



**Independent
Complaint
Resolution
Service**

**ANNUAL REPORT
FOR THE SOLICITORS REGULATION AUTHORITY
2012 – 2013**

Fair, impartial, effective

www.icrservice.co.uk

Introduction

ICRS is pleased to present our annual report as the independent complaints review service for the SRA. This report outlines the activities of the office during the year and gives examples of some of the complaints referred to us. It also includes some ICRS recommendations that have made a positive difference for complainants and for the SRA. ICRS provides a fair and impartial service for the investigation of complaints made about the SRA. Our role is to consider specific complaints and, where appropriate, recommend action to put things right for the person concerned and to improve the future quality of the SRA's service. The SRA is committed to implementing our recommendations wherever practicable. In the overall scheme of the SRA's activities, complaints referred to ICRS are very few in number. For the most part people are satisfied with the way the SRA operates but there are always exceptions and, in those few cases where the SRA cannot resolve matters internally, people have the option of turning for help to ICRS.

This year, the great majority of complaints have been referred to us from members of the public who have felt aggrieved about the outcome of the reports they made against individual solicitors or firms. Whilst ICRS can look into complaints about the way that the SRA has dealt with matters, the limitations of our remit mean that we cannot always help people to achieve the outcome they want. This is often a change of heart on the part of the SRA if a regulatory decision has been taken not to pursue a report. When they are disappointed by the SRA's response, people often want ICRS to confirm that there has been a breach of the Code of Conduct and to make the SRA take action against the solicitor concerned. We can do neither. However we can offer a balanced and informed view of whether the SRA has followed process and lived up to the standards to be expected.

As well as those who are dissatisfied with limited regulatory action on the part of the SRA, there are also those who think it has gone too far and we have received complaints from members of the profession who are the subject of what they feel to be inappropriate scrutiny or regulatory involvement on the part of the SRA. These are always difficult to review because they touch on people's professional status and can affect their livelihoods. Facing SRA regulatory action can be daunting

and potentially traumatic, so people turn to the complaints process in desperation. However, ICRS cannot intervene or interfere in regulatory process and referral to us will not stop it. Given this, our policy is not to pursue a complaint review until the process is completed.

During the year, we have carried out regular visits to the SRA's offices and met with managers and front-line staff, both in update meetings and in our oversight visits, which enable us to examine processes in more depth and see examples of responses to complaints that have not been referred to ICRS. This enables us to offer advice to the SRA about good practice and how they can improve the service they offer to the public and the profession. We continue to be impressed by the SRA's commitment to meeting high standards of customer service but there are occasions where the practical realities of delivering regulatory services do not always match up to strategic aspirations. This can result in a somewhat inflexible approach in terms of service delivery. Although, to the SRA's credit, wherever possible they are willing to think again and to make changes to process where necessary, there are still times when a rather bureaucratic approach affects the quality of customer service. However, we have also seen a considerable improvement in the SRA's communication when responding to complaints and, although there is further to go, this is to be commended.

It is right to say that our role could not work effectively without the support and co-operation of the SRA's Inclusion Team (which responds to complaints at the final stage of the internal complaints procedure) and, in particular, of Mehrunnisa Lalani, the Head of that team. We are grateful to her and her colleagues for the work they do to make independent review possible and for their unfailing courtesy. Finally, we take this opportunity of thanking the outgoing SRA Chief Executive, Antony Townsend, who has led from the top in terms of his support for the principles of good complaint handling and independent review. We also welcome the appointment of Paul Philip, the new Chief Executive, and look forward to meeting and working with him during the year.

Jodi Berg OBE

The ICRS service

ICRS aims to achieve impartial and fair settlement of complaints, and to make a positive difference for the SRA and the public now and in the future. If people are dissatisfied with the SRA's final response to their complaint, they can refer it to ICRS at no cost to them.

