

**Office of the Legal Services Complaints
Commissioner**

Our Business Plan

2008-2009

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Commissioner's foreword

I am pleased to present the Office of the Legal Services Complaints Commissioner (OLSCC) Business Plan 2008-2009. The plan states our high level objectives for the next twelve months and describes how we will achieve them.

With the Royal Assent of the Legal Services Act 2007, the 2008-2009 year brings new challenges and opportunities to the work of my Office, as the Legal Services Board (LSB) and Office for Legal Complaints (OLC) begin to be established. I want to work closely with the Professional Bodies, MoJ, the LSB and OLC as they develop their scheme rules. As the regulator of the largest professional body in England and Wales, the Law Society, my Office is uniquely placed to help the LSB and the OLC in this phase of their development.

My Office has worked closely with the Law Society's Legal Complaints Service (LCS) and Solicitors Regulation Authority (SRA) to achieve improvements in the way they handle complaints. Over the coming year these productive relationships will continue to be integral to identifying further improvement and in informing the setting of future targets to ensure they:

- Reflect appropriately the Law Society's complaints handling business, and
- Bring about the necessary improvements and standards in complaints handling for the consumer and the profession.

2008-2009 marks, for the Law Society, its fourth year towards achieving an improved complaint's handling service. The pace of improvement so far has been slower than expected and performance, particularly in relation to quality, has been inconsistent. A key priority for my office in 2008-2009 will be to ensure improvements in quality and value for money in LCS and SRA. LCS performance must improve quickly to ensure that it's complaints handling is in the best possible position when it closes so that its legacy work can be handed over effectively to the new OLC.

Another key priority for 2008-2009, in anticipation of the creation of the OLC and LSB, is the development of a transition plan for my Office and staff. OLSCC is an Associate Office of the Ministry of Justice (MoJ) and the development of the transition plan needs to be in conjunction with it. When developed, this plan will consider strategically the work of the OLSCC as the reforms under the Legal Services Act 2007 progress. I am keen to ensure that the skills and experience of my staff are recognised and, where appropriate,

utilised by MoJ during this period, and that they are supported effectively through this transition.

I look forward to the challenges that this will bring in the year ahead.

Zahida Manzoor CBE



Legal Services Complaints Commissioner

The Commissioner's role and powers

The role of the Commissioner

The Statutory role of the Commissioner, as an independent regulator of the Law Society (TLS) of England and Wales, is to bring about improvements in TLS's handling of complaints about its members.

The powers of the Commissioner

The Lord Chancellor and Secretary of State for Justice, has given the Commissioner all the powers available under section 52 of the Access to Justice Act 1999. The Commissioner is accountable to Parliament through her Annual Report, in which she details her assessment of the Law Society's performance. In relation to complaint handling by the Law Society the Commissioner has powers to:

- require information;
- investigate complaints handling;
- make recommendations;
- set targets for the Law Society;
- require plans; and
- impose a penalty.

The Commissioner has requested an improvement Plan, covering the period, 1 April 2008 to 31 March 2009, from the Law Society on how it will improve its complaints handling. The Commissioner and her staff will hold monthly and strategic quarterly meetings with the Law Society's LCS and SRA to assess progress. The meetings will be held to help ensure that the Law Society is acting in accordance with its Plan and making the anticipated improvements. The monthly statistical information provided by the LSC and SRA is available on the OLSCC website.

Our mission, vision and values

Our mission

Our mission is to regulate the Law Society, to help ensure that it handles complaints about its members effectively and efficiently, providing consumers with a fair, prompt, quality service.

We will do this by positively influencing and supporting the Law Society, and work fairly, openly and honestly with it and all our stakeholders, as an organisation committed to quality and with the consumer and practitioner's needs informing the scope of our business.

Our vision

Our vision is:

- of a Law Society complaints process that provides a fair and prompt quality service to the consumers of legal services, and
- to be an organisation that consumers, stakeholders and our staff can have confidence in and be proud of.

