



Legal Services Board
By email: consultations@legalservicesboard.org.uk

27 April 2016

First-tier complaints handling: LSB requirements for approved regulators – consultation on proposed updates to the requirements, outcomes and guidance

We agree with the proposed updates to the LSB requirements and outcomes for Approved Regulators (Annex A) and the proposed changes to guidance for achieving outcomes (Annex B).

We are already working to that framework to improve outcomes for consumers, in particular:

- We published detailed guidance on First Tier Complaints Handling, which is available on our website here:
https://www.barstandardsboard.org.uk/media/1666549/8_first_tier_complaints_handling.pdf
- We have gathered a considerable amount of data on first tier complaints rates (absolute numbers and as a percentage of cases) through the Supervision Returns that were issued to the chambers rated as “high” and “medium impact”. Inadequate complaints handling processes would have more significant consequences at a chambers with a large and vulnerable lay client base than at a chambers with a very small corporate client base; the chambers impact ratings reflect that.
- Through the Supervision Returns and visits, we have reviewed the first tier complaints handling processes and complaints rates in around 350 of the highest impact chambers. Where there were any concerns that chambers were not doing all they can to meet the requirements and support the outcomes set out in this paper, follow up actions were agreed. Supervision have continued to work with chambers where we were not satisfied that the chambers are sufficiently proactive in working with solicitors to ensure that information about complaints procedures is made available to clients; chambers were reminded of our guidance.
- Supervision actively use the Legal Ombudsman’s data on second tier complaints as part of our risk assessment processes. We are improving our application reporting functionality in order to enable us to improve analysis of trends in chambers and entities from the spreadsheets that are provided regularly by the Legal Ombudsman.

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- Our Consumer Engagement Strategy has enabled us to focus on the consumer perspective, for example through developing the questions we ask on Supervision visits. As part of the Consumer Engagement strategy, we are reviewing feedback mechanisms in chambers with a view to developing some good practice guidance around the use of feedback to improve the provision of services. This will complement the work described above in relation to first tier complaints handling.
- In our thematic review on Immigration Services, which has involved considerable cross-departmental working within the BSB, and engagement with consumer groups and other regulators, we are currently developing options for our regulatory response to the key themes identified. A number of these options include improved information for consumers as we are aware that this is an area where, for a range of reasons, complaints rates are low. These options will be reviewed by the Board in May.

The BSB is committed to the effective regulation of first tier complaints handling. The above provide some examples of the steps we are taking to do so. Should the LSB require any further information they should contact Julia Witting at JWitting@barstandardsboard.org.uk