

BUSINESS PLAN 2012

Costs Lawyer Standards Board

1. FOCUS & OBJECTIVES FOR 2012

The CLSB became the Approved Regulator of Costs Lawyers on 31 October 2011 following delegated authority of the Association of Costs Lawyers (the "ACL"). The CLSB's priorities for 2012 are to provide stable and effective pro-active and re-active regulation within the profession of the Costs Lawyer, the CLSB will act independently of the ACL in fulfilling its role.

The CLSB's primary objectives will be:

- To promote and protect the status and interests of Costs Lawyers.
- To set and maintain professional standards within the Costs Lawyer profession.
- To ensure the standard of education and qualification is maintained.
- To protect consumer interest.

In undertaking its duties, the CLSB acknowledges its regulatory objectives under the Legal Services Act 2007 as follows:

- (i) Protecting & promoting the public interest.
- (ii) Supporting the constitutional principle of the rule of law.
- (iii) Improving access to justice.
- (iv) Protecting & promoting the interest of consumers.
- (v) Promoting competition in the provision of services.
- (vi) Encouraging an independent, strong, diverse and effective legal profession.
- (vii) Increasing public understanding of the citizen's legal rights and duties.
- (viii) Promoting and maintaining adherence to the professional principles.

To meet its objectives, the CLSB will ensure that:

- It remains financially sound whilst providing value for money.
- It provides proportionate, efficient and fair regulation.
- It is respected amongst the legal Approved Regulator group and by the Legal Services Board (the "LSB").
- Its voice is heard where it matters.

Based on six identified areas of responsibility below, the following plan of work has therefore been identified for 2012:

1. EDUCATION & EDUCATIONAL STANDARDS	
Qualification provider	Endorse the study provider(s) of the Costs Lawyer qualification for 2012.
Qualification	Ensure the current three year modular Costs Lawyer qualification: <ul style="list-style-type: none">• offers an accessible route to qualification,

	<ul style="list-style-type: none"> • is of an appropriate standard, • remains relevant, and • is cost effective.
--	---

2. REGISTRATION & ACCREDITATION

Practising certificates	Issue sealed practising certificates to those who have complied with prevailing rules and regulations.
--------------------------------	--

3. FITNESS TO PRACTICE

Complaint management	The Conduct Committee and Conduct Appeal Committee will deal with conduct complaints under prevailing CLSB rules & procedures.
Audit of practising certificate applications	A random audit will be undertaken of 20 practising certificate applications to ensure declarations made therein e.g. CPD points earned for 2011 are true and accurate and complaints procedures are fit for purpose.
Costs Lawyer complaints procedures	Continue to ensure these are in place by requesting a copy before a practising certificate is issued.

4. GOVERNANCE & REGULATORY COMPLIANCE

Regulatory self-assessment	Provide required self-assessment information to the LSB under prescribed timescales.
Equality & diversity	Issue a questionnaire to all Costs Lawyers and Trainee Costs Lawyers and publish an Equality Impact Assessment (EIA) in the Costs Lawyer Journal & on the CLSB website.
Entity regulation	The impact and viability of entity regulation will be established and considered.
Access to the Costs Lawyer profession	Work with the LSB, MOJ and BSI on their review of regulation, the Red Tape Challenge, modernisation of the professional qualifications directive and other projects as they arise during 2012.
Consultation processes	Partake in consultation processes as they arise during 2012 and respond should proposals therein impact on the Costs Lawyer profession.

5. PERFORMANCE, RISK & CONSUMER PROTECTION

Mark/seal of regulation	Establish the viability of such a mark/seal for use by Costs Lawyers holding a current practising certificate on their letterhead, compliment slips and business cards.
Law Costs Draftsmen	Investigate ways of bringing Law Costs Draftsmen into the regulated community e.g. lobbying with ACL that drafting of a bill of costs be deemed a Reserved Legal Activity.
Regulated/un-regulated	Raise awareness of those who are regulated (Costs Lawyers) and those who are not (Law Costs Draftsmen):

	<ul style="list-style-type: none"> • Publish the names of those who have been issued with a 2012 Practising Certificate in the Costs Lawyer Journal and on the ACL & CLSB website. • Write articles in other publications highlighting the difference between Costs Lawyers & Law Costs Draftsmen.
Consumer interest	Continue to work with the Consumer Panel and Legal Ombudsman to identify any concerns in relation to consumer interest.

6. VISIBILITY & IMAGE	
Working relationships	Continue to foster good working relationships with: <ul style="list-style-type: none"> • ACL. • ACL Training. • Legal Services Board. • Legal Ombudsman. • Other Approved Regulators in the legal community .
Communication	Continue with its programme of communication to increase CLSB profile and awareness of issues via: <ul style="list-style-type: none"> • Costs Lawyer Journal. • CLSB website. • Attendance at events, training sessions and the ACL National Conference • Writing articles for other publications on key issues affecting the profession.

2. OPERATIONS

2.1 Governance

The CLSB will be governed during 2012 by a Board of Non-Executive Directors made up of three lay persons (including the lay Chair) and two non-lay persons, who will meet at least four times a year to endorse strategy and policy. CLSB board minutes will continue to be published on the CLSB website. The CLSB has in place a full set of governance documents under which it operates, its Non-Executive Directors are bound by a Code of Conduct.

2.2 Management

The CLSB's strategy and policy decisions will be implemented and managed by the Chief Executive.

2.3 Finance

The CLSB will be financed for the year 2012 by way of £200.00 per Costs Lawyer from the 2012 Practising Certificate fee of £450.00. The CLSB will also retain a further £50.00 from that fee to pay the LSB/Legal Ombudsman per head levy (payable 2013 for those practising during 2012). The balance of £200.00 will be paid over to the ACL to enable them to undertake their representative role. The CLSB has identified an operating cost for 2012 of approximately £115k. The CLSB is not registered for VAT and is not liable to Corporation Tax.

Lloyds TSB will continue to provide banking services (free until 6 April 2012). agp accountants based in Sutton Weaver, Cheshire will provide accountancy services for 2012.

2.4 Insurance

Insurance cover has been put in place for 2012 as follows:

- Professional Indemnity (£5 million)
- Directors & Officers (£2 million)
- Entity (£250k)
- Employers Liability (£10 million)
- Computer Equipment (£6k)

2.5 Company

Costs Lawyer Standards Board Ltd is a company registered in England & Wales under company number 04608905 with an authorised share capital of 100,000 ordinary shares of £1.00 each. 15,000 of those shares are currently in issue to the ACL (fully paid up). The CLSB registered office address will be: Sycamore House, Sutton Quays Business Park, Sutton Weaver, Runcorn, Cheshire WA7 3EH

2.6 Registrations

The CLSB is registered under the Data Protection Act with the ICO (registration number: Z2446217), and will come up for renewal on 23 November 2012. The CLSB logo was registered as a trade mark on 13 January 2011 under registration number 2569028, and will come up for renewal on 13 January 2021.

2.7 Policies and procedures

The CLSB has in place a portfolio of policies and procedures for both Costs Lawyers and the CLSB and reviews them on a regular basis to ensure they are relevant.

Those directly attributed to Costs Lawyers are:

- Code of Conduct
- Practising Rules
- Disciplinary Rules
- Disciplinary Rules & Procedures

Those directly attributed to CLSB include:

- Equality & Diversity Policy
- Health & Safety Policy
- Whistleblowing Policy & Procedure
- Confidentiality & Information Security Policy
- Board Appointment Rules
- Board Code of Conduct

Dated: 31 December 2011