

# Legal Ombudsman Stakeholder Survey



## Full Report - March 2014



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## Contents – to update at end

<b>Section 1: Executive summary</b> .....	<b>1</b>
1.1. Conclusions of the survey .....	1
1.2. Awareness and description of the Legal Ombudsman .....	1
1.3. Legal Ombudsman’s vision, mission and values .....	2
1.4. Aims and effectiveness of the Legal Ombudsman.....	2
1.5. Legal Ombudsman’s effectiveness.....	3
1.6. Legal Ombudsman’s publications .....	3
1.7. Communication .....	4
1.8. Engagement and collaborative working .....	4
<b>Section 2: Introduction</b> .....	<b>5</b>
2.1. Background .....	5
2.2. Research objectives.....	6
2.3. Methodology and sample .....	6
2.4. Analysis and reporting .....	7
<b>Section 3: Overall awareness and perceptions of the Legal Ombudsman</b> .....	<b>8</b>
3.1. Awareness of the Legal Ombudsman .....	8
3.2. Describing the Legal Ombudsman’s role .....	9
3.4. Describing the Legal Ombudsman .....	10
<b>Section 4: Vision, mission and values</b> .....	<b>14</b>
4.1. Overview of the vision, mission and values.....	14
4.2. Delivering the vision.....	15
4.3. Delivering the mission and values .....	16
<b>Section 5: Aims and effectiveness of the Legal Ombudsman</b> .....	<b>18</b>
5.1. Whether achieving aims.....	18
5.2. Suggested improvements to achieve aims .....	19
5.3. Current effectiveness of the Legal Ombudsman .....	23
5.4. Helpfulness of the Legal Ombudsman’s publications over past year.....	29
5.5. Future effectiveness of the Legal Ombudsman .....	31
<b>Section 6: Communication and collaboration</b> .....	<b>32</b>
6.1. How stakeholders are kept up to date about the Legal Ombudsman’s activities.....	32
6.2. Preference for receiving information .....	33
6.3. Use of website.....	34
6.4. Collaborative working .....	37
6.5. Level of engagement.....	40
6.6. Future policy areas and collaborative working.....	41
<b>Section 7: Other Ombudsman schemes</b> .....	<b>43</b>
7.1. Stakeholders experience of other schemes.....	43
7.2. Legal Ombudsman comparison with other Ombudsman schemes.....	45
<b>Appendix: Survey questionnaire</b>	

## Section 1: Executive summary

This document reports the findings from a research study undertaken by Research by Design to understand stakeholders' views of the Legal Ombudsman and to establish the extent to which it is delivering against its vision, mission and values.

Forty eight stakeholders took part in this research. Though the study, contributors were varied in their roles and responsibilities (as shown in the table below) and there is a bias towards those working in regulation compared with consumer groups and mutual bodies. This should be considered when interpreting the results.

Sub-group	Sample
Regulators	17
Ombudsman and Complaints handling bodies	4
Professional Associations	5
Government/Judiciary	5
Consumer Groups/Charities	6
Journalists	2
Other stakeholders	9

It should be noted that the stakeholders consulted for this study do not include consumers.

### 1.1. Conclusions of the survey

- This third study yields another good set of results for the Legal Ombudsman. Having completed three years of operations, it continues to be clear that stakeholders are growing in their knowledge and understanding about the Legal Ombudsman's activities, and recognise the positive contribution that it is making. It is continuing to engage well with stakeholders and is maintaining its stance as an independent and neutral adjudicator.

### 1.2. Awareness and description of the Legal Ombudsman

- Two fifths of stakeholders claim to know a 'great deal' about the Legal Ombudsman scheme and a further 50% know a 'fair bit'. As seen in previous years' results, each year these gain grow incrementally, a further testament to how the Legal Ombudsman is becoming more established over time.
- Asked to describe the Legal Ombudsman from three statements, the vast majority (84%) continue to identify the organisation as being "*an independent body established to resolve consumer complaints about lawyers, protecting the legal profession from unjustified claims yet ordering redress where appropriate.*" A small proportion (16%) regard it to be a "*consumer champion, designed to improve consumer protection against poor legal service*". No stakeholders are of the belief that "*It was established to protect the legal profession from unjustified complaints*".
- Stakeholders most typically describe the Legal Ombudsman as independent, impartial, fair and open. The second tier is formed of descriptors such as accessible, professional and proportionate.

- Compared with 2012/13, the adjectives that have seen the largest uplifts are professional, proportionate, shrewd (each with an uplift of +15% points), fair, open (both with an uplift of 13% points) and knowledgeable and effective (both with an uplift of 10% points).
- The only two adjectives to see a decline year-on-year are decisive and bureaucratic. The former is something to be mindful of in terms of in terms of managing expectations of both the legal community and the consumer. The latter (decline in bureaucratic) reflects a positive decline, as this is not an adjective that stakeholders talk about in a favourable way.

### **1.3. Legal Ombudsman's vision, mission and values**

- The Legal Ombudsman's vision, mission and values are still generally felt to be appropriate, although the vision is seen as rather ambitious and one that would need to be shared across the profession if it is to be realised. When asked how confident they are that the Legal Ombudsman is delivering against its vision, stakeholders provide a mean score of 6.2 out of 10. The vision is rated to similar levels seen in the previous year (6.1 in the previous year), meaning that over the past three years this has remained very consistent.
- Similarly, delivering against its mission achieves a mean score of 6.7, and its values also achieve 6.7. Neither of these sees a significant movement year on year.

### **1.4. Aims and effectiveness of the Legal Ombudsman**

- When considering the key aims of the Legal Ombudsman, most stakeholders are in agreement that the organisation is improving access to redress, demonstrating fairness, contributing to improvements and (to a lower degree) building consumer confidence. Stakeholders' perceptions of Legal Ombudsman improving access to redress and demonstrating a commitment to fairness are the strongest areas, both of which also see growth versus the previous year.
- Following the trend seen in the first two years, the Legal Ombudsman's weakest area in terms of effectiveness continues to centre on the perception of its ability to build consumer confidence, where only 17% of stakeholders think that it is 'definitely' delivering this. There are signs that this is gradually improving over time, but this area still sits far behind the other measurable elements of effectiveness.
- Stakeholders have provided many suggestions about possible improvements, with the two key areas being greater overall visibility of the organisation and more information to be published regarding decisions, outcomes (the rationale behind these) and the data showing trends/findings. The issue of greater visibility polarises stakeholders somewhat – there are some who strongly believe that greater visibility is required to help build trust and credibility, whereas there are others who believe that the Legal Ombudsman should remain "in the shadows". Those people believe that a lower profile is more fitting for this organisation and that it would be more suitable to be kept out of the public eye. Transparency of information and more joint working with practitioners / other ombudsman schemes are again cited as desirable. Stakeholders believe that a broadening of the Legal Ombudsman's reach and jurisdictions would be beneficial in terms of enabling them to give a wider contribution to legal services.

## 1.5. Legal Ombudsman's effectiveness

- Communication of the Legal Ombudsman's role, both to the legal profession and to stakeholders, remains strong and sees growth versus last year. Over 90% of stakeholders believe that the role of the organisation is well communicated to them.
- As seen in previous years, stakeholders regard the Legal Ombudsman's weakest communication to be its ability to communicate its role to consumers of the legal profession, with less than one half of respondents positively endorsing this. This sees a growth in those saying it is 'very effective' but a decline in those saying it is 'fairly effective', meaning that the overall effectiveness is stable year on year.
- The biggest area of improvement in terms of effective communication comes from the perceived ability to communicate its role to the legal profession. The combined score of 'very effective' and 'fairly effective' has grown by 13% points versus the previous year's results.
- The perception that the Legal Ombudsman effectively shares knowledge within the legal sector has made significant steps forward since last year's results, with the top 2 box (net) score seeing significant growth (+22% points).
- By comparison, the perception of sharing knowledge with the consumers of legal services continues to be much weaker, reflecting the same pattern as seen last year.
- Thinking about the performance of the Legal Ombudsman in the last 12 months, the overall 'effectiveness' perceptions (*combination of 'very' and 'fairly effective'*) of the organisation providing consumers who have had poor service with access to redress and also protecting legal services from unjust complaints has remained relatively stable.
- Just one fifth of stakeholders believe that the Legal Ombudsman is 'very effective' in protecting legal services from unjust complaints, suggesting that the overall stakeholder perceptions is that the ombudsman is operating more effectively for the consumers, compared with the lawyers.
- As seen in previous years, when asked to think ahead and consider the future effectiveness of the Legal Ombudsman, the majority of stakeholders (68%) believe that the organisation will be "fairly effective" in the coming 12 months. There has been a significant increase this year in stakeholders believing that the Legal Ombudsman will be "very effective", with levels rising to just over 1 in 10. This is further testament to the fact that the organisation is 'bedding in' and is becoming more widely understood and utilised.

## 1.6. Legal Ombudsman's publications

- Stakeholders rate the publication of complaints data the highest of all the recent publications, with 48% saying this was 'very helpful'. This indicates a marked improvement on this attribute versus the scores seen a year ago.
- The more bespoke publications (paper on access to redress for legal and other professional services and the report on consumer experiences of divorce related

complaints and their causes) both see around one third of stakeholders rating them as 'very helpful'. This is to lower levels compared with the ongoing publications, and these have lower levels of overall awareness, as would be expected.

## **1.7. Communication**

- Emails from the Legal Ombudsman hold their top rank as one of the primary sources of information that stakeholders use to gain information and learn about its activities; however this rank is now shared with the website and Legal Ombudsman publications (all at 75% uptake), both of which have made significant gains year on year.
- As seen previously, update of information via social media is not highly sought after, and would not be something that stakeholders would anticipate utilising much in the next 12 months.
- The vast majority of stakeholders have visited the Legal Ombudsman's website in the past year (94%), which is a significant increase compared with the year before. Website visitation has increased by 17% points.
- In the in-depth interviews, thoughts regarding the website were mixed, but tended to lean towards the positive. Those who did have suggestions for improvements tended to mention improvement to the search facility and clearer signposting on the site.

## **1.8. Engagement and collaborative working**

- Stakeholders believe they are given excellent opportunities to input into the Legal Ombudsman's consultations and policy development – this has been a consistent area of strength since the organisation was formed.
- Stakeholders continue to welcome the Legal Ombudsman's informal approach to working.
- Since last year's study, the number of stakeholders believing that they understand reasons that policy decisions are made has increased significantly, with a rise in 19% points in the number who agree strongly. This is the area that sees the greatest increase year on year.
- Overall, stakeholders continue to remain positive about the Legal Ombudsman's overall engagement; 9 out of 10 are now of the belief that it engages well with them, and the proportion who believe that they engage 'very well' sees the strongest percentage (45%) since the organisation was launched.
- The majority of stakeholders think that an expansion of the Legal Ombudsman's jurisdiction is a positive step in the right direction, and that broader collaborative working would be beneficial. They are mindful though of the requirement for careful management of this extension, with their main concerns being the need for complete clarity for consumers.

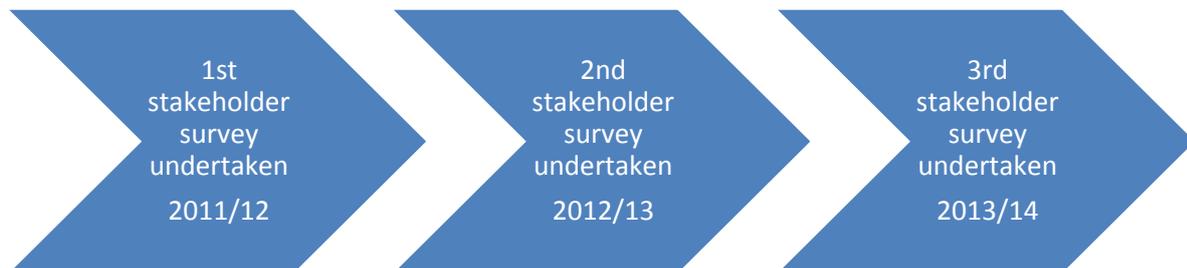
## Section 2: Introduction

### 2.1. Background

The Legal Ombudsman was set up by Parliament in 2010 to make it simpler for consumers of legal services in England and Wales to access an independent expert to resolve complaints. The organisation's aim is to provide a complaint handling service that is fair, accessible, easy to use and focused on resolving complaints informally and quickly.

The Legal Ombudsman is independent of government and the legal profession, overseen by the Board of the Office for Legal Complaints (OLC). It works with a number of other organisations including government departments, regulators and consumer bodies.

Following its first year of operation, the Legal Ombudsman carried out a benchmark of views amongst its main stakeholders, namely regulators, government departments, other ombudsman schemes, professional associations and other organisations that it works closely with<sup>1</sup>. That research was conducted during December 2011 and January 2012. This research was repeated after the second year of operation at the end of 2012 and into the start of 2013. This study is the third iteration of the stakeholder research.



The benchmark study was designed to gain an early view of the Legal Ombudsman and to establish whether it was delivering against its vision, mission and values.

#### **Vision:**

*Everyone can access legal services in which they can have confidence.*

#### **Mission:**

*Our task is to run an independent ombudsman scheme that resolves complaints about lawyers in a fair and effective way, where we are shrewd and decisive when tackling complex issues and that is open so we can give focused feedback to help drive improvements to legal services.*

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<sup>1</sup> Legal Ombudsman Stakeholder Survey (January 2012) Full Report, carried out by Research by Design Ltd

## Values:

*Fair, Open, Effective, Shrewd and Independent.*

Building on this baseline study, Research by Design was again commissioned to review how stakeholders view the Legal Ombudsman now that three years have passed since inception.

## 2.2. Research objectives

The specific research requirements for this study were to:

- Gain an up to date understanding of stakeholders' views on and attitudes to the Legal Ombudsman;
- Gauge the extent to which stakeholders feel they understand the vision, mission and values;
- Gain an understanding of stakeholders' confidence in the ability to deliver against the stated vision and values;
- Assess whether stakeholders feel they are effectively consulted on policy issues;
- Inform the continuous improvement programme, particularly in the areas of communications, marketing and stakeholder relations;
- Review progress and direction of travel compared with the baseline of stakeholders' views established at the end of 2011 and the subsequent study undertaken at the end of 2012.

## 2.3. Methodology and sample

### 2.3.1. Quantitative research

The research objectives meant a quantitative survey was again required, one that could provide the statistical data needed to support baseline and benchmarking activity. The experience of conducting the baseline setting exercise with stakeholders in 2011/12 and 2012/13 was that engagement was often challenging, which most likely reflected the seniority and diary commitments of many. This proved to be one of the key challenges faced in 2014 too.