There are limitations on our role:

- ICRS can only investigate a complaint after the SRA's internal complaints process has been concluded
- we are only able to investigate complaints about the conduct of SRA for example about delay, inefficiency or unfairness
- we cannot investigate complaints about regulatory decisions
- we cannot investigate complaints against individual solicitors or organisations employing solicitors

ICRS cannot act as an appeal route against statutory regulatory decisions; nor do we have any authority to recommend overturning such decisions. Our remit is to look into complaints about maladministration, or how the SRA has handled things. This can include delay or discourtesy or allegations that the SRA has failed to follow its procedures or to treat customers properly and fairly.

If the complainant wishes to refer their complaint to ICRS, they can do so via the SRA or directly. If the internal complaints process has been completed, we ask the SRA for the information so that we can consider the issues. Before embarking on a full review we always explore the possibility of resolution by agreement between the complainant and the SRA. If resolution is not possible, and the complaint falls within our remit, ICRS will carry out a review unless it appears, in all the circumstances, that this would be unreasonable or disproportionate.

“

Individuals like you are too few and far between, in my experience, and I would therefore be sorely remiss if I did not acknowledge you or the service which you have performed. (Complainant)

When a complaint is upheld or we identify other concerns, we will make recommendations to the SRA, either for specific redress, such as an apology, or for improvements to its systems and processes to reduce the risk of similar complaints arising in the future. Our aim is to bring matters to a final close for both the complainant and the SRA. We may not be able to give a complainant the result they want, but we always try to understand their perspective and ensure that they end up with a better understanding of what happened in their case and why.

“ I would also like to take this opportunity to express my heartfelt appreciation of the manner in which you have set about the task before you. I note the integrity and diligence with which you have approached this matter and I sincerely thank you for this.
(Complainant)

ICRS is also able to offer people advice and assistance to help them to resolve matters informally or to explain how they can take forward their complaints in the appropriate way.

Feedback and complaints

ICRS welcomes customer feedback and complaints as an essential part of helping us to improve our own service. All complaints are taken seriously and responded to quickly by an ICRS Reviewer who has not dealt with the complaint previously. We do our utmost to provide a good service and, where reviews are undertaken, to provide a comprehensive and just report. Not everyone is happy with the outcome of review, but it is heartening when people take the time and trouble to let us know that they are pleased with our service. This report includes some examples of this feedback.

When people refer their complaints to ICRS they can expect to be treated with:

Respect

We treat people as individuals and take their concerns seriously.

Courtesy

We communicate in an open and friendly manner. We expect similar responses from complainants and do not accept abusive or inappropriate behaviour.

Honesty

We are clear about the limitations of our role from the outset and will discuss the likely outcomes that can be achieved from review.

Objectivity

Our Reviewers reach decisions after careful consideration of the evidence provided by the complainant and the SRA. We compare what has happened against the SRA's own service standards.

Flexibility

We recognise that a 'one size fits all' approach is inappropriate when dealing with individuals and tailor our service to meet people's legitimate needs.

Plain Language

We try to communicate in language that the complainant is comfortable with to ensure our messages are understood.

“ Please pass on my thanks and best wishes to Mrs Berg for the amendments made in her final report. I do appreciate the limits placed on her by her remit and, despite this I feel that she has validated my complaint in the closing comments and through some of her proposals. (Complainant)

ICRS service principles

As members of the Ombudsman Association, ICRS Reviewers live up to the Principles of Good Complaint Handling in the course of its work. These are:

Clarity of purpose

A clear statement of the ICR's role, intent and scope

Accessibility

A service that is free, open and available to all who need it

Flexibility

Procedures, which are responsive to the needs of individuals

Openness and transparency

Clear and helpful information about our service

Proportionality

Process and resolution that is appropriate to the complaint

Efficiency

Meeting challenging standards of good administration

Quality outcomes

Complaint resolution leading to positive change

Facts and figures

The following tables provide statistics on the number of referrals received during 2013, including information on how complaints were made, how the work progressed and the number of complaints closed in the year.

CASES RECEIVED			
Quarter	Complaint by Solicitor	Complaint by Consumer	Total Received
Jan–March 2013	2	24	26
April–June 2013	-	24	24
July–Sept 2013	8	22	30
Oct–Dec 2013	1	14	15
TOTAL	21	84	95

This year there was a dip in the number of complaints received in the final quarter, which possibly reflects a slow down over the Christmas period. The overall volume of complaints received in 2013 increased by 18% compared with 2012. This encourages us to conclude that the system is accessible and that people are increasingly aware of it. We commend the SRA for ensuring that all final complaint responses include a signpost to ICRS, with full contact details. Moreover, people can ask the SRA to refer their complaint on for them if they wish.

