From SRA General Counsel

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Dear Angela

Re: SRA Case handling procedures

Thank you for your letter of 2 June 2023 requesting details of our action plan setting out the detail behind our improvement programme for case handling and progression.

This follows correspondence last December regarding issues in our handling of a particularly challenging and complex matter. In that correspondence and our ongoing discussions, we described to you the wide-ranging continuous improvement programme that we have underway.

This work - looking as it does across internal processes, ways of working, communication, and skills development - is a culture change programme that is intended to deliver long term and sustainable change; supporting our staff to achieve a greater standard of customer service, improved case analysis and more effective and timely case progression. The programme will be evaluated – and benefits tracked – through the ongoing work of our dedicated Quality Assurance team, feedback from customers that have been through our processes, and a formal review at 12 and 24-months post implementation.

Some improvements can already be seen. Building on the changes highlighted in our previous correspondence, we have introduced a time recording system to ensure we are better able to understand efficiencies and improvements. We have also made further progress in addressing cases over 24 months old; in February, reaching a 42% reduction from the 244 cases that were in this category in October 2021 (resulting in 142 cases). At the end of May, the number was 173, reflecting the lumpy nature of the pipeline. Our focus on reducing this number continues: We have recruited 25 additional case working staff this year (16 in post and 9 joining in the next 3 months) with the goal of meeting maximum individual caseload targets of 25 by October 2023. There will always be an overall cohort of cases that will exceed 24 months for good reason (such as a parallel criminal investigation) and we are currently modelling this figure and our target date to achieve this as a steady run rate.

We have also completed the design and roll out of a suite of improvements to the investigation stage of our proceedings, following detailed analysis of root cause issues, informed by engagement with staff across the business, data from our processes, and feedback from our quality assurance work and corporate complaints.

These will see further improvements in our overall timescales. Our new streamlined process, supported by changes to the use of our CRM system, will introduce more detailed and clearly defined deadlines, the functionality to manage tasks, clarity around key expectations and enhanced management reporting and oversight to ensure that expectations are met. In particular, management information will expose cases missing or at risk of missing milestones and our roll out of the enhanced management reviews will ensure clarity around the need to prioritise those cases.

We have introduced new KPIs to monitor the benefits of the changes. The KPIs are for 80% of initial assessments to be concluded within two months of being reported and 70% of investigations to be concluded within 10 months post-assessment. Reporting against this new KPI commenced in March and will be published alongside our existing KPIs.

As well as streamlining processes and reducing delay, the changes will deliver improvements in our levels of customer service and the quality of our decision making and outcomes. New guidance on case analysis, supported by updated Investigation Plan and Notice templates, provide a golden thread throughout the life of a case – ensuring that we capture and focus on the right issues, and assess the seriousness of concerns appropriately, from the outset. We anticipate that these changes will ensure cases are well prepared and evidenced and therefore allow us to bring down our timelines for issuing cases before the Solicitors Disciplinary Tribunal from the existing KPI of 80% in 20 weeks. We therefore plan to start tracking an alternative KPI of 90% within three months to monitor the benefits of the programme.

New protocols will provide guidelines for staff to help them to handle complexity and uncertainty arising from multiple complaints or delays from third parties; to address urgent and immediate risks through interim conditions; and (supported by templates) to provide consistent, timely and meaningful updates to all parties in an investigation. All of the new materials will be available to staff through a new central repository along with other guidance, work instructions and process documents.

The majority of these improvements have been rolled out this month in a comprehensive training programme for implementation on 3 July. This has included a mix of face to face and online training, videos, and e-learning packages, and has been delivered to 209 staff members across our investigation, legal and adjudication teams, with bespoke training for managers. Evaluation of the training includes end to end course assessment and this has so far provided a high degree of confidence that we have achieved our intended outcomes and that participants have taken on board our key messages. A package of support has been put in place to ensure the changes are embedded, including immediate real time support via staff surgeries and helplines.

Further changes will be introduced shortly, including new website content and interactive decision-trees, developed following user testing, to support those reporting concerns about a solicitor. This will raise understanding about the kinds of concerns we can take action on and the information we need in support. This will improve both the customer experience and the efficiency and effectiveness of our

assessment process. We will also be introducing a buddying system to make sure that cover arrangements are formalised and consistently applied.
Our plans include a second phase of this project comprising a programme of work to look at more strategic and transformational developments such as, streaming cases to move away from a “one size fits all” approach, enhanced capacity planning, and developing a longer-term evaluation framework to track and assess our performance. That work is currently being scoped, and we anticipate being in a position to update on the detail in the Autumn.

We would be more than happy to meet to discuss our ongoing work in more detail. In the meantime, we will continue to report on progress at our public board meetings and through our quarterly balanced scorecard, which has been enhanced to highlight, in the narrative, the new KPIs (above) introduced to track the benefits of our continuous improvement project, and any key issues or outliers.

Finally, you mentioned the proposed review of compensation claims relating to the case in question. I can confirm that this was carried out by a senior technical adviser, independent of those handling the claims, and confirmed that appropriate enquiries were made and decisions taken in all cases relating to the relevant firm.

Yours sincerely

Juliet Oliver

Juliet Oliver
General Counsel
Solicitors Regulation Authority