Last year, RbD introduced a new functionality to the stakeholder online survey whereby respondents who had taken part in the previous year's survey were shown their previous answers where possible (i.e. where questions were consistent year on year). This function is designed to reduce the survey burden on stakeholders; as the presence of previous results reassures respondents that their previous answers are being fully utilised and demonstrates to stakeholders that their opinions are valued. Via this function, the respondents were encouraged to reflect on their previous answers and to take into account how activities over the past 12 months may have impacted on their relationship with LeO.

2014 saw the introduction of a new question reflecting new policy areas for the LeO, regarding the extension of jurisdiction as a result of the European Union directive on Alternative Dispute Resolution. An additional question regarding website usage (in a professional capacity) was also

added.

A database of 117 contacts was supplied by the Legal Ombudsman to Research by Design. This was slightly more than the 95 contacts supplied for 2012/13 and on par with the 114 contacts for the inaugural study in 2011/12. The list was used to distribute an email, addressed from Adam Sampson, Chief Legal Ombudsman, inviting stakeholder participation in the survey. The email included a brief explanation as to the purpose of the online survey as well as a personalised link to it.

The survey was first distributed on 7<sup>th</sup> January 2014. Several reminders were sent to non-respondents. Subsequent follow-up telephone calls were also made in the final week of fieldwork to remind participants of the survey and to offer completion over the telephone. After a sustained effort to maximise response rates, the fieldwork period ended on the 29<sup>th</sup> January 2014, with a total of 48 stakeholders having participated in the online survey, a response rate of 41%.

### 2.3.2. Qualitative research

Whilst the quantitative online survey was the primary methodology selected to meet the objectives of this study, an additional qualitative approach was undertaken to gain further insight into the findings. In-depth telephone interviews were conducted with eight 'key' strategically important stakeholders, and these typically took around 30 minutes to complete.

These stakeholders represented the following organisations: Parliamentary and Health Service Ombudsman, Solicitors Regulation Authority, Law Society, Ministry of Justice, Council for Licensed Conveyancers, Legal Services Consumer Panel, Which? and BIS.

## 2.4. Analysis and reporting

The output from the surveys is in the form of conventional cross-tabulations. These provide results for the total sample and the following sub-groups of the survey audience. Stakeholders have been segmented into these groupings to help identify any differences in views, although care should be taken when analysing sub groups due to the small base sizes available.

Sub-group	Sample
Regulators	17
Ombudsman and Complaints handling bodies	4
Professional Associations	5
Government/Judiciary	5
Consumer Groups/Charities	6
Journalists	2
Other stakeholders	9

From the sample profile above it is clear that the number of survey participants working within a regulation capacity is significantly higher than any other subgroup. This should be kept in mind when interpreting the findings, as should the total sample size, given that it amounts to only 48 stakeholders.

Similarly, care also needs to be taken when comparing results from 2011/12 and 2012/13. Any 'differences' between percentages that are observed are unlikely to be statistically valid due to low base sizes of this study. It should be remembered that the purpose of this study is to generate insights into stakeholder attitudes which can broadly guide organisational and policy development.

Within the main body of the report, where percentages do not sum to 100% this is either due to rounding or multiple answers being given to the question.

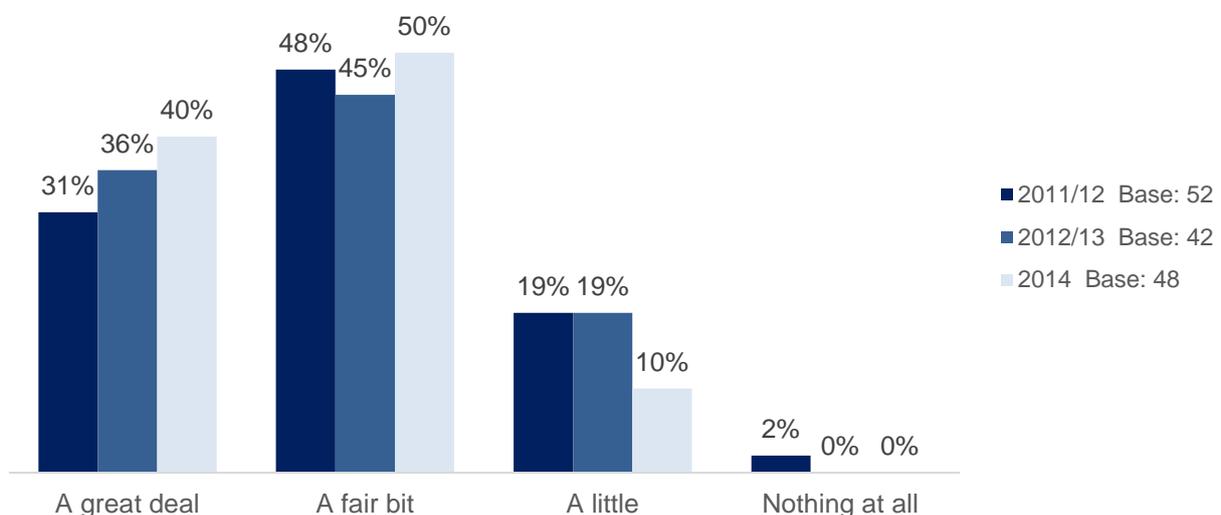
## Section 3: Overall awareness and perceptions of the Legal Ombudsman

### 3.1. Awareness of the Legal Ombudsman

Two fifths of stakeholders claim to know a 'great deal' about the Legal Ombudsman and a further 50% know a 'fair bit', indicating that since the Legal Ombudsman first became operational, levels of understanding of what is offered by the scheme has gently increased.

As has been seen in previous years, those working in Government/Judiciary organisations are more likely to say they know 'a great deal'. Lack of knowledge continues to be more of an issue in other Ombudsman schemes, where over half of these stakeholders claimed to know only a little about the Legal Ombudsman. This remains the area that would benefit the most from efforts focussing on raising knowledge of LeO's activities.

Q1. How much would you say you know about the Legal Ombudsman scheme?

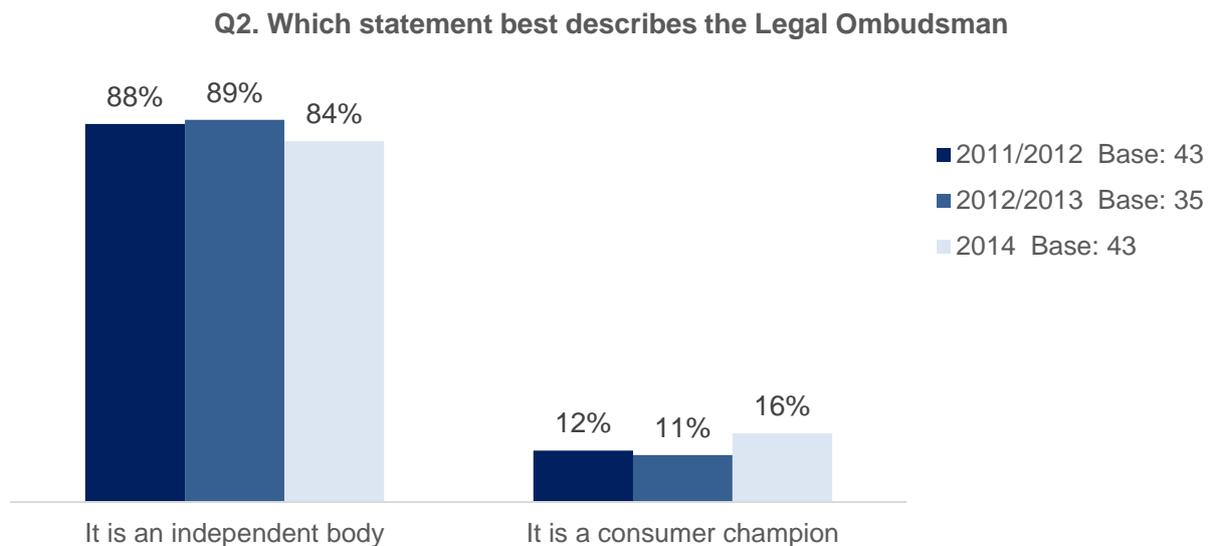


### 3.2. Describing the Legal Ombudsman's role

Stakeholders were presented with the three statements below and asked to consider which one best describes the Legal Ombudsman:

- *It is a consumer champion, designed to improve consumer protection against poor legal service.*
- *It was established to protect the legal profession from unjustified complaints.*
- *It is an independent body established to resolve consumer complaints about lawyers, protecting the legal profession from unjustified claims yet ordering redress where appropriate.*

Findings reflect those of the past two years, with the vast majority of stakeholders again describing the Legal Ombudsman as an independent body that is balancing the protection of consumers with the protection of those working within the legal profession from unjust complaint. The need to be regarded as independent is paramount to any ombudsman scheme so maintaining this positioning is important for the Legal Ombudsman.

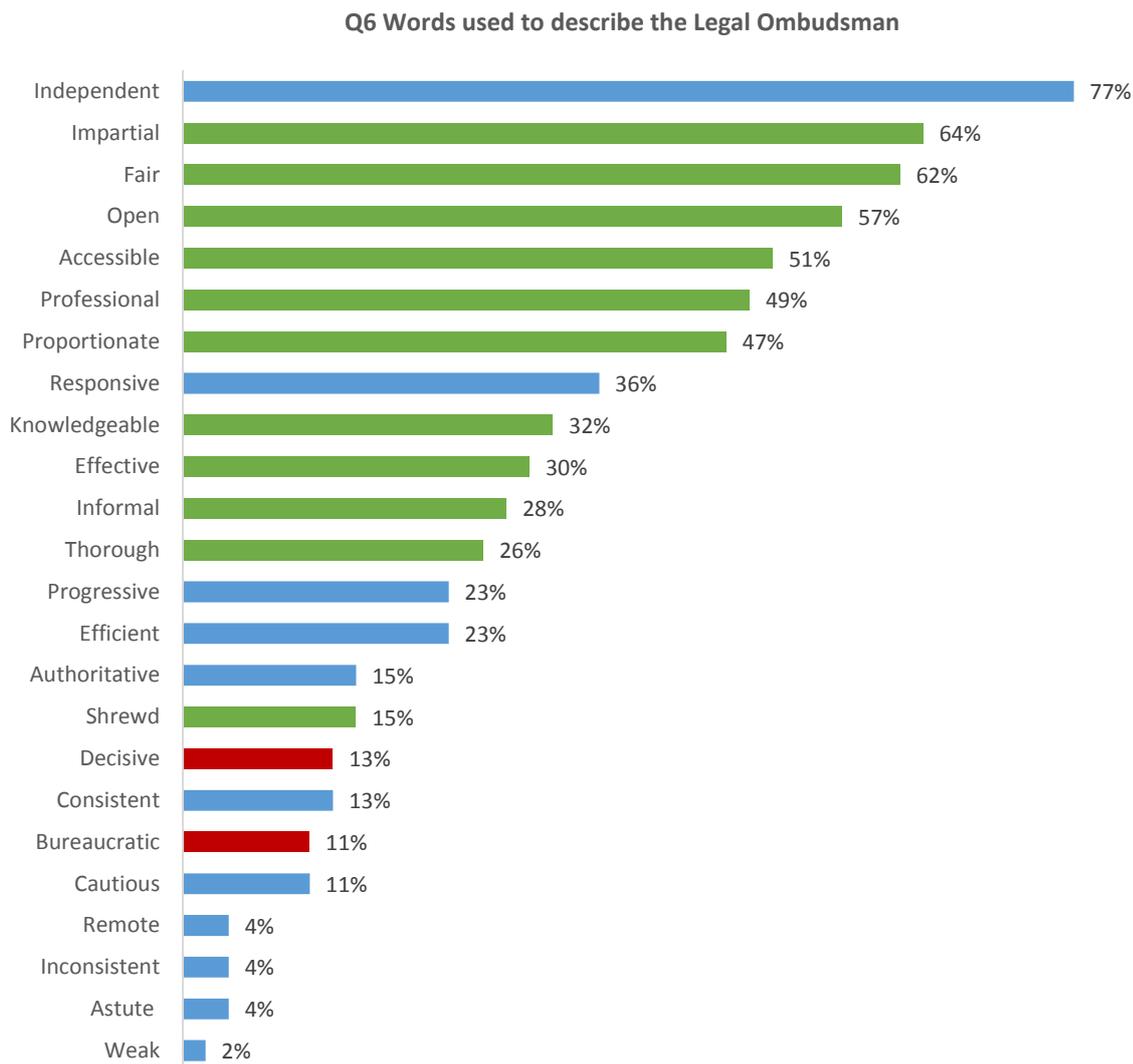


As seen in previous years, those who describe the Legal Ombudsman as a 'consumer champion' are mainly Legal Regulators, and nobody describes the Legal Ombudsman as being 'established to protect the legal profession from unjustified complaints'.

### 3.4. Describing the Legal Ombudsman

Stakeholders were presented with a list of common adjectives and asked to pick the ones that best describe the Legal Ombudsman scheme from their perspective. The findings are that, overall, imagery of the organisation is still extremely positive, and over time this positivity is growing.

Stakeholders most typically describe the Legal Ombudsman as independent, impartial, fair and open. Others describe the organisation as being accessible, professional and proportionate, but to a somewhat lesser extent.



Base: 47

KEY: **Green** = gains of 5% or more versus last year, **blue** = stable, **red** = losses of 5% or more versus last year

Compared with 2012/13, the adjectives that have seen the largest uplifts are professional, proportionate, shrewd (each with an uplift of +15% points), fair, open (both with an uplift of 13% points) and knowledgeable and effective (both with an uplift of 10% points). Items that are green in the chart above have all seen a gain in the past year.

The only two descriptors to see a decline year-on-year are decisive and bureaucratic. The former is something to be mindful of in terms of managing expectations of both the legal community and the consumer. Endorsement of 'decisive' made significant gains between 2011/12 (+16% points) so has lost most ground made in the previous year. It is important to look into reasons why this may be to try and stem this decline and ultimately recover some of the lost ground. The latter (decline in 'bureaucratic') reflects a positive decline, as this is not an adjective that stakeholders talk about in a favourable way.

