



Annual Plan

2014/15



Introduction

As we publish this annual plan for 2014/15, Scotland is just weeks away from the referendum on whether to become an independent country. It is a truly historic moment is the culmination of three years of hard-fought campaigns and impassioned debate.



Lorna Jack
Chief Executive

Whatever the outcome, I am proud of the active, vocal and non-partisan role which the Law Society has played. Indeed, the recognition and credit which we have received for the points we have raised and the questions we have asked has underlined to me the key role which the Law Society uniquely plays in Scotland. Benefiting from the immense knowledge and expertise within our Council, committees and staff team, we are able to analyse and provide reasoned comments across a broad spectrum of subjects. Representing a profession which is critical to our economy and our society, our views carry weight, help to inform decision-makers and ultimately make for better public policy decisions.

With the opportunity to be active across so many areas, it is also important to be clear about our priorities. We want our members, our stakeholders and the public to have a clear understanding of what we are trying to achieve and why. More importantly, they need to know how we will go about meeting our strategic objectives and how we will assess our performance.

That is why the Law Society publishes an annual plan. Approved by our Council and sitting underneath our Towards 2020 strategy, the annual plan explains how we will meet our overall strategic aim and five strategic objectives. It is deliberately not a detailed prospectus of all the work we do but highlights critical projects and shows areas where we have identified a clear need to improve.

As we reach the halfway point of this decade, it is right for us to take a wider look at how well equipped we are to face the challenges and opportunities that lie ahead. We have already started to analyse how the expectations of consumers are changing and how the legal market and those working within it are adapting to meet these new demands. If we are to remain relevant and competitive as a professional body then there is no question that the Law Society needs to adapt too. Like many legal firms and employed solicitors, we know that what worked in the past will almost certainly not work in the future. So this next year will involve us in taking a detailed and careful look at our strategic direction and how we can best continue to serve those who rely on us and the services we provide.

As with previous plans, we will report each month to the Society's Board and Council on our progress in meeting the actions listed. We will also publish a full report on our performance as part of our 2014/15 annual report.

I hope you will find projects or areas of work which are relevant to you, whether you are a solicitor, a stakeholder or a member of the public. Equally, we want to use this plan to continue the conversation on how we can improve. We want your feedback on what more we can do and what we can do better

Of course, plans need the focus, determination and skill of people if they are to become a reality. That is why I want to thank the hundreds of people, solicitors and non-solicitors, who give their time and expertise on our Council and committees. I also want to thank our staff team, many of whom are featured in this plan and whose hard work and professionalism will be critical to its successful delivery.

The next year and the next few weeks in particular present an exciting backdrop for Scotland and the Law Society. We look forward to working with our members and stakeholders as we continue to lead and support a successful and respected Scottish legal profession.

Lorna Jack
Chief Executive

01. *Excellent solicitor professionalism and reputation*

02. *Our members are the trusted advisers of choice*

03. *Our members are economically active and sustainable*

04. *The Society is the professional body of choice*

05. *The Society is a high performing organisation*

01. *Excellent solicitor professionalism and reputation*

In our Towards 2020 strategy, we recognised that, for the Scottish solicitor profession to be successful, it must demonstrate professionalism through standards that are consistently higher than any of its potential competitors. From our public polling, we know that solicitors are respected and recognised for helping people across Scotland. We can never take that standing and respect for granted.

The Law Society has an important role in setting high professional standards for solicitors and taking action when those standards are not met. We need to have an effective and proportionate system of regulation, one that protects consumers and maintains the trust and confidence of the public. We also need to provide a diverse programme of relevant and high quality training for solicitors, helping them to develop their skills and better serve their clients.

The next year provides a major platform for the Scottish legal profession to showcase its professionalism on a truly international stage. In April 2015, Glasgow will play host to the biennial Commonwealth Law Conference, which will bring together lawyers from across the world to discuss resources, responsibilities and the rule of law. We look forward to working with the Commonwealth Lawyers' Association and others to make this event a success.



Laura Weir
Claims Assistant



Katie Hay
Deputy Director,
International



Sigrid Robinson
Policy Officer

1.1 We will endeavour to ensure there are effective protections in place for consumers by completing the 'Bowen' review as well as the external review of our Guarantee Fund, taking forward the recommendations of both.

1.3 We will successfully showcase Scotland and its legal profession to the world through our successful hosting of the 2015 Commonwealth Law Conference.

1.7 We will seek to increase the diversity of solicitors and ensure the profession better reflects the public they serve by continuing to review aspects of fair access and implementing actions from our policy findings.

