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Dr Dianne Hayter
Chair, Legal Services Consumer Panel
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25 May 2011

Dear Dianne

Request for advice on quality schemes

I am writing on behalf of the LSB to request further advice from the Legal Services Consumer Panel ('the Panel') about quality schemes. This request is in line with recommendation 3 of the Panel's advice about consumer perspectives on quality provided in November 2010.

The consumer research carried out by the Panel suggests that individual consumers do not commonly make use of quality marks when choosing a provider. However, we recognise that existing voluntary quality schemes may provide reassurance to bulk and institutional purchasers. They may also enhance the quality of provision in some areas of the legal services market, to the extent that they provide a framework for providers to develop and maintain specialist skills and knowledge.

We agree with the Panel that quality schemes must be robust and deliver what they promise. We therefore request that the Panel provides advice that:

- identifies the characteristics that voluntary quality schemes must have to give consumers confidence that they are a robust and reliable indicator of a good quality legal services provider
- taking these characteristics as criteria, measure a selection of existing schemes against them and provide a view about whether, as currently designed, each operates in a way which is likely to give consumers confidence in the quality of participating providers.

As part of their work on reviewing education and quality assurance mechanisms, approved regulators will need to assure themselves that their regulatory arrangements achieve an

appropriate balance between compulsory regulatory requirements designed to enforce minimum quality standards, and voluntary schemes designed to recognise quality standards which exceed those minimum standards.

In our response to the Panel's previous advice on quality, published in May 2011, we set out LSB's approach to quality over the 2011/12 business plan period. We will focus on developing the analytical framework for deciding appropriate regulatory interventions in relation to quality assurance. This will be achieved by:

- developing a better understanding of quality risks in the legal services market
- producing a toolkit identifying the regulatory tools/interventions that could be used to ensure minimum quality standards and their pros and cons
- developing a framework for assessing risks to quality to enable targeted responses.

The Panel's advice on quality schemes will inform the development of the 'toolkit' of potential regulatory interventions. It would be helpful to have the advice by the end of November 2011, to enable it to be reflected in the LSB's overall work programme on quality assurance which we anticipate will be complete by the end of Q4 2011/2012.

Thank you in anticipation for the Panel's continued input to this important project.

Yours sincerely



Chris Kenny
Chief Executive

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