

QUARTERLY PROJECT HIGHLIGHT REPORT



PROGRAMME/POLICY AREA: A: Regulatory Performance and Oversight

KEY OBJECTIVES: Developing Standards and Performance, Thematic Reviews, Ensuring Effective Redress for Consumers, Widening Access to Justice and the Legal Services Market

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

PROJECT HEADLINES

Key achievements of Q2 12/13 reporting period:

Self assessment for the approved regulators:

1. Two seminars were held for approved regulator staff in July to give them an overview of the Oxera Framework and to show how they could use it to develop a full picture of the legal services market. At the seminar, regulators were asked to provide a forward plan to use the framework in their final self-assessment submissions
2. In one-to-one meetings with regulators in June, the LSB outlined points that could improved-on in their self assessments.
3. Final self-assessment submissions were received from the Cost Lawyers Standards Board (CLSB), Council for Licensed Conveyancers (CLC), Intellectual Property Regulation Board (IPReg) and ILEX Professional Standards board (IPS), The Faculty Office and Solicitors Regulation Authority (SRA). We have completed assessments of each submission apart from SRA, against the feedback that we provided on the draft submissions. A final report, contextualising the report has been prepared for the October Board.
4. [REDACTED]

Smaller approved regulators:

1. Work continues regarding intervention in relation to approved regulator management failure rather than financial failure but the Gateway Group has agreed that this work should now be closed as a stand-alone project.

Immigration:

1. Consultation response approved by the Board, Chief Executive and Chairman and published on 31 July.
2. Project closed

Conveyancing:

1. Review completed and paper prepared for Board in July. Outcome of meeting was to redraft report
2. Report currently with Approved Regulators (ARs) for factual review.

Appeals mechanisms:

1. Desk based research undertaken to identify if there are any inconsistencies in the sanctions imposed by different approved regulators for similar breaches
2. Initial assessment of the approved regulators disciplinary and appeal arrangements begun against the better regulation principles
3. Review of project completed and identified need to re-scope work.

First Tier Complaints Handling:

1. Letters sent to all approved regulators using the bespoke frameworks. These letters set agendas for each of the approved regulators and were published and press released. The letters asked for responses and plans for future months. The approved regulators now are required to undertake the steps towards meeting this agenda and we will follow-up accordingly.
2. Constructive meetings with:
 - BSB to discuss signposting and BSB proposals to develop FTCH implementation.
 - CLC to discuss timetables and deliverables for reporting and complaints.

Ending Transitional Arrangements of ABS like bodies:

1. Plans for ending transitional arrangements of ABS like bodies running along same timetable as IPReg Licensing Authority (LA) application, which is currently at the pre-submission stage.

Regulation of Special Bodies:

1. Workshop event held with not for profit bodies during the consultation period resulting in a very good discussion and clarification on some of the major issues.
2. Consultation closed on 16 July – 22 responses were received. Analysis of responses has identified a number of policy issues that will need to be taken forward. This will come to a future Board.
3. Engagement with the Not for Profit sector continues

Key activities for Q3 12/13 reporting period:**Self assessment for the approved regulators:**

1. Present report contextualising approved regulators responses to October Board
2. Prepare ‘lunch and learn’ sessions for the colleagues outlining findings from self-assessment exercise

Appeals Mechanisms:

1. Develop proposals for re scoped work and present to CEO for discussion.

First Tier Complaints Handling:

1. No planned action other than to ensure timetables for action are met.

Ending Transitional Arrangements for ABS like bodies:

1. Work subject to IPReg LA application

Regulation of Special Bodies:

1. Finalising draft guidance for regulators of special bodies
2. Revising the Project Initiation Document to take into account change of ending transitional periods following consultation responses.

