

**REPORT TO: CILEx REGULATION BOARD**

**FOR: DISCUSSION**

**DATE: 21 February 2018**

**REPORT TITLE: CEO REPORT**

**SUBMITTED BY: Helen Whiteman, Chief Executive Officer**

**STAKEHOLDER ENGAGEMENT:**

**LEGAL SERVICES BOARD**

- 1 On 17 January 2018, the Chair and CEO met their counterparts at the LSB. Later that day they attended the LSB's regulator Chairs' meeting. Items for discussion included Brexit, the LSB's consultation on the Internal Governance Rules (IGR) and consumer transparency.
- 2 On 24 January, CILEx Regulation Board members met with LSB Board members to exchange ideas and information.
- 3 We are currently awaiting a response from the final statutory consultee on our ABS application, namely the Lord Chief Justice. We were notified via the LSB that his response will be available by 9 February.

**BEIS: REGULATORS' PIONEER FUND**

- 4 Vicky Purtill attended a Better Regulation Executive (BRE) Workshop organised by the Department for Business, Energy, Innovation and Skills (BEIS) on 1 February 2018. Most legal regulators were represented. The primary focus of the workshop was to introduce a £10m Regulators' Pioneer Fund, announced in the Government's November statement. This will make available grants for regulators to use on making regulation work better for existing businesses, to facilitate their growth and productivity, through use of innovation and technology.
- 5 BEIS is seeking to identify barriers and to provide funds to enable regulators to develop solutions. Bids addressing social mobility are likely to be considered favourably. BEIS is interested in projects which have transferable skills outcomes, and joint regulatory projects, working either within or across sectors, as well as consortium bids involving regulators working with business, education and/or professional bodies. They will not fund business as usual projects. The fund is also available to upskill staff working within regulators.
- 6 Next steps include roundtables with linked regulators and publishing the principles for bidding. As details of the bidding process are released, it will become clearer what the funding will be available for. However, possibilities for CILEx Regulation include working with other legal regulators on technology developments open to law firms, and working with CILEx and CLS on developing education standards review (Project Phoenix).

## **REGULATED ENTITIES**

- 7 On 18 January we hosted our first Insights Programme, aimed at the businesses we regulate. The content, speakers and administration were well received by attendees (seven firms). We plan to host the next event in September 2018. Board members are encouraged to attend.

## **CMA – REMEDIES PROGRAMME IMPLEMENTATION GROUP (RPIG)**

- 8 On 6 February we attended the sixth meeting of the RPIG with the CMA. The group received updates on progress against action plans. Minutes of the previous meeting on 5 December 2017 are on the CMA's website [here](#).

## **LEGAL OMBUDSMAN (LEO)**

- 9 On 5 February LeO published its response to the recommendation in the CMA's report on the legal services market<sup>1</sup>, on extension of redress to consumers using unauthorised providers. LeO agreed that it is the most appropriate organisation to help consumers of unauthorised providers, but said it would need a designated budget from central government, distinct from the levy, before committing to a scoping exercise.
- 10 On 15 February, the CEO will meet the new Chief Legal Ombudsman, Rebecca Marsh and CEO Rob Powell. Rebecca will be interviewed for Regulation Matters.

## **OTHER REGULATORS**

### **SRA**

- 11 A new MoU and Protocol governing arrangements when a firm switches regulator, is with the Chair for approval. This will enable us to accept new types of firms wishing to move to us for entity regulation. Our compensation arrangements will not pick up historic risk. The MoU is our second bi-lateral MoU with the SRA. The first governs regulatory information sharing.

### **BSB**

- 12 Following feedback gathered by PIB Insurance Brokers, it is clear that lack of market awareness of CILEx and CILEx Regulation, means insurers do not view that there is a need to adapt to future changes. However, insurers have not so far raised any technical reasons that cover could be provided via a broker. We will look to arrange a joint meeting with two main insurers supported by PIB and Marsh to explain how our practitioners are qualified, how we regulate our firms and why we are pursuing an alternative solution to Designated Professional Body status.

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<sup>1</sup> <http://www.legalombudsman.org.uk/legal-ombudsman-responds-to-competition-and-markets-authoritys-legal-services-market-study/>

## **JOINT REGULATORS' FORUM**

- 13 We attended the Regulator's Forum on 7 February for which the agenda and minutes of the previous meeting on 19 October 2017 are available in SharePoint.

