

**The Legal Services
Complaints Commissioner's
summary of the
Law Society's progress against its
Client Care Programme**

**Summary of progress and
activity as at September 2009**

THE LAW SOCIETY'S CLIENT CARE PROGRAMME

Background

In June 2008 the Legal Services Complaints Commissioner announced that she would be imposing a penalty of £275,000 on the Law Society following her decision to declare the complaints handling plan submitted by the Law Society for the period 1 April 2008 to 31 March 2009 as inadequate.

On 4 March 2009, following a number of detailed discussions with both the Law Society and the Ministry of Justice, the Commissioner and the Law Society announced that they had reached a regulatory settlement whereby the monies will now be devoted to a range of Client Care measures costing £275,000, designed to promote diversity and excellence in the profession and to improve standards of client care and complaints handling.

Agreed measures

The measures agreed by the Commissioner and the Law Society include:

- **Project 1** - the Law Society committing £100,000 to establish a Consultancy Service, which will involve the recruitment and training of over 20 consultants nationally. These consultants will work with around 200 firms identified as needing support and information on best practice in client care and complaints handling, and will evaluate and monitor firms' progress as they implement the necessary changes.
- **Project 2** - the Law Society will also launch a dedicated client care and complaints handling helpline, which will involve taking over the Legal Complaints Service (LCS) telephone helpline for solicitors (Lawyerline) and relocating it to its own Helpline team, staffed by solicitors. The Law Society has committed £30,000 to recruit additional resource, train the existing team and launch the new complaints helpline.
- **Project 3** - the Law Society will provide additional funding to the Solicitors' Diversity Access Scheme. With the support of the Law Society Charity, the Solicitors' Diversity Access Scheme is able to award scholarships to a number of students to enable them to undertake courses leading to qualification as a solicitor. The Law Society will make an additional £105,000 to fund two additional places per year for five years on its Diversity Access Scheme.
- Recruiting a Client Care Project Manager at a cost of £40,000, who will be responsible for overseeing the range of measures agreed, providing project plans and reporting to the Commissioner on a quarterly basis on progress and expenditure under each programme of agreed measures.

The Commissioner's summary of progress and activity as at September 2009

The Law Society has provided the following update to the Commissioner giving details of the activity it has undertaken against each project during Quarter 3 (July - Sept 2009).

Project 1 – Client Care Consultancy Service

The Law Society has reported to the Commissioner that, during this quarter:

All 200 firms identified as being within the scope of the initiative have received invitations to participate. Responses have been as follows:

- 86 firms have accepted the offer of assistance
- 3 firms are currently considering the offer
- 4 firms have declined the offer
- 7 firms have been removed from the scope of the initiative due to closure / intervention / fraud warnings

Of the 86 firms that have thus far accepted the offer:

- 72 visits have been designed and are booked with a consultant
- 14 visits are at the design stage with the client care manager

These 86 firms between them generated a grand total of 1,353 complaints, remuneration certificate applications and enquiry files with LCS in the period 1 April 2008 to 31 March 2009.

Of the 72 visits that have been booked:

- 14 have already been completed
- 4 have been partially completed
- Remainder are due to be completed by the end of December

Three complaint handling presentations have been organised for the Halifax, Cambridge and Lancaster local law societies for delivery by client care consultants in Oct / November.

Feedback from firms contacted has been overwhelmingly positive. Firms have recognised the value of talking to client care experts in a confidential, non regulatory environment and have been very open in discussing their issues. No firm has questioned the role of the Law Society in using complaints data to contact them and to deliver assistance in this way.

Client Care manager has received a number of positive comments about the value and relevance of the support package to firms. Feedback on the outcome of visits and the quality of the consultants and materials has also been very good.

Visits drill down into considerable detail and deliver specific action plans for the firms. Feedback from visits is being collated to inform Law Society of the issues that these firms are facing in delivering better client care. For example one firm has requested that the Law Society produce a Practice Note on handling clients who have mental health issues.

Progress over the next quarter:

Regional Managers have been in contact with some of the remaining firms who are yet to respond in order to encourage take up of the service. All of the remaining firms will be sent a third and final letter in October to remind them that they are still eligible to take up the offer.

