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Commissioner



INVESTORS IN PEOPLE

**THE LAW SOCIETY'S  
PERFORMANCE & PROGRESS AGAINST THE  
TARGETS & PLAN  
DURING THE PERIOD  
1 APRIL 2006 TO 31 MARCH 2007**

**SUMMARY FOR JULY 2006**

• 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

## **MY AIM**

My aim, as Legal Services Complaints Commissioner, is to regulate the Law Society to help ensure that it handles complaints about its members effectively and efficiently.

## **MY APPROACH**

In order to focus the Law Society on key areas for improvement, I requested that it provide a plan showing how it would deliver performance improvements in its complaints handling system and processes over the period 1 April 2006 to 31 March 2007. In relation to the Law Society's performance, I set targets in three key areas. These were:

- **Timeliness** – to improve the speed with which complaints are handled by the Law Society;
- **Quality of decisions** – to improve the quality of complaints handling by the Law Society; and
- **Delivery of the Plan** – to implement the agreed plan for complaints handling.

The Law Society has agreed to the targets I have set and has included these within its Complaints Handling Plan for the period 1 April 2006 to 31 March 2007.

## **LAW SOCIETY'S COMPLAINTS HANDLING OPERATION**

The Law Society handles complaints about solicitors concerning service or conduct issues, from consumers or third parties.

For the purpose of this report, "complaints" includes both complaints in which solicitors' clients seek redress, and complaints about solicitors' conduct, whether made by solicitors' clients or by third parties. The term "complaint" does not include enquiries, these are where the Law Society provides information, clarification, or an explanation of jurisdiction. These are counted separately.

The Consumer Complaints Service (CCS) is the part of the Law Society responsible for handling the majority of client related redress complaints made against solicitors in England and Wales. The work of the CCS is delivered through two business units, Customer Service and Service Excellence.

The Conduct, Assessment & Investigation Unit (CAI) is the part of the Law Society responsible for dealing with client and non-client conduct complaints.

Further details of the Law Society's complaints handling organisation and details of its complaints handling Plan for the period 1 April 2006 to 31 March 2007 can be found on the Law Society website [www.lawsociety.org.uk](http://www.lawsociety.org.uk)

## **SUMMARY OF THE LAW SOCIETY'S PERFORMANCE**

In this summary report I have provided information to show how the Law Society is performing against each of the target areas included within its Complaints Handling Plan for the period 1 April 2006 to 31 March 2007.

Throughout the year I will be closely monitoring the Law Society's performance to assess the level of improvement made for handling complaints for the consumer.

## Summary of Law Society performance and progress against its targets and Plan during the period 1 April 2006 to 31 March 2007

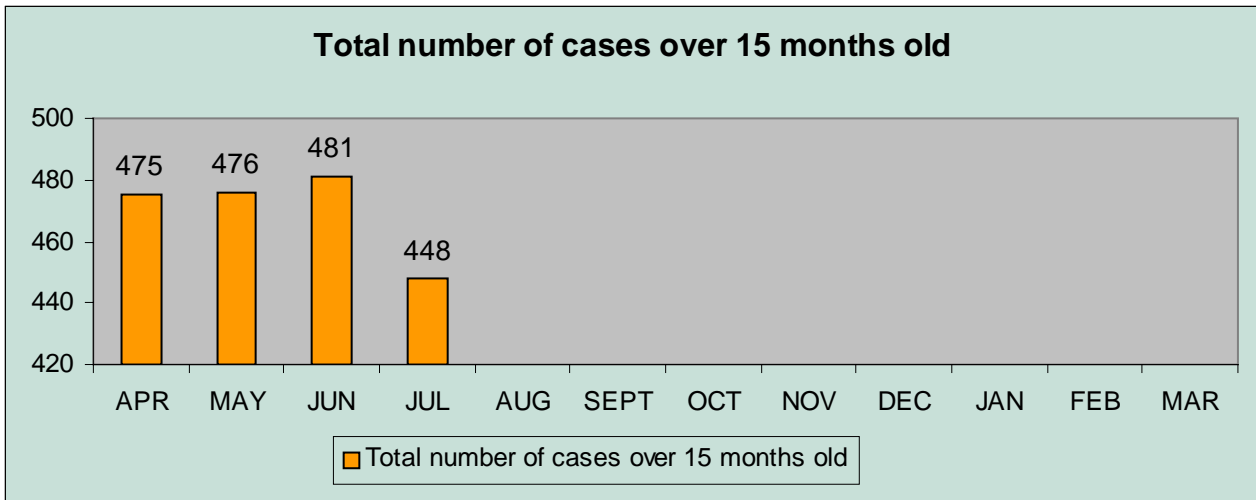
During the period from 1 April 2006 to 31 July 2006, the Law Society's complaints handling service:

