



Minutes - Legal Services Consumer Panel meeting

Date: 03 February 2021

Time: 14:30-16:00

Venue: Online due to the covid-19 pandemic

Present:

Sarah Chambers	Chair
David Abbott	Member
Owen Derbyshire	Member
Paul Crook	Member
Liz Owen	Member
Mark McLaren	Member
Lola Bello	Consumer Panel Manager
Laurentiu Ciocan	Consumer Panel Associate
Chloe Clynschaw	Legal Services Board (Minutes)
Paul Nezandonyi	Legal Services Board (Observing)
Peter James	ICAEW (Item 7)

Item 1 – Welcome and apologies

1. The Chair opened the online meeting and welcomed those present to the meeting.
2. Apologies had been received from Lisa Davis.

Item 2 – Declaration of interests

3. None.

Item 3 – Minutes of 28 October meeting

4. The Chair presented the minutes from the 28 October 2020 meeting, which had been agreed via electronic correspondence.

The Panel noted the minutes from 28 October 2020.

Item 4 – Matters arising

5. All matters arising were acknowledged.

Actions:

- **To arrange an introductory meeting with Lauren van Staden, HM Courts and Tribunals Service, Deputy Director for User Experience and Insight.**
- **The Panel to have a follow up meeting with the Bar Standards Board about quality indicators and their consumer engagement.**

Item 5 – Chair’s report and members’ updates

The Panel discussed the Chair’s Report, and the following points were raised:

5. The Panel welcomed the pilot on using review websites and/or choice tools led by the SRA, which also included the CLC and Cilex Regulation.
6. Some Panel members had attended a meeting with the Legal Ombudsman (LeO) on the same day as the panel meeting and noted the broad support for LeO’s business plan and the focus on clearing its backlog.
7. Panel members were reminded to send their stakeholder engagement notes in advance of each meeting to the Panel Associate.

Item 6 – Projects update and consultation responses

8. The Panel Associate presented the projects update and the upcoming consultations.
9. Owen updated the Panel on his invitation to attend a roundtable with LawTech UK, which will focus on the open data initiative.

Item 7 – ICAEW update on transparency

10. The Chair welcomed Peter James, Head of Regulatory Policy, Professional Standards at the Institute of Chartered Accountants in England and Wales (ICAEW). Peter presented a slide pack highlighting the following:
 - Only 3% of the firms that the ICAEW regulates offer a probate service. These firms are multi-disciplinary and deliver other aspects associated with distributing a person’s estate. Over the past five years, since the CMA’s transparency report, the ICAEW has tried to increase transparency on a voluntary basis.
 - The Chair acknowledged that the ICAEW had been making progress in some areas but expressed concern about the speed of change in other areas. For example, only 6% of firms explained what services would be provided for the forecasted costs and 1% of firms provided a price calculator. Probate was an area of concern to the Panel.
 - The Panel also said that the ICAEW regulates the second largest probate community within the legal sector and that probate is the third most used service.

Hence it is crucial for consumers to have access to information on price and quality when they shop around. The ICAEW should work with the SRA and CLC to ensure comparability of prices and quality when consumers shop around for probate.

- The ICAEW has a quality assurance mechanism, under which firms regulated for probate get regular visits in the first two years after accreditation. As part of the quality inspection, the regulators look at the ways each firm approaches transparency.
- The ICAEW had issued full transparency guidance three years ago and since then they have been monitoring the websites of firms to keep an updated record of implementation.
- The Panel said that the voluntary approach had not appeared to be very successful in securing compliance, and some of the outline guidance already played a part in the practice assurance setup.
- The ICAEW acknowledged that they were late on issuing guidance and assured the Panel that by 31st March 2021 they will have completed another assessment. If the compliance numbers remain low by this date, the ICAEW plans to introduce mandatory publication of prices for its probate community.
- The ICAEW said work on transparency is moving in a direction which is consumer orientated. The ICAEW believe it will be a market driven process which was in line with the recommended approach from the CMA.
- The Chair asked for an outline of the changes to its transparency guidance expected by 31st March and what would need to happen for this guidance to be made mandatory. Peter said that he did not think that sufficient improvement would be seen by that time and would put a paper to ICAEW's regulation board in April with details outlining further changes.
- The Panel said it would be useful to look at vulnerable client guidance in the context of insolvency, personal liquidations and in areas already within local audit. Peter said that the ICAEW may come back to discuss with the Panel the best terms of practice and approach that would cover other areas of the market. The Panel welcomed this.
- In response to the Panel's question on quality indicators, the ICAEW have created a quality mark that demonstrates that a probate firm is regulated by ICAEW, with associated quality inspections, ensuring those firms deliver a high quality standard.

The Panel noted the update from the ICAEW and thanked Peter for his time.

Action: To arrange a follow up meeting with Peter as soon as possible after their April board meeting.

Item 8 - Draft agenda for 17 March 2021 meeting

11. The Panel noted the draft agenda.

Item 9 - Any other business

12. None.