Key words and associated imagery explored further within the in-depth interviews reveal:

Key word	Feedback
<b>Knowledgeable</b>	<p>Knowledge of the organisation is perceived to be growing over time as it becomes more established. It is, however, believed that the Legal Ombudsman is only knowledgeable within the constraints of its exact area of responsibility – so the perceptions of knowledgeable will be dependent on the area in question. Knowledgeable has grown by 10% points this year in the word selection exercise, having grown by 5% points the year before, further emphasising this growth over time.</p> <p><i>“Their knowledge has increased over the last few years as the organisation has bedded in”</i></p> <p><i>“They have an even-handedness”</i></p> <p><i>“There is a wealth of knowledge and resource that comes into LeO, and IT problems aside, there is absolutely a commitment to sharing and demonstrating this knowledge”</i></p> <p><i>“Yes, I think they are that. I suppose it rather depends on what the situation is, they are not knowledgeable for things they do not have responsibility or remit for, but in terms of what they are there to do, then yes they are knowledgeable. What I mean by this is that they can only take complaints on what parliament says they can say they can take complaints on”</i></p>
<b>Fair</b>	<p>Stakeholders do seem happy that decisions made by the Legal Ombudsman are fair. They cite their perception that the decisions made fall equally in favour of the consumer versus the lawyer, which they feel demonstrates fairness and an unbiased stance.</p> <p><i>“Fair? Absolutely. And they make good quality decisions”</i></p> <p><i>“It feels fair as decisions go both ways”</i></p> <p><i>“Yes, there is an even handedness there”</i></p>
<b>Bureaucratic</b>	<p>Most stakeholders deem 'bureaucratic' as having negative connotations, and do not believe that the Legal Ombudsman is shrouded in bureaucracy.</p> <p><i>“I hear no complaints about delays – no news is good news”</i></p> <p><i>“They try to make their processes as clear as possible”</i></p> <p><i>“I think there are some elements of bureaucracy, I think they are less bureaucratic than many organisations...but yeah I think there are some elements which could be simplified from my experience so far”</i></p>

**Open**

Spontaneous endorsement of the word 'open' in relation to the Legal Ombudsman sees the significant gains year on year, with many stakeholders in agreement with this, and a climb of 13% points year on year. Previously, this had been an area where there was hesitancy, relating to a perceived lack of transparency associated with decisions. Some commented that they would never expect LeO to be completely open because case handling needs to be discrete.

*"They are getting more open – they are on a journey, but definitely getting there"*

**Authoritative**

Authoritative is still not regarded as one of the key strengths of the organisation, although stakeholders believe that there are positive steps in the right direction as their evidence base continues to increase. One stakeholder suggested that this could be improved by distributing more 'best practice' guidance. Others talked about the Legal Ombudsman taking the lead in cases and guiding cases effectively.

*"Their decisions are binding and they are beginning to put out guidance about best practice – but this could be better"*

*"They are backed by law and you can rely on that"*

*"It's still early days for them – I think they think they are, but they are not"*

*"They quite often take the lead, they are not the passenger. They steer the direction nicely"*

*"When it speaks it can speak with an evidence base, which gives it a natural authority"*

**Impartial**

Stakeholders agree that the Legal Ombudsman is impartial and this has grown by 8% points versus the previous year.

*"Yes, yes definitely ... that is what an ombudsman should do and if they are not impartial they are not an ombudsman and then that's a disaster, their credibility would be shot if they were not impartial so they have to be impartial, which they are"*

*"Yes because again it's a question of impartiality and independence coming together so I think it boils down to the fact that now they have matured there's not a sense of either party being right or wrong, it all depends on the case"*

*"Impartial, yes they definitely are"*

**Independent**

Most believe that the Legal Ombudsman takes an independent stance and that this is widely recognised, both by consumers and by the legal profession. When asked to select the words to describe the Legal Ombudsman this word consistently receives the strongest endorsement.

*"They are doing all that they can to display independence"*

*"I would say they definitely appear independent"*

A visual representation of the adjectives used to describe the Legal Ombudsman demonstrates how strong the associations with independent, impartial, open and fair are in relation to the other descriptors.



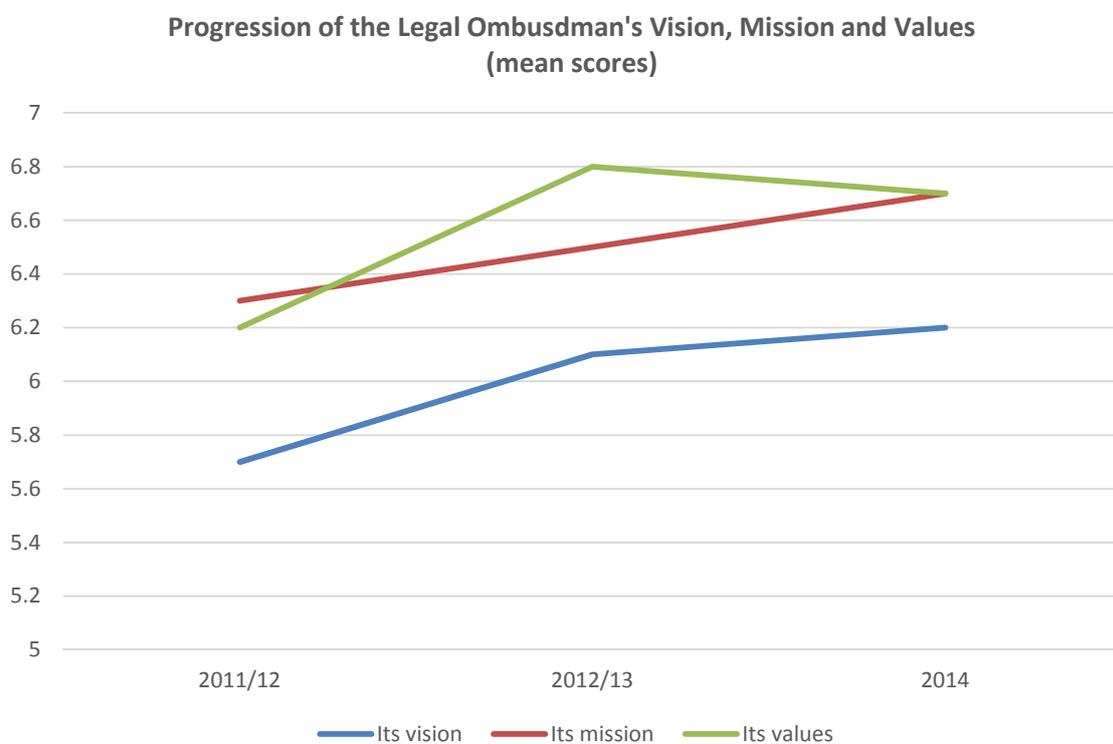
*The size of the word represents the number of times the word is selected to describe Legal Ombudsman.  
Word selection exercise undertaken in online survey.*

## Section 4: Vision, mission and values

### 4.1. Overview of the vision, mission and values

Stakeholders were presented with the Legal Ombudsman's vision, mission and values and asked to score their level of confidence in its ability to deliver them, based on a scale of 1 to 10, where 1 denotes not at all confident and 10 is extremely confident.

The following tables show the findings, the second providing the mean scores - a useful marker of the average sentiment - the closer the mean score is to 10, the greater the confidence.

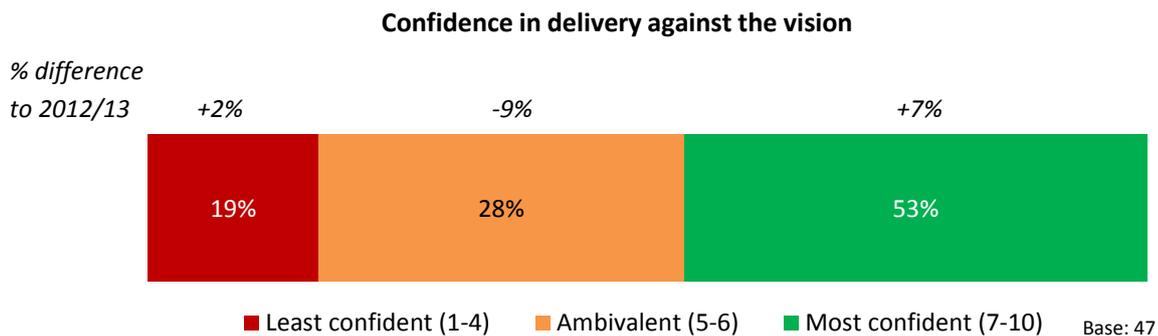


The Legal Ombudsman continues to deliver its vision, mission and values to very consistent levels. The overall feel remains fairly positive, with very few stakeholders selecting the extremes (very low confidence - selecting 1 or 2, or extremely confident - selecting 9 or 10). Between the first and second year of operation, all elements saw slight increases, whereas between the second and third year these were less marked.

## 4.2. Delivering the vision

*Everyone can access legal services in which they can have confidence.*

The chart below illustrates that just over one half of stakeholders are confident that the Legal Ombudsman can deliver against its vision. This represents a 7% point increase compared with the survey in 2012/13, and this indicates that in the longer term, confidence is increasing year on year (but it should be noted that they still represent a small proportion of stakeholders overall).



Those who participated in the in-depth interviews were also asked about the appropriateness of the vision specifically. As seen in both previous years, many see the vision as being rather “over ambitious” and challenging for the Legal Ombudsman to aspire to on its own. They continue to recognise that the vision is broadly achievable (albeit with support from other agencies) but struggle to see that it is completely credible for the Legal Ombudsman to achieve alone.

*“It feels a bit grand. A very bold statement! I would say this would be very hard to achieve”*

*“The big problem is access – and that is due to cost”*

*“The Legal Ombudsman can’t expect to do this all on its own”*

*“It would be more credible if it joined forces with lots of other partner stakeholders”*

*“They can contribute to this vision, but it is not ownable”*

*“This all seems ok as a much wider goal, but is hard to achieve”*

*“The Legal Ombudsman is not a provider of legal services, therefore cannot be held to account on whether everyone has access to them”*

*“It feels very broad – some things will be out of their jurisdiction”*

*“It feels too broad to be credible – sounds out of the scope of the Legal Ombudsman”*

*“I would challenge the access part due to the cost, but that is out of Legal Ombudsman’s hands. Overall it sounds achievable”*

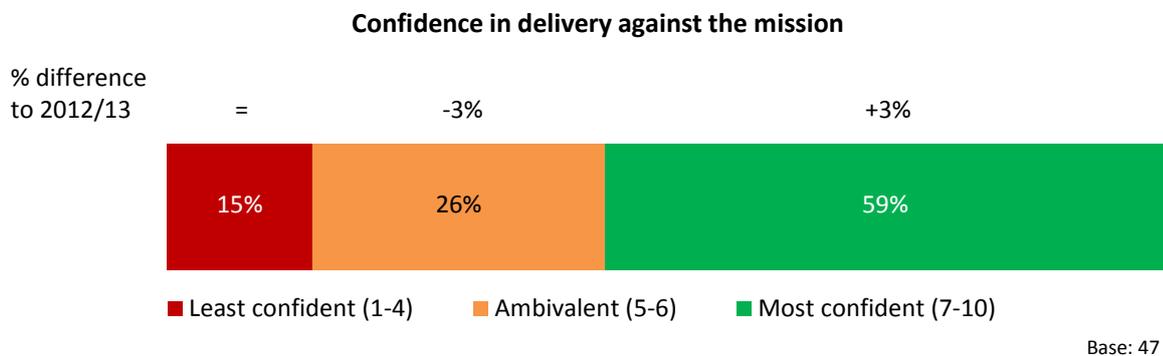
*“Will it ever be possible?”*

### 4.3. Delivering the mission and values

*Our task is to run an independent ombudsman scheme that resolves complaints about lawyers in a fair and effective way, where we are shrewd and decisive when tackling complex issues and that is open so we can give focused feedback to help drive improvements to legal services.*

This is a Key Performance Indicator for the organisation in terms of reputation and impact.

Over one half are confident that the Legal Ombudsman can deliver against its mission. This is a consistent pattern to last year and the year before that.



Stakeholders speak more positively about the mission statement and believe that it feels more achievable, and more realistic based on their understanding of what the Legal Ombudsman delivers in terms of services.

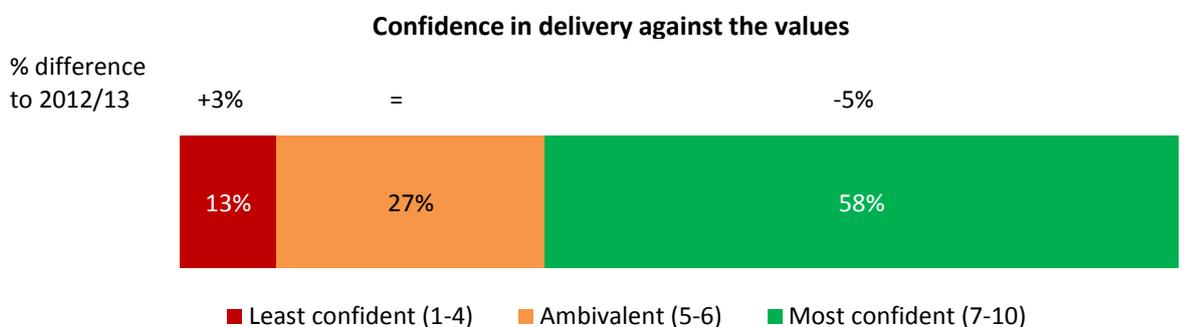
*“This sounds good. It deals with the fundamentals of what the Legal Ombudsman is there to provide. It sounds accurate to me”*

*“It sounds fine, but no one will really take note of mission statements outside of the organisations itself”*

*“Pretty comprehensive”*

### *Fair, Open, Effective, Shrewd and Independent.*

There is a slight drift year-on-year in terms of Values, which places this exactly at the same level as the Legal Ombudsman's Mission. Both sitting ahead of the Vision.



Base: 47

Most values are met with a positive reaction, with one exception. Shrewd continues to generate some confusion in terms of what it actually means and how the Legal Ombudsman should be expected to demonstrate this.

