Work Programme in plain language so that it is accessible to the general public.
5. In addition, the document includes the same ingredients as the 2011/12 document by setting out our vision for legal services, operating methods, work priorities, measurement framework and delivery plan.
6. The Work Programme describes two main roles for the Consumer Panel. First, its core role is to provide advice to the Board and others on the reform agenda. This activity includes providing informal behind-the-scenes and formal public input on policy development and implementation activities. A second type of activity is where the Consumer Panel sets the policy agenda, by taking a lead role in developing policy including on issues where regulators are not active.

7. The Consumer Panel intends to continue providing advice to the Legal Ombudsman. Our focus this year will be on seeking to extend its jurisdiction, for example by making a strong case for it to accept third party complaints and working together on switching on a voluntary jurisdiction. We are also jointly commissioning research on consumer expectations and experience of complaining about legal services.
8. The Consumer Panel is conscious of the need to ensure that its work is sensitive to any differences in the experiences of consumers in Wales and takes account of the devolved context. We have carried forward two objectives from last year: to ensure our remit and priorities are clearly understood across Wales; and to ensure we understand and can take account of issues specifically facing consumers in Wales. More specifically, we will speak at a minimum of two conferences in Wales and hold a series of meetings with stakeholders in Wales to spread awareness of our role and to learn how we can best meet our objectives. We will also continue to ensure that the consumer research we commission includes a robust Welsh sample.

Prioritisation

9. The Consumer Panel is not resourced to tackle the entire policy agenda, so we will continue to use the prioritisation principles that we developed two years ago:
 - Does it fit with our strategic objectives?
 - Is there evidence of significant consumer detriment, an emerging threat or an area that would benefit from fresh thinking?
 - Is consumer detriment likely to continue or increase?
 - Is the Consumer Panel best placed to carry out this work?
 - Is there a realistic prospect that our work will have an impact?
 - Are resources available to deliver the work effectively?
10. The Work Programme is ambitious and we are conscious of staffing changes and reduced Panel membership, but we consider the delivery plan is achievable based on experience last year. There may be some flexibility in the second half of the year to take on new activities, although significant new work will need to be matched by explicit subtractions from or re-planning of the Work Programme.
11. A portion of our resource is allocated to taking forward work from previous projects. This includes the small charities research, voluntary quality schemes and will-writing.

Main activities

12. The Consumer Panel's planned main activities are listed below:
 - LSB advice requests – financial protection; and how far the regulatory system should and does help consumers choose and use legal services and options for improvement; and
 - Own-initiative work – complaints; Consumer Impact Report; focused studies with groups of consumers at particular risk of disadvantage; and influencing major reviews such as scope of regulation and education and training.
13. In respect to the LSB advice requests, the wording of these is yet to be finalised; the work programme reflects this by recording the relevant sections in italics.

Resourcing

14. The Consumer Panel has a delegated budget of £44,000, a reduction of £3,000 from 2011-12. In 2012-13, we will repeat the Tracker Survey (c£15,000) – an omnibus survey which forms part of the evidence base for the Consumer Impact Report. We also explore opportunities to work in partnership with others as an alternative means of funding consumer research, as we did successfully this year with the SRA and Action on Hearing Loss for our project on deaf and hard of hearing consumers (report forthcoming).
15. The Consumer Panel also shares the LSB research budget, for example last year this supported our project on will-writing. In order to deliver our plans on financial protection, funding is required for proposed research on consumers and risk, which could potentially consider issues such as people's risk appetite, the allocation of risk between consumers and providers and attitudes towards risk-based regulation. The Head of Research and Development has indicated this work would be valuable as it would complement wider LSB work, such as on regulatory standards and the scope of regulation.

Next steps

16. The Consumer Panel plans to publish the Work Programme in April following publication of the LSB's Business Plan. As set out in the MOU, the Consumer Panel will return to the Board with proposals for significant new areas of work should the need arise.

Elisabeth Davies – Chair, Consumer Panel
Steve Brooker – Consumer Panel Manager

20.03.12