ANNUAL PLAN ACTIONS

- 1.1** We will endeavour to ensure there are effective protections in place for consumers by completing the 'Bowen' review as well as the external review of our Guarantee Fund, taking forward the recommendations of both.
- 1.2** We will ensure that solicitors and the public benefit from a modern, effective and proportionate system of regulation by reviewing the consultations on entity regulation and principles and outcomes based regulation and implementing the agreed outcomes.
- 1.3** We will successfully showcase Scotland and its legal profession to the world through our successful hosting of the 2015 Commonwealth Law Conference.
- 1.4** We will build on our research and engagement by campaigning for a fairer judicial appointments process, which provides more opportunities for our members whilst maintaining confidence amongst the public.

- 1.5** We will empower our members with secure digital signatures and provide a robust physical ID by progressing our smartcard project, completing a roll-out to 75% of members and seeking feedback on usage.
- 1.6** We will continue to help our members and their support staff teams to develop their expertise and skills by offering affordable, accessible and high quality training throughout Scotland, which provides a profitable income stream to the Society. This will include new accredited training in a range of areas in response to member feedback.
- 1.7** We will play our part in increasing the diversity of solicitors and ensure the profession better reflects the public they serve by continuing to review aspects of fair access and implementing actions from our policy findings.
- 1.8** We will ensure that our members have the appropriate knowledge and skills to serve their clients by reviewing our CPD requirements and acting on the findings of our review of post-qualification milestones and specialist accreditation.



02. *Our members are the trusted advisers of choice*

In our Towards 2020 strategy, we explained how we are ambitious for our members and want them to succeed, whatever their chosen sector or market. We want their professional qualification to be recognised and valued and to be seen as the premier qualification in any given circumstance. Whatever the legal problem, a Scottish solicitor should be chosen to provide a solution, whether it is an in-house solicitor or someone from private practice.

Over the next year, we expect a revised strategy from the Scottish Government on the future of legal aid, including a possible move towards contracting in criminal legal aid. Coupled with the wider reforms to criminal and civil justice, our solicitors who know and understand the demands and pressures within our justice system are well placed to input into these processes.

The expertise of solicitors will also be required following the independence referendum just as it has during the debate on Scotland's constitutional future over the last three years. In the event of a 'yes' vote, there will be considerable work to secure the legal agreements required for Scotland to become independent within the Scottish Government's timetable. In the event of a 'no' vote, solicitors will be important as the debate moves forward on further devolution within the UK.



Louise Docherty
Communications
Executive



Andrew Alexander
Head of Access
to Justice

2.1 We will help our members and the public to move the constitutional debate forward by playing a full and active role in the events which follow the referendum on Scottish independence and considering the implications for us as an organisation.

2.3 We will campaign for changes to improve access to justice across the justice sector, helping members and the public to access courts through new technology, removing obstacles to dispute resolution, such as tribunal fees, and looking at other areas of improvement for the rule of law in Scotland.

ANNUAL PLAN ACTIONS

- 2.1** We will help our members and the public to move the constitutional debate forward by playing a full and active role in the events which follow the referendum on Scottish independence and considering the implications for us as an organisation.
- 2.2** We will support members who take on the additional responsibilities and liabilities of partnership whilst better protecting the wider profession and public by examining the consultation responses on this issue and make recommendations for future change.
- 2.3** We will campaign for changes to improve access to justice across the justice sector, helping members and the public to access courts through new technology, removing obstacles to dispute resolution, such as tribunal fees, and looking at other areas of improvement for the rule of law in Scotland.

- 2.4** We will ensure firms and their clients are protected by reviewing the long-term sustainability of the Master Policy for professional indemnity insurance and commencing a tendering process for the brokerage of the policy.
- 2.5** We will ensure the Scottish profession can attract legal talent from other jurisdictions by changing the process of requalification into Scotland and implementing a qualified lawyers transfer test.
- 2.6** We will seek to better understand the career aspirations and considerations of potential future solicitors by commencing a five-year study of first year LLB students.
- 2.7** We will help to ensure the Scottish Government maintains an effective and properly funded system of legal aid in the long-term, both for our members and the public who rely on this help, by considering strategic reforms and learning from other jurisdictions.



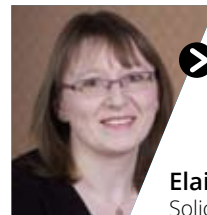
03. *Our members are economically active and sustainable*

Our Towards 2020 strategy recognises that economic success is vital to our members. The difficult economic climate coupled with reductions to public sector budgets has impacted on many of our members, whether working in-house or in private practice. That is why we recognise the need for the legal profession to have, not just deep legal knowledge but increasing business acumen.

Three years on from the publication of our strategy, Scotland has continued to experience a sluggish economic recovery from the recession. With a still uncertain economic outlook, we know that firms are having to work harder than ever to sustain their businesses.

