

<b>Date</b>	<b>10 May 2023</b>
<b>Item</b>	<b>8.0</b>
<b>Title</b>	<b>Director of Governance Report</b>
<b>Author</b>	<b>Simon Blandy, Director of Governance</b>
<b>Purpose</b>	This paper provides an update on the work undertaken in the governance, policy and legal unit since the last Board meeting.
<b>Recommendation</b>	To <b>NOTE</b> the update and actions identified.
<b>Timing</b>	N/A
<b>Impact assessment</b>	While there are no decisions requiring an assessment, work being undertaken demonstrates that CRL is well-led, consumer-focused and uses learning to improve performance.
<b>Impact on Regulatory Objectives</b>	The assurance provided by this report has a positive impact on the following regulatory objectives: <ul style="list-style-type: none"> <li>- Public interest</li> <li>- Consumer interest</li> <li>- Independent, strong, diverse profession</li> </ul>
<b>Implications for resources</b>	No additional resource implications.
<b>Impact on consumer empowerment</b>	The consumer facing projects carried out and supported by CRL reported in this paper (specifically compliance with the Transparency requirements and the Legal Choices project) protect and promote the interests of consumers.
<b>Impact on ongoing competence</b>	N/A
<b>Publication status</b>	For publication
<b>Appendices</b>	<b>8.1</b> Actions for CRL arising from the RPA 2022

## Policy

### Equality Diversity and Inclusion

1. Data collected from the CRM is being analysed so drafting of CRL's Diversity Report 2023 can begin. Ahead of collection, there was a renewed campaign (Regulation Matters newsletter, direct email and social media posts) to encourage regulated members to input and/or update their personal data on CRM.
2. At a meeting to discuss collaboration on collection of data for resigning members, CILEX advised that it did not regard as a priority changes in the resignation process to include a leavers survey. Alternative approaches are being explored to enable resigning members to be identified and sent a leavers survey throughout the year.
3. There has been substantial progress in the cross-sector EDI research consortium project:

- a) A deep dive presentation of findings from the analysis of the quantitative research by the research company, the Young Foundation, on 27 February 2023. CRL regulated members are outliers in several areas:
    - o a higher proportion of respondents with three or more marginalised characteristics
    - o a higher proportion work part time
    - o a high proportion have considered leaving the profession because of:
      - unequal pay and benefits
      - burn out/unmanageable workload
    - o retention measures less likely to be in place.
  - b) CRL provided input to the approach, discussion guides, composition of focus groups and experts to be interviewed for the quantitative phase discussed and finalised in meetings on 3 and 27 March 2023.
  - c) The quantitative stage field work comprising interviews with six EDI experts and 18 focus groups started on 3 April 2023. There will be a presentation of the initial quantitative stage findings on 22 May 2023. The first draft report is due to be circulated at the end of June 2023.
4. In advance of the Legal Regulators EDI Forum on 7 February 2023 the LSB shared topics for an EDI questionnaire it would require the legal regulators to complete. At the meeting the LSB advised that:
- a) the questionnaire will support development of the LSB's EDI statement of policy (the final version of which the [LSB aims](#) to publish in Spring 2024)
  - b) the statement of policy will set out the LSB's evidence-based EDI expectations of regulators in one place but will not alter the current performance framework
  - c) regulators will be notified when they will first be assessed against the expectations set out in the policy statement (not before November 2024).
5. CRL attended the Judicial Diversity Forum combined statistics group meeting on 28 February 2023. There were updates on the skeleton draft 2023 Diversity of the Judiciary report and the model of seniority data (see paragraph 6 below). It is unlikely that the report will include disability data because the judiciary has not reached a declaration rate of 60% and the SRA continues to have a legacy data issue.
6. At the Legal Regulators EDI Forum on 4 April 2023 representatives from the Law Society and the Bar Council gave a presentation on the development of a model to assist the Judicial Diversity Forum in understanding the impact of seniority within the feeder professions<sup>1</sup> on diversity within the judiciary.
7. CRL submitted its responses to the LSB's finalised EDI questionnaire on 6 April 2023 ahead of the 14 April 2023 submission date. The questionnaire covers:
- a) strategy:
    - i. policies in place and approach to setting objectives and aims
    - ii. governance processes to provide strategic EDI direction and decision-making
    - iii. communication of strategy to regulated members and stakeholders
  - b) data collection and monitoring

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<sup>1</sup> chartered legal executives, barristers and solicitors

- c) regulatory activities and evaluation.

