LSB 2020-21 Performance report Q4

Programme: Discharge of statutory functions

The annual performance assessments were published in Q3. In Q4 we followed up with the regulatory bodies' actions against the not-met outcomes. We reprioritised activities for the future approaches to enforcement to better schedule our calls on regulatory bodies' time in Q4. This meant we analysed information provided by regulatory bodies instead of holding a workshop in Q4. We will continue our work in this area in 2021/22, which will include a focus on establishing our expectations in terms of internal quality assurance and transparency on enforcement processes.

The well-led reviews were rated amber in the last two months of Q4. They are still progressing and will be finalised in early 2021/22.

On statutory decisions, in Q4, we part-approved the ICAEW's disciplinary bye-laws application. This was our first part-approval since 2015. We also considered the SRA's compensation fund application. Since the end of Q4 we have issued a warning notice on this application.

Review of process for alterations to regulatory arrangements progressed well in Q4 after being reprioritised earlier in the year to focus on our Covid-19 project. Consultation is expected early in early 2021/22.

The new PCF rules and guidance was published in Q4.

Programme: Strategic objective 1 - Promoting the public interest through ensuring independent, effective and proportionate regulation

The findings report on the ongoing competence call for evidence was published in February. There is minor slippage on the independent research report on the approach of other jurisdictions to ongoing competence. It is now planned for publication in early 2021/22.

The IGR review outcomes continued to be monitored via our regulatory performance programme.

Programme: Strategic objective 2 - Making it easier for all consumers to access the services they need and get redress

The public legal education literature review was published in February. Insights from this workstream are feeding into our consumer engagement workstream.

The discussion paper on quality indicators was published in February. This is intended to gather further information from stakeholders and address outstanding policy questions to inform a draft policy statement in 2021/22.

The review of our small business legal needs survey was published in February.

Programme: Strategic objective 3 – Increasing innovation, growth and the diversity of services and providers

There was minor slippage on finalising the technology paper for publication in Q4. It has since been published in April.

Our review of the existing outcome framework on diversity continued in Q4. We also commissioned external research on diversity in Q4.

Programme: Other areas of work

The strategy and business plan were published in March.

Implementation of Vuelio continued in Q4. It was used for several stakeholder distributions in Q4, including the strategy and business plan.

Statutory decisions - background

Alterations to regulatory arrangements

Under the Legal Services Act 2007 ('the Act'), alterations to approved regulators' regulatory arrangements ('rule changes') must be approved by the LSB before coming into effect. This is one of the LSB's principal and most frequently exercised statutory functions.

The Act prescribes an initial 28 day period for making a decision that can be extended by the LSB by up to 90 days via an extension notice or by a further year if the LSB is considering refusing an application and issues a warning notice. The LSB can only refuse an application if one of the statutory refusal criteria is met.

Under the Act, the LSB also has the power to exempt certain general or specific changes from the approval process by issuing an exemption direction.

The LSB aims to publish all applications and decisions within two working days.

In our consideration process, we take a risk-based approach whereby applications are assessed as lower risk or higher risk. For lower risk applications, our target is a decision in 28 days or less. For higher risk applications, our target is a decision in greater than 28 days and 90 days or less.

Practising fees

Under the Act the LSB assesses and approves practising fees.

Statutory decisions - analysis

In Q4, we received three applications to make alterations to regulatory arrangements and issued two decisions. In Q4 we also approved one practising fee application.

Our median decision time on alterations to regulatory arrangements was 47 days in 2020/21. Our mean decision time was 52 days. This is in line with 2019/20. The majority of our decisions required an extension notice in 2020/21. Our median decision time on practising fee applications was 29 days in 2020/21. Our mean decision time was 30. This is in line with 2019/20.

In Q4, we published all applications and decisions within our two working day target. Overall, in 2020/21 89% of applications and 100% of decisions were published within our target. The two applications that were published outside our target time were due to technical issues.