*"I am not really sure what they mean by shrewd – are they meaning they offer good value for money? What it should mean is that they have the correct assessment to make judgements balanced"*

*"It's hard to say if they have been shrewd, I think this largely depends on your experience – it is rather subjective"*

*"I would not say they are shrewd. They are expensive and they know it, and they don't do anything to fix that"*

*"They are not open on costs, nor on data sharing. Everyone should have the right to a complaint, they should not have to cross match the price"*

*"Can an organisation be shrewd?"*

*"I think it comes down to again the issue of definition and how they define their effectiveness...yes they have effectively established access to redress but where I would like to see them being more effective is raising standards"*

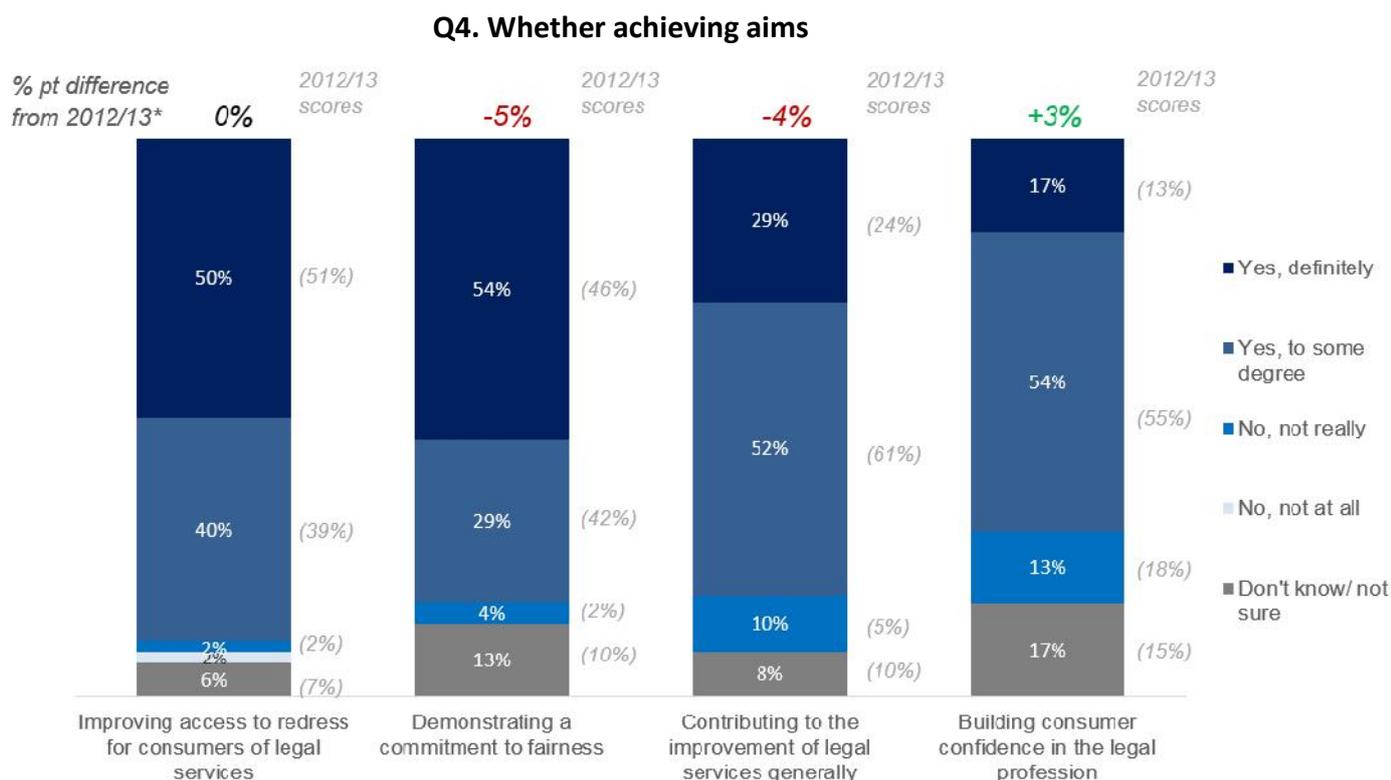
## Section 5: Aims and effectiveness of the Legal Ombudsman

### 5.1. Whether achieving aims

Overall, the majority of stakeholders believe that the Legal Ombudsman is improving access to redress, demonstrating fairness, contributing to improvements and building consumer confidence. Endorsement is particularly strong on improving access to redress and demonstrating a commitment to fairness – around one half of stakeholders definitely agree that the Legal Ombudsman is delivering against these elements.

Most measures evaluated in this area see broad consistency compared with the previous year’s study, seeing nominal movements in the strongest level of endorsement (“yes, definitely”). The exception to this is with regards to commitment to fairness, which gains a 9% point gain in this top box score (but this is offset with a large loss of endorsement at the “yes, some degree” level).

The Legal Ombudsman’s weakest area continues to centre on the perception of its ability to build consumer confidence, where only 17% of stakeholders strongly endorse this. This is higher than last year but still much lower than equivalent statements in this area. This overall picture is consistent with what has been seen in the surveys from 2011/12 and also 2012/13.



\*% difference in those answering 'Yes, definitely'

Base: 48

## 5.2. Suggested improvements to achieve aims

### Improving access to redress – a need to improve general public awareness

Stakeholders continue to hold the belief that the Legal Ombudsman needs to raise its public awareness. Their perception is that consumers only find out that the Legal Ombudsman exists when they are in the midst of an issue. Other regulators are perceived to have much higher awareness in the public eye, for example the financial ombudsman or the housing ombudsman. For a minority, 'main streaming' awareness of access to redress is a key issue going forwards.

*"LeO needs more visibility and better engagement with those people who provide advice - such as ourselves at the Advice Services Alliance"*

*"Awareness raising, so that consumers understand LeO exists and how it works. Encourage firms to make LeO information a badge of pride, and other initiatives encouraging competition in consumer fairness/excellence"*

*"All ombudsman schemes should be more visible"*

*"LeO really could do more to raise its profile. People are only aware of the scheme when a complaint arises. Up front the information needs to be promoted better as it is not really in the public eye. It is important to be visible so that it helps increase consumer confidence"*

*"It's quite an expensive service and slow in my opinion and we have people calling us who want to complain about solicitors but have never heard of the Legal Ombudsman. I would say there is a lack of awareness amongst the general public about the service they offer"*

*"Need to raise understanding of what is 'an ombudsman'"*

In contrast, awareness amongst the legal profession itself is reasonably good given how challenging it is to get messages out to such a varied audience. Some suggested however that solicitors still don't adequately promote the Legal Ombudsman scheme to their clients.

*"One of the key challenges for LeO is that it is very clear that a number of solicitors do not adequately promote the role of LeO, (the role of the complaints system), at the point at which they are engaged. We know this is meant to be part of the standard engagement letter, and if it is there then it is in extraordinarily small print"*

One stakeholder suggested that in order to help raise visibility it would be a good idea to join forces with other ombudsman schemes so that they could work together towards this shared goal. Another asked whether links with referral bodies such as the Citizens Advice Bureau were well enough developed.

Stakeholders also allude to the fact that the Legal Ombudsman needs to take a bold stance, and ensure that it is authoritative regarding the decisions made.

*"LeO has taken some sensible decisions during its first 3 years, but cautiously. Why are so many decisions rejected by complainants? Redress is too low? (Often less than the fee for 1 lawyer hour). More unhappy consumers might use the service if there were a clear prospect of proper compensation when the complaint is upheld"*

*“More needs to be done around first tier complaints - arguably not LeO's primary remit but one which would be of fundamental significance in terms of improving access to redress. LeO is in the process of exploring third party complaints but the timescale is questionable - a challenge I know given competing priorities”*

There are some stakeholders who disagree with the need to be more visible. They do not hold the view that greater awareness is necessary, but believe that consumers will find out about the Legal Ombudsman if necessary, but that it will not be relevant information for the majority of people.

*“There is no need to be more visible, I am not really sure what greater publicity for LeO would really achieve”*

*“They don't need to be as well-known as other ombudsman schemes. If anything, lawyers need to promote this more and organisations like WHICH? need to know about them so that they can offer them as a service provider”*

### **Demonstrating a commitment to fairness**

As has been the case in previous years, stakeholders continue to cite a need for more information to be published which should, in turn, lead to greater transparency and public demonstration of fairness over decisions.

*“Organise more public meetings exclusively for consumers, or potential consumers of legal services, so they can exchange ideas and experiences. There is no consumer equivalent to the Bar Council or the Law Society”*

*“Ensure that both sides of the story, e.g. via simple case studies, come out. So lawyers/consumers see examples of findings in their favour”*

They also believe that greater visibility of the organisation in general will have a positive halo onto the perception of fairness.

*“Raise its profile within consumer and legal sector to demonstrate how it operates”*

*“There is still a perception amongst some lawyers that clients use the Ombudsman as a way of avoiding paying the bill. While the Ombudsman works hard to communicate its role to lawyers this remains an area of concerns for lawyers”*

### **Contributing to improvement of legal services generally**

Stakeholders believe that a broadening of the Legal Ombudsman's reach and jurisdictions would be beneficial in terms of enabling them to give a wider contribution to legal services.

*“Broaden your constituency to encompass services which are linked to legal services but which are not currently covered by an ombudsman, and lobby to simplify and reduce the number of ombudsmen in the UK - possibly by becoming the main Ombudsman portal”*

*“Extend jurisdictions”*

Again reference is made to the benefits that would be borne from elevating the organisation's public profile and having greater visibility. Both in terms of overall presence in the marketplace, and in terms of publicising decisions, outcomes and industry findings. It was felt that Adam Sampson, the chief ombudsman and seen as being relatively neutral (not biased towards the legal profession or towards consumers), should seek to continue to have public debate in this area.

*"Continue to raise awareness amongst consumers of legal services that they can use the Legal Ombudsman to access redress"*

*"Continue to help lawyers - make it as clear and simple a message as possible what good complaint handling is and why it matters (and the risks of getting it wrong)"*

*"Further guidance on key issues"*

*"Perhaps run seminars for regulators on emerging trends to find ways to address them effectively"*

*"Regular engagement and conversations with the profession regarding standards and avoiding typical errors"*

For stakeholders who did not believe the Legal Ombudsman was contributing greatly, one cited the relative youth of the organisation, and felt that over time this would naturally develop and grow. Another believed that the improvement of legal services in general actually sits with the legal system, and is not the responsibility of the Legal Ombudsman.

*"It's not "doesn't", it "hasn't". Not long enough in existence, so broader lessons not had time to be shared effectively or acted upon by lawyers, professional bodies and regulators"*

*"I see legal services as the delivery of legal advice and assistance to clients, not as the resolution of things that go wrong"*

*"[The Legal Ombudsman] deals only with complaints. This is the tip of the iceberg in terms of poor/mediocre service"*

### **Building consumer confidence**

Stakeholders continue to cite the need to build awareness of the Legal Ombudsman and as part of this they consistently mention the need for greater publication of the outcome of complaints. The benefit of this is seen to be threefold:

1. It will raise the profile of the organisation
2. It will reassure consumers and lawyers that decisions are fair – and that judgements fall both ways
3. It will halo onto the legal profession, and try to alleviate the number of cases that are escalated to the Legal Ombudsman (2<sup>nd</sup> tier)

*"Increased publication about its existence"*

*"Sponsor best practice news stories"*

*“Nothing. Needs time”*

*“Dealing with both conduct and service complaints”*

*“Continuing with the work started, but recognising that this is a steep road, and thus targeted publicity to show that where a complaint is justified, consumers can get redress and help with the changing the situation.”*

*“Continue to feedback to the legal profession the nature of complaints about the profession, and encourage the profession to improve its approach to complaints handling.”*

*“The challenge is around the public understanding of the 'Ombudsman' brand. LeO's route is likely not to be so much from a public facing perspective but rather more about how it works with existing trusted bodies, in whom the public already has confidence.”*

*“More of the same: in my view, it is a question of time and of building consumer confidence from a low base”*

*“Be more present on websites consumers use to research or complain about legal services”*

*“Be accessible to more consumers i.e. the ones who simply don't have the time or inclination to go through all the necessary hurdles needed to get the Ombudsman involved”*

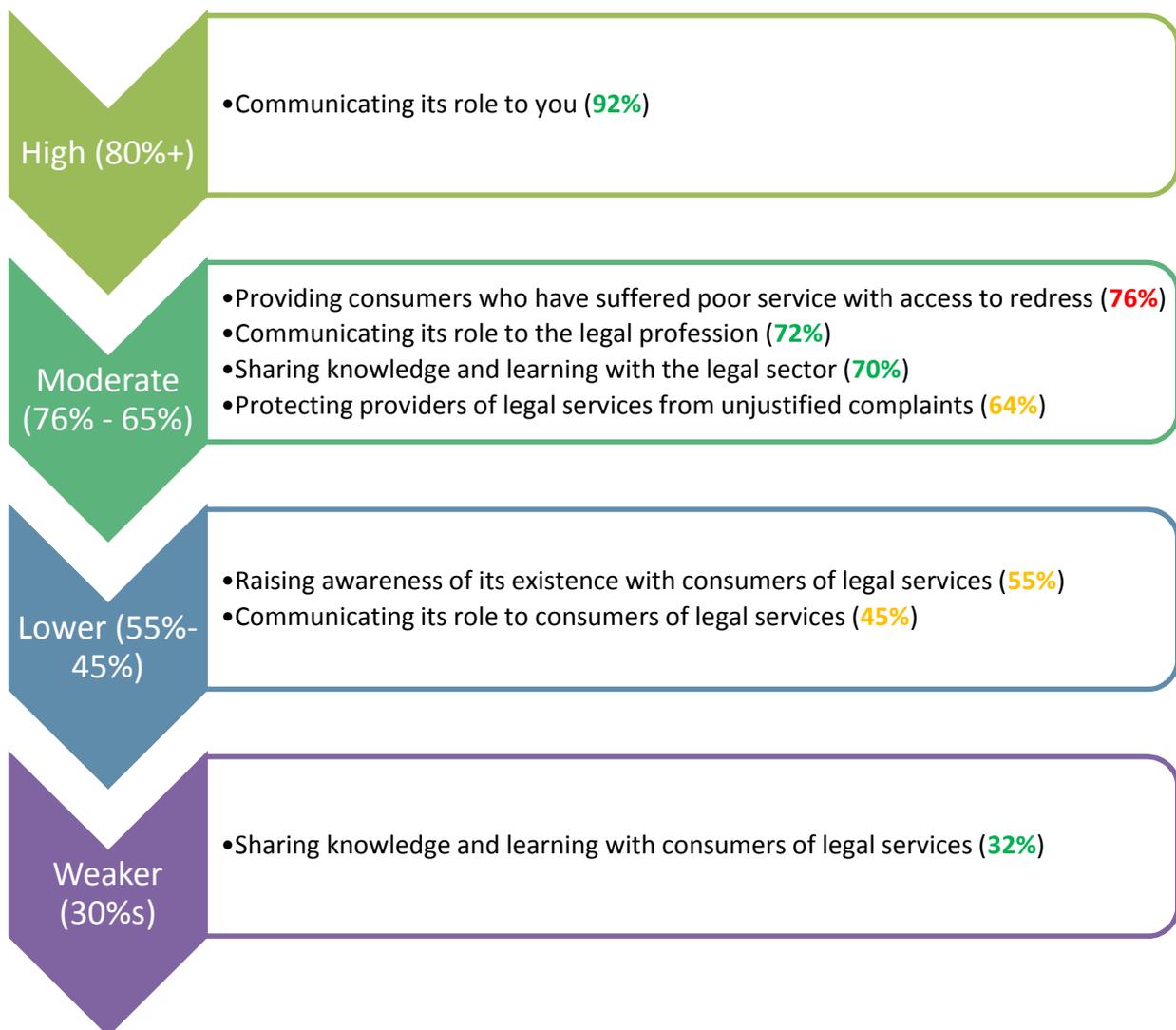
*“There is not enough widespread awareness of the complaints procedure”*

### 5.3. Current effectiveness of the Legal Ombudsman

Stakeholders were asked for their feedback on eight key areas of operational and communication effectiveness, and the chart below illustrates the relative strengths and weaknesses that they perceive. The percentages shown indicate the proportion who state that the Legal Ombudsman is either 'very or fairly effective' in that area.

