



Zahida Manzoor CBE
Commissioner

PRESS NOTICE

3 April 2006

LAW SOCIETY PLAN AIMS TOO LOW FOR CONSUMER

The Legal Services Complaints Commissioner, Zahida Manzoor CBE, today announced that she has declared inadequate the Law Society's final Plan for securing effective and efficient complaints handling for the period 1 April 2006 to 31 March 2007.

Ms Manzoor said:

"I am very disappointed to have to declare this Plan inadequate, particularly after the joint working that has taken place between my office and the Law Society to have the Plan ready for the start of April. Unfortunately, I have been left with no option as the Plan neither includes all the targets I set, which I believe to be reasonable, nor does it aim to deliver sufficient improvements in complaints handling which consumers and practitioners expect and deserve."

Speaking about the Plan, the Commissioner said:

"How can I be assured that improvements will be made if the Law Society has still not identified what action it needs to take to deliver those improvements? The Law Society is too quick to rely on increasing its budget and resource as the main way of improving its service rather than considering how it can improve its efficiency."

The Commissioner reported that the Law Society has failed to include all of the targets she has set in its Plan. For example, the Law Society failed to include the target set by the Commissioner to write to a complainant with confirmation of the issues raised in their complaint within 60 days for all new cases from 1 April 2006. The Commissioner said:

“The audit conducted by my office in September 2005 identified that some consumers were waiting on average 3 months before receiving written confirmation of the issues raised in their complaint. I made it clear at the time that this level of service was unacceptable for the consumer and that improvements were necessary. I therefore set the target at 2 months, which, although a start, is still too long in my opinion. It would, however, be seen by many complainants as a marked improvement.”

Finally, the Commissioner added:

“I said that the Law Society’s Plan last year, covering the period 1 April 2005 to 31 March 2006, was the first step towards it becoming an effective and efficient complaints handling organisation. The Law Society is in danger of slowing down this progress. I am urging it to be more ambitious in considering how it can improve its service for consumers.”

The Commissioner now proposes to proceed to consider whether to impose a penalty and, if so, in what sum.

NOTES TO EDITORS:

1. Ms Manzoor was appointed Legal Services Complaints 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. Ms Manzoor was reappointed as both Commissioner and LSO for a period of three years in March 2006.
2. The roles of the LSO and the Commissioner are distinct. The LSO examines the handling of individual complaints by the 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 to require the Law Society to provide information on how it deals with complaints, to make recommendations about the complaints system, to set targets for complaints handling, and require the Law Society to submit a plan for improved complaints handling. In addition, the Commissioner has the power to levy a penalty on the Law Society if it fails to deliver an adequate plan or fails in the delivery of that plan.
4. On 30 September 2005 the Commissioner formally requested from the Law Society a Plan which would set out how it would deliver improvements in its complaints handling service in the period 1 April 2006 to 31 March 2007. The Commissioner also set targets covering the areas: quality of decisions, timeliness and implementation of its Plan.
5. The Law Society handles both enquiries and complaints. The Commissioner's current targets cover formal written complaints as this is the area which requires the greatest improvement. The Law Society is likely to receive over 20,000 of these complaints between 1 April 2006 and 31 March 2007.
6. The targets set by Commissioner include:

Improving the speed with which complaints are handled by the Law Society

By the end of March 2007, to have no more than 20 cases in the live caseload (all open cases) that have been open for 15 months or more.

Improving the quality of complaints handling by the Law Society

Of those cases audited by OLSCC, 80% or more of complaints receiving a substantive response on or after 1 April 2006 are within 60 calendar days of receipt (as identified from the date of the substantive response). (Substantive is defined as: at the point the substantive response is made, it accurately reflects all consumer issues, which are known at that time, specific to the consumer's circumstances and serves to progress the matter).

Of those cases audited by OLSCC, 80% or more of consumers are contacted at least every 30 days during the life span of the case (Contact is defined as a telephone call, letter, email, fax and face-to-face that updates the consumer and progresses the matter. For those cases carried over at 1 April 2006, the life span of the case will be counted as any period from 1 April 2006).

73% or more of referrals to the Legal Services Ombudsman in which the LSO upholds the handling of the case by the Law Society.

Implementing the Law Society's agreed Plan

The total budget to support the delivery of the Law Society's 2006/07 complaints handling Plan is fully utilised in accordance with the Plan.

Priority initiatives to support the delivery of the Law Society's 2006/07 complaints handling Plan are delivered to time and cost in accordance with the Plan, and meet all related milestones and benefits to be realised.

7. The Law Society's final Plan, submitted to the Commissioner on 10 March 2006, did not include all of the targets which the Commissioner set.
8. The Access to Justice Act 1999 sets out what the Commissioner must do before deciding on a penalty. The maximum penalty that can be imposed is the lower of £1 million and 1% of the annual income of the Law Society.
9. For enquiries please contact Janice Revill, tel: 0113 2615449.

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