

FOR IMMEDIATE RELEASE:

NEW OBLIGATIONS ON LAWYERS TO INFORM CLIENTS HOW TO COMPLAIN

CLIENTS MUST BE SIGNPOSTED TO THE NEW LEGAL OMBUDSMAN

The Legal Services Board (LSB) has today announced that all Approved Regulators must ensure that the lawyers they regulate provide clear information to their clients both of their right to complain about the service they receive and the process for doing so.

The new [requirements](#) aim to ensure that consumers understand both their right to complain should a lawyer provide an unsatisfactory service, and if not resolved by the provider, their right to escalate the complaint to the new Legal Ombudsman. The requirements will come into force when the Legal Ombudsman opens for business.

The LSB is currently working with Approved Regulators, to ensure that consumer expectations on complaints-handling and signposting requirements are met. Approved Regulators will need to monitor and enforce these requirements, as well as to have procedures in place to learn lessons from complaints handling to improve the regulatory framework more generally.

Chairman of the Legal Services Board, David Edmonds, said:

Improving complaints-handling has been one of the key drivers of the reforms. It is essential that consumers have the information they need to identify whether they have a right to take their complaint to the Legal Ombudsman, and if so how to do it. The launch of the Legal Ombudsman, underpinned by action to improve firms' own handling of complaints and learn the lessons from them, should give consumers greater confidence in the speed and fairness of dispute resolution and so finally resolve an issue which has troubled the reputation of the sector for some time.

For more information please contact Craig Jones, Media and Public Affairs Manager on craig.jones@legalservicesboard.org.uk or on 020 7271 0068 / 07702 428210.

For press enquiries on the operational elements of the Legal Ombudsman please contact Alison Robinson, Head of External Affairs at the Legal Ombudsman on 0121 503 2930.

Notes for editors:

1. The Legal Services Act ('The Act') provides for the creation of the Legal Services Board as the oversight regulator for legal services in England and Wales. The new regulatory regime enacted by the Act became fully active on 1 January 2010.

2. The legal profession currently consists of some 16,455 barristers, 112,246 solicitors and 12,200 individuals authorised to operate in other aspects of the legal profession such as conveyancing. The sector has been valued at £25.97 billion per annum. In total the legal sector employed 323,000 individuals in 2008. [ONS]

3. Specific sections of the Legal Services Act relating to this new guidance include:
 - Section 112(1) of the Act requires approved regulators to make provision in their regulatory arrangements requiring relevant approved persons to have effective procedures in place for the resolution of first-tier complaints. Approved regulators must also make provision for the enforcement of that requirement.

 - Section 112(2) of the Act provides that the LSB may specify requirements that the regulatory arrangements of approved regulators must satisfy in relation to the complaints procedures of approved persons.

 - Section 28 of the Act requires approved regulators, in discharging their regulatory functions, to promote the regulatory objectives having regard to the principles of better regulation and best regulatory practice.

4. The Legal Ombudsman is scheduled to open for business during the Autumn of 2010, subject to Parliamentary process.

5. Section one of the Act defines the following regulatory objectives that guide the work of the Legal Services Board and its partners the Approved Regulators:

- Protecting and promoting the public interest;
- Supporting the constitutional principle of the rule of law;
- Improving access to justice;
- Protecting and promoting the interests of consumers of legal services;
- Promoting competition in the provision of legal services;
- Encouraging an independent, strong, diverse and effective legal profession;
- Increasing public understanding of the citizen's legal rights and duties;
- Promoting and maintaining adherence to the professional principles;

6. The 2010/11 LSB business plan can be found at:

http://www.legalservicesboard.org.uk/news_publications/publications/pdf/final_annual_plan_2010.pdf

7. The LSB oversees eight "Approved Regulators", which in turn regulate individual lawyers and organisations. The eight approved regulators, designated under Part 1 of Schedule 4 of the 2007 Act, are the Law Society, the Bar Council, the Master of the Faculties, the Institute of Legal Executives, the Council for Licensed Conveyancers, the Chartered Institute of Patent Attorneys, the Institute of Trade Mark Attorneys and the Association of Law Costs Draftsmen. In addition the Institute of Chartered Accountants in Scotland and the Association of Chartered Certified Accountants are listed as Approved Regulators in relation only to reserved probate activities.