Our values

We shall:

- ensure that we are independent and impartial in our decisions, working with honesty, integrity and fairness;
- ensure we are a quality employer, supporting professional development and training to help staff meet business goals and objectives;
- have a culture that is open, builds trust, and encourages personal responsibility; and
- ensure that the interests and diversity of all those we work with are respected.

Our Stakeholders

We acknowledge that the following groups of people have an interest in our work and its outcomes:

- **consumers**, who use legal services, organisations that represent them, and the general public who may be future users of legal services or affected by the way legal services are delivered,
- **the Law Society, the LCS and SRA, and Law Society members**, who have a role in regulating and delivering legal services,
- **other professional bodies and their members**,
- **Parliament**, to whom we are accountable, through the laying of the Annual Report by the Lord Chancellor and Secretary of State for Justice,
- **other related organisations**, such as other regulators and ombudsman services with whom we co-operate and share good practice,
- **staff**, in MoJ and those working in the OLSCC on whose skills, knowledge and experience we rely,
- **our Advisory and Consumer Board** which supports us in setting targets for the Law Society's complaints handling, and assists in the assessment of complaint handling plans of the Law Society,
- **OLC and LSB**, as they develop following the introduction of the Legal Service Act 2007.

Our strategic objectives

OLSCC will continue to work closely with the Law Society, LCS and SRA in 2008-2009 to help ensure that further improvements are made in their complaints handling process to benefit both consumers of legal services and the legal profession.

We aim to:

- be guided by the principles of the Better Regulation Executive¹ and be proportionate, accountable, consistent, transparent and targeted in the service we provide to the Law Society, and to always give full reasons for our decisions;
- ensure that we are aware of the views of all who have an interest in our work, allowing them to have their say;
- commit to evidence based analysis and constant interaction with those interested in our work;
- work with and monitor the LCS and SRA's performance in complaints handling and to take action, where necessary, to protect the interests of consumers and other stakeholders; and
- ensure that we deliver high quality and good value by assessing our performance against comparable organisations.

Supporting objectives

The MoJ has six strategic objectives². These objectives are:

SO1 To reduce re-offending and protect the public

SO2 To promote justice

SO3 To provide access to justice for all

SO4 To increase confidence in the justice system

SO5 To uphold people's human, information and democratic rights

SO6 To safeguard and modernise our constitution.

As an Associate Office, we support these objectives to improve the focus on the needs of the public and we will ensure our work helps to support the achievement of them. In particular, through our role as an independent

¹ The Better Regulation Executive is part of the Department for Business, Enterprise and Regulatory Reform (BERR).

² The MoJ Strategic Objectives were published in 'Justice – a new approach' on 9 May 2007.

regulator, we will work with the Law Society to improve standards in complaints handling to increase:

- access to justice; and
- confidence in the justice system.

Our Priorities and Objectives for 2008-2009

The focus for 2008-2009 will be to take further steps towards achieving an effective and efficient complaints handling service by the Law Society. We will continue to influence the performance of the Law Society's LCS and SRA to bring about improvements in the way they handle complaints. We will also play an active role in informing and supporting the development of the new legal bodies, LSB and OLC, which flow from the legal reforms.

Objective 1

Delivery of Law Society improvements

We will continue to encourage delivery of improvements that are results focused and are what consumers and the profession should reasonably expect from a complaints handling system. To achieve this, our relationship with the Law Society, LCS and SRA will continue to be productive, and maintain the focus on moving closer toward an effective and efficient Complaints Handling Service ensuring:

- an increased quality of process and outcome;
- improved and sustained levels of timeliness; and
- value for money, with initiatives that support overall business improvement.

Objective 2

Provide an independent assurance service and inform improvements in Law Society services

We will provide the Commissioner with independent assurance and verification when assessing Law Society performance and supporting the Commissioner's recommendations.

We will provide an evidence base of performance and, through analysis and audit, use this evidence to identify specific areas for improvement and suggest and inform improvements and recommendations.

