

The Intellectual Property Regulation Board's (IPReg) regulatory standards action plan

LSB regulatory standards requirement ¹	IPReg actions	Review date(s)
Outcomes-focused regulation		
IPReg has high quality, up-to-date and reliable evidence on what legal services consumers need and how they use the services.	<p><i>1. LSB asked all regulators to consider what activities they could undertake to contribute to this requirement. IPReg's response:</i></p> <p>It was agreed by all the members of the Regulators Forum at the meeting held on 12 May that the Forum would consider where the action might be undertaken as a joint initiative with a view to delivering a consistent and cost effective outcome.</p>	TBA
IPReg has effective engagement with consumers.	<p><i>2. LSB asked IPReg to take forward plans to obtain and publish consumer feedback at the earliest opportunity. IPReg's response:</i></p> <p>Research is being undertaken (commissioned jointly by the members of the Regulators Forum and the LSB Consumer Panel) into the effectiveness of client care letters/terms and conditions in the delivery of consumer focussed outcomes.</p>	June 2017
	<p><i>3. LSB asked IPReg to consider how to gain assurance that its regulatory approach meets the needs of small business consumers. IPReg's response:</i></p> <p>We will review and update the "Got an Idea" section of the website and include information/links to other sources of information targeted at small business consumers.</p> <p>We will monitor enquiries from small business consumers during the remainder of 2016 and 2017 and (depending on the evidence) consider a thematic review for 2018.</p>	June 2017
IPReg can demonstrate that outcomes are being achieved.	<p><i>4. LSB asked all regulators to consider best practice from other regulatory regimes to find a mechanism to demonstrate that regulation is delivering the outcomes consumers expect and rules are having the desired impact. IPReg's response:</i></p>	TBA

¹ Please refer to *The Intellectual Property Regulation Board's regulatory standards report 2015/16*, available at www.legalservicesboard.org.uk.

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	It was agreed by all the members of the Regulators Forum at the meeting held on 12 May that the Forum would consider where the action might be undertaken as a joint initiative with a view to delivering a consistent and cost effective outcome.	
IPReg reviews and updates arrangements based on the evidence gathered.	<p>5. <i>LSB asked all regulators to consider what activities they could undertake to contribute to this requirement. IPReg's response:</i></p> <p>It was agreed by all the members of the Regulators Forum at the meeting held on 12 May that the Forum would consider where the action might be undertaken as a joint initiative with a view to delivering a consistent and cost effective outcome.</p>	TBA
Risk		
IPReg has formal, structured, transparent, evidence-based approaches to the collection, identification and mitigation of current and future risks which inform all regulatory processes.	<p>6. <i>LSB asked IPReg to continue to roll out and embed assurance policy across all of activity during 2016. IPReg's response:</i></p> <p>This is in the 2016 Business Plan and is also a key activity in the 2017 Business Plan which will be published for consultation in July.</p>	Jan 2018
	<p>7. <i>LSB asked IPReg to consider how the results of LSB's recent research into the unregulated legal services market can help to further strengthen IPReg's risk assessment framework. IPReg's response:</i></p> <p>Agreed – detailed action to be determined by the findings of the research when available (but already identified as an activity in the 2017 Business Plan).</p>	Jan 2018
	<p>8. <i>LSB asked IPReg to use information gathered through targeted assurance research and visits to help strengthen risk assessment framework. IPReg's response:</i></p> <p>In March 2016, the Assurance Team reported to the Board the outcomes of its 2015 activities in relation to its first thematic review (client monies). This will be repeated annually. Any update of the risk matrix would follow that report.</p>	March 2017
IPReg can demonstrate that outcomes for risk are being achieved.	9. <i>LSB asked all regulators to develop a way to monitor and assess whether risk-based approach is working in practice and achieving the expected outcomes. IPReg's response:</i>	TBA

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	It was agreed by all the members of the Regulators Forum at the meeting held on 12 May that the Forum would consider where the action might be undertaken as a joint initiative with a view to delivering a consistent and cost effective outcome.	
Supervision		
IPReg has a supervision policy that is carried out with reference to identified risks and is underpinned by an evidence base.	<p><i>10. LSB asked IPReg to consider how it can monitor the effectiveness, proportionality and value for money of its supervisory approach. IPReg's response:</i></p> <p>IPReg's published Assurance Policy makes clear that any intervention will be focused upon the specific issue with the remedy being proportionate to the risks posed.</p> <p>IPReg's internal Complaint Review Committee has powers to determine not to proceed with a complaint where doing so would be disproportionate. The prescribed factors to be taken into account do not include cost - time and cost is a product of complexity.</p> <p>We do, nevertheless, give a detailed (case by case) breakdown of the annual costs to the Board at the November Board meeting.</p>	At next review
IPReg has a range of supervisory tools and capacity and willingness to use them.	<p><i>11. LSB asked IPReg to further develop its approach to thematic reviews, based on identified risks and other information gathered. IPReg's response:</i></p> <p>As the reply above, in March 2016, the Assurance Team reported to the Board the outcomes of its 2015 activities in relation to its first thematic review (client monies). This will be repeated annually. Any update of the risk matrix would follow that report.</p>	March 2017
Enforcement		
The operation of the enforcement function is timely, evidence-based, proportionate and fair.	<p><i>12. LSB asked IPReg to continue to develop its evidence base for enforcement activity, as assurance policy becomes embedded. IPReg's response:</i></p> <p>This is an integral part of the Assurance Protocol where evidence gathered will inform any necessary updating of the approach outlined in the Protocol.</p>	At next review
IPReg has published policies and guidance that enable others to understand	<p><i>13. LSB asked IPReg to consider how the use and understanding of the information available about enforcement procedures on the IPReg website could be measured. IPReg's response:</i></p>	At next review

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the regulator's criteria for taking or not taking actions.	We will investigate monitoring the "hit rate" through Google Analytics.	
Capability and capacity		
IPReg has management and governance processes which are capable of scrutinising the performance of the regulator.	<p><i>14. LSB asked IPReg to consider developing proportionate KPIs once IPReg has more experience of working under the assurance policy. In particular, a KPI with a focus on timeliness and quality for enforcement proceedings. IPReg's response:</i></p> <p>We have agreed to adopt KPIs for admissions and authorisations. IPReg considers that any KPIs or similar in relation to enforcement activities would be inappropriate.</p>	At next review