Colour coding indicates an increase of 4% points or more year-on-year (coloured **green**), stable (coloured **amber**) and a decrease of 4% points of more (coloured **red**).

Communication, both to the legal profession and to stakeholders, remains strong and sees growth versus last year. Sharing knowledge with the legal sector and sharing knowledge with consumers of legal services both also see increases, albeit the latter is still perceived to be the weakest area overall. The perception that the Legal Ombudsman provides consumers who have suffered poor service with access to redress is the only area to see a decrease this year, however it still remains the second strongest area.



## **Communication of role and communication of findings**

Overall performance in relation to communication issues is summarised in the chart below.

The vast majority of stakeholders believe that the Legal Ombudsman is effective in communicating its role to stakeholders; this continues to be an area of real strength for the organisation. This has been a very consistent pattern seen over the past three years.

Stakeholders continue to regard the Legal Ombudsman's weakest communication to be its ability to communicate its role to consumers of legal services, with less than one half of respondents positively endorsing this. This sees a growth in 'fairly effective', (+7% compared with 2012/13), but a decline in 'very effective', (-8% compared with 2012/13), meaning that the overall net effectiveness is stable year on year.

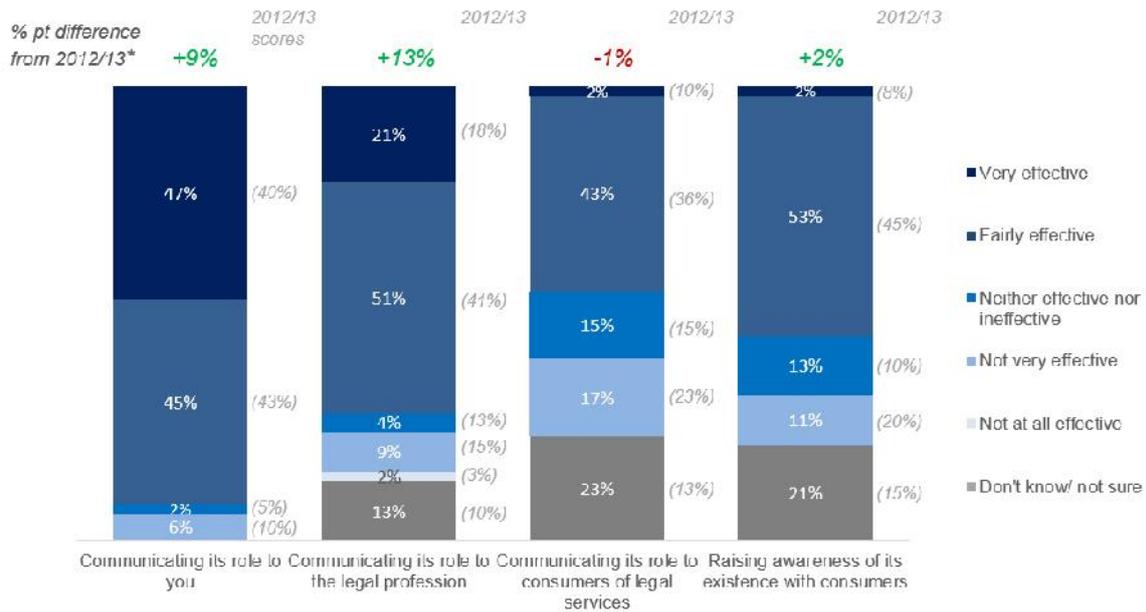
Stakeholders believe that the amount of direct communications they receive from the Legal Ombudsman are appropriate and delivered via suitable communication channels.

*"Meetings and events are good – we have good "official to official" relations. They are really quite proactive and I like the regular newsletters. However, even though it's good to have newsletters face to face is always best"*

*"It would always be nice to have more, but face to face meetings are great. We talk face to face which is much more personal"*

*"LeO communicates well with us"*

## Q10. Effectiveness of communicating the role



\*% difference of those saying either 'very effective' or 'fairly effective'

Base: 46-47

Broad comments received in relation to communication include the following. Again the challenge of encouraging solicitors to promote the scheme properly is relevant here.

*"Mass mailings fall on deaf ears – I always delete the mass emails, but really like seeing core evidence sent out by paper or email – but only when it is sent out by key people, to key people"*

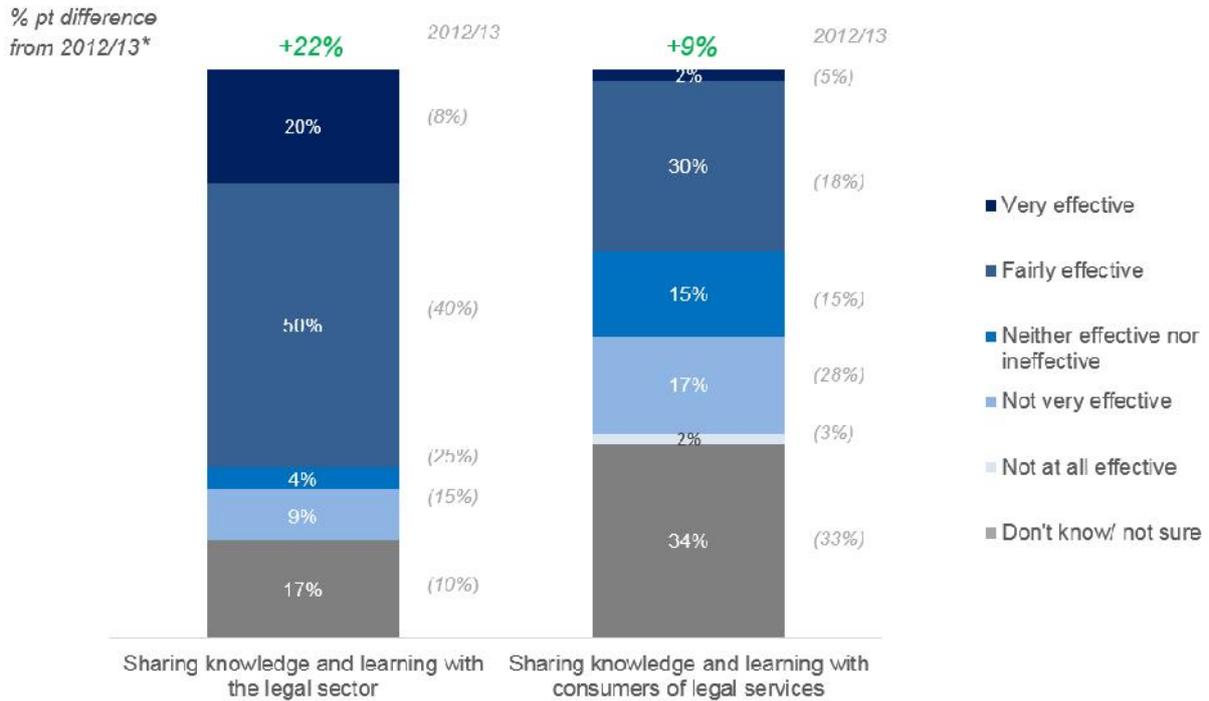
*"I like hearing from the Legal Ombudsman, but only when they have got something important to say"*

*"Not a criticism - it's very difficult to achieve. Higher profile on Provider websites could help. Regulators need to help with ensuring LeO presence in client care correspondence etc"*

### Sharing knowledge and learning

Perceptions around sharing knowledge and learning continue to polarise opinion. Sharing knowledge within the legal sector has made significant steps forward since last year's results, with the top 2 box score seeing significant growth, whereas sharing knowledge with the consumers of legal services continues to be much weaker by comparison. A large proportion of respondents felt again that they were unable to comment on this aspect.

### Q10. Effectiveness of sharing knowledge



\*% difference of those saying either 'very effective' or 'fairly effective'

Base: 48

Stakeholders believe that the Legal Ombudsman is much more effective in sharing knowledge and learning with the legal sector compared with the previous year. This area sees the highest improvement this year, demonstrating a growth of 22% points. This was mentioned by many stakeholders in the qualitative interviews too.

*“LeO are really proactive in sharing data and other findings with us”*

*“They are really good at sharing information – I’d give them 100% for that”*

*“I think LeO are excellent at sharing information and research findings with organisations like us”*

In the in-depth interviews one did mention that there is a desire for data to be provided in raw format too, so that stakeholders could use it, cut it and have the ability to draw their own interpretations.

*“Their data is only shared on their terms, which is masked by their interpretations”*

*“What I would really like from it is more data available. Raw data – volume and types of complaints data”*

Some stakeholders (19%) have a more negative view in relation to sharing knowledge with the legal sector, which include the following:

*"It is very hard to get over the innate antipathy of the profession to regulation/complaints stuff"*

*"Many solicitors still do not understand why the LeO is necessary"*

*"Feedback on casework is not at a sufficiently detailed level"*

*"LeO needs to engage in information and data sharing with sector parts. At the moment it only produces publications on its website. It needs to move towards intelligence sharing, especially with regulators"*

*"A really tough audience to get to....those who provide good consumer service don't need to hear, those who need to hear from you may not want to"*

By comparison, there are also some (13%) who speak less favourably about the Legal Ombudsman's ability to communicate effectively with consumers of legal services, and their comments include:

*"There are no easy or ready links to general consumers"*

*"Despite the difficulty of the task, more can be done to educate the consumer using direct methods of communication. Webinars, TV interviews, newspaper articles and blogs"*

*"A gut feeling; as a possible consumer, I'm not sure I would know about LeO"*

*"Consumers are hard to reach. Behavioural economics tells us that we will struggle to modify their choice and use through education and are better off relying upon a strong competitive market, supported by effective regulation"*

*"You could question whether this is LeO's role. Should they be sharing knowledge and learning with consumers or rather focussing on working with the profession to minimise the need for access to redress?"*

*"The sharing of information only takes place through the website. Other forms of publication need to be considered"*

### **Effectiveness of the Legal Ombudsman in its operations**

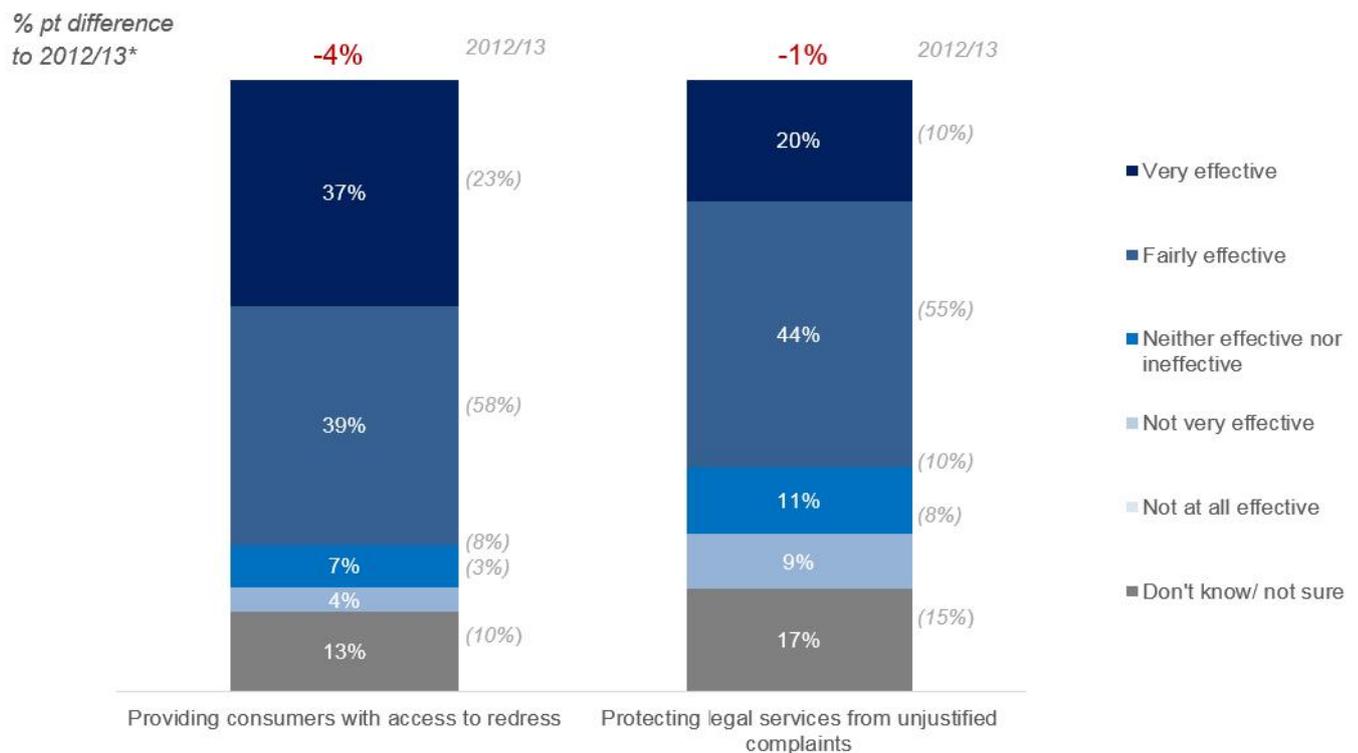
Thinking about the performance of the Legal Ombudsman in the last 12 months, the overall 'effectiveness' perceptions (*combination of 'very' and 'fairly effective'*) of the organisation providing consumers who have had poor service with access to redress and also protecting legal services from unjust complaints has remained relatively stable.