PROJECT MILESTONES

PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Self-assessment for the approved regulators	<ul style="list-style-type: none"> • Analyse and discuss plans with Regulators • Receive final plans from regulators • Monitor implementation of plans 	Completed (30/06/2012) Delayed 31/10/2012 31/03/2013

Review of Appeals Mechanisms	<ul style="list-style-type: none"> Define, scope, carry out a review and determine next steps in light of internal scoping study 	Completed (30/06/2012)
Immigration	<ul style="list-style-type: none"> Publish response to discussion document and assess next steps 	Completed (31/07/2012)
Conveyancing	<ul style="list-style-type: none"> Review and Assess next steps 	Delayed 31/10/2012
First-tier Complaints Handling	<ul style="list-style-type: none"> Review qualitative assessment plans and decide on further action as necessary Procedural Assessment Qualitative Assessment 	Completed (30/09/2012) 31/12/2012 31/03/2013
Ending Transitional Arrangements for ABS like bodies	<ul style="list-style-type: none"> Review arrangements by year-end based on designation applications 	31/03/2013
Regulation of Special Bodies	<ul style="list-style-type: none"> Consult on regulation for special bodies Consider responses to consultation Recommendation to Lord Chancellor and development of orders (if required) 	Completed (15/07/2012) Completed (30/09/2012) 31/12/2012
LSB as a licensing Authority	<ul style="list-style-type: none"> Develop Orders (if required) 	Has not been required 30/09/2012
SRA Compensation Fund	<ul style="list-style-type: none"> Work with MoJ and SRA to ensure a single fund can operate after 31/12/2012 Monitor SRA progress on the compensation review 	Completed (30/09/2012) 31/03/2013

RISKS (new or raised):				
Risk	Impact (1-5)	Likelihood (1-4)	RAG Rating	Action Taken
[REDACTED]				

OVERALL STATUS:	
4	[REDACTED]
3	
2	
1	

QUARTERLY PROJECT HIGHLIGHT REPORT



PROGRAMME/POLICY AREA: B: Strategy Development and Research

KEY OBJECTIVES: Reviewing the Scope of Regulation, Developing a Workforce for a Changing Market, Approaches to Quality, Evaluating the Impact of the LSA (2007) Reforms.

LINK TO REGULATORY OBJECTIVES: RO1, RO2, RO3, RO4,RO5, RO6, RO7, RO8,

PROJECT HEADLINES

Key achievements of Q2 12/13 reporting period:

Scope of Regulation:

1. Two joint LSB/Moj implementation Project Board meetings have been held for will-writing and estate administration bringing together policy, legal and economists and discussion on policy and legal issues and impacts assessment has continued outside of meetings.
2. Will-writing and estate administration consultation closed – 44 responses received all broadly supportive.
3. Analysed will-writing and estate administration responses and continued policy development in light of the responses .
4. Completed will-writing and estate administration papers for September Board and published the following papers:
 - a) Summary of feedback to consultation and LSB response
For consultation -
 - b) A Provisional Report - stating that the Board is minded to recommend that the list of reserved activities is amended and the reasons for its decision
 - c) Draft Section 162 guidance for prospective approved regulators for consultation to help them develop their regulatory arrangements
 - d) Updated impact assessment
 - e) Preliminary equalities impact assessment

5. [REDACTED]

Education and Training:

1. Project Manager attended Legal Education and Training Review (LETR) symposium in July at which the Head of Development and Research delivered a presentation
2. Workshops were held with Board members providing an update on LETR progress and to discuss emerging thinking.
3. Completed review of LETR final discussion paper and considered implications of stakeholder submissions to the LETR
4. There is some concern as to whether the report due to be published in December by LETR will deliver on its aim of providing a fundamental review of education and training requirements and provide the necessary framework for approved regulators to build upon. This has to some extent been mitigated by the proposals in the discussion paper and informal discussions with the review team but the risk remains

Diversity:

1. Article on access to the professions published in Young Lawyers magazine
2. Developed a timeline of the key stages in diversity data collection and publication based on AR action plans

3. The CLC has delayed the collection of diversity data until an internal audit of their data protection arrangements has been completed. This impacts on the timescales and milestones in their action plan but the CLC has indicated that they should still meet the LSB publication deadline of December 2012. We understand that the CLC may change its action plan for the collection and publication of diversity data as the original timetable may no longer be feasible. We await formal confirmation of their proposals. We will then need to consider whether our formal assessment of the plans needs to be updated to reflect these changes and what this means for the overall process
4. Concern remains in relation to how the BSB's approach to publication will affect delivery of the transparency objective; although a change in its guidance resulting in explicit consent for publication being obtained up front means that some progress has been made
5. Continue to monitor ARs progress against the diversity data collection and publication timeline, including reviewing AR communications activity (BSB and SRA webinars)
6. Started initial scoping of Equal Pay Review