## **JOINT REGULATORS' EQUALITY, DIVERSITY AND INCLUSION (EDI) GROUP**

- 14 With the CLC, SRA, ICAEW and BSB, we met on 6 December 2017 to discuss equality, diversity and inclusion (EDI) issues and to identify areas for collaboration and knowledge sharing. This group will meet approximately three times per annum and operates under the same framework at the Joint Regulators' Forum. The minutes are on SharePoint/Regulators' Forum.

## **Legal Choices Development Project**

- 15 Following agreement in 2017 of the project terms, governance arrangements and development budget for 2017-20, the Legal Choices Governance Board has met twice. The first meeting was on 21 September 2017, when its Terms of Reference were agreed, together with Terms of Reference for the Legal Choices Advisory Panel (LCAP) and Legal Choices Steering Group (LCSG).
- 16 Spending falls into three parts:
- redevelopment of content;
  - an online marketing budget; and
  - hosting and support.
- 17 The budget for year one is £200k then year two £250k and year three £250k. The funding offer from ICAEW brings the package to a total of £746k over three years with a review by the Governance Board (at CEO level) in year two. The budget is capped at £746k unless there is joint agreement by regulators to increase the funding.
- 18 The Governance Board also agreed on 21 September to issue formal invitations to join LCAP, based on a mapping exercise for potential invitees commissioned by the Joint Regulators' Forum. The Advisory Panel operates as a closed LinkedIn group with formal meetings annually.
- 19 The second meeting of the Governance Board on 11 December 2017 considered a progress report attached at Appendix 1, which is also available in Board SharePoint /Legal Choices along with the development plan and costings 2017-20.
- 20 The Research Request for Proposal (RFP) went on 4 December to six of the SRA panel of research suppliers. The digital design RFP went on 7 December to seven bidders, several of which had also expressed an interest in the research work. The SRA is leading on co-ordination of the bid panel dates and arrangements.

## **CILEx**

- 21 The office met with CILEx on 20 December to discuss revisions to the IGR Protocols between our organisations, last reviewed in 2015. The office proposed a number of changes to CILEx, which indicated that it would review and add any comments or proposed changes from their side and issue to their governance advisor for advice, with a view to a final version being available for discussion at Board and the new Group Board. An oral update will be provided.
- 22 Newly appointed Group Board member profiles are available in SharePoint. The Chair has arranged to meet the new Group Board Chair shortly.
- 23 The Joint Education and Training (JET group) will meet on 27 February to discuss progress against the project plan.
- 24 CILEx Graduation: Graduation be held on Saturday, 13 October 2018, at Milton Keynes Theatre. There will be a dinner on 12 October for members and employers, which the Chair and CEO will attend.

## **Advocacy**

- 25 The CEO, Director of Authorisation and Practitioner Officer met with Kaplan on 6 December 2017. We are now working on collaboration with them, and tutors, to review course provision. The next advocacy course for criminal litigation will be held on 16 April 2018.

## **Strategic Risk Committee (SRC)**

- 26 The SRC met on 5 February 2018. Two new committee members were recruited in December 2017. The committee considered a range of matters, including development of a risk matrix to cover regulated individuals. This will enable implementation of LSB recommended proactive supervision for CILEx members, using an evidence and risk based approach once the CRM is live. They also reviewed three approved entity applications. Feedback from the committee was positive in relation to the application process and the committee will meet again in May 2018.

## **COMMUNICATIONS:**

- 27 A new communications plan has been developed and is attached at Appendix 2. This will be reviewed annually, and performance reported to the Board quarterly.
- 28 Following Board feedback, we have revised the brief for a new corporate website and this is now in the design phase with Spindogs.
- 29 The seventh edition of Regulation Matters was published at the end of January featuring interviews with a new conveyancing entity 'Eg Law', LSB Interim Chair Helen Phillips and social media consultant, Rachel Tombs.
- 30 We are scheduled to meet with CILEx commissioned PR agency Spencer du Bois on 27 February to discuss PR and branding.

## **OPERATIONS:**

- 31 Staff attended a Group Well-Being day, run by the British Heart Foundation, on 19 January to learn more about physical and mental well-being.
- 32 Members of staff will take part in the London Legal Walk on 21 May 2018 and the London PRIDE March on 7 July 2018. Board members are invited to join either or both events. The corporate events calendar 2018 is available in SharePoint.
- 33 Staff are scheduled to attend in-house training on GDPR (General Data Protection Provisions) on 1 March.