Objective 3

Transition Planning

We will develop and implement a transition plan for the organisation and its people that supports staff and ensures that OLSCC can continue to meet business objectives during the transition period.

We will help to inform the development of the LSB and the OLC, supporting transition into these organisations. To achieve this, we will help work closely with the MoJ and the boards of the LSB and OLC when appointed.

Objective 4

Budget and internal controls

We will produce fully audited annual accounts by the end of June following the end of the accounting year that show financial performance against the forecasts.

In July 2008, we will publish the accounts on our website and in our Annual Report for 2007-2008, to make them available to consumers and our stakeholders.

Objective 5

Communications

We will inform interested parties of our work and the progress made by us to improve legal complaints handling by the Law Society's LCS and SRA, and raise awareness of our role and the service we perform.

We will put up-to-date accurate information in the public domain about the complaints handling performance of the Law Society to help ensure that consumers and the legal profession are informed regularly about the service they receive.

Customers and the Community

Consumer participation

It is essential that those with an interest in our work have a real opportunity to share their views with us and be able to participate in shaping our ideas and work plans. We will continue to extend OLSCC links with current and potential users of legal services and bodies that represent those users and will actively canvass their views.

We continue to make improvements to our website and to gain a wider and more direct view of the consumer's experience of complaints handling. We will continue to use a 'Contact Us' facility on the website to obtain feedback on our work. We will also be taking responsibility for the day to day management of the website which will allow us to react quickly to change and ensure information is relevant and up to date.

The Commissioner is committed to keeping the wider public informed about the Law Society, LSC and SRA performance and her key decisions. To help ensure openness and transparency, relevant statistics will continue to be published on the website and updated each quarter together with other important updates.

Advisory and Consumer Board

We will continue to work closely with our Advisory and Consumer Board. Board members are independent and bring a wide range of experiences and skills to the work of the Commissioner. Their independent advice is in line with the recommendations of the Better Regulation Executive. The Board:

- assists in identifying what consumers of legal services want from the Law Society's LSC and SRA;
- assists in determining what level of performance it is reasonable to expect them to deliver;
- helps identify good practice and ways in which they could improve their service;
- advises the Commissioner on her work programme, priorities, methods of working and communications;
- helps to inform the activities and opinions of stakeholders including consumers of legal services, the Law Society and its members;

- promotes the interests of consumers by advising, commenting and making recommendations on existing and developing Commissioner's policy and practices;
- identifies and takes forward research opportunities with support from the OLSCC; and
- helps identify good practice, which can be used to support the establishment of the OLC and the LSB.

Improving the Way we Work

Service Standards

We will continue to promote the role of OLSCC through information events, publications such as our Annual Report and the OLSCC website. We will make sure that the information we publish through these channels is accurate, useful and accessible to all.

We will work to the principles of Chartermark³ to demonstrate our commitment to improved customer service. We will review and act upon the feedback we receive, to maintain and improve the service standards that consumers, the Law Society and stakeholders should expect from us.

Risk management

We will continue to manage risk throughout 2008-2009. Risk management is incorporated into OLSCC's day-to-day activities and forward planning. Significant risks to and arising from the work of OLSCC are reported to the Director General, Access to Justice at the MoJ on a quarterly basis. Where necessary, such risks and the actions to mitigate risk are escalated and incorporated into the MOJ's Corporate Risk Register for consideration by the Corporate Management Board.

Control framework

We will continue to ensure that we have effective systems of control in place to enable the delivery of an efficient and effective service. Key elements in the OLSCC control systems are:

- business planning,
- comprehensive budgeting systems with an annual budget, periodic and annual financial reports, which are prepared to indicate financial performance against the forecasts;
- a Business Continuity Plan for OLSCC, which continues to be refined to ensure that key activities can continue effectively following any disruption;
- team briefings and staff events;
- security systems and reporting;
- performance management, and
- recognition and reward.

³ Charter Mark is the UK Government's national standard for excellence in customer service.

