



**LEGAL SERVICES
BOARD**

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Freedom of Information request

Date request received: 02 July 2016

Date of response: 14 July 2017

LSB reference: 20160702-01

Request and response:

I write in response to your email of 2 July 2016 in which you have asked questions about the number of complaints that the LSB has received about the Legal Ombudsman (LeO). Your correspondence has been considered in accordance with the Freedom of Information Act 2000 (FOIA).

Your questions 1-6 relate to the number of complaints that the LSB has received and dealt with in relation to the LeO.

The LSB does not deal with complaints made about the LeO. Like most other ombudsman schemes, decisions made by the LeO are final and are generally not subject to challenge except by way of judicial review. The LeO does have a service complaint procedure: <http://www.legalombudsman.org.uk/wp-content/uploads/2014/08/Service-Complaint-Procedure-V31.pdf> which provides information about how concerns about the level of service provided can be made. The LSB has no involvement in this process.

The LSB does, however, on occasion receive correspondence from individuals who would like the LSB to assist them with a complaint about the LeO. We do keep a record of such correspondence, but on each occasion we have informed those making contact that we are unable to assist. Set out below are the numbers of such contacts that we have received by year from 2012 to 2015:

2012 – **36**
2013 – **57**
2014 – **28**
2015 – **24**

I will now deal with each of your remaining requests in turn:

7. I have complained to the Adjudicator office with regards to the Legal Ombudsman with regards to the same complaint. I have not had a response from the Adjudicator on both occasions who do I complain to with regards to the Adjudicator?

The LSB does not hold this information. Our understanding is that you should see the Service complaint procedure above, specifically, paragraph 9 of the Service Complaint Adjudicator's Terms of Reference.

8. If a complainant is not happy with the Chief Executive of the Legal Ombudsman conduct due to criminal or civil claims, for example, misconduct in public office, for example alleged claims of lying who does the complainant complain to directly?

You may wish to refer to any whistleblowing procedure operated by the Legal Ombudsman. The LSB does not hold this information.

9. If a complainant is not happy with the Legal Ombudsman conduct due to criminal or civil claims, for example, misconduct in public office, for example alleged claims of lying who does the complainant complain to directly?

You may wish to refer to any whistleblowing procedure operated by the Legal Ombudsman. The LSB does not hold this information.

10. Please name the 'bodies' [organisation[s]] with regards to 'Ombudsman' the LSB responsible for?

The Office for Legal Complaints (OLC) is the body responsible for administering the LeO scheme. The LSB has a number of statutory responsibilities with regard to the OLC and these are set out in the Legal Services Act 2007.

11. Using Scheme Rules [2015] from the legal ombudsman website [Source https://en.wikipedia.org/wiki/Office_for_Legal_Complaints<http://www.legalombudsman.org.uk/downloads/documents/publications/Scheme-Rules.pdf>] It states the following RULES: 1.2 Parliament, in the Act: • created the Legal Services Board (to oversee Approved Regulators) and the Office for Legal Complaints (to establish the Legal Ombudsman); • gave the Lord Chancellor power to make orders, including orders modifying who would be able to bring a complaint to the Legal Ombudsman; and extending the jurisdiction of the Legal Ombudsman to claims management services;1 • gave the Legal Services Board power to set requirements for the rules of Approved Regulators about how authorised persons handle complaints2 and cooperate with an ombudsman3 ; and • gave the Office for Legal Complaints power to make rules affecting which complaints can be handled by the Legal Ombudsman and how those complaints will be handled. IN ADDITION, from the legal ombudsman website: Our scheme rules are approved by the Legal Services Board and the Lord Chancellor as required by the Legal Services Act 2007. The rules set out the framework for how the Legal Ombudsman resolves complaints about legal services. [source: <http://www.legalombudsman.org.uk/about-us/>]. The **Office for Legal Complaints (OLC)** is the board of the [Legal Ombudsman](#), the free service that investigates complaints about [lawyers](#) in [England and Wales](#). In addition, that the OLC was established by the [Legal Services Act 2007](#). The [Legal Services Board](#), an [non-departmental public body](#) of the [Ministry of Justice](#), appoints the OLC's members.[source: https://en.wikipedia.org/wiki/Office_for_Legal_Complaints]. Under the Legal Services Act 2007, the LSB appoints the Office for Legal Complaint's (OLC) Board. The OLC is responsible for setting up the Legal Ombudsman, creating its scheme rules and overseeing its performance. In February 2009, the first members of the inaugural OLC Board were announced.. Which body is ultimately responsible for the Legal Ombudsman Office, is it LSB or Office of Legal Complaints Board?

The OLC is responsible for administering the Legal Ombudsman scheme.

I hope that this has been of assistance, but if you are dissatisfied with our response to your request for information, you have the right to ask for an internal review or to submit a complaint (see LSB's Freedom of information – Complaints procedure: http://www.legalservicesboard.org.uk/can_we_help/lbs_policies_procedures/freedom_of_information/index.htm)