

Legal Ombudsman: Draft Strategy and Business Plan 2017-20

A response by CILEx Regulation

1 March 2017

Please see our comments below.

Question 1 - Do you agree with the analysis of the strategic drivers?

1. CILEx Regulation agrees with the analysis of strategic drivers and the strategic issues. In particular, we support and encourage work undertaken to:
 - Understand the rapidly changing legal services market;
 - Assist providers and regulators to help customers navigate the market and get value for money;
 - Extend protection from existing redress schemes to customers using 'unauthorised' providers;
 - Consider and cost enhancing the scope and enforceability of complaints handling regimes in the self-regulated sector.
2. CILEx Regulation welcomes the CMA's recommendation that the Ministry of Justice look at whether to extend protection from existing redress schemes to customers using 'unauthorised' providers. We support this move to extend consumer protection where members are providing a legal service for payment. The current system of redress for poor service through the civil courts is unfair and especially difficult for consumers who may be vulnerable.
3. We suggest that the LeO should explore how it can uniformly collect information about potential misconduct issues relating to unauthorised individuals who are regulated members. This information will be available already as it emerges from the LeO's investigations of other complaints. Further, we suggest that the LeO should explore how this information could be uniformly reported. This potentially supports the work that will derive from the SRA changing the balance between regulation of individuals and entities.
4. We welcome the LeO's commitment to increased stakeholder engagement and enhanced collaboration. Through such communication and collaboration, we will be able to share the LeO's learning from complaints and good practice about regulated members, which should lead to improvements in service and complaint handling for consumers. The LeO's proposed work to improve signposting to the LeO at the appropriate time has the potential for collaboration following on from the Client Care Letter research carried out by the legal regulators in 2016.
5. CILEx Regulation has an MoU with the LeO, underpinned by a recently updated Operational Protocol. We are committed to actively exchanging business data with the LeO as set out in this protocol to assist efficient working and mutual learning.

6. We note the need to deliver 15% efficiency by 2019-20 as part of the drive across the public sector to reduce costs, and we acknowledge that this drive has placed added pressure on publicly accountable organisations to continue to fulfil their role with limited funding. Although CILEx Regulation supports the LeO on budget reduction, and notes the sensitivity testing conducted against various scenarios, we would ask the LeO to consider carefully how efficiencies are achieved to avoid compromising the delivery of objectives and responsibilities.

Question 2 – Are the vision, mission and strategic objectives the right ones?

7. CILEx Regulation supports the vision, mission and strategic objectives set out in the strategy.

Question 3 – Are our planned activities the right ones to deliver our four proposed objectives?

8. Please see our comments under Q1.

Question 4 – Does the strategy strike the right balance between realism and ambition in maximising the impact of our scheme, modernising the organisation and the changing legal services landscape?

9. We agree that the strategy shows a realistic ambition on the part of the LeO.

Question 5 – Do you have any specific comments on our budget for 2017-18 and our business plan?

10. Please see our comment under Q1.