- reduced its caseload by 6.4% (384 cases), from 5,985 at the end of March 2006 to 5,601 by the end of July 2006;
- received 5,855 new complaints, 13.5% below its forecast of 6,773;
- closed 6,239 complaints, 9% below its forecast of 6,850;
- reduced the number of its over 18 month old cases from 338 at the end of March 2006 to 290 at the end of July 2006;
- reduced the number of its over 15 month old cases from 486 at the end of March 2006 to 448 at the end of July 2006;
- year to date performance (April to July 2006) shows the Law Society is achieving 57% of cases closed within 3 months;
- 3,535 cases were closed within 3 months during April to July 2006, compared to 3,246 cases closed within 3 months during April to July 2005 (53%);
- is not meeting the 94% timeliness target for cases closed within 12 months. Year to date performance (April to July 2006) shows it is currently achieving 93% of cases closed within 12 months;
- year to date performance (April to July 2006) shows the Law Society is not meeting its 73% quality of decisions performance target. Year to date performance shows it is currently only achieving 67%;
- 338 cases satisfied the requirements of the Legal Services Ombudsman during April to June 2006 compared to 356 cases during the same period in 2005-2006;
- is reporting an 7.9% underspend against its forecasted budget of £12,012m.
- is reporting a shortfall in its staffing of 8.9 Full Time Equivalents (2.1%), against a Law Society forecast of 427.76.

## **TIMELINESS TARGETS**

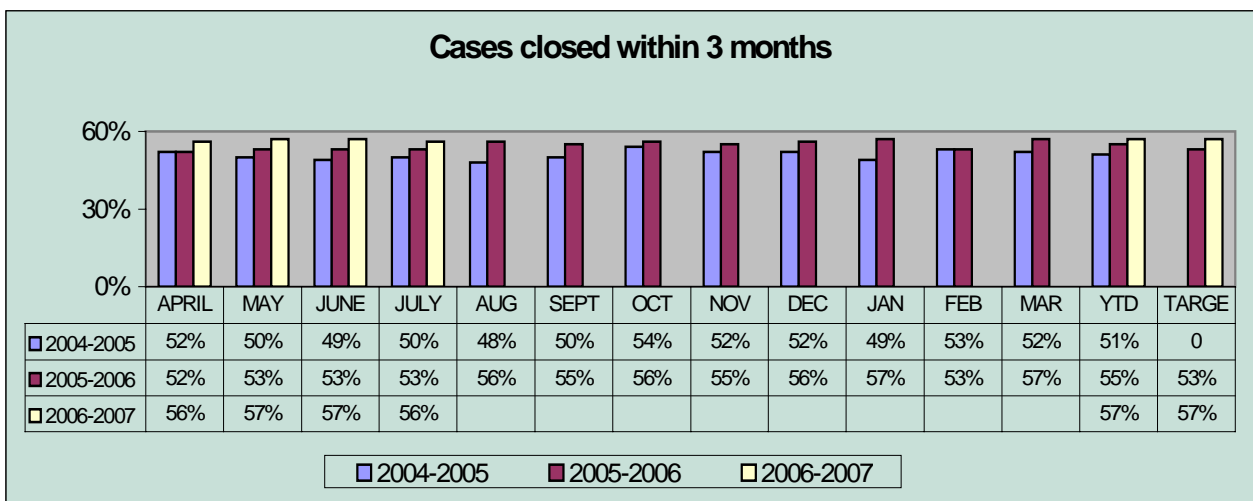
In terms of timeliness I want the Law Society to improve the speed with which complaints are handled. I therefore set the following timeliness targets.