In Q4, we made two decisions on lower risk applications. Overall, in 2020-21 we made eight decisions on lower risk applications, of which three required an extension notice. Compared to last year, a greater proportion of lower risk applications required an extension notice in 2020/21. In Q4, we made no decisions on higher risk applications. Overall, in 2020-21 we made three decisions on higher risk applications, of which all required an extension notice.

Contact Us – background

Contact Us is our inbox for receiving correspondence from the public. It is monitored by the administration team.

The public typically contacts us to complain about an approved regulator, lawyer, the Legal Ombudsman, or with general enquiries about legal services and legal aid.

Our target response time is 10 working days.

Contact Us – analysis

Contact Us enquiries were higher in Q4 compared to any other quarter in the last two years.

Repeat enquiries and enquiries copied to us made up a greater proportion of overall enquiries compared to the last two quarters.

Our response time in Q4 was consistent with previous quarters in 2020/21. This is much improved compared to 12 months ago.

In Q4, 80% of our responses were within our target time. This is in line with the year-to-date figure, and better than in 2019/20.

Freedom of Information – background

The Freedom of Information Act 2000 ('the Act') gives people a right of access to the information held by, or on behalf of, public authorities ('authorities'). This applies regardless of the age, format, origin or classification of the information, and covers for example: reports, letters, emails, notebooks and photographs.

The Act requires authorities: (1) to publish information proactively in accordance with their publication schemes; and (2) to provide within not more than 20 working days other information requested by any person ('information requests').

Freedom of Information – analysis

We received relatively few freedom of information requests in Q4 compared to earlier in the year. Overall, in 2020/21 we received fewer requests compared to the previous two years, but in line with historical request numbers.

We met our target response time for all responses in Q4. Overall, in 2020/21 one request was dealt with outside our target response time. This was to allow us sufficient time to consider the public interest test.

Our median and mean response time in 2020/21 was lower than in recent years.

Communications and engagement

There were more website users in Q4 compared to any previous quarter in almost 2 years. Overall in 2020/21, median and mean users was broadly in line with recent years.

The market intelligence research hub continues to be used, with the coronavirus dashboard gaining the most interest.

Views of the Chair's blog appear to have plateaued at lower levels. Average time on the blog continued to vary.

Senior engagement meetings increased in Q4 compared to the previous quarter.

In Q4, we continued distributing a newsletter to stakeholders via our CRM system. Our newsletter on reshaping legal services went to almost 1,000 recipients. Engagement with our monthly bulletin increased. Our current open rates and click-through rates are high relative to comparative industry benchmarks, which are around 22% open and less than 3% for click-through.

Our social media following continues to grow at a steady rate.

There were 165 instances of media coverage on us in Q4. Media coverage was mostly positive or very positive in Q4, consistent with the previous quarter. The very positive coverage was primarily about our strategy and prices research. The positive coverage was primarily about our strategy, coronavirus dashboard and practising fee rules. The five negative pieces were about the Bar Council's opposition to our strategy and budget. Media coverage included two national pieces, which were both neutral. The rest of our coverage was in trade press.

Finance – prompt payment – background

The LSB undertakes one payment run per week.

Prompt payment data is reported in line with Government guidance.

Finance – prompt payment – analysis

The number of invoices paid and prompt payment data in Q4 was broadly consistent with previous quarters in 2020/21.

In Q4, we paid 99% of invoices within 5 working days. We paid 100% of invoices within 10 working days. This is higher than any other quarter in 2020/21.

On average we paid our invoices within 2.4 days in Q4. This is lower than any other quarter in 2020/21.

Human Resources

Results from the colleague pulse survey in Q4 were consistent with survey results earlier in the year. Most colleagues remain confident in SLT's ability to make the right decisions. Most colleagues would prefer to work remotely for most of the week.

Annual leave carried over into 2021/22 is 200 days. This is more than last year. Annual leave taken rose substantially in the second half of 2020/21.

Spending on training increased marginally in Q4. In Q3, organisation training spend increased substantially as training that was postponed from earlier in the year was rescheduled to Q3. Colleague training spend was low in 2020/21.

Sick days were higher in Q4 compared to the previous two quarters, but lower than in 2019/20. One colleague resigned in Q4.