Quality

1. Attended Office of Fair Trading (OFT) roundtable on price comparison websites, further work being led by OFT will include a mapping exercise on the current regulatory framework
2. A response to the Consumer Panel report on Voluntary Quality Schemes and the response document for the 'approaches to quality' consultation paper, along with next steps, was approved by the Board and sent to the Consumer Panel
3. The response document for the 'approaches to quality' consultation paper, along with success criteria and next steps, has been published.
4. We continue to be mindful of potential risks to the Quality Assurance Scheme for Advocates (QASA) timetable that may arise from responses to the consultation (which closes on 9 October)

Research

1. Managing the ongoing research programme including:
 - i. dissemination of research findings with presentations to research colleagues on Ethics and High Street early findings;
 - ii. High Street research meetings with The Law Society (TLS) and MoJ;
 - iii. summarising research reports for the Board Strategy away day; and
 - iv. discussions on research web pages redesign.
2. Published final version of BDRC Continental survey of consumers of legal services, alongside Small Business consumer framework.
3. Completion of measuring access to justice discussion paper and two presentations for the Legal Services Research Centre conference in September. The paper was very well received
4. Published research on benchmarking professional ethics.
5. Reviewed LSB research web pages development, and agreed additional security testing (delaying go live by 4 weeks)
6. Policy priorities identified for midyear research strategy review

Evaluating the impact of the LSA (2007)

1. Began Evaluation indicators update analysis (45 indicators), including analysis of BDRC Continental findings, High street data, SRA turnover data etc.
2. Met with Legal Ombudsman, SRA, and BSB to seek feedback on the Interim Evaluation Report, and discuss data availability.

Key activities for Q3 12/13 reporting period:

Scope of Regulation:

1. Meetings and comms work with stakeholders in relation to will-writing consultation
2. Further discussions with MoJ officials in relation to implementation options should will-writing etc be reserved and ensuring the impact assessment contains all that will be required for review by the Regulatory Policy Committee

3. Paper to Board asking for approval to proposed approach and timetable in relation to a review of general legal advice. The project plan is currently being drafted, work likely to be planned to start after recommendation for will writing and estate administration has been made to Lord Chancellor in early 2013

Education and Training:

1. Complete summary of education and training provider market
2. Develop proposals concerning options and timing in relation to LETR
3. Publish recommendation in relation to LETR
4. The end of 2012 will be resource intensive; will have to keep a watching brief on how this impacts on the rest of the work in this area.

Diversity:

1. Re-engage with approved regulators regarding progress with action plans
2. Produce a PID for a review of the issues in relation to the equality of pay across legal services (as indicated in the Business Plan).

Quality

1. Complete review of QASA consultation and provide feedback to Joint Advisory Group
2. Review of responses from ARs to our letter asking them to consider the Consumer Panel's report on comparison websites and to let us know what actions they plan to address the issues identified

Research

1. Updating knowledge bank, and maps of legal services in line with new research findings and revised data in preparation for publication on research website.
2. Complete and launch LSB research web pages
3. Commission the final projects for the 2012/13 research programme
4. Receive draft reports on:
 - i. the cab rank rule.
 - ii. value of regulation research report
 - iii. advocacy quality measures

PROJECT MILESTONES		
PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Scope of Regulation Investigation	<ul style="list-style-type: none"> Publish General Approach Provide progress update 	Completed (30/06/2012) 31/12/2012
Will writing, probate activity and estate administration	<ul style="list-style-type: none"> Release public consultation document Publish provisional report and consult Publish final report Decisions arising from any change in scope 	Completed (30/06/2012) Completed (30/09/2012) 31/12/2012 31/03/2013
Diversity	<ul style="list-style-type: none"> Monitor implementation of agreed approved regulator action plans Review findings of approved regulator data Review the evidence base around equal pay 	31/12/2012 31/03/2013 31/03/2013
Education and Training	<ul style="list-style-type: none"> Track AR progress (AR led milestones) 	31/03/2013
Approaches to Quality	<ul style="list-style-type: none"> Publish response to consultation Identify next steps 	Completed (30/09/2012) 31/03/2013
Evaluation of the Impact of the Legal Services Act	<ul style="list-style-type: none"> Publish Interim Baseline Evaluation Publish expanded Baseline Evaluation 	Completed (04/04/2012) 31/10/2012