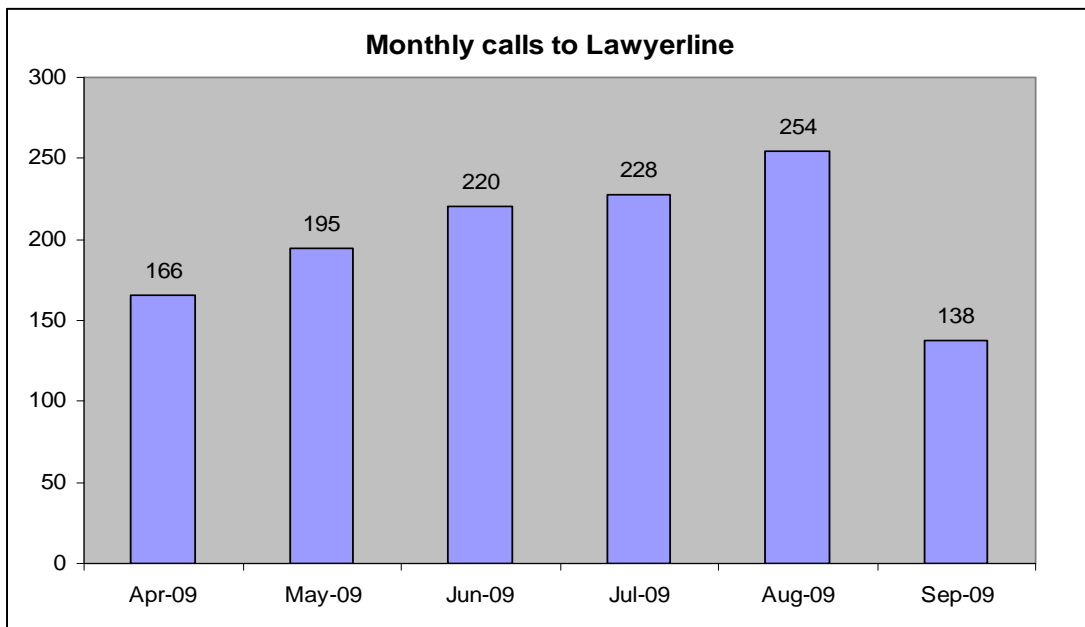
Expenditure during Quarter 3

Completed visit costs = £2,970

Project 2 - Client care and complaints handling helpline

The Law Society has reported to the Commissioner that:

Lawyerline has continued to receive a monthly increase in calls during the second quarter of operation under the Law Society. Call statistics are as follows:



Report has been prepared mid September & therefore does not include complete call numbers for the month of September

Calls to Lawyerline significantly peaked during mid August following introduction of the Solicitors' (Non-Contentious Business) Remuneration Order 2009. Solicitors telephoned to seek advice in relation to amending their bills and information they were providing to clients about the Remuneration Certificate process, as well as seeking advice on how to respond to complaints about bills that were issued after 11 August 2009.

Lawyerline statistics record an increase level of solicitors who are contacting the service at an early stage of the client complaint. Consequence being that more solicitors are endeavouring to resolve complaints through their internal complaints procedure and avoid an investigation by the Legal Complaints Service.

The Law Society's marketing and awareness campaign of Lawyerline has continued during the second quarter and has included:

1. **Helpline call cards:** Quality wallet size information cards have been distributed to over 3,500 newly admitted solicitors at the Admissions Ceremonies which display Lawyerline details.
2. **Education:** News article appeared in the summer 2009 edition of 'Solo', (the Sole Practitioner Groups journal) which addresses issues faced by sole practitioners when dealing with client complaints. A further news article is due for publication late Sept 2009 in the Law Society's Legal Compliance Bulletin providing advice and tips for solicitors in responding to complaints about costs.
3. **Direct contact:** The Lawyerline solicitor has been meeting face-to-face with solicitors at Law Society events (such as anti-money laundering conferences) during this quarter to promote Lawyerline and increase awareness of the service.

Expenditure during Quarter 3

Lawyerline costs - £12,559

Project 3 - Diversity Access Scheme

The Law Society has reported that:

96 applications to the Diversity Access Scheme were received in total of which 24 were short listed and invited to interview with the selection panel at Chancery Lane.

12 places were finally awarded following the interview, 2 of which were met through the ring fenced funds as agreed with the Legal Services Complaints Commissioner (£21,000).

In all cases, those awarded places through the scheme were selected on the basis that they not only demonstrated through their written application and during interview potential as a solicitor, but would not have been able to undertake the LPC without assistance from the scheme.

A formal awards ceremony will take place on 7 October, which will also mark the launch of a fundraising campaign by the Law Society Charity to raise £250,000 for additional places on the scheme.

Expenditure during Quarter 3

Two scheme places = £21,100

Recruiting a Client Care Project Manager

The Law Society has reported to the Commissioner that a full time Client Care Manager has been seconded into the role to manage delivery of the programme.

Cumulative costs summary for the Client Care Programme – January to Sept 2009

Consultancy Services	£11,245
Client Care Helpline	£19,670
Diversity Access Scheme	£21,100
Client Care Manager	<u>£30,350</u>
Total expenditure to January to September 2009	£82,365