However, just under two-fifths believe that access to redress is 'very effective', which is a marked gain in terms of top box endorsement, and this has converted up directly from the those who were happy, but more hesitant last year.

Only one fifth of stakeholders believe that the Legal Ombudsman is 'very effective' in protecting legal services from unjust complaints, suggesting that the overall stakeholder perceptions is that the ombudsman is operating more effectively for the consumers, compared with the lawyers.

Over two thirds of stakeholders now believe that the Legal Ombudsman has been effective in protecting providers from unjustified claims, with the proportion of stakeholders believing they are 'very effective' at doing this doubling from 10% to 20%. This positivity is a trend which has been seen throughout the three years in which this research has taken place. It should be noted that 17% of stakeholders though do not feel they have the knowledge to answer this question, so do not give a viewpoint either way.

### Q10. Effectiveness of sharing knowledge



Base: 46

Few stakeholders believe that the Legal Ombudsman is not very effective in protecting legal services from unjust complaints, but those who do express the following concerns:

*“Like all complaints handling organisations, you feel obliged to give too much attention to unmeritorious complaints and difficult complainants. This frustrates those complained about and reduces their level of confidence in the complaint handler. At its worst, it can lead to a feeling that the whole complaints handling business is a waste of time when clearly there is a lot to learn”*

*“Balance tipped a little too far in favour of consumer in last 12 months”*

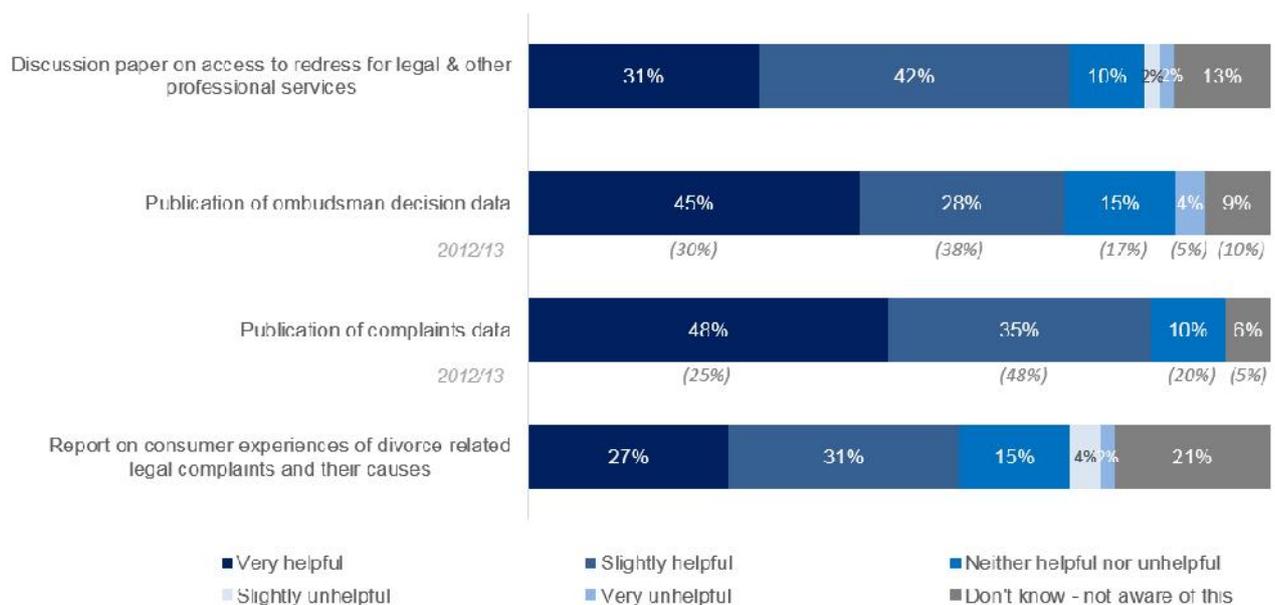
## 5.4. Helpfulness of the Legal Ombudsman’s publications over past year

During the past year, the Legal Ombudsman has published the following key outputs:

- Discussion paper on access to redress for legal and other professional services
- Publication of ombudsman decision data
- Publication of complaints data
- Report on consumer experiences of divorce related complaints and their causes

Stakeholders rate the publication of complaints data the highest of all the recent publications, with 48% saying this was ‘very helpful’. This is a significant improvement from last year (+15% points higher on ‘very helpful’), indicating that the publication content, structure or other elements are now working much better for those in receipt of this. Publication of ombudsman decision data sees similar gains year on year, indicating that this is also now serving the needs of stakeholders more effectively.

### Q13. Helpfulness of publications



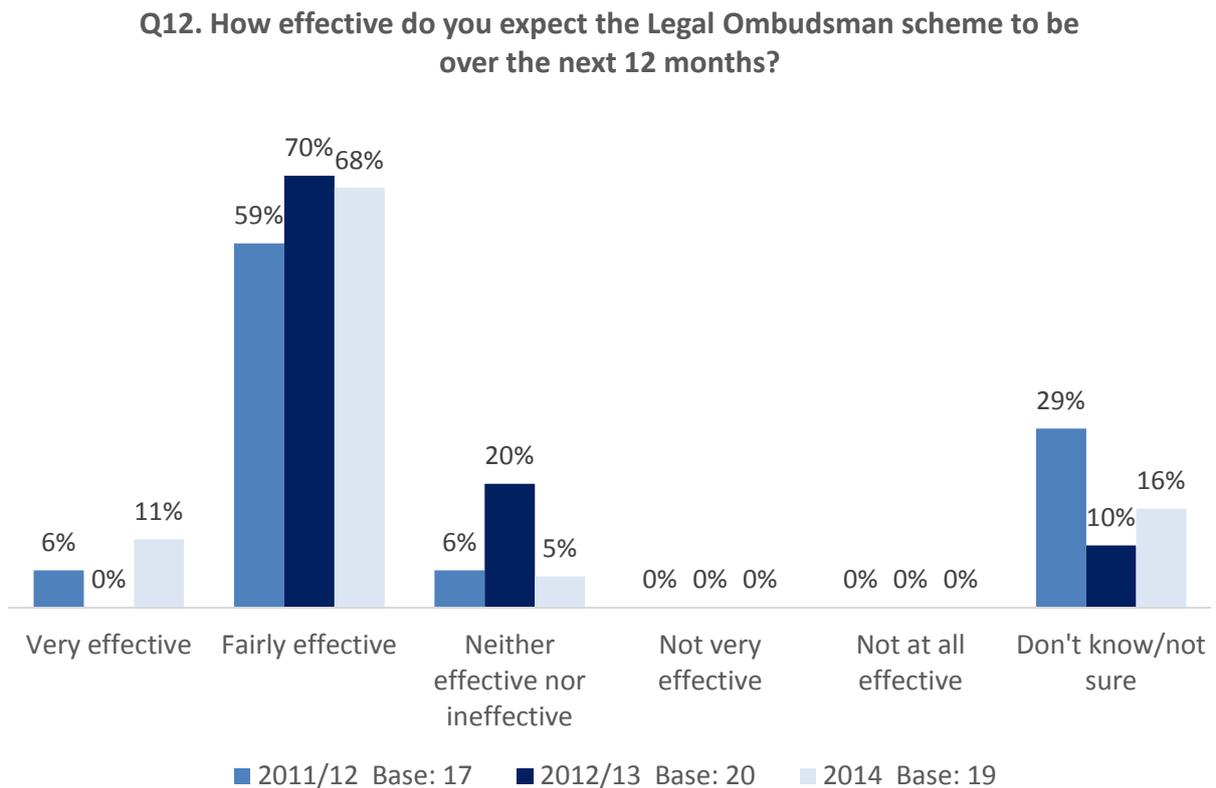
Base: 47-48

The bespoke publications (paper on access to redress for legal and other professional services and the report on consumer experiences of divorce related complaints and their causes) both see around one third of stakeholders rating them as ‘very helpful’.

Around three-quarters say that the paper on access to redress for legal and other professional services was 'helpful' (*'very helpful' and 'slightly helpful' combined*), whereas only two thirds rated the report on consumer experiences of divorce related complaints and their causes helpful. These two newer publications have lower overall awareness levels compared to the regular publications.

## 5.5. Future effectiveness of the Legal Ombudsman

As seen in previous years, when asked about future effectiveness of the Legal Ombudsman, the majority of stakeholders (68%) believe that the organisation will be fairly effective in the coming 12 months. There has been a significant increase this year in stakeholders believing that the Legal Ombudsman will be very effective, with levels rising to just over 1 in 10. This is further testament to the fact that the organisation is 'bedding in' and is becoming more widely understood and utilised.



## Section 6: Communication and collaboration

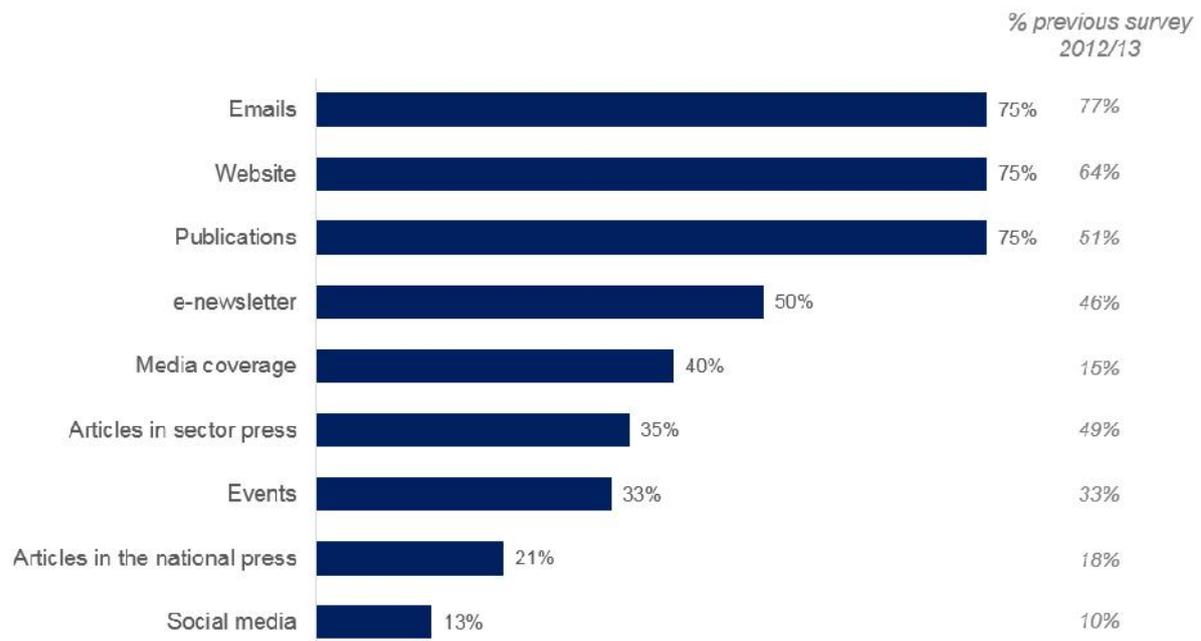
### 6.1. How stakeholders are kept up to date about the Legal Ombudsman's activities

Stakeholders can access information about Legal Ombudsman activity through a variety of channels ranging from traditional media channels to social media initiatives.

Emails from the Legal Ombudsman hold their top rank as one of the primary sources of information that stakeholders use to gain information and learn about its activities; however this rank is now shared with the website and Legal Ombudsman publications. Both of these channels have seen strong gains from last year, increasing by 11% points and 24% points respectively.

Media coverage has also seen significant gains, rising from 15% to 40% year-on-year. The only area to see marked declines versus last year is articles in the sector press, dropping from around half of stakeholders using this to just a third.

**Q14. Sources of Legal Ombudsman Information**



Base: 48

Those involved in the in-depth discussions talk of the newsletter as being useful and they like to have *relatively* frequent contact. Many cite the need for the newsletter as being most useful/impactful when it contains interesting, current and topical features.

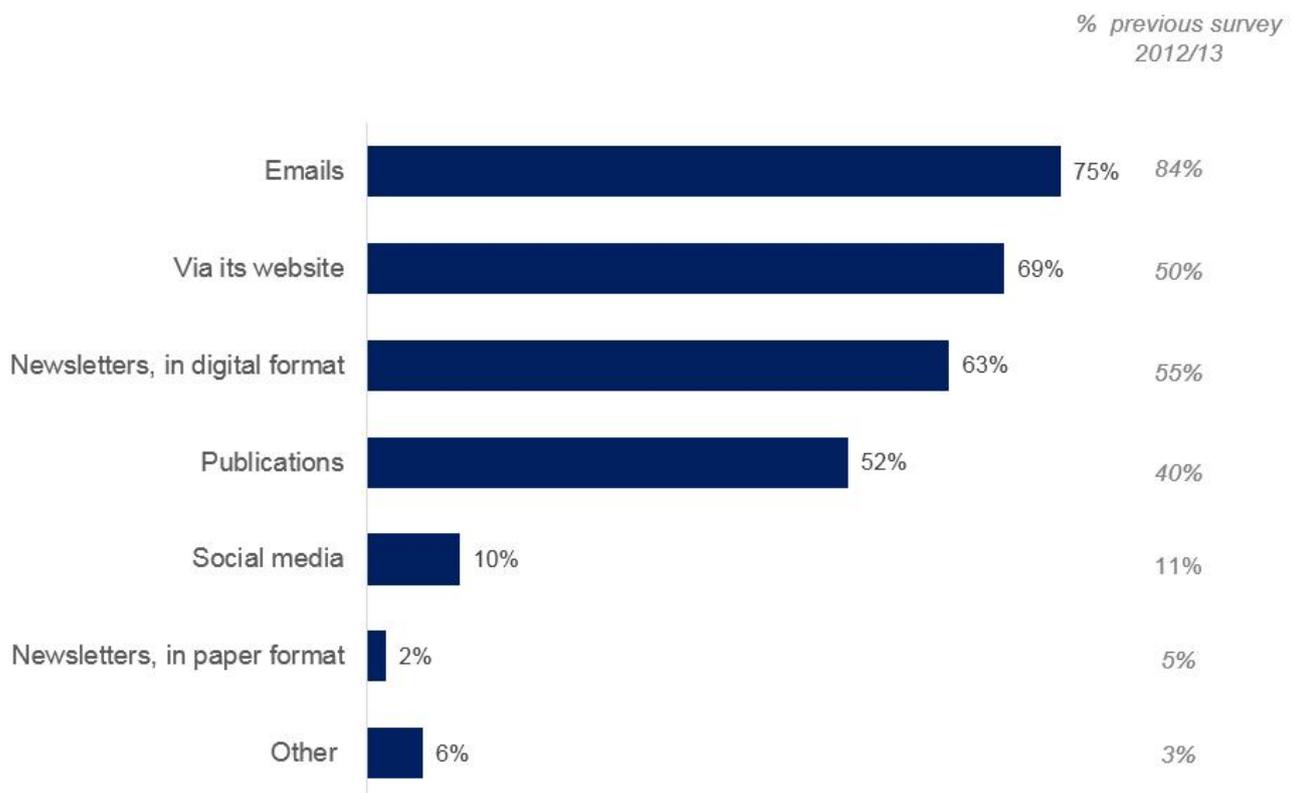
Other channels they utilise to keep up to date with the Legal Ombudsman include face to face meetings and dialogues with members of the organisation, and one also cited the legal consumer panel benchmarking study.