Despite the significant challenges, there is evidence to show that the profession is weathering the economic storm. The number of practising solicitors has remained robust. Whilst fee income has taken a hit, some firms have seen profits bounce back. The number of unemployed lawyers is still relatively low. Trainee numbers are recovering following the sharp downturn of three years ago and we are still seeing a steady stream of people being admitted to the profession.

However, there is no room for complacency. We need to continually monitor the economic health of the profession we serve, helping firms to survive if not grow and supporting those solicitors hit hardest by the economic downturn.



Elaine MacGlone
Solicitor, Professional Support



Fiona J. Robb
Solicitor, Professional Practice

3.4 We will deliver new online guidance to inform and support solicitors moving from private practice to in-house roles, and help members already working in-house to develop their careers.

3.6 We will work to ensure there is a sustainable economic future for our members, a competitive legal market-place as well as proper access to justice for the public by working with our justice sector partners and addressing relevant reform issues, particularly around civil court and costs reform, criminal and civil legal aid provision and models, and lender panel management.

ANNUAL PLAN ACTIONS

- 3.1** We will ensure firms have the flexibility to adopt a wider range of business models by starting the first licensing of new licensed legal services providers in Scotland.
- 3.2** We will work to improve the employment conditions for solicitors as well as access to services for clients and the public by implementing the new equality standards framework.
- 3.3** We will strive to improve the conditions for female solicitors by using our recent research and guidance to challenge the sectoral pay gap which persists in both the public and private sectors.
- 3.4** We will deliver new online guidance to inform and support solicitors moving from private practice to in-house roles, and help members already working in-house to develop their careers.
- 3.5** We will support our members engaged in residential property work by progressing a range of initiatives to support the future of conveyancing based on the recommendations from the working party and member feedback.
- 3.6** We will work to ensure there is a sustainable economic future for our members, a competitive legal marketplace as well as proper access to justice for the public by working with our justice sector partners and addressing relevant reform issues, particularly around civil court and costs reform, criminal and civil legal aid provision and models, and lender panel management.
- 3.7** We will ensure that we continue to collect relevant economic and financial data for use in supporting our members' firms and also ensure accessible reporting of findings by putting out to tender the annual cost of time research.



04.

The Society is the professional body of choice

Our Towards 2020 strategy made clear how the reforms to the legal services market will bring more choice, not only for consumers but also for those thinking of a career in legal services. After all, students leaving university with the LLB can choose to try to study the Diploma in Professional Legal Practice and seek to become a solicitor. Equally, they could try to become an advocate or seek a qualification from another jurisdiction. They can also choose to become an unregulated lawyer.

We want the brightest and best to choose to enter the Scottish solicitor profession. When they do, we want the Law Society to be a professional body that our members want to be involved in and find it easy to engage with. That means every member – whether in private practice or in-house, a managing partner or newly qualified, whether based in Lerwick or London – should see value and gain benefit from their Law Society.

Equally, we know we can never take our position as a regulator for granted. We need to be effective in delivering on the responsibilities which are placed upon us as part of the system of co-regulation of Scotland's legal profession. This includes our own handling of solicitor conduct complaints whilst working with others in reforming the legal framework for legal complaints.



Chantel Gaber
Head of Membership
Engagement
(England & Wales)

4.5

We will improve our engagement with, and support for, our private practice and in-house members who are based in England and Wales along with Scottish registered foreign lawyers, setting targets to grow member numbers over the coming years.



Morag Robb
Membership
Coordinator

4.9

We will make it quicker and easier for our members to renew their practising certificates by moving entirely to an on-line based process, building on the success of the initiative over the last three years.

ANNUAL PLAN ACTIONS

- 4.1** We will make it easier for our members to take part in our decision-making processes by updating our constitution and reforming the operation of our general meetings.
- 4.2** We will ensure those who depend on our effective handling of solicitor complaints get an improved service by reviewing our own procedures and working with stakeholders in further reforming the legal framework for complaints handling.
- 4.3** We will ensure our members' professional body remains relevant and engaging by initiating the first phase of a review of the Society's brand.
- 4.4** We will evaluate the benefits to our members of our pilot mentoring scheme and deliver additional training for new mentors. We will also improve the ways we support individual members facing individual concerns.
- 4.5** We will improve our engagement with, and support for, our private practice and in-house members who are based in England and Wales along with Scottish registered foreign lawyers, setting targets to grow member numbers over the coming years.
- 4.6** We will provide more relevant and targeted support to sole practitioners by engaging external assistance from member focus groups to improve the planning, content and management of the monthly networking events.
- 4.7** We will help our members from across Scotland to input directly into the policy and work of their professional body by commencing the first stage of a two-year cycle of 20 annual local faculty events, ensuring these events contain relevant, lively and engaging content.
- 4.8** We will ensure our members have access to relevant and topical advice and support by updating our guidance in a way which responds to developments in law and practice. This will include new guidance on niche areas of law, such as immigration, and pervasive issues, such as the increased use of technology by solicitors and clients.
- 4.9** We will make it quicker and easier for our members to renew their practising certificates by moving entirely to an online-based process, building on the success of the initiative over the last three years.