The majority of complaints received this year have come from members of the public, rather than from solicitors. This year only 12% of complaints have been from members of the legal profession, or from those aspiring to be solicitors who are dissatisfied with the enrolment or registration process. This reflects a significant reduction from last year, where 25% of all complaints received were from solicitors.

CASES CLOSED AFTER INITIAL REVIEW		
Quarter	Advice and assistance	Not pursued – regulatory decision
Jan–March 2013	13	11
April–June 2013	17	16
July–Sept 2013	11	21
Oct–Dec 2013	12	8
TOTAL	53	56

Each year, ICRS takes a decision to close a number of cases after initial review. This may be because the referral is made prematurely or because potential complainants are not clear or aware of the internal SRA processes they need to go through. It can also reflect people’s perceived difficulties in getting what they would consider to be the right response to their concerns from the SRA. Usually these issues will fall outside of our remit, as they relate to regulatory decisions.

Whilst these referrals do not culminate in a formal report, they are a significant element of the work of ICRS, which can take a disproportionate amount of time involving protracted contact with the complainant and the relevant departments within the SRA. Often it takes time and effort to identify the core of the individual’s concerns and what outcomes they want, which we need to know in order to assess what, if any, help we can give. However, our growing familiarity with the role of the SRA and its operational procedures does help us to be clearer with complainants about what we can achieve, and so manage their expectations appropriately.

CASES CLOSED AFTER INITIAL REVIEW					
Quarter	No of cases	Complaint issues	Upheld	Partially upheld	Not upheld
Jan–March 2013	6	13	-	1	12
April–June 2013	7	21	-	3	18
July–Sept 2013	12	23	2	3	18
Oct–Dec 2013	9	23	4	2	17
TOTAL	34	80	6	9	65

ICRS Reviewers conduct detailed investigations into a number of complaints submitted for independent review. This year the number of complaints investigated was 34 in total, relating to 80 separate elements of complaint. Of these, only 15 elements of complaint (18.75%) were upheld either fully or partially. The majority of issues investigated, a total of 65 (81%) were not upheld. This may be because the SRA had followed appropriate process or because the SRA had already responded to the complaint appropriately through its internal complaints process. We commend the improved way in which SRA handles complaints internally, both at the first and second stages.

Costs

The cost of the service provided by ICRS to the SRA during 2013 was £75,000. This inclusive figure covered complaint investigation, the provision of general advice and assistance to complainants and regular overview visits to the SRA to assess and report on the operation of the complaints policy. We keep administrative costs to an absolute minimum, and focus resources on complaint investigation and overview functions. The costs for 2013 are a significant reduction on the figure for 2012 and reflect our determination to deliver value for money.

Key Themes of Case Review

A) Communication

It is fair to say that most complaints arise because of a failure of communication between the parties. A lack of understanding of the issues reported on the part of the SRA can lead to dissatisfaction, but many complaints relate to the tone and content of the letters sent by the SRA. A failure on the part of the SRA to express appropriate empathy, even if there is little or nothing that can be done to help from a regulatory standpoint, can lead to complaints that are time and resource intensive to resolve. ICRS continues to encourage the SRA to help staff to communicate in ways that will avoid misunderstandings and keep complaints to a minimum. We have seen welcome improvement in the handling of complaints at Stage 1 of the internal procedure, although more can still be done to tailor responses to the individual concerned and their specific concerns.

“Thank you for your detailed and thorough investigation into my complaint. I appreciate the confines within which you operate, and under the circumstances feel you have reached a fair and impartial conclusion. (Complainant)

B) Misunderstanding the SRA's regulatory role and practice

Whilst acknowledging the difficulty of explaining regulatory role and practice to informants, this issue continues to be a significant feature of complaints referred to ICRS. Referrals often include dissatisfaction with the lack of information the SRA provides to them as informants about any action it is taking and its outcome. Despite the efforts that the SRA has made to include information on its website, some people retain unrealistic expectations about the level of contact the SRA will maintain with them. It is fair to say that messages given about the risk assessment process need to be clearly articulated and geared to the lay reader, in order to help people evaluate whether making a report to the SRA would help them to take their concerns further.