RISKS:				
RISK	IMPACT (1-5)	LIKELIHOOD (1-4)	RAG RATING	ACTION TAKEN

ISSUES:		
ISSUE	PRIORITY	ACTION TAKEN

OVERALL PROJECT STATUS:	
4	[REDACTED]
3	
2	
1	
0	

QUARTERLY HIGHLIGHT REPORT



PROGRAMME/POLICY AREA: External relations

KEY OBJECTIVES: Communications and public affairs

LINK TO REGULATORY OBJECTIVES: N/A

PROJECT HEADLINES

Key achievements of Q2 12/13 reporting period:

1. Chris Kenny attended Ministry of Justice Ireland event on the Legal Services Reform.
2. Response to Immigration and Quality Consultation published as well as provisional report on Will Writing, Probate and Estate Management
3. Began to draft 2013/14 Business plan.

Key activities for Q3 12/13 reporting period:

4. CEO to present keynote speech at the Westminster Legal Policy Forum on the future of the legal services market.
5. Continued briefing of media commentators and responses to requests addressed.

PROJECT MILESTONES

PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Communications and Public Affairs	<ul style="list-style-type: none"> • Conduct programme of speeches 	On-going

OVERALL PROJECT STATUS:

4	
3	
2	
1	The overall status of our communications work stream is good. We continue to deliver a full programme of speeches and presentations to a variety of stakeholders.
0	

QUARTERLY HIGHLIGHT REPORT



PROGRAMME/POLICY AREA: Providing Value for Money

KEY OBJECTIVES: Finance

LINK TO REGULATORY OBJECTIVES:

PROJECT HEADLINES

Key achievements of Q2 12/13 reporting period:

1. Developed draft budget for 2013/14 for discussion at Audit and Risk Committee meeting in October
2. Monthly financial report produced
3. Regular reports provided to MoJ

Key activities for Q3 12/13 reporting period:

1. Monthly financial report produced
2. Regular reports provided to MoJ

PROJECT MILESTONES

PROGRAMME / POLICY DELIVERABLES	PROJECT MILESTONE	MILESTONE DELIVERY DATE
Ensure that the LSB does not breach its expenditure budget	<ul style="list-style-type: none"> • Provide monthly financial reports for the Board and MoJ 	On-going
Constant review of spending decisions	<ul style="list-style-type: none"> • Produce Annual report and Budget, gain sign off from National Audit Office, submit to Minister, lay and publish 	Completed (19/06/2011)

OVERALL PROJECT STATUS:

4	
3	
2	
1	The status of this work stream is good. Spending is in line with forecasts and the Board receives regular monthly finance reports irrespective of whether there is a formal meeting and has the opportunity to comment and raise issues. Monthly reports are sent to MoJ finance within their reporting timeframes.
0	

QUARTERLY HIGHLIGHT REPORT

PROGRAMME/POLICY AREA: Risk

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 HEADLINES

Key achievements of Q2 12/13 reporting period:

1. Board half yearly review of Corporate Risk at Strategy Session
2. Began programme of discussion of specific project risk registers at monthly Programme Board

Key activities for Q3 12/13 reporting period:

3. Audit and Risk Committee meeting including annual review of risk strategy.

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 style="list-style-type: none"> • 2nd Audit and Risk Committee meeting of 2012 to be held • Half yearly Board review of Corporate risk register • 3rd Audit and risk Committee meeting of 2012 to be held • 1st Audit and risk Committee meeting of 2013 held 	Completed 23/05/2011 Completed (12/09/2012) 08/10/2012 11/03/2013
All projects are risk assessed and measures taken to mitigate or exploit are integral to planning, approval and operational activities	<ul style="list-style-type: none"> • Ongoing project and corporate risk maintenance in line with risk strategy 	On-going

PROJECT RISKS:

RISK	IMPACT (1-5)	LIKELIH OOD (1-4)	RAG RATING	ACTION TAKEN
N/A				

OVERALL PROJECT STATUS:

4	
3	
2	
1	The LSB continues to proactively assess and manage its risks at both the corporate and project level
0	