**Target T1 – Number of live cases open for 15 months or more - By the end of March 2007, there will be no more than 65 cases in the live caseload (all open cases) that have been open for 15 months or more.**



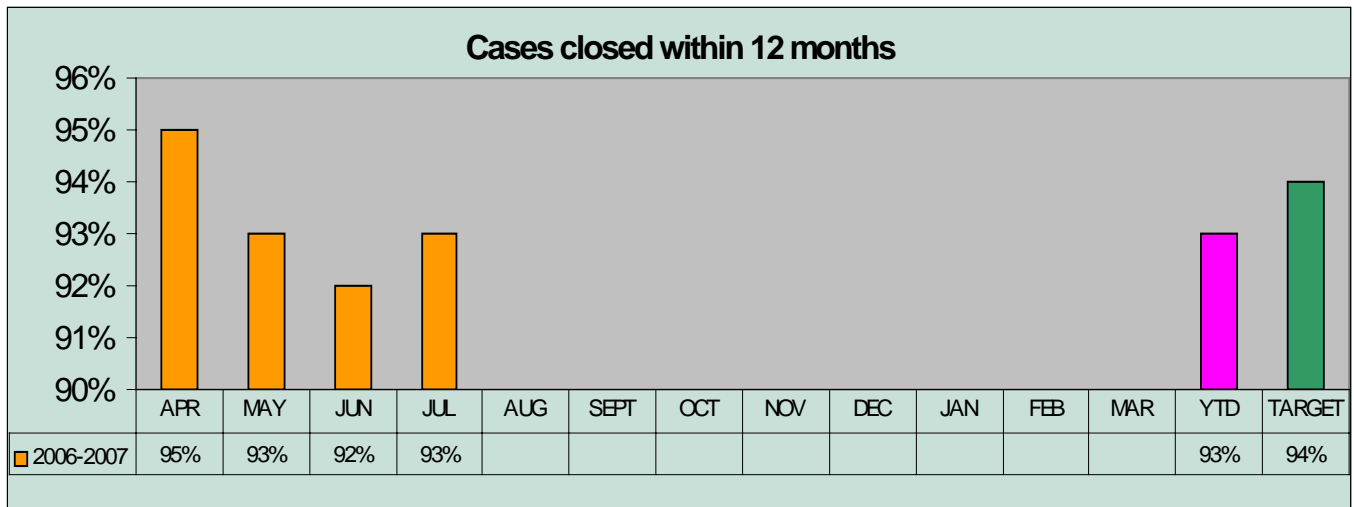
- At the beginning of the plan year April 2006 the Law Society had 486 cases, which had been open for 15 months or more. By the end of July 2006 there were 448 cases over 15 months old. Of these 448 cases, 290 cases are over 18 months old.

**Target T2 – Age profile of cases closed - 57% of complaints closed on or after 1 April 2006 and on or before 31 March 2007 are closures within 3 months of opening.**



- 289 more consumers had their cases closed within 3 months during April to July 2006 than compared to the same period in 2005-2006.

**Target T2 – Age profile of cases closed - 94% of complaints received on or after 1 April 2005 and on or before 31 March 2006 are closed within 12 months of opening.**



- During April 2004 to March 2005 88% of cases were closed during 12 months.
- During April 2005 to March 2006 91% of cases were closed within 12 months against the Commissioner’s Target of 92%.

### **QUALITY TARGETS**

The Law Society needs to improve the quality of its complaints handling. I therefore set the following quality targets.

**Quality Target Q1 – Special Payments - Of those cases audited by the Commissioner’s Office, 80% or more of cases closed after 1 April 2006 and aged 6 months or over, consideration and/or award of special payment will be in line with the relevant special payment policy guidance and evidenced on the file.**

**Quality Target Q2 – Acknowledgement of complaints - Of those cases audited by the Commissioner’s Office, 80% of substantive responses provided between 1 April 2006 and 31 March 2007 will be within 55 calendar days of receipt.**