There is also some confusion for informants between what they believe to be their 'complaint', that is their report to the SRA about a solicitor, and the SRA's handling of their service complaint. Some people struggle to understand how these different processes will work and this is reflected in the case example below.

Case 1

Mr A reported that a firm had acted dishonestly and in a conflict of interest situation. Six months later, after he had provided extra information to support his allegations, he complained that the SRA had not updated him on the progress of the investigation. In response to his complaint, an SRA supervisor wrote to say that the SRA had decided to take no regulatory action. Mr A requested a review by the SRA's Complaints Team, as he felt strongly that the SRA had made the wrong decision, and also that it had failed to explain the reasons for it. He quoted a number of sections of the SRA's Complaints Policy, and argued that the SRA had failed to live up to the promises made in it.

Following review, a complaints officer concluded that the SRA had carefully considered the information that Mr A provided. As Mr A specifically requested information about the outcome of his report, the officer provided brief details of the decision taken, making an exception to usual practice. Mr A asked for an independent review by ICRS. He expressed dissatisfaction that the SRA had not followed its complaints policy – in particular that it had not considered all the evidence he provided and had not acted transparently, providing full evidence-based reasons for its decisions.

Our Reviewer found that the SRA had followed its usual procedure for investigating reports of misconduct and had examined the evidence. We were satisfied that the SRA had demonstrated appropriate transparency in providing information about the outcome. We were concerned that, in spite of all the correspondence, Mr A remained under a misapprehension about the role of the SRA and the relevance of its Complaints Policy to the issues he had reported. We recommended that the SRA should look again at the wording of its Complaints Policy to see whether further clarification could help prevent unrealistic expectations of this kind.

Similar concerns were raised in a number of other complaint referrals and ICRS has continued to stress the need for the SRA to improve its web-based and written communication to address the problem of members of the public forming unrealistic expectations of the SRA's regulatory role.

One further area that would benefit from review is the information provided to the public about the SRA's Reconsideration Policy. People who try to appeal against a regulatory decision using this Policy are inevitably disappointed when they come to understand that it is not possible for them to do so, as the Policy is only invoked if the SRA itself feels that a decision would benefit from further review. ICRS has again recommended further public clarification, as in the example below.

Case 2

Ms B complained about the way in which her report about a solicitor had been handled. She expressed dissatisfaction regarding delays in completing the investigation, perceived bias in favour of the solicitor and a lack of clarity about whether, and if so, how, a regulatory decision by the SRA can be challenged. After reviewing the documentation, our Reviewer concluded that an investigation had been conducted in accordance with the SRA's published procedures, and that there was no evidence of bias in favour of the solicitor. However, the investigation had taken an unreasonable length of time to complete. We recommended that the SRA offer an apology for this.

We were also critical of the lack of clarity about when the SRA may reconsider a decision and what other options there are for challenging a decision. Although the SRA's Reconsiderations Policy is published on its website, we ascertained that informants who are dissatisfied with decisions do not have the right to request reconsideration. The Policy is used relatively rarely, and only where the SRA itself considers that a particular decision is flawed. ICRS recommended that the SRA consider taking steps to ensure that individuals are aware of any options available to them for challenging SRA regulatory decisions, such as judicial review. We also recommended publicising the fact that the Reconsiderations Policy is not a means of appeal open to informants.

C) Treatment of Vulnerable People

One specific element of the remit of the ICRS review has been to investigate any complaints of alleged discrimination or unfair treatment on the part of the SRA. We are aware that the SRA takes its Equality and Diversity responsibilities seriously. However, we have responded to complainants who feel that not enough effort has been made to recognise their particular needs. In one case a complainant felt that all communication should be by telephone and, as his communication was challenging in tone and content, this was not easy for either party to accommodate. Nevertheless, it is always important for the SRA to try to identify and recognise the vulnerability of people with special needs and respond by making appropriate allowances in the handling of their cases.