People, Performance and Learning

People and learning

In 2008-2009, in line with Investors in People⁴ principles, OLSCC will provide development opportunities for all staff, both from a wider perspective and so that they can develop their professional skills and qualifications to the necessary level:

- to deliver the business effectively;
- to bring about improvements for the consumer; and
- to retain staff during the transition process.

Recruitment and retention

We will continue to support the Modern Apprenticeship Scheme⁵ to bring young people who have great potential into the organisation, and will continue to seek innovative ways of recruiting and retaining staff.

Reward and Recognition

We have developed a new Reward and Recognition Scheme taking into account the MoJ Deal⁶. We will launch and implement this scheme within OLSCC to encourage and reward excellence within the organisation, and to ensure our staff contribute fully to the achievement of our business objectives.

Diversity

We will continue to actively promote and respect diversity both within the organisation and in the wider environment. Individual members of OLSCC will continue to actively participate in a number of staff network groups across MoJ such as:

- Proud Network, (People from diverse Racial Origins Uniting the Department) which is committed to eliminating discrimination in the

⁴ The Investors in People (IIP) Standard is a business improvement tool designed to advance an organisation's performance through its people. MoJ, including OLSCC, has been granted IIP status.

⁵ The Modern Apprenticeship Scheme is a Government initiative to provide apprenticeships and training to people under the age of 19.

⁶ The Deal sets out the core MoJ pay and terms and conditions, including pay progression arrangements, and applies to new staff and all employees from the former DCA who are not members of the Senior Civil Service (SCS) and have chosen to opt in.

workplace, promoting equality of opportunity and creating a diverse workforce.

- Rainbow Network, which provides a safe environment for lesbian, gay, bisexual and/or transgendered (LGBT) staff and heterosexual friends from the MoJ family,
- Carers Network, which was set up to support staff with disabilities, and
- Women's Issues Network (WIN) which addresses women's issues and concerns within the department.

Health and Safety

We will continue to ensure that staff and visitors work in a safe and healthy environment, and that the OLSCC meets all health and safety regulations and requirements. Regular risk assessments, workplace inspections and audits will continue to be conducted to eliminate or mitigate risk and maintain the highest standards of safety for everyone.

Key Performance Indicators (KPIs)

Key Performance Indicator 1

Improving complaints handling for consumers

We will influence the performance of the Law Society to improve its handling of consumer complaints.

Targets:

- We will monitor, report and evaluate the Law Society's progress against its Plan and the targets for improvement set for it by the Commissioner, identifying any trends and taking appropriate action so that remedial action is implemented as required, and that it acts in accordance with its Plan.
- We will continue to share up to date complaints handling performance information with key stakeholders.
- Following consultation with key internal and external stakeholders, the Commissioner, in discussion with the Law Society, will set a further series of performance targets and require an annual improvement plan from it for the year 2009-2010, in Autumn 2008, ensuring that these targets identify the areas where further improvement is necessary and a reasonable level at which it can be achieved.
- We will assess the draft plan for 2009-2010 submitted by the Law Society ensuring it is measurable, deliverable and brings about the required improvement in performance, and aim to ensure that it is in place for 2009-2010 by the end of March 2009.

Critical success factors

Improving complaints handling for consumers by:

- monitoring, reporting and evaluating the Law Society's performance against its 2008-2009 improvement Plan;
- setting clear and reasonable targets to improve complaints handling by the Law Society, ensuring areas are identified where further improvement is necessary and the level at which improvement can be achieved;
- ensuring that the Law Society is aware of where it is failing to meet initiatives and targets so it can take remedial action to achieve them;
- setting targets for 2009-2010, in Autumn 2008; and

- holding monthly performance review meetings and quarterly strategic meetings with the Law Society to support the evaluation of performance against the improvement Plan.

Key Performance Indicator 2

Research and Investigations

We will work towards giving the public greater confidence in legal services as an independent regulator of the Law Society, by ensuring that audits of the Law Society are carried out effectively and efficiently. We will draw on established good practice to provide independent assurance about the quality and accuracy of the information the Law Society provides us, its systems and processes for complaints handling.

