

REMEDIES PROGRAMME IMPLEMENTATION GROUP**Minutes of the ninth meeting****Held on Tuesday 25 September 2018****1.30 p.m. – 2.30 p.m.**

<i>Attendees</i>	
Sheila Kumar, Council for Licensed Conveyancers – Chair	Stephen Brooker, Legal Services Board
Vanessa Davies, Bar Standards Board (<i>by telephone</i>)	Stuart Dalton, CILEx Regulation
Howard Dellar, Faculty Office	Peter James, Institute of Chartered Accountants in England and Wales
Laura Murphy, Association of Chartered Certified Accountants	Paul Philip, Solicitors Regulation Authority
Victoria Swan, Intellectual Property Regulation Board (<i>by telephone</i>)	

<i>Apologies for absence</i>	
Fran Gillon, Intellectual Property Regulation Board	Lynn Plumbley, Cost Lawyers Standards board
Ian Waters, Association of Chartered Certified Accountants	Helen Whiteman, CILEx Regulation

1. Introductions and Apologies for Absence

The Chair welcomed attendees to the ninth meeting of the Group and noted apologies for absence.

2. Minutes of the meeting held on 17 July 2018 and matters arising

The minutes of the meeting held on 17 July 2018 were agreed as a correct record.

The Group was advised of the following matters arising:

- Following on from the CMA's engagement with the Scottish Legal Services sector, the SRA had considered comparisons between the Law Society of Scotland's approach to transparency with that of England and Wales had drawn no conclusions.
- A meeting of the Legal Choices Governance Board would be taking place subsequent to the Group's meeting.

3. Updates on Regulator Activities

The Group received the following updates on recent developments:

- (a) Following Board approval in June for IPREG's proposed approach to transparency, guidance was being drafted for the second phase of consultation, prior to intended publication of guidance in spring. As this is guidance, it will not be subject to approval process.
- (b) The Bar Standards Board (BSB) is currently consulting on its draft guidance which has been developed to help the Bar to comply with the new transparency standards rules when they come into force. The consultation, which includes several pages of worked examples, based upon YouGov research into how consumers think and behave closes on 14 December 2018.
- (c) The Association of Chartered Accountants (ACCA) published its consultation on its proposed approach to the CMA's transparency recommendation last week. An action plan will be developed following analysis of feedback on its consultation, which closes in December 2018.
- (d) The CILEx Regulation Board had approved the proposed transparency rule changes, which would be submitted to the Legal Services Board (LSB) for adoption within the next couple of weeks. It had been proposed to implement the rule changes in January 2019, however consideration is being given to implementing the rules by December 2018 if possible, at the same time as the first tranche of legal regulators.
- (e) The ICAEW consultation on proposed transparency rule changes closes this week. Responses received to date have been cautiously welcoming of the proposals. Guidance on implementation has of the arrangements has been drafted, with a focus on consumer engagement. It is expected that the draft guidance, which takes account of Remedies Programme recommendations, a will be published on 1 October 2018, with a go live date of January 2019. Pricing transparency will be the focus of discussion groups.
- (f) A meeting of the Masters Advisory Board of the Faculty Office will be taking place later this week to discuss the approach to the implementation of the transparency recommendations following its consultation exercise. In common with other regulators, it is likely that there will be a move from a rules based approach to guidance.
- (g) The Solicitors Regulation Authority's (SRA) proposed approach to price transparency would be published on 2 October 2018, with an implementation date of 6 December 2018, subject to approval by its Board at the end of October. The SRA's Annual Compliance Officers' Conference would be taking place in Birmingham on 11 December 2018, and implementation of the transparency arrangements was likely to be included as a current issue.

The SRA is currently consulting on the introduction of a digital badge scheme, which is likely to go live in April 2019.

- (h) Between the publication of guidance and implementation on 6 December 2018, the Council for Licensed Conveyancers (CLC) will be speaking to practices directly and at its forthcoming Autumn Roadshow events, particularly with a view to identifying any possible difficulties that may arise with implementation.

The CLC is also exploring options for quality measures, such as comparison websites, and consumer feedback mechanisms.

- (i) Following this year's regulatory assessment exercise, the LSB had rated all regulatory action plans as sufficient. Regulators were requested to submit any updated details to the LSB by the end of the week, to enable their inclusion within published outcomes.

The Group was advised that the Legal Futures Conference on would be held on 29 November 2018. LSB Research would be unveiled at the next meeting. An early snapshot would be trailed at the International Legal Regulators' Conference in The Hague in October.

4. Remedies Programme Implementation Group - Review of Terms of Reference

At its last meeting, it was agreed that Group would continue and to review its terms of reference as implementation of the transparency agenda moves into the next phase.

The Group reviewed its Terms of Reference, suggested changes to which had been highlighted.

The Group was advised that the Legal Services Consumer Panel had expressed an interest in participating in Group meetings. It was suggested that representatives be invited to attend the Group's next meeting, following which attendees could determine whether membership was of mutual benefit in delivering the implementation programme.

It was agreed:

- (1) To invite representatives of the Legal Services Consumer Panel to attend the next meeting of the Group;
- (2) To clarify within the terms of reference that the Remedies Programme Implementation Group agenda is confidential
- (3) To continue to hold quarterly meetings
- (4) To request the CMA to continue to publish approved minutes of the Group's meetings on its website
- (5) To amend the terms of reference as detailed above

5. Dates and Venues for future meetings of the Group

It was agreed:

- (1) That the CLC would host future meetings of the Group, a dial in facility for which will continue to be available
- (2) To schedule the next meeting of the Group in January 2019 and quarterly thereafter.
- (3) To include consideration of comparison websites and the use of data on the agenda for discussion at the Group's next meeting.

6. Any Other Business

It was agreed that feedback on bids for Pioneer Funding and next steps would be shared with the Group when known.