Case 3

A solicitor was appointed as Deputy by the Court of Protection to deal with the property and affairs of Mr C's cousin, who resided in a Care Home. On behalf of his cousin, Mr C later complained about the SRA's handling of the matter, following intervention into the solicitor's firm. After the solicitor renounced her position, Mr C and others were appointed as Deputies. The SRA took action to freeze the solicitor's practice accounts which effectively meant that no payments could be made to the home. However, by the time of the complaint referral to ICRS, the SRA had been unable to distribute some funds as reconciliation of the account had not been completed, although the main funds kept in designated accounts had been offered. Mr C was dissatisfied with the SRA's handling of the matter and its response to his complaint. He felt that the SRA should have been more flexible in the way that it released funds to enable care home fees to be paid and that it had taken far too long to resolve matters. Our Reviewer did not uphold his complaint that the SRA had been incompetent and arrogant in its dealings with the matter, however we did recognise the difficulty of the situation that had arisen. We found that the SRA's complaint response had been helpful, had recognised problems and had included an apology. ICRS recommended consideration of an ex gratia payment in this case. We also recognised that there was a disparity between the complaint issues as Mr C saw them and what the SRA had thought were his concerns. We recommended that at Stage 2 of the internal procedure, wherever practicable the SRA should consider agreeing complaint issues ahead of internal review.

D) Complaints by Solicitors

Solicitor complaints often relate to concerns about regulatory action taken against them, but may also raise issues about the SRA's online registration systems, a number of which have suffered from well-publicised teething problems. More worrying are complaints that suggest bias or discrimination on the part of the SRA and this year we are pleased to report that we received no such referrals.

Although the number of referrals from solicitors is much lower than that from members of the general public, it is important for there to be confidence on the part of the regulated community in the SRA and in its systems. It is disappointing when the position of some professional complainants is one of suspicion and mistrust. This is an area where good and effective communication is vital to facilitate due process and, regrettably, there are instances when a clear lack of appreciation of the perspective of the regulated person on the part of the SRA makes the situation worse for all parties.

Case 4

Mr D was informed by another solicitor that he had reported Mr D's firm to the SRA, alleging misconduct. Mr D asked the SRA to provide him with a copy of the report against him so that he could take steps to protect his position. The SRA refused to provide this report because of the confidential nature of complaints made against those they regulate. Mr D complained about the way in which his request had been handled, saying that a blanket refusal did not reflect the SRA's First Principles of Disclosure. Dissatisfied with the response from the SRA, Mr D contacted the Chief Executive asking that his complaint be dealt with in a proper manner. Without response from the Chief Executive or explanation for this, he was contacted by the Central Complaints Team, who reviewed the matter and responded to his complaint. In due course, Mr D referred the complaint to ICRS for review. ICRC partially upheld the complaint on the basis that the SRA should have explained its reasons for deciding not to disclose the report against Mr D, and should offer an apology for this. ICRC also found that the SRA should have explained why the response to his letter to the Chief Executive was given by the Complaint Team.

Delay on the part of the SRA in completing regulatory assessments or actions is a feature of complaint referrals to ICRS, whether made by members of the public or solicitors. However, the impact of delay on regulated firms can be considerable.

Case 5

Mr E complained that the SRA had been guilty of serious delay in completing an investigation of his firm and had failed to recognise the damaging impact on the firm of the protracted investigation. He suggested various ways, from the point of view of a solicitor, in which the SRA could improve the investigation process – for example by informing firms as a matter of routine when reports of misconduct are received (unless there are special reasons for confidentiality) and setting time targets for completing investigations depending on the assessment of the seriousness of the potential risk.

Overall we concluded that the SRA had been willing to recognise shortcomings in the investigation process in the case of Mr J's firm and to identify learning points. We considered, however, that the SRA should have done more to recognise the negative impact on Mr E and his firm of the delays, and that this had been compounded by a lack of progress reports. We recommended that the SRA should consider providing on its website more information about the investigation process, including some indication of expected timescales. In response to our report the SRA said that it is currently reviewing its investigation procedure as part of a programme called R-view (details of which are on the SRA website), and that our recommendations will be taken into account.