## 6.2. Preference for receiving information

Thinking ahead to the future delivery of Legal Ombudsman communications, the majority of stakeholders still prefer to receive information from the Legal Ombudsman through emails, with three quarters selecting a preference for this. Emails are closely followed by the website (69%) and digital newsletters (65%), which are gaining in popularity.

Outreach via social media remains low, and paper format newsletters drift further, with now only 2% selecting this format as a preference.

**Q17. Preferred communication channels**



Base: 48

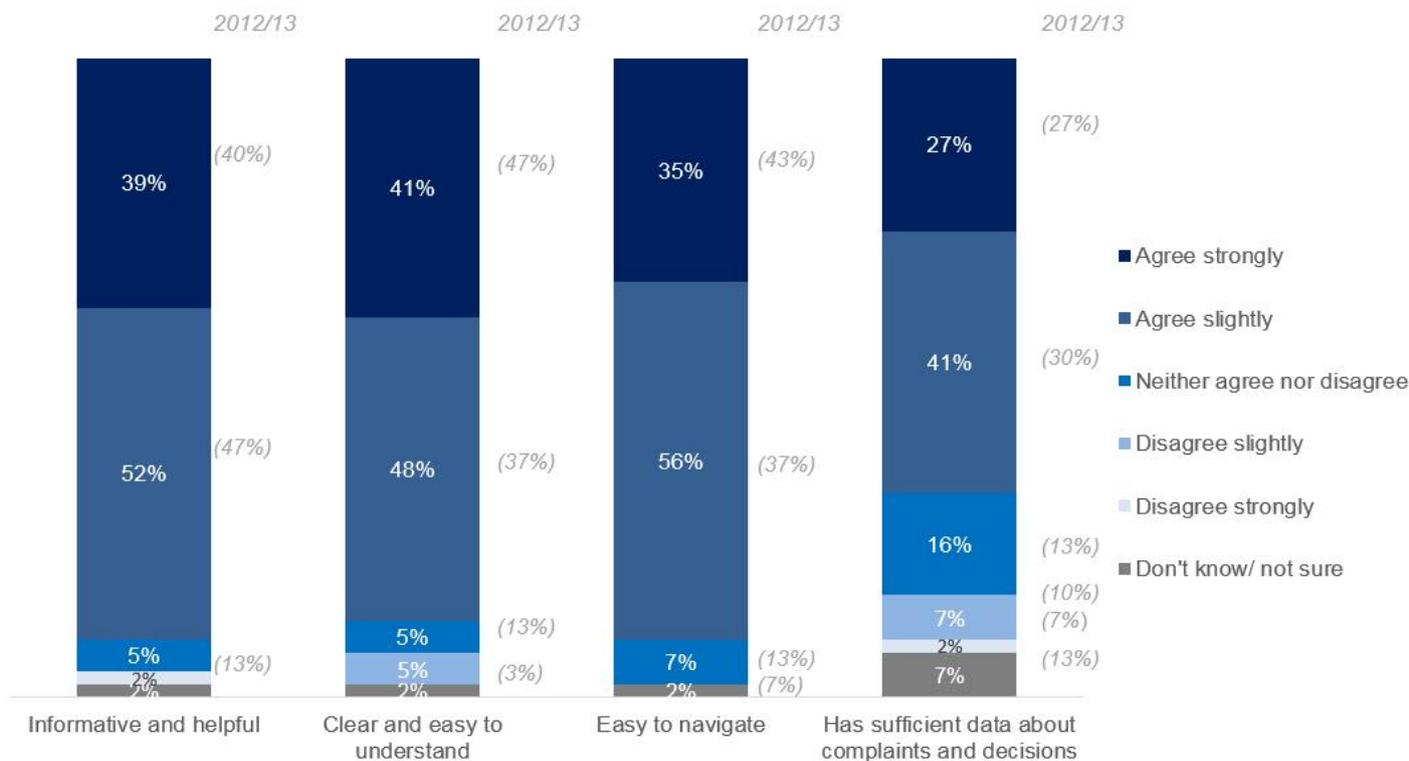
### 6.3. Use of website

The vast majority of stakeholders have visited the Legal Ombudsman’s website in the past year (94%), which is a significant increase compared with the year before. Website visitation has increased by 17% points. Website visitors were asked four diagnostic questions to ascertain users’ perspective on its usability and content.

This year, endorsement of the website as being informative/helpful, clear to understand and easy to navigate, each see similar levels of agreement (net of ‘agree strongly’ and ‘agree slightly’). Stakeholders are less positive about the availability of complaints and decisions data.

Each of the four statements sees a slight increase in the endorsement of agree strongly/slightly, indicating that users’ perceptions of the website are gradually getting better over time.

**Q19. Opinions of the Legal Ombudsman website**



Base: 42-44

In the in-depth interviews, thoughts regarding the website were mixed, but tended to lean towards the positive. Positive comments include:

*“Functionally its pretty good, laid out nice and clearly and very clearly split out by the section for lawyers and the section for complainant”*

*“I can’t really think of anything you’d need to do to make it better, it’s perfectly fine as it is”*

There were some who were less forthcoming with praise:

*"It's not the easiest to navigate, but I am often looking for in-depth reports or materials. I don't need to visit their website very often as the newsletter is very good, but whenever I do, I am conscious that it takes a lot of clicks to find what I need"*

*"I would say its 'OK' – fine to navigate and I can locate things I need ok, but what I would really like from it is more data available"*

*"Extraordinarily text heavy"*

For those who found the website less pleasing, suggestions of how the Legal Ombudsman could improve their website are as follows:

*"Needs a better search facility and signposting"*

*"The website often crashes on older versions of windows explorer. It would be helpful if a more basic version of the website that ran on older browsers was available"*

*"[It needs] clear unequivocal identification of info available presented right at the beginning (1st page)"*

*"All publications [should be] readily accessible from the publications section"*

*"Upheld complaints information by firm could perhaps be more easily navigable, plus information on upheld complaints against individuals"*

*"[More] data reports on findings from complaints generally. Also it would be good to de-clutter it"*

*"[Would like to see] reasons given by complainants for rejecting decisions"*

*"Navigation and grouping of information. Any additional publication of data would need to be very carefully considered"*

### **Alternative websites use in a professional capacity**

A new question was added this year to ascertain which other websites stakeholders use for professional purposes. Suggestions were as follows:

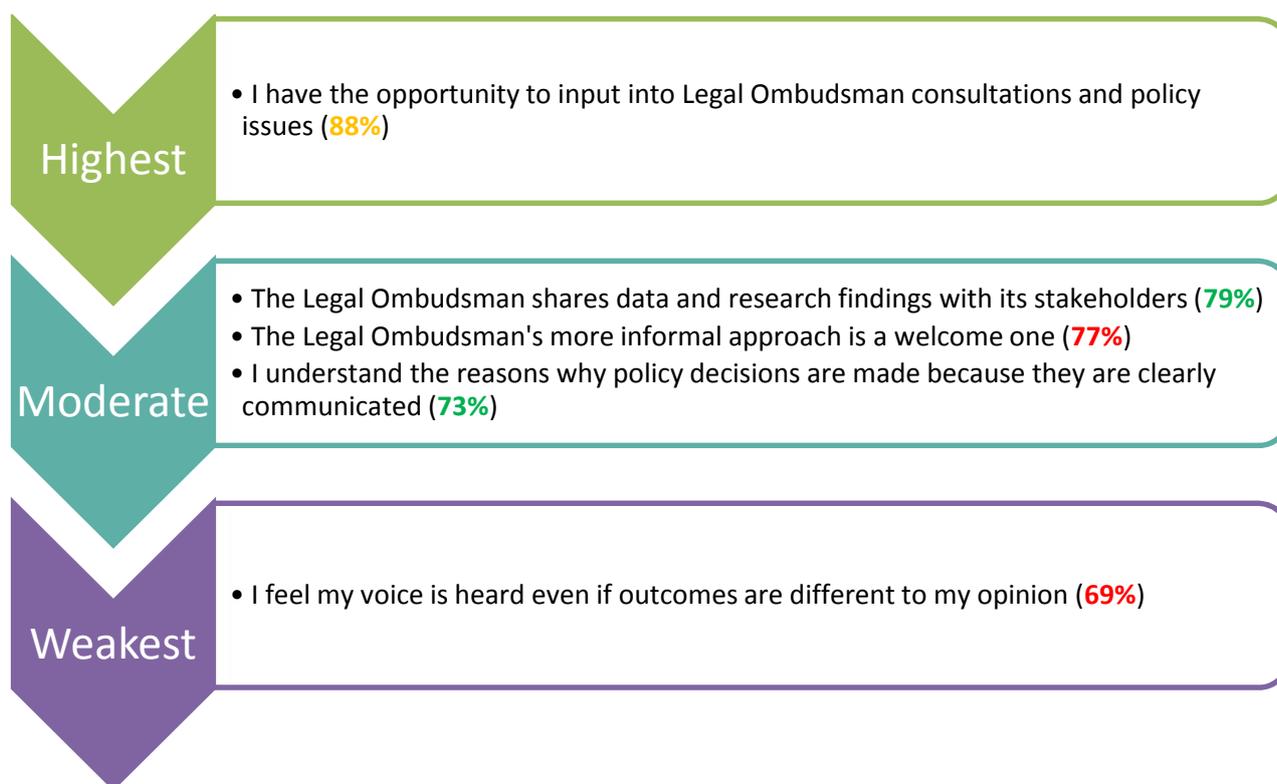
- The Legal Services Board (mentioned several times)
- The Justice Gap, the Law Society, the Institute of Paralegals the Bar Council, Advice Now WHICH? Legal LSB Consumer Panel, LSB Baby Barista
- Legal Futures and SRA websites as they provide useful information as to what is happening in the legal regulatory field

- Too many to list - almost all of them are useful to some extent in containing the information you might be searching for. Perfection not expected
- Our interest is in quality standards so anything in relation to this (ie Lexcel, Scottish standards, etc)
- FOS, PHSO and SPSO. They provide useful information on best practice. Both are consumer friendly
- All other legal regulators and those of regulators in other fields
- FOS website

## 6.4. Collaborative working

The following statements were shown to stakeholders to ascertain their attitudes around collaboration and engagement. The figures in brackets indicate the proportion who either 'strongly' or 'slightly' agree amongst a base size of 48.

Colour coding indicates an increase of 4% points or more year-on-year (coloured **green**), stable (coloured **amber**) and a decrease of 4% points of more (coloured **red**).



Stakeholders continue to strongly believe that they are given the opportunity to input into consultations and policy issues, and the proportion of stakeholders agreeing strongly rises by 8% points versus the previous year. This was praised highly in the in-depth interviews too, with many expressing great satisfaction about the level of involvement that is both allowed and encouraged.

*"We get to have lot of involvement and are always given prior warning"*

*"Absolutely, a BIG yes! We are always given opportunity to be involved"*

*"The Legal Ombudsman are very keen to have our involvement"*

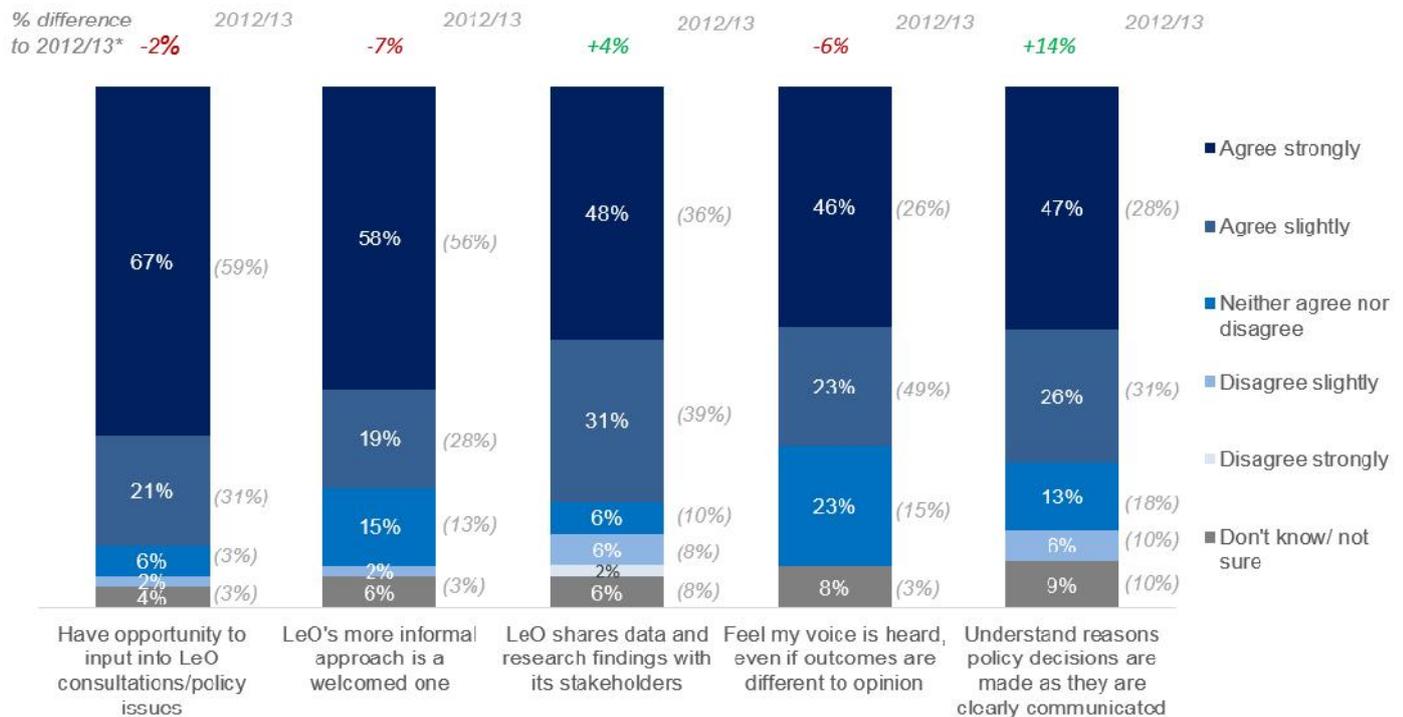
One stakeholder, however, felt that some consultations are little more than 'paper exercises'. Some indeed prefer a more informal approach to consultation because of their organisation / political structure.

