



Zahida Manzoor CBE
Commissioner



INVESTORS IN PEOPLE

**Office of the Legal Services Complaints
Commissioner**

26 FEBRUARY 2009

PRESS NOTICE

COMMISSIONER URGES COMPLAINTS PRIORITY DURING TRANSITION PERIOD

The Legal Services Complaints Commissioner, Zahida Manzoor CBE, has today set new targets for the Law Society's Complaints handling arm – the Legal Complaints Service (LCS) for the period 1 April 2009 to 31 December 2009.

During this transitional period for legal services, with the Boards of the Legal Services Board (LSB) and Office for Legal Complaints (OLC) recently appointed, the targets set by the Commissioner are designed to ensure that recent improvements in complaints handling performance are maintained.

Targets set by the Commissioner for LCS focus on the speed of complaints handling – in particular ensuring that 87% of complaints are resolved within 6 months and all complaints are concluded within 12 months – and control of work in progress levels to avoid backlogs or unnecessary delays developing.

Ms Manzoor commented:

“The transition period from one complaints handling body to another is a critical time for consumers. The LCS cannot afford for backlogs of complaints to build or for the progress it has made on the speed of handling complaints to

• Impartiality • Transparency • Efficiency • Effective remedy •

Appointed under the Access to Justice Act 1999 as an independent regulator working with the Law Society on behalf of the consumer to improve standards in complaints handling

slip at this point. Of course this needs to be achieved whilst retaining a focus on quality”.

The Commissioner has also made 5 key recommendations to the Law Society for how complaints handling performance in LCS and the Solicitors Regulation Authority (SRA) should be directed during this period.

The Commissioner stated:

“I have also recommended that the Law Society itself should take responsibility for ensuring that LCS provides a reasonable level of service to consumers during this transition period.”

The Commissioner will continue to independently monitor the performance of the LCS and SRA at this critical time.

The Commissioner concluded:

“During this final year of operation these targets and recommendations will help to ensure that for consumers the transition to the OLC is as seamless as possible.”

(Ends)

Notes to Editors

1. Ms Manzoor CBE was appointed Legal Services Complaints Commissioner (the Commissioner) in February 2004 in addition to her role as Legal Services Ombudsman (LSO). The Commissioner only has powers in relation to the Law Society of England and Wales.
2. The roles of the LSO and the Commissioner are distinct. The LSO examines the handling of individual complaints by the legal professional bodies on behalf of members of the public. The Commissioner examines the Law

Society's capability to handle complaints made about its members efficiently and effectively.

3. The Commissioner has the power under section 52 of the Access to Justice Act 1999 to set targets for complaints handling and make recommendations about the complaints system.
4. The Commissioner set targets on 27 February 2009 focusing on improving and sustaining timeliness and reducing the work in progress levels.
5. The targets set by the Commissioner for the period 1 April 2009 to 31 December 2009 are:
 - **Target T1** – LCS to investigate and conclude at least 87% of cases within 6 months of receipt.
 - **Target T2** – LCS to investigate and conclude 100% of cases within 12 months, apart from in exceptional circumstances.
 - **Target T3** – LCS to maintain work in progress levels at 3,445 by 31 December 2009
6. The recommendations made by the Commissioner for the Law Society in relation to complaints handling by the Legal Complaints Service (LCS) and the Solicitors Regulation Authority (SRA) for the period 1 April 2009 to 31 December 2009 are as follows:
 - **Recommendation R1** - The Law Society is responsible for delivery of the LCS complaints handling plan. It should ensure that it has sufficient and adequate systems and processes in place to monitor and evaluate LCS performance against this plan on a monthly basis. The Law Society should ensure that quality is maintained, whilst closely monitoring intake, closures and LCS resource levels with a view to taking early action as appropriate.
 - **Recommendation R2** - The Law Society should ensure that the LCS measurement of its quality target is based on a representative sample of cases as now, and NOT as a sample of file reviews as stated in the LCS plan.
 - **Recommendation R3** - The Law Society should ensure that the LCS continues to aim for the current Legal Services Ombudsman (LSO) target set by the Commissioner for 2008/09, and that 78% or more of referrals to the Legal Services Ombudsman result in the LCS handling of the case being upheld.
 - **Recommendation R4** - The Law Society should ensure that LCS takes action to reduce the ratio of support staff against operational staff within its organisation more in line with the 15% - 25% of support staff shown in the benchmarking figures identified in the PA Consulting Report, 'Designing the Office for Legal Complaints' dated 28 March 2008, rather than the 43% of support staff it proposes in its plan.

- **Recommendation R5** – Although I have decided not to set targets for SRA, I would recommend that the Law Society encourages it to aim to investigate and conclude, prepare fully and lodge with the Solicitors Disciplinary Tribunal, all cases within 12 months. This would be an improvement on the current target of 18 months, which SRA should maintain as a maximum. This would be in the interests of those who have made a complaint by seeing action taken sooner; reduce the possibility of the solicitor repeating the problem with other clients; and benefit the solicitor, who at present is waiting too long before their case is determined, and as a consequence, is unable to move forward and learn from the experience.
7. Additional information on the targets and recommendations and text from the letter from the Commissioner notifying the Law Society are available on the Commissioner's website www.olsc.gov.uk
 8. For enquiries please contact Marie Craven, tel: 0113 2615446.

ENDS