E) Confusion about the relationship between the Legal Ombudsman and the SRA

The SRA and the Legal Ombudsman have distinct roles. Whilst the Legal Ombudsman deals with service complaints against solicitors, it does not cover all complaints, for example those made by people who were not their clients. However, our referrals show that there can be confusion about the respective roles of the organisations, even on the part of SRA staff.

Case 6

Mr F complained to the SRA regarding the activities of a solicitor who acted on behalf his late mother in connection with a Power of Attorney. The initial complaint was referred to the Legal Ombudsman on the advice of the SRA, and he was then referred back to the SRA in order to raise matters as regulatory concerns with the SRA. He contacted the SRA via the website and email, and received an acknowledgement some months later. Mr F complained that he had been wrongly advised by the SRA to approach the Legal Ombudsman and that this had resulted in wasted time and effort on his part. At Stage 1 of the internal complaints procedure, a response was given by a team supervisor, whose letter was in general standard format and wording and did not deal with his specific concerns. An apology for this was given at Stage 2. He was informed of the action taken in response to his report against the solicitor and the outcome of that action. Following review, ICRS noted the difficulties that can arise for people who fall in the gaps between the remits of the two organisations. We commented on the need for the SRA's initial assessment process to be more geared to recognising whether making a report to the Legal Ombudsman was appropriate.

“ It has been a pleasure to correspond with you and I am grateful to you for your courtesy and patience. (Complainant)

Oversight reviews and reports

As part of our role in reviewing complaint handling ICRS carries out general oversight reviews during each year, when internal SRA complaint files are reviewed. This is in order to monitor the quality of the complaint handling within the organisation and to identify any areas of concern or for improvement. During this year we have conducted two reviews, one in May 2013 and a second in November 2013. A report of each review was presented to SRA senior management.

Each review is conducted in two parts: –

- a review of the complaints where the response has been provided at stage I of the internal complaints procedure.
- a review of additional cases which has been to stage I and progressed to stage II of the internal complaints procedure.

Any concerns identified in review by ICRS are also followed up during the oversight review. This year it was decided to review cases from key departments, selected internally to reflect areas of concern identified by the Complaint Handling department. Amongst the areas reviewed this year were: the Contact Centre; Authorisation; Intervention Archives; Supervision and Legal and Enforcement.

“
I do appreciate the effort that has gone into the report and you should not consider any further comments as personal or critical of you.
(Complainant)

Key Findings

We are pleased to report a noticeable improvement in the standard of complaint responses at stage 1 of the internal procedure, which are provided by departmental managers. This has been an area of concern in the past and we have worked closely with the SRA to help improve standards. We are encouraged by the improvement in the quality, tone, depth and detail of these replies. There is now a regular signposting to the stage 2 of the process and, on occasion, complainants have been given other options of internal resolution. The quality of stage 2 replies continues to be of a high standard and there is evidence of good formal investigation and follow-up by members of the complaints team. It is encouraging to note that stage 2 replies are now providing opportunities for the SRA to show greater flexibility, encouraging some element of advocacy, where possible.

The review of complaints identified some areas where the quality of service provided continues to be of concern. In particular, people experience difficulty getting through to various departments and have given examples of where they have had to wait a long time before somebody picked up their call. In more than one instance, the only response was a dead ring tone. There was also evidence that in some areas, complainants experienced a lack of response to emails.

It is helpful when our oversight visits include discussions with the manager of an area causing concern, who may be able to provide assurance about the solutions that are being implemented. In turn, where appropriate we can provide helpful advice and reassurance.

Recommendations of the Oversight Reviews

Following on from the oversight review a number of recommendations were made by the Reviewer. These include that the SRA should: –

- Provide signposting at each stage of the complaints procedure
- Provide clarity regarding the role and limits of the SRA to all complainants at the beginning of the process.
- Provide improved access to all areas of the SRA, which has direct interface with the public.
- Restrict the use of standard wording in responses to complainants.
- Ensure that checking for the quality of English used and for typographical errors is always a part of the response procedure.
- Offer the option of referring complainants directly to Stage 2 of the complaints procedure, without the need to engage Stage 1, in appropriate circumstances.
- Avoid extended delays in replying to Stage 1 complaints.