*"I think if I'm honest, LeO blatantly go through the motions with its consultations and it's often very clear that they are ticking the box when it comes to consultations and I think they really need to have a think about that one going forward...I genuinely think they are not conveying any sense of consultation in a meaningful way"*

Stakeholders continue to welcome the informal working approach taken by the Legal Ombudsman and believe that they are good at sharing information and data. Since last year's study, the number of stakeholders believing that they understand reasons that policy decisions are made has increased significantly, with a rise in 19% points in the number who agree strongly. This is the area that sees the greatest increase year on year.

A significantly higher proportion of stakeholders agree strongly that even if their opinions differ from outcomes, their voice is still heard.

### Q21. Opinions on collaborative working



\*% difference of those saying agree 'strongly' or 'slightly'

Base: 47-48

Looking to the future, stakeholders were asked their thoughts on any new policy areas that they will be concentrating on in the next 12 months that they consider to be relevant to the work of the Legal Ombudsman. Thoughts focused on the following:

- Vulnerable consumers

- “Unbundling” of legal services
- Litigants in person
- Compensation arrangements
- Unsolicited calls from solicitors/claims management companies
- New Practice rights for Chartered Legal Executives and others regulated by IPS
- Developing risk based regulation
- Will writing and estate administration complaints procedures including stalemate mediation, and the scope for LeO to become involved (play a part in)with protocols/ procedures
- Lack of access to advice in the first place and more information regarding the profile of complaints
- Consumer policy
- Consumer empowerment
- Consumer experience
- Changes that Ministers may want on improving regulation
- Opening up market for greater innovation - including MDPs and low cost/stripped back legal services. Improved data available for comparison sites and consumer champions/bodies.
- Compensation arrangements for the profession
- Claims Management Companies (mentioned twice)
- Issues flowing from becoming licensed to regulate entities.
- Voluntary regulation of online legal services which are not reserved activities
- Role of McKenzie Friends. Self-regulation of will writing
- Third party complaints
- Improving the performance of the Small Claims Courts Improving the performance of the County Courts Judicial training
- Legal services delivered by unregistered barristers
- Changes to CLC remit

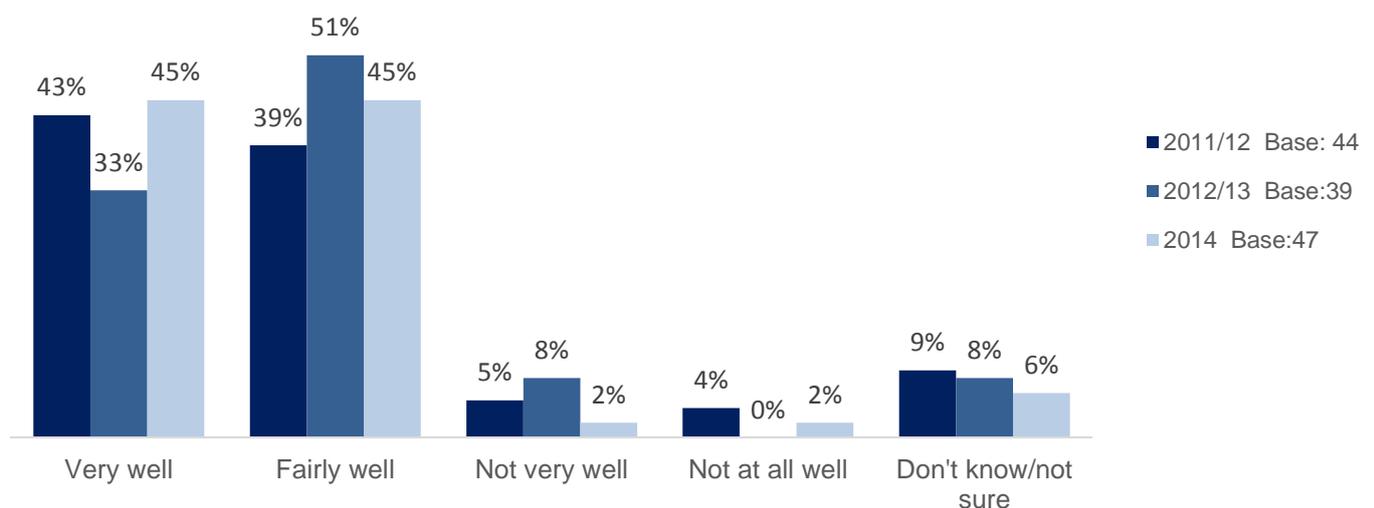
## 6.5. Level of engagement

Engagement with stakeholders is a Key Performance Indicator for the Legal Ombudsman.

Stakeholders remain positive about its overall engagement; 90% say that it has engaged and worked well with them and their team, which is an increase of 5% points versus the previous year. 45% of stakeholders claim that the Legal Ombudsman engages with them *'very well'* which is a recovery of the ground lost last year, and the highest score seen in this area since the survey launched – just edging ahead of the levels seen in year 1.

This year, professional groups are most likely to believe that the Legal Ombudsman engages with them and their team *'very well'*, (formerly it was consumer groups/charities) but this is gauged from a very low participant base.

### Q22. Level of engagement



## 6.6. Future policy areas and collaborative working

Stakeholders were informed of a new direction centred on collaborative working:

*Last summer, the Legal Ombudsman issued a discussion paper looking at access to redress for legal and other professional services. The responses to this paper will help us to develop our view on how the European Union's Directive on Alternative Dispute Resolution should be implemented in the UK. If the Legal Ombudsman was to extend its jurisdiction to help the UK government meet its requirements under the Directive by July 2015.*

They were then asked which professions they feel fit well with the work of the Legal Ombudsman. Accounts, architects and surveyors were seen to offer the best fit, as illustrated by the word cloud below.



*The size of the word represents the number of times the word is selected to describe Legal Ombudsman. Word selection exercise undertaken in online survey.*

Others mentioned:

*"Estate Administration practitioners"*

*"Will writers and estate administrators"*

The majority of stakeholders think that an expansion of the Legal Ombudsman's jurisdiction is a positive step in the right direction, and that broader collaborative working would be beneficial. There were some who voiced some concerns about the requirement for careful management of this extension, and their main concerns centred on ensuring complete clarity for consumers:

*"A lot of these companies end up delivering some kind of legal advice, and this can be confusing for consumers. One to fit all would be much better for consumers"*

*“Joining them up is definitely a good idea – it is important to consider how this is branded though if the Legal Ombudsman is covering all of these different areas”*

*“This sounds ok but it would need to ensure that it is thought of from the perspective of the consumer. It would require some research first, then they could work out the correct balance. The danger is that by jumping the gun they might end up with a system that is confusing for consumers”*

*“The types of organisations that would like well are those that are already subject to professional regulations”*

*“Who would pay for all of this? That would be my only concern, however, there is a lot of overlap between these different organisations so it does feel like a natural piece of the jigsaw”*

*“Sometimes self-regulation within an industry itself is sufficient”*

## Section 7: Other Ombudsman schemes

### 7.1. Stakeholders experience of other schemes

Twenty one stakeholders participating in the survey work with, or have experience of, other Ombudsman schemes. This is on par with the number seen in the first survey, and significantly higher than last year's results where just 13 had wider experience of ombudsman schemes.

Of the 21 who said that they had experience of working with other ombudsmen, 15 named examples, as shown in the table below. The Financial Ombudsman Scheme (FOS) is still the most recognised, although it dominates the list far less this year.

Ombudsman scheme	2013/14	2012/13	2011/12
Financial	9	7	11
Insurance	1	5	1
Parliamentary & Health	5	3	5
Local Government	3	3	3
Property	2	3	2
Prisons and probation	2	3	1
Telecoms	1	2	4
Energy	1	2	1
Housing	1	2	2
Furniture	1	2	1
Other e.g. Devolved administrations	16	3	-
<i>Base:</i>	15	13	22

Stakeholders continue to struggle to identify any of the Schemes as a beacon of best practice. The in-depth discussions suggest that there are a number of ways that the Legal Ombudsman could try to stand out as an example of best practice among other organisations, although stakeholders were divided in their opinion of whether the Legal Ombudsman should shout louder about its existence or try to operate more subtly:

*“Keep staying out of the limelight – in ombudsman terms ‘no news is definitely good news’”*

*"From my experience I would put the Legal Ombudsman up with FOS in terms of efficiency and working practices"*

*"FOS and SPSO are good so we are all copying them. FOS have slick operations and is fast at dealing with complaints – they are good at that"*

*"Reduce costs but be sure to maintain standards"*

*"Improve broadest awareness of the scheme – what the Legal Ombudsman does is great, they just need to do more about telling people about it"*

In considering which ombudsman schemes were considered to be 'a beacon' of best practise currently, thoughts included:

*"LeO. It's the one whose pitch is the most authentic and ombudsmanly, and the least quango-like"*

*"They all do a reasonable job in their own areas, but none of them, in my opinion, do enough to tackle systemic issues by working out what irritates the public as a whole as opposed to dealing with issues that enrage specific individuals"*

*"None"*

*"FOS high profile regular material of interest in the media - encourages accessibility. Well known by the public Easy to use the service High level of customer satisfaction with the service"*

*"Financial Ombudsman Service has a strong profile amongst consumers and the media. Its annual complaints data always hits the headlines and appears to help drive better customer service amongst the banks (and others)"*

*"Financial Ombudsman perhaps has more public awareness so may offer some learning in that direction. Is there also some opportunity for joint ombudsman public communications?"*

*"Financial Ombudsman - with regards to improving consumer awareness and access"*

*"Lots of depth and expertise at FOS"*

## 7.2. Legal Ombudsman comparison with other Ombudsman schemes

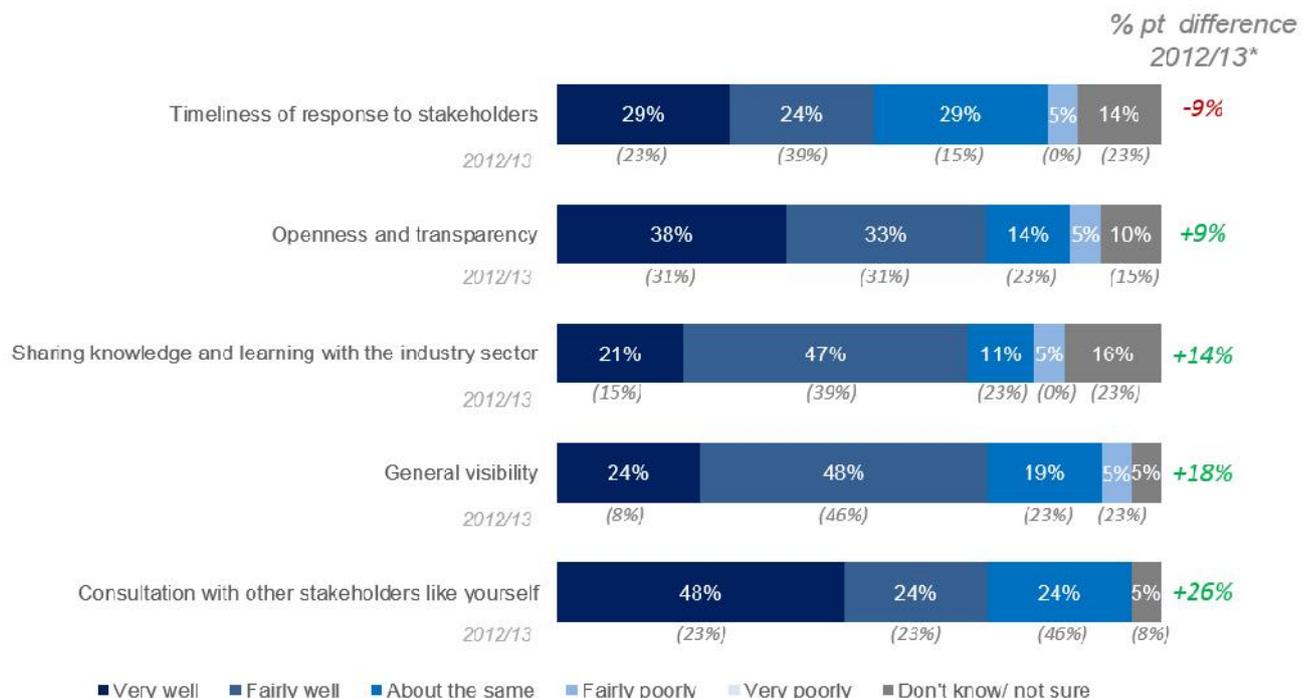
Please note that the base sizes reported in this section are very small as they are based only on those who have a working knowledge of other Ombudsman schemes.

Versus the picture a year ago, the Legal Ombudsman has made significant progress in terms of how well the organisation performs in consultations with stakeholders. This was positively endorsed ('very well' or 'fairly well') by less than half of stakeholders last year, whereas this year there has been a gain of 26% points in this area.

General visibility and sharing knowledge within the industry also see positive increases compared with last year, showing gains of 18% points and 14% points respectively.

Timeliness of response is the only area to experience a decline, having drifted by 9% points.

### Q26. Legal Ombudsman comparison with other Ombudsman schemes



\* % difference of those saying very or fairly well

Base: 19-21

## **Appendix – Survey questionnaire**



Leo Stakeholder Snap Questionnaire\_2013\_v3.pdf