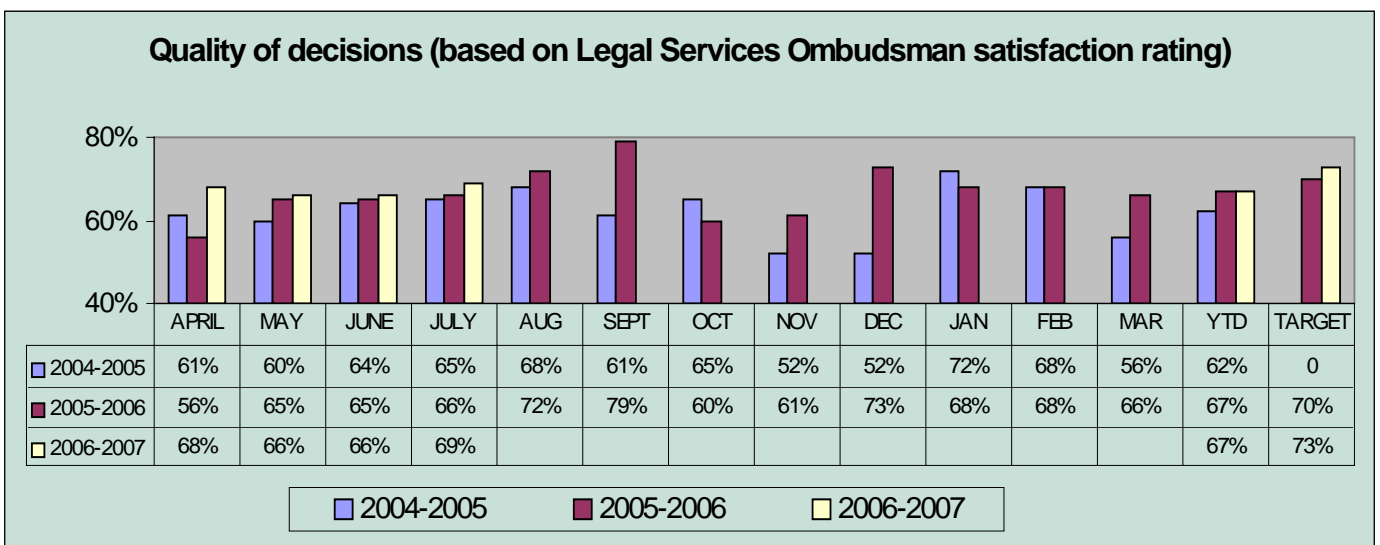
**Quality Target Q3 – Number of times contact not made at least every 30 days - For redress matters, of those cases audited by the Commissioner’s Office, 80% or more of consumers are contacted at least every 30 days following the first substantive response. For matters handled under the Informants’ Protocol, of those cases audited by the Commissioner’s Office, 80% or more of informants with an interest will be updated at either key stages of the investigation or 30 days where requested by a consumer.**

**Quality Target Q4 – Guidance - Of those cases audited by the Commissioner’s Office, in 80% or more of cases where the matter progresses to conciliation or reasonable offer made (ROM) on or after 1 April 2006, the Law Society will share, at an appropriate stage, the indicative awards guidance and ROM guidance with the consumer and solicitor.**

**Quality Target Q5 - Heads of complaint - Of those cases opened after 1 April 2006 and audited by the Commissioner's Office, in 95% or more of cases, heads of complaints are correctly identified and addressed during confirmation to the consumer.**

- Findings from my Office's audits against each of the quality target areas Q1 – Q5 will be available during December 2006, once the indicative performance audit covering the first 6 months performance is concluded.

**Quality Target Q6 – Quality of Decisions (based on LSO satisfaction rating) - In 73% or more of referrals to the Legal Services Ombudsman (LSO) the LSO upholds the handling of the case by the Law Society.**



- Year to date quality of decisions performance for 2006-2007 shows the Law Society is only achieving 67%, 6 percentage points down on the Commissioner's target for 2006-2007.
- 338 cases satisfied the requirements of the Legal Services Ombudsman during April to July 2006 compared to 356 cases during the same period in 2005-2006.

