

SRA - Regulatory performance assessment

REGULATORY APPROACH					AUTHORISATION					SUPERVISION				ENFORCEMENT						WELL-LED					
1	2	3	4	5	1	2	3	4	5	1	2	3	4	1	2	3	4	5	6	1	2	3	4	5	6

Met		Not met – action being taken		Not met – action required	
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Action being taken

Outcome		A5: The regulator’s list of those they regulate is accessible, accurate and provides information on the disciplinary records of those regulated.
January 2019	LSB assessment	The SRA has provided some helpful additional information in its response to our information request. However, it doesn't address accessibility of the register or inclusion of disciplinary records. We should continue to monitor progress in developing the new digital register. For now, this outcome is not met.
	Action needed	SRA to ensure that the register of those they regulate is easily accessible and contains information on all disciplinary action taken against individuals or entities. SRA to complete the development of its new digital register to including, improvement of its accessibility and inclusion of solicitors’ disciplinary records.
	Timing	SRA to complete this work by the end of 2019. LSB will review SRA’s progress in respect of register’s accessibility and inclusion of disciplinary records in May 2019.

Progress update (at June 2019)	LSB assessment	<p>In line with the deadline noted in January 2019, the SRA is proceeding towards meeting this outcome and ensuring that the register of those they regulate is easily accessible and contains information on all disciplinary action taken against individuals or entities. It currently expects to substantively meet this outcome by November 2019; with further work on the register continuing into 2020 as the SRA's IT improvement programme provides increased functionality. In order to ensure that the register is genuinely accessible by and useful to consumers the SRA has conducted an independent survey to assist with its design. We note that solicitors' and law firms' disciplinary records are currently accessible via the SRA's 'check a solicitor' tool. These records will be incorporated into the new digital register, which will also provide additional information on solicitors and firms.</p> <p>While the SRA is making progress towards meeting this outcome, we cannot consider it to be met until, at a minimum, the register contains information on all disciplinary action taken against individuals or entities in a way which is easily accessible to consumers of legal services.</p>
	Action needed	<p>The SRA to complete the development of a new more accessible digital register which contains information on all disciplinary action taken against individuals or entities.</p> <p>To assess this, we would like to receive detailed information from the SRA about the initial level of functionality, what improvements will be made subsequently, how they will improve consumers' access, and the timetable for these actions. We would also like to receive information about how the SRA is incorporating the findings of its independent survey into its development.</p> <p>The SRA to submit a progress update to the LSB by 1 November 2019.</p>

	Timing	<p>The SRA's register to contain information on all disciplinary action taken against individuals or entities by the end of 2019 and its ongoing work to improve accessibility to continue in 2019/20.</p> <p>The LSB will review progress in November 2019.</p>
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Outcome		S3: The regulated community are monitored to provide assurance that standards are met. If they are not, steps are taken to remedy this.
January 2019	LSB assessment	While the SRA has provided helpful additional information that move the SRA towards meeting this outcome, we cannot consider this outcome met until the SRA's work programme on quality of advocacy has been completed. We should continue to monitor how the SRA implements the changes it identifies from its advocacy review programme.
	Action needed	SRA to implement changes identified in its advocacy review programme to address advocacy quality risks.
	Timing	SRA currently considering how to implement changes identified in its advocacy review programme. LSB will review SRA's progress in May 2019.
Progress update (at June 2019)	LSB assessment	<p>The SRA is still in the process of deciding how to implement the changes identified in its advocacy review programme. It will consult on this from August 2019 and intends to complete its consultation and analysis by the end of 2019. It is not clear when it will implement any changes following its consultation and analysis.</p> <p>Given that it is still unclear how the SRA will implement these changes, how they will address advocacy quality risks, and when it will do so, we cannot consider this outcome to be met. We are therefore keen to receive detailed information from the SRA about the timetable for the implementation of the new advocacy measures, including the schedule for consultation and</p>

		analysis. We note that the SRA intends to submit a rule change application to remove the rules providing for the implementation of QASA.
	Action needed	Following its July Board meeting, the SRA to provide a timetable for its consultation on possible changes, subsequent analysis and planned date of implementation of new measures. The SRA to submit a progress update to the LSB by 1 November 2019.
	Timing	The LSB will review progress in November 2019.

Outcome		WL3: The regulator is transparent about its own: decision-making; regulatory approach; the risks it and its regulated community face and how these are being mitigated; performance; regulated community and related markets; financial costs.
January 2019	LSB assessment	The SRA's response to our information request provides several examples of what it is doing towards meeting this outcome. This includes asserting that it publishes three quarters of all information that goes to the Board. However, what we have found on the website appears to still be quite limited, which raises a question about whether enough information is being provided to the Board to enable effective decision-making. We should continue to monitor what the SRA publishes and question this through our relationship management meeting.
	Action needed	(1) SRA to review current publication policy and ensure that supporting evidence for decisions taken by the Board or Executive which impact on the regulated community is published as soon as possible after decisions are taken. This should include Board papers which should only be withheld or have content removed in limited circumstances.

		reports, complaints about the regulator etc.) and that this information should be published as soon as possible after Board consideration.
	Timing	LSB will review SRA's progress in meeting this objective in May 2019.
Progress update (at June 2019)	LSB assessment	The SRA has undertaken some exploratory work and its Board was due to discuss in July potential measures to deliver the actions needed.
	Action needed	The SRA to set out the measures it intends to take to complete Actions (1) and (2) noted above; and by 1 November 2019 provide the LSB with a detailed plan, with deadlines, for their implementation. The SRA should then proceed to complete Actions (1) and (2) as provided for in their plan. The SRA to submit a progress update to the LSB by 1 November 2019.
	Timing	The LSB will review progress in November 2019