

Sent by email only to consultations@legalombudsman.org.uk



15 January 2021

Dear Sir/Madam

The Legal Ombudsman's Business Plan 2021/22.

The Panel welcomes the opportunity to respond to the Legal Ombudsman's draft Business Plan for 2021-22.

The Panel would like to acknowledge the extensive stakeholder engagement programme that the Legal Ombudsman undertook as part of this exercise. We have had the opportunity to share our views on more than one occasion, and we see this consultation response as another opportunity, albeit an important one.

The Panel is broadly in support of the direction of the Business Plan and supports its central goals. We agree that the pandemic has exacerbated the challenges faced by the Legal Ombudsman, which unfortunately now means that its backlog has worsened. Consumers have a legitimate expectation that their cases are picked up reasonably promptly, so clearly the current waiting times of between six and 12 months cannot be allowed to continue .

The Legal Ombudsman has articulated the need for a budget increase of 19% to clear the backlog and advance on a programme of efficiency. We are persuaded by the arguments made, but note that the Legal Services Board as the oversight regulator is in a better position to assess budgetary needs, as well as to balance the effects that such an increase have on providers.

The Panel continues to see standards-raising as fundamental to the ombudsman redress model. Therefore, we support the Legal Ombudsman's emphasis on feeding back learnings from complaints as a priority area. However, the Panel would like the Legal Ombudsman to put all necessary resources into clearing the backlog this year and to focus on improving the feedback loop as soon as the backlog problem appears to be resolved.

In the last business plan, we said we were in full support of the Legal Ombudsman exploring other informal means of dispute resolution, particularly if this leads to speedier resolution or a reduction in unit cost. We understand that some work was done in this regard, but we are not aware of any assessable output to this end.

In this business plan the Legal Ombudsman has also noted that it has plans to explore an adjudication model for lower complexity work. We support this approach in

principle, but would have liked to understand better how the learnings from the previous work in this area has fed into this new proposal.

Reflections on the consultation questions

Have the right priority areas for the Business Plan been identified? If not, what should the legal ombudsman be addressing?

The priority areas appear to be the right ones. However, given the current backlog and the possibility of it getting even worse, we consider that top priority over the forthcoming months should be given to clearing it. This is not to suggest that work in the other areas should not be progressed, rather that the greatest organisational weight and effort should be focused on addressing the backlog.

Budget

Is the Budget set at the right level to allow the actions in the Business Plan for 2021/22 to be completed?

As noted above, we consider that this an area for the oversight regulator to scrutinise in depth.

Do you have any learning and experience to support the innovation work being undertaken under priority two.

The Panel is of the strong opinion that the Legal Ombudsman would learn a lot from innovation and technology adopted by its peers in other sectors. While we are in support of the approach and outcomes outlined under priority two, it would have been useful to understand, in more detail, which alternative resolution methods the Legal Ombudsman plan to adopt, following the research it must have already undertaken in this area.

I hope these comments are helpful. Please contact Lola Bello, Consumer Panel Manager, with any enquiries.

Yours sincerely,



Sarah Chambers

Chair, Legal Services Consumer Panel