### Consumer

8. By the end of Q1 2023 80% CILEX-ACCA Probate firms with a website were either fully or substantially compliant with Transparency requirements. Non-compliance is now being addressed as part of authorisation renewal.
9. On 7 March 2023 CRL participated in the first Legal Regulators' Forum meeting since December 2021. The Legal Services Consumer Panel reported that it had developed a tool (to include case studies) to help legal regulators become more consumer focused, though to date this has not been published. LeO reported a significant reduction in cases in the pre-assessment pool and the changes to their scheme rules which came into force on 1 April 2023.
10. CRL continued to raise awareness of the amendments to the LeO Scheme Rules which came into force on 1 April 2023 using a variety of channels and signposted regulated members to the LeO guidance and supporting information on the LeO website.
11. At the Legal Choices Steering Group meeting on 18 April 2023 there was an update on the initiative to improve navigation on the website and a discussion on content development. Specifically, arrangements are being made for content on immigration to be tested with asylum seekers. The site is on target to have 1.5 million visitors in the year to October 2023 (substantially in excess of 1.25 million target). A meeting of the Legal Choices Governance Board is scheduled for 18 May 2023 when its funding arrangements are likely to be discussed since the current funding cycle comes to an end later this year.
12. CRL attended a roundtable discussion on unbundling on 19 April 2023. Whilst it was accepted that there was no general understanding of the term 'unbundling', no suitable alternative was suggested. The SRA unbundling report has still not been published, nor was the SRA able to commit to a publication date.

### Legal Technology

13. See separate Board Paper Legal Technology Review.

### Rule of Law and Professional Ethics

14. As part of its work to establish how regulation can best support the rule of law and high standards of professional ethics in the legal services sector, the LSB held a roundtable event on 27 March 2023 and participated in a conference on 28 March 2023, both of which CRL attended. The current focus on the Rule of Law and Professional Ethics has been driven by a number of issues highlighting behaviours by lawyers acting for powerful clients which, whilst not illegal, is perceived as undesirable: the Post Office scandal, inappropriate use of NDA (by e.g. Epstein and Weinstein) and SLAPPs (Strategic Lawsuits Against Public Protection).
15. In a [paper](#) for its Board meeting on 25 April 2023 the LSB summarised their current expectations:

We consider that professional ethics and the important role that legal professionals play in upholding the rule of law should be further promoted in education and training, and ongoing ethical competence should be undertaken to support this throughout a legal professional's career; the standards of conduct and supporting guidance should make the expectations of legal professionals clearer; and supervision and enforcement have a role to gain assurance that the expectations of legal professionals are understood, embraced and that good practice is embedded in the workplace.

The LSB anticipates that it will be consulting later in the year on a statement of policy to support its work in this area. The statement of policy is likely to be incorporated into the LSB's [Regulatory Performance Sourcebook](#).

#### Update on Actions Agreed following LSB's Regulatory Performance Assessment 2022

16. At its meeting on 23 February 2023, the Board agreed the schedule of actions following the LSB's Regulatory Performance Assessment 2022. The schedule (**Appendix 8.1**) has been updated to show progress made since that meeting. All actions due in Q1 2023 have been completed (and shaded so they can be easily identified).

#### Health & Safety Annual Report

17. All members of staff are up to date with their elearning of the Health and Safety risks associated with use of their IT equipment. The newly appointed HR contractor has committed to complete a Health and Safety compliance report to ensure that all work associated risks are appropriately managed. A paper will be presented to the Board when this has been completed.

#### **Stakeholder engagement (1 February to 29 March 2023)**

(Previous reporting period - 17 November 22 – 26 January 23)

#### Campaigns

18. Since 1 February 2023, CRL has run the following campaigns:
  - a) University of Law first results – promotions including press release and social media
  - b) Promotion of the Legal Ombudsman Scheme Rule changes (effective from 1 April 2023)
  - c) Publication of the Chair's February 2023 board meeting update
  - d) WBL and QE fee increase from 1 March 2023 awareness campaign
  - e) LeO free scheme rules training available – training sessions promotion
  - f) [Response to LSB's draft business plan consultation](#) published on CRL website
  - g) Time to Talk day – Mental Health Awareness (supporting Lawcare activities)
  - h) Week-by-week examples – raising awareness of information to help applicants
19. The Policy and Stakeholder Engagement Team also provided support to the Executive Team for:
  - a) Competitor research to compare our consumer webpage with other legal regulators. This work will feed into our overall website audit project.

