

## LSB progress report

### Costs Lawyer Standards Board (CLSB)

***Date action plan was published:*** 29 June 2017

The action plan is published [here](#).

The LSB sufficiency assessment of action plan is published [here](#).

***Progress Update:*** 16 October 2018

The action plan set out a number of commitments from the CLSB. This update reviews its progress in delivering on these commitments. Where possible the information below has been drawn from the following three key documents:

- [Guidance note: Client care letter](#)
- [Guidance note: Complaints procedure](#)
- **Internal management tool on CMA recommendations (not published)**

The CLSB has had an opportunity to update the LSB on its progress on any commitments in the action plan not covered by the publications above.

The commitments related to four different high-level outcomes relating to market transparency which LSB asked all frontline regulators to focus on in their action plans. This note sets out the status of each commitment under each outcome:

- 1) Action to deliver a step change in standards of transparency to help consumers (i) to understand the price and service they will receive, what redress is available and the regulatory status of their provider and (ii) to compare providers.
  - **In progress:** The CLSB action plan committed the CLSB to issue a guidance note to those Costs Lawyers who do not work in-house or for an SRA regulated firm in respect of transparency on matters such as price, service, redress and regulatory status. CLSB has informed us that it plans to change this to a set of recommendations included in a newsletter drawing on an internal review of good practice by other regulators completed in July 2018. CLSB has informed us that it feels this is proportionate given the small number of costs lawyers that would be affected by these recommendations.

Nevertheless, we are concerned that a newsletter has a different status and much less permanence than guidance.

New significant developments not included in action plan.

- **Completed:** Despite not making a commitment on this area, CLSB published revised guidance on client care letters in January 2018. The Board is due to consider recommendations to strengthen the guidance further in October 2018.
  - **Completed:** Despite not making a commitment on this area, CLSB has revised guidance on complaints handling on 24 January 2018 and 25 April 2018 to reflect outcomes of research from SRA and the Legal Ombudsman. The Board is due to consider recommendations to strengthen the guidance further in October 2018.
- 2) Promotion of the use of independent feedback platforms to help consumers to understand the quality of the services offered by competing providers.
- No new commitments made under this category.
- 3) Facilitation of the development of a dynamic intermediary market through making data more accessible to comparison tools and other intermediaries.
- No new commitments made under this category.
- 4) Making better information available to assist consumers when they are identifying their legal needs and the types of legal services providers (both regulated and unregulated) who can help them.
- **In progress:** The legal regulators are working together to deliver a three-year plan to enhance the Legal Choices website and social media channels. The Legal Choices Governance Board and Steering Group are continuing to lead the work, informed by the Advisory Panel which includes 17 organisations from the consumer and not-for-profit sectors. The suppliers that have been appointed to deliver the plan's market research and digital design components delivered a two day 'ideation' workshop in June 2018, which is informing a detailed redesign and relaunch strategy for the website. This will be discussed with the legal regulators in the autumn. In the meantime the regulators are continuing with their schedule of new content for members of the public that focuses on priority areas of law, as well as topical articles, which is promoted by using the website's social media channels. So far in 2018 new articles have focused on holiday sickness claims, immigration work (connected to Windrush), cycling laws and divorce processes. CLSB has

increased its funding contribution to Legal Choices and improved signposting to Legal Choices from its own website.

- **In progress:** The regulators have taken some steps to assess the feasibility of a joint register, in particular working on a taxonomy of the data to be included in the register. Work to explore the feasibility of a single digital register is ongoing. As an interim step, regulators are working on opportunities to provide a better access point to the legal regulators' respective registers of regulated entities and individuals through the Legal Choices website.
- **Completed:** The CLSB action plan set out that it would provide the address and phone number of the employer of each Costs Lawyer in the public domain register on the CLSB website to enable better public access and search facility by location. A search of the register on 02 August 2018 showed that this has been completed for those employers where permission had been given under data protection law.
- **In progress:** The CLSB action plan proposed that it would fund/contribute to funding consumer research projects where a need and cost/benefit is identified. To date the CLSB has assessed that none of the research programmes carried out by other regulators were appropriate for joint funding from the CLSB.
- **Completed:** The CLSB action plan proposed to add content about unregulated providers on its website. The CLSB website was revised to refer to the difference between Costs Lawyers and Costs Draftsmen in October 2017.