Targets:

- We will develop an audit and investigation schedule that will form the basis of an agreed work programme for the OLSCC Research and Investigation team for 2008-2009.
- We will produce and share with the Law Society an audit plan 3 weeks before an audit commences.
- We will carry out no less than 4 investigative studies in 2008-2009, including the Year End Target Audit and Indicative Target Audit, drawing on appropriately sized and constructed samples of Law Society complaints files, and other relevant material in discussion with the Law Society. The investigative studies will take the form of:
 - themed audits into an area of complaints handling, focusing on discrete policy areas;
 - specific audits into particular aspects of complaints handling, assessing whether practices and procedures are being followed or that data is accurate and timely;
 - benchmarking reviews and assessing aspects of complaints handling against comparable organisations; and
 - identifying Law Society policies in relation to complaints handling and assessing if the policies are appropriate and in the interest of consumers, practitioners and the Law Society itself.
- We will carry out an Indicative Audit of Law Society performance against targets identified in the Law Society Plan. We will carry out this audit mid-year, to inform any further improvements that the Law Society might wish to make. We will aim to report our findings in November 2008.
- A final audit of performance against the targets will be carried out at the end of the financial year, to establish whether the targets have been met.

- We will share the reports we produce, including evidence gathered, findings and subsequent recommendations, with the Law Society. We will also make the information available to consumers, the legal profession and all our stakeholders by publishing the reports on our website.

Critical success factors

Audits

That improvements to services are made by the Law Society as a result of our audit and investigation findings.

Delivering the programme of audits

We will carry out audits in line with good practice, by reporting on our findings to agreed deadlines and publishing our audit reports on the OLSCC website. This will help ensure that all interested parties, including consumers, have access to information on how the Law Society is performing in complaints handling.

Key Performance Indicator 3

Transition Planning

We will plan and implement transition arrangements for OLSCC and its people ensuring that we support staff and continue to meet our business objectives during this period. We will contribute towards the development of the OLC and LSB, working with their boards when appointed, and MoJ.

Targets:

- We will develop an agreed plan that will meet business objectives and form the basis of the OLSCC transition strategy;
- We will support staff during transition through the application of appropriate MoJ and wider Civil Service HR policies and communicate with staff regularly throughout this process:
- We will continue to share our experience and knowledge as a regulator with both the boards of OLC and LSB and MoJ.

Critical success factors

Successful delivery of objectives during transition

We will have continuity plans in place that ensure the effective delivery of objectives throughout the transition period.

Contribution to the development of OLC and LSB

We will aim to have an effective relationship with the boards of the LSB and OLC and with MoJ Legal Services Reform project teams which allows us to share our experience and knowledge as a regulator with them.

Key Performance Indicator 4

Living within the budget

We will continue to provide a value for money service by living within our budget of £1.619 million for 2008-2009.

Targets:

- We will manage our budget accurately and effectively to ensure that we remain within our budget for 2008-2009.
- We will report monthly against our budget to MoJ by the second week of the following month.
- We will make all our accounts available for audit by the National Audit Office (NAO) on an annual basis.
- We will produce an annual set of accounts by the end of June 2008, following the accounting year and publish them in the OLSCC Annual Report and on our website during July 2008.
- We will, by July 2008, make an Annual Report to the Lord Chancellor and Secretary of State for Justice, which he will then lay before Parliament.

Critical success factors

Budget

Ensuring that we provide a value for money service and live within our budget.

Key Performance Indicator 5

Communications

We will ensure that we keep all interested parties informed of our work and the progress made to improve legal complaints handling by the Law Society, LCS and SRA.

Targets:

- We will produce an OLSCC Annual Report 2008-2009 which details the work we have undertaken during the year;

- We will undertake a review in April 2008 of the OLSCC Website⁷ to ensure that it provides users with accurate, accessible and up-to-date information;
- We will commence responsibility in April 2008 for the regular up keep of the website and editorial control of its content;
- We will provide stakeholders with regular communications and reports on both the work of OLSCC and the performance of LCS and SRA.