05. *The Society is a high performing organisation*

Our Towards 2020 strategy makes clear how a successful and respected profession needs to be led and supported by an organisation which sets itself the highest standards of performance.

Funded by the profession, we need to control costs, provide value for money and spend every penny wisely. Equally, we need to develop new and innovative streams of income so we can continue to carefully control our basic membership fees.

From our Council through our committee structure and executive staff, we need to be effective, efficient and responsive to the rapidly changing environment around us. We need to invest in our staff, who are integral to the success of the organisation, to retain our talent and to attract new individuals as officially one of Scotland's best places to work.

We also want the public who contact us, often with serious problems and in difficult circumstances, to get a great and friendly service, which solves their issue or directs them to the right source of information.



Tim Mouncer
Public Affairs
Executive



Cassie Mesouani
Conference Producer



Shannon Lawrence
Facilities Assistant

5.2 We will improve the service which we provide directly to the public by creating a dedicated and distinct team within the organisation to deal with general enquiries and correspondence whilst redeveloping the public section of our website.

5.7 We will enhance the services, training and support which we provide to our members and provide greater non-subscription income by attracting new commercial and other partners.

5.8 We will provide a better working environment for our staff as well as the members and volunteers who contribute to the work of the Society by relocating to a more modern, flexible and efficient office building. We will also ensure best value for our members' money through the appropriate disposal of our current premises.

ANNUAL PLAN ACTIONS

- 5.1** We will ensure the Law Society is able to meet the challenges of a changing legal services marketplace by completing our strategic review and publishing a new long-term strategy, which explores the option of new levels of membership within the organisation.
- 5.2** We will improve the service which we provide directly to the public by creating a dedicated and distinct team within the organisation to deal with general enquiries and correspondence whilst redeveloping the public section of our website.
- 5.3** We will ensure we are obtaining best value for money in terms of our engagement at an EU level by carrying out a full needs analysis and an external review of our Brussels office.
- 5.4** We will make our structure of governance more efficient and effective by completing the third and final stage of the reforms which reduce the overall number of Council members and initiating a full review of our committee system.
- 5.5** We will help our stakeholders and the wider public to better understand our regulatory work through new interactive online content, face-to-face engagement and improved briefing material.

- 5.6** We will help to provide a high quality service to all those who depend on the Law Society by embedding a new system of staff performance pay and reward and capture learning for improving the system in future years.
- 5.7** We will increase our non-subscription income and net profit by attracting new commercial and other partners whilst enhancing the services, training and support which we provide to our members.
- 5.8** We will provide a better working environment for our staff as well as the members and volunteers who contribute to the work of the Society by relocating to a more modern, flexible and efficient office building. We will also ensure best value for our members' money through the appropriate disposal of our current premises.
- 5.9** We will make it easier for members and the public to access information and to engage with us online by acting on the remaining recommendations from our digital audit and building on the success of our new website and revised e-newsletters.



And providing a great day-to-day service too

This annual plan sets out the development projects and key areas of focus for the Law Society for the next year. However, we also want to provide a great service, day in and day out to our members and the public.

This includes:

- Ensuring members of the public have rights of redress by investigating hundreds of complaints passed to us each year by the Scottish Legal Complaints Commission and pursuing serious cases to the independent discipline tribunal so the reputation of the profession can be maintained.
- Proactively inspecting the finances of thousands of legal firms to ensure client money is protected.
- Effectively and efficiently processing claims on our Guarantee Fund to ensure people who are the victim of a solicitor's dishonesty get the appropriate compensation.
- Protecting consumer interests by intervening in firms when there is a critical need to do so, including judicial factors.
- Dealing with thousands of calls and emails from solicitors each year via our professional practice team providing expert advice and guidance.
- Delivering hundreds of events and thousands of hours of continuing professional development so members can maintain and enhance their skills.
- Scrutinising legislation at both Holyrood and Westminster, suggesting amendments to improve the law and responding to consultations across a range of public policy areas.
- Providing an active programme of support for trainees, newly qualified solicitors and those interested in a career in the law whilst continuing our schools outreach and Donald Dewar Memorial Debating Tournament.
- Providing practical support and guidance for solicitors who are unemployed or face redundancy.
- Keeping our members informed through the production of the e-bulletin, targeted email updates, active social media and our respected monthly Journal magazine.
- Answering thousands of queries from the public and providing details of solicitors who can help them in their specific circumstances.
- Ensuring the profile of the profession and the views of solicitors feature prominently in the print and broadcast media.





**THE LAW SOCIETY
of SCOTLAND**

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