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From the Chief Executive

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Sent by email only to: OLCChair@legalombudsman.org.uk and
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Dear Elisabeth

Re: Scheme Rules Consultation

Thank you for sending us the Legal Ombudsman's Scheme Rules Consultation document. We welcome the opportunity to respond.

While we do not have any specific comments to make on the individual consultation questions, we do have some general observations that may assist, based on our own experience.

As previously mentioned, we welcome the steps that the Legal Ombudsman is taking to reduce the current backlog of complaints and improve customer journey times. Consumers deserve and expect a high standard of service from regulators, and we recognise that the team at Legal Ombudsman along with the OLC Board are working hard to improve the current situation.

We know from our own experience that there is a balance to be struck between issues of proportionality and expedience and the needs and expectations of those that make complaints. Several of the proposed changes that you set out go to the heart of this and will no doubt be at the centre of your deliberations as you consider the wider feedback from the consultation – including from complainants who will be directly impacted by the changes. As you know in many instances complainants are vulnerable and it's important that processes are fair and accommodate differing needs. For this reason we welcome your commitment to deliver a full equality impact assessment as part of your approach.

Some of the proposed scheme rule changes will lead to greater discretion in terms of decision-making. This is in line with our own direction of travel where we have brought forward some of our key decision-making stages within our complaint handling procedures. This has helped us to deliver a more proportionate response and improved the overall level of service, including resolving cases more promptly, where appropriate. Our experience of this change is that it has further emphasised the importance of transparent decision making and clear customer communications to fully explain our approach and reasons for our decisions.

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Public confidence in regulated legal professionals relies on customers being able to trust that when something goes wrong – whether that is poor service or serious misconduct - there are checks and balances in place. We will continue to work with you to make sure the public understands our respective roles, and to help maintain trust in legal services.

Finally, we note that suggested changes are backed up by evidence based from extensive pilots. We have similarly used pilots to test whether we can make our investigations processes more effective and efficient. Pilots offer reassurance that changes are evidence based and will work in practice.

I hope this provide some useful insights and will help shape OLC's consideration of the scheme rule changes, and the progression of your stage 2 review. I am of course happy to discuss further and look forward to hearing the results of your consultation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Philip', written in a cursive style.

Paul Philip
Chief Executive
Solicitors Regulation Authority