Critical success factors

Effective communication with all our stakeholders

We will have a website and communication products and pathways that allow us to communicate effectively and regularly with all our stakeholders and interested parties in our work.

⁷ www.olscc.gov.uk

About us

OLSCC is split into three teams.

Policy and Performance team

The team works to advise the Commissioner on the Law Society's progress towards improving its complaints handling. As well as monitoring and assessing performance against the Law Society's complaints handling Plan, the team works closely with the Law Society to understand the underlying factors, which affect the service provided. The team also engages with key stakeholders in order to inform them of the Commissioner's work with the Law Society, to ensure that complaints handling develops more in line with consumer needs and expectations.

Research and Investigations team

The team collects detailed information and provides independent assurance about the accuracy and quality of information supplied by the Law Society. It investigates the existing Law Society processes and policies within the complaints system, gathering information on compliance, and identifying trends. This information is used by the Commissioner to inform her recommendations to the Law Society and future target setting, to enable the Law Society to improve its performance. It also measures achievement against targets. The team also researches and benchmarks other comparable organisations to the Law Society.

Strategic Policy and Corporate Services team

As the legal reform programme continues, the strategic policy team works to ensure the consumer's perspective is taken into account, and that our experiences as a regulator of the Law Society's complaints handling arms appropriately informs development of the new legal bodies.

The corporate service team is responsible for the internal performance and financial management of our office and for delivering directly, or through others, services such as communications, human resources, training, budget, accommodation and information technology.

How to contact us

Address

The Office of the Legal Services Complaints Commissioner,
19th Floor, West Riding House,
67 Albion Street,
Leeds,
West Yorkshire,
LS1 5AA

Telephone

Our consumer helpline
0845 456 5150

Our office switchboard
0113 261 5420

E-mail

Info@olscc.gov.uk

Website

www.olscc.gov.uk

The link between MOJ's Objectives and Public Service Agreements (PSA) and OLSCC's Key Performance Indicators

Prior to the formation of the MoJ, the Department for Constitutional Affairs Spending Review (SR) 2004 set out the Department's Public Service Agreement (PSA) targets. The spending review and targets remain valid and the OLSCC contributes towards the targets and MoJ Strategic Objectives as shown below.

MOJ Strategic Objectives	MOJ PSA Targets 2005 - 08	OLSCC Key Performance Indicators (KPI) 2008 – 09
<p>SO3 To provide access to justice for all.</p>	<p>PSA 5 Achieve earlier and more proportionate resolution of legal problems and disputes by:</p> <ul style="list-style-type: none"> • increasing advice and assistance to help people resolve their disputes earlier and more effectively; • increasing the opportunities for people involved in court cases to settle their disputes out of court; and • reducing delays in resolving those disputes that need to be decided by the courts. 	<p>KPI 1 Improving complaints handling for consumers. We will influence the performance of the Law Society to improve its handling of consumer complaints.</p> <p>KPI 5 Effective communications. We will ensure that we keep all interested parties informed of our work and the progress made to improve legal complaints handling by the Law Society LCS and SRA.</p>
<p>SO4 To increase confidence in the justice system.</p>	<p>PSA Not stated.</p>	<p>KPI 2 Research and Investigations We will work towards giving the public greater confidence in legal services and the Law Society as a regulator, by ensuring that audits of the Law Society are carried out effectively and efficiently. We will draw on established good practice to provide independent assurance about the quality and</p>

		<p>accuracy of the information the Law Society provides us, its systems and processes for complaints handling.</p> <p>KPI 3 Transition Planning We will plan and implement transition arrangements for OLSCC and its people ensuring that we continue to meet our business objectives during this period.</p> <p>KPI 4 Living within the budget We will provide a value for money service living within our budget of £1.619 million for 2008-2009.</p>
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