## **Appendices:**

Appendix 1: Legal Choices Project progress report 30 November 2017

Appendix 2: Communications Plan 2018

## Available in SharePoint:

- Joint Regulators' Forum: minutes 19 October 2017
- Joint Regulators' EDI Group: minutes 6 December 2017
- Group Board member profiles
- Corporate event calendar 2018

## **Legal Choices Development Project:**

- Legal Choices Development Plan 2017-2020
- Legal Choices costs 2017-2020

### Governance Board (LCGB):

- Terms of Reference
- Minutes of meeting no. 1 on 21 September 2017
- Minutes of meeting no. 2 on 11 December 2017

### Advisory Panel (LCAP):

- Terms of Reference
- Advisory Panel mapping

### Steering Group (LCSG):

- Terms of Reference

## Communications Plan 2018

### Introduction

Communicating effectively is an important part of our success and supports our reputation as an independent regulator in the legal sector. We aim to engage with all our stakeholders in an honest and open way in order to deliver the standards that are expected by consumers of legal services, the public and the profession.

### Our mission

Our Communications plan fits with the overarching company strategy *“to be the regulator of choice for specialist lawyers, working in the public interest to promote high quality and accessibility for the consumer and for the regulated community”*.

Our aims are as follows:

- consumer needs inform our work;
- minimise barriers to entry for practitioners of both cost and bureaucracy;
- grow opportunities for CILEx practitioners;
- progress practical collaboration with other regulators;
- anticipate changes in the operating environment.

### Our audiences

We deal with a number of stakeholders; both external and internal. Our communications will be targeted and proportionate to our resources. Our primary audiences are:

- our Board and staff;
- consumers of legal services and the public;
- our regulated community; both individuals and businesses;
- other legal regulators, the LSB, LSCP;
- parliament, governmental institutions and those involved in regulatory policy.



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Other stakeholders include:

- CILEx and CILEx Law School;
- media;
- education and training providers;
- equality and diversity groups;
- legal complaints bodies.

### Reaching our audiences

We will engage with all our audiences in an open, honest and timely way. In order to do this, we need to do the following:

- develop our understanding of our stakeholders' expectations to inform communication choices we make that have a maximum impact and are proportionate to our resources;
- grow our external relations to improve information exchange by becoming more targeted in our approach;
- empower our staff to contribute to our effective engagement.

### Delivery

We will deliver our Communications plan in a way that:

- raises awareness of CILEx Regulation;
- is inclusive and non-discriminatory;
- positions CILEx Regulation favourably amongst other regulators;
- provides information and guidance for consumers;
- ensures regulated practitioners and businesses understand the standards expected of them.



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## External Communications

### We will:

- increase awareness of what we do and how we work in the public interest by improving our external profile and information we publish;
- be consistent and clear in all our communications, avoiding jargon and linking to our strategic aims;
- listen to others, gathering their views and feedback and use this to improve how we approach our work;
- be as open and transparent as we can be, with a starting point of publishing all our Board papers and minutes unless commercially sensitive;
- grow our brand recognition to ensure we are recognised and respected for what we do.

### Methods of communication we will use:

- cilexregulation.org.uk website;
- regulationmatters.uk website and newsletter;
- LinkedIn and Twitter accounts;
- media releases and media-enquiry responses;
- corporate communications;
- public affairs;
- reports and papers for stakeholders;
- corporate events.

## Internal Communications

### We will:

- introduce an internal communication policy which facilitates sharing information and a culture of continuous improvement;
- embed our corporate values by communicating our strategic aims to staff and ensure we provide them with the relevant information and support to do their jobs effectively and efficiently;
- develop key corporate messages which support our strategic aims and are available to staff and our Board for use;
- explore and improve our use of communication tools to enable all staff to take responsibility for effective communication both individually and within their teams.



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### Methods of communication we will use:

- staff meetings;
- managers and 1:1 meetings;
- emails;
- displays/noticeboards;
- shared F: Drive > SharePoint;
- intranet.

### Evaluation

We will:

- Publish our Communications Plan online;
- Review our communications plan annually and report performance to our Board under our corporate KPI reporting;
- Continue to develop KPIs for our communications work, aligning these to our Business Plan, and report on these to our Board;
- Use Google Analytics to assess impact/engagement for our websites and report monthly to the senior management team;
- Use organic analysis tools for social media and report monthly to the senior management team.



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