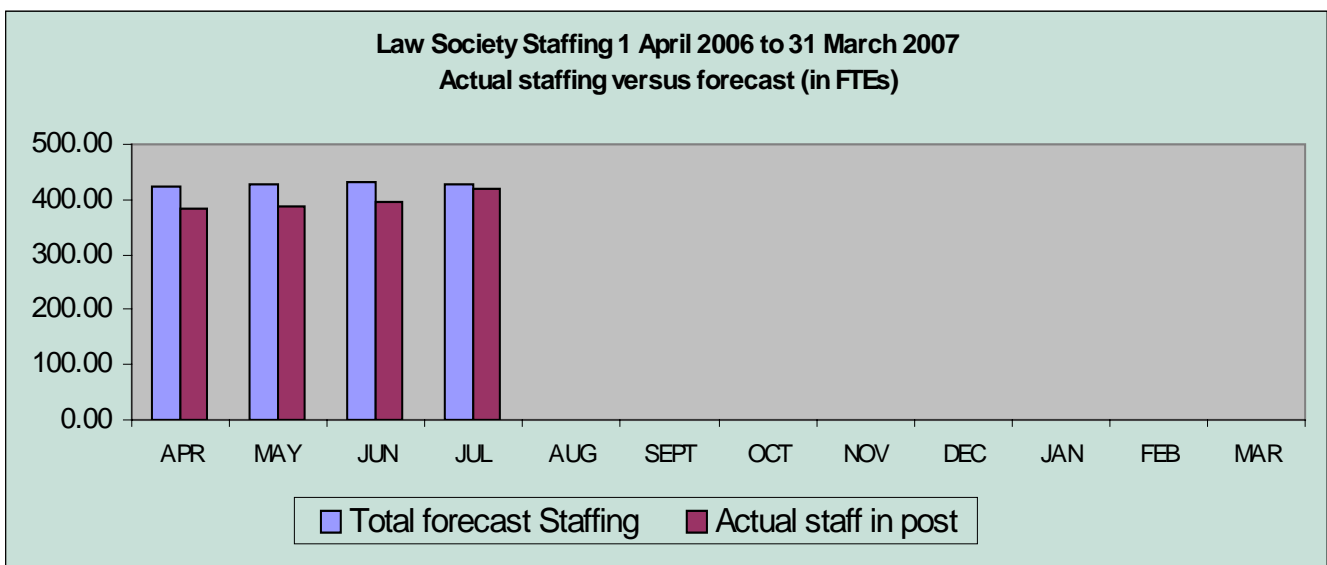
## **DELIVERY OF THE PLAN TARGETS**

In terms of delivery I want the Law Society to implement the agreed complaints handling plan. I therefore set the following targets.

**Plan Target P1 - Delivery of the Plan - Unless varied by agreement with the Commissioner, the Plan will be delivered by fully utilising the total budget as set out in the Complaints Handling Plan for 2006-2007. A tolerance band of -10% against the budget will be allowed.**

- The Law Society reports that its budget for complaints handling for the period 1 April 2006 to 31 March 2007 will be £36,057 million. It reports that this will be split into 12 equal parts for each of the 12 months in the Plan year.
- Budget information provided by the Law Society shows that its actual expenditure for the period April to July 2006 was £11,065m, £947,000 (7.9%) below its own forecast spend of £12,012m.

**Plan Target P2 - Delivery of the Plan - Unless varied by agreement with the Commissioner, the Plan will be delivered by utilising resources as set out in the Complaints Handling Plan for 2006-2007. A tolerance band of -10% against the total resources will be allowed.**



- In July 2006 the Law Society reported that it had a total staffing budget of 427.76. 57.2 staff within the Conduct Assessment & Investigation Unit, 326.8 staff within the Customer Service and 43.76 staff within its Service Excellence team.
- By the end of July 2006 the Law Society reported there were only 418.77 staff in post, a shortfall of 8.9 (2.1%). Of the 8.9 shortfall, the Law Society reported a shortfall of 4.09 staff within the Conduct Assessment & Investigation Unit, 0.1 staff within the Customer Service and a shortfall of 4.79 staff within its Service Excellence team.

**Plan Target P3 - Delivery of the Plan - Unless varied by agreement with the Commissioner, the priority initiatives to support the delivery of the Law Society's Complaints Handling Plan for 2006-2007 will be achieved to time and cost in accordance with the Plan, meet all milestones declared in the Plan and deliver the stated objectives and benefits.**

- The Law Society has provided a monthly progress report with details of the Projects and initiatives that it is taking forward in 2006-2007.
- Monitoring of these Projects and initiatives by my Office is now underway.

**Plan Target P4 - Delivery of the Plan - Unless varied by agreement with the Commissioner, progress against the Law Society's Complaints Handling Plan for 2006-2007, targets and supporting Key Performance Indicators, will be reported to the Commissioner's Office in line with the timescales agreed with the Commissioner.**

- During the period April to July 2006 my Office received the monthly Management Information reports by the agreed deadlines.