

BUSINESS PLAN 2013

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").

During 2012 CLSB worked to provide a stable and effective pro-active and re-active regulatory service within the profession of the Costs Lawyer, during 2013 CLSB proposes to build on that foundation.

With effect from 1 January 2013 CLSB proposes to introduce a new structure on the regulation of Trainee Costs Lawyers by CLSB and further, a Mark of Regulation for use by Costs Lawyers with a current practising certificate.

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 regulatory 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 and provides proportionate, efficient and fair regulation.

The following is the main plan of work (it does not drill down into day today operational issues) the CLSB proposes for 2013. This plan may however change should the need be identified.

Regulatory requirement	Date by	Action
Fitness to practice/ consumer protection	1 January	First-tier complaints procedures required to be filed before a 2013 practising certificate is issued.

Fitness to practice/ consumer protection	1 January	Evidence of required insurance provision, where appropriate, will be required by CLSB before a 2013 practising certificate will be issued.
Fitness to practice/ consumer protection	1 January	CLSB will issue a 2013 practising certificates to all Costs Lawyers who comply with regulatory requirements.
Consumer protection	1 January	If approved by the LSB, CLSB will implement regulatory arrangements and structure in relation to Trainee Costs Lawyers.
Consumer protection	1 January	Post new governance documents in relation to Trainee Costs Lawyers on the CLSB website.
Fitness to practice/ consumer protection	5 January	Update the Register of Costs Lawyers with a current practising certificate for 2013 on the CLSB website.
Communication	5 January	Create new register of regulated Trainee Costs Lawyers on the CLSB website.
Educational standard	9 January	Consider the independent audit of current Authorised Study Providers and their authorisation for 2013.
Educational standard	4 January	By way of independent audit, ensure the current three year modular Costs Lawyer