

## LSB progress report

### Bar Standards Board (BSB)

***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 BSB. This update reviews its progress in delivering on these commitments. Where possible the information below has been drawn from the following six key documents:

- BSB policy [consultation](#) document 'Policy Consultation on Transparency Standards'
- BSB rule changes [consultation](#) document 'Rules Consultation on Transparency Standards'
- Research [report](#) 'Consumer Behaviour and Attitudes towards Price and Service Transparency'<sup>1</sup>
- BSB [Board paper](#) from 22 February 2018 which includes a timetable of next steps (page 59)
- BSB [evaluation](#) of the CMA transparency pilot
- BSB [guidance](#) on good practice for barristers and clients on consumer feedback

The BSB 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.
  - **Completed:** The BSB published a consultation 'Policy Consultation on Transparency Standards' in September 2017.

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<sup>1</sup> BSB has also published a [research summary](#) and a [technical annex](#)

- **Completed:** The BSB conducted consumer research and piloting in the selected areas of price and service transparency.
  - **In progress:** The BSB published a consultation on rules changes in September 2018 and anticipates submitting a rule change application to the LSB in February 2019, which subject to approval would come into force from May 2019. This compares to the original timetable in the action plan of a consultation on draft rules in April 2018 which would have come into force in December 2018. The BSB explained that the delay was to allow longer time to engage with specialist bar associations when drafting the rules.
  - **In progress:** The board paper referred to new guidance on client care letters for barristers with public access clients.
  - **In progress:** The action plan set out that the BSB would work with the Bar Council in relation to quality signals such as badges. The BSB is no longer proceeding with a digital smart badge, but the September 2018 consultation proposes a requirement for websites to include the text 'regulated by the Bar Standards Board'.
- 2) Promotion of the use of independent feedback platforms to help consumers to understand the quality of the services offered by competing providers.
- **Completed:** The BSB published guidance for providers and consumers on using feedback platforms at the end of June 2018.
  - **Completed:** The action plan committed the BSB to conduct research to establish a baseline of the engagement of practitioners with online reviews. BSB has informed us that it has carried out a web sweep to deliver this commitment.
- 3) Facilitation of the development of a dynamic intermediary market through making data more accessible to comparison tools and other intermediaries.
- **In progress:** The BSB already made data available in CSV form from their registers when their action plan was published. Practice area information will be displayed on the Barristers' Register from May 2019.
- 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.
- **Completed:** The BSB has taken the lead on behalf of the legal regulators in liaising with relevant Government departments on GOV.UK content.
  - **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.

- **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.

In addition to the delivery of these commitments we recognise that the BSB has delivered a substantial programme of stakeholder engagement in developing and delivering these proposals.