- b) Website updates for consumer pages and navigation including creation of new [consumer landing page](#).
- c) Creation of new [Problems and Complaints](#) webpage and new process flow [infographic](#)
- d) Addition of new [week-by-week examples](#) to the website
- e) Updates to the Financial Sanctions and AML web pages to bring in line with new government guidelines.
- f) ACCA renewal dotDigital campaign
- g) CRL Firms 2023 Data collection dotDigital campaign
- h) Continuation of EDI research by the consortium research project group (the [Chartered Bodies Collaborative](#)) led by the Young Foundation – meeting attendance in relation to comms
- i) Regulation Matters website updated with recent articles.
- j) National Conveyancing week 2023 - social media.

20. Work has continued on additional projects including:

- a) **Promotional video** – completed in February 2023. The video is now hosted on the CRL YouTube channel and also on the new Consumer landing page.
- b) **Website audit** – review of the consumer pages has been completed and updates made to the presentation and navigation. Next phase will be the 'I am regulated' area of the website, working with associated managers.
- c) **Google Analytics** – move to new GA4 platform from 1 July 2023. Review of current process and forward look at potential for additional reporting using new system. Additional training to be undertaken by the Communications Coordinator.

21. CRL's communication channels continue to show steady growth across the main platforms, including the CRL website, social media and newsletters.

#### Website engagement

22. Top 5 performing web pages for the reporting period

<b>Webpage</b>	<b>6<sup>th</sup> Dec – 31 Jan 23</b>	<b>1<sup>st</sup> Feb – 29 March 2023</b>
Find a Lawyer (Practitioners Directory)	9,586	13,214
Week-by-week guidance	7,525	10,114
Chartered Legal Executives	1,241	2,274
Work based learning (guidance and handbook)	1,118	1,787
Qualifying Experience	1,074	1,644

23. Following the launch of the consumer video, CRL is looking to run a focused consumer campaign that will aim to increase awareness and engagement. This will follow the completion of the consumer web pages audit (including update of the Problems and complaints process).

24. There is a plan to explore other social media platforms such as Facebook to further engage consumers.

25. CRL newsletter and Regulation Matters email open rates are as follows:

Edition	Open Rate
January 2023	51%
February 2023	43%
March 2023 (Reg Matters)	48%
Industry Standard	15-35%

26. The CILEx Journal Spring Edition – published 16 March 2023 included CRL features - *Socio-economic diversity in the legal profession* and *Qualifying Experience feature* plus our Disciplinary Decisions. These articles have also been added to the Regulation Matters website.

27. Mentions in the press:

Date	Publication	Article
03.03.2023	Legal Futures	<a href="https://www.legalfutures.co.uk/latest-news/lpa-reform-which-ends-legal-executive-anomaly-backed-by-mps">https://www.legalfutures.co.uk/latest-news/lpa-reform-which-ends-legal-executive-anomaly-backed-by-mps</a> (University of Law first results released)

### Press Releases

28.

01.03.2023	<a href="#">University of Law first results released</a>
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### Engagement and reach

29. The following is a summary of CRL's communications' engagement and reach since the last Board meeting:

Channel	6 Dec – 31 Jan 23	1 Feb – 29 March 2023	Highest engagement
CRL Website	Users: 13,484 Sessions: 23,918	Users: 14,734 Sessions: 28,304	Top 3 pages: 1. <a href="#">Practitioners' directory</a> (Find a Lawyer) 2. <a href="#">Week-by-week schedules</a> 3. <a href="#">Chartered Legal Executives</a> page
LinkedIn followers	4,118	4,248	Posts with the highest engagement:

LI Post engagement*	2.90%	2.70%	<ol style="list-style-type: none"> <li>1 Practitioner Authorisation and Supervision Manager role</li> <li>2 LeO new scheme rules</li> <li>3 LSAG rule changes</li> </ol>
Twitter followers	1,615	1,615	Tweets with highest engagement: <ol style="list-style-type: none"> <li>1. UoL first assessments results</li> <li>2. Board update for Feb 23</li> <li>3. PAS Manager role</li> </ol>
Post engagement**	2.90%	2.70%	
Regulation Matters website	Users: 666  Sessions: 725	Users: 1,618  Sessions: 1,794	Top 3 pages: <ol style="list-style-type: none"> <li>1. Qualifying Experience feature</li> <li>2. Case Studies</li> <li>3. Levelling up feature (Diversity and social mobility)</li> </ol>

\*Industry standards: 2% and above is considered good engagement

\*\*0.33 to 1% is considered very high

### Recommendation

30. The Board is asked to **NOTE** the update and actions identified.