Learning from Complaints

During this year we have made a number of systemic recommendations, to which the SRA has responded immediately. In many instances the SRA confirms that recommendations can be implemented quickly, and provides us with an update on what action has been taken. On other occasions, while recognising the validity of our recommendation, the SRA may take longer to implement them, or not be able to do so because of operational limitations. When this is the case, comprehensive reasons are given.

ICRS recommendations this year cover wide-ranging issues such as communication with students and members of the profession; website information; the use of the Unreasonable Behaviour Policy; and providing guidelines on the use of outside agencies, such as intervention agents. We will continue to monitor the SRA's response to our recommendations in the coming year.

“
May I take this opportunity to compliment you on the efficient way in which you have handled this – it makes a refreshing change!
[Complainant]

ICRS is pleased to report a positive response to recommendations made in last year's report and some actions taken by the SRA are noted in the table below.

Key recommendations 2011/2012

ICRS Recommendations	SRA Response
<p>1. Reviews its reasonable adjustment guidelines relating to disabilities, ensuring that they are clear, practical and transparent.</p>	<p>The SRA continued to review and refine its messages on its website and in its standard letters, as a result of feedback from complaints. This year in relation specifically to how we handle matters that are reported to us, we are reviewing our current approach further. We will engage with consumers for feedback on their understanding of our role and communications as a starting point.</p>
<p>2. Conducts regular monitoring of the content of its website to ensure all the information is relevant, current and clear.</p>	<p>There have always been processes in place to try to ensure the SRA's website content is relevant, current and clear. There is a great deal of information on the SRA's website (some of which is complex) and feedback is invaluable to help us identify areas where there may be gaps or ambiguity that we may have overlooked. Technology is currently in development to help us ensure content is up to date and further internal policy and guidance with regard to content review has been drafted. In addition the website is updated daily with Alerts; SRA updates; News and tweets for example.</p>
<p>Conducts a comprehensive review of the information available on the website with the objective of maximising its potential.</p>	

Key recommendations 2011/2012

ICRS Recommendations

SRA Response

3. Reviews its reasonable adjustment guidelines relating to disabilities, ensuring that they are clear, practical and transparent.

The reasonable adjustment guidelines have been updated and an e-learning module prepared for all staff to complete.

4. Where possible and appropriate, informs complainants of the outcome of assessment.

(Given) our commitment to use our finite resources as effectively as possible to protect the public, we do not routinely volunteer outcome information. We did refine our approach however in this period. When individuals requested information, we would endeavour to provide it where it was appropriate to do so.

5. Reviews the content of standard correspondence.

This recommendation related specifically to the standard correspondence that was reviewed in 2012 and updated at the beginning of 2013.

6. Clarifies better initially the nature of the complainant's concern.

Our staff guidance refers to the importance of identifying and addressing all heads of complaint. We have ensured this is addressed in complaint handling training that has taken place throughout the period.

Key recommendations 2011/2012

ICRS Recommendations

SRA Response

7. Ensures that lessons learnt from specific complaints are incorporated into the handling and responses to similar issues in the future.

The SRA records lessons learned on its complaints database. Lessons are fed back to individuals/teams and shared across the SRA. Complaints information is also analysed, at least 6 monthly, to identify and monitor any trends of concern that may require further action.

8. Regularly monitors the progress of internal complaint handling and provides regular and timely updates to complainants.

This has always been business as usual for the SRA. 89% of responses to complaints were sent within published timescales in 2012. In 2013, 92% of responses to complaints were sent within published timescales. Timely updates are usually provided if delays occur.

9. Communicates better understanding of the personal effect on solicitors associated with investigation.

There is a wider comprehensive body of work being undertaken at this time in respect of the SRA's regulatory communications and tone.

This report reflects the work completed by ICRS in 2013. We enter the new year of operation optimistic about the SRA and its commitment to improving performance and quality of service.

If you would like to find out more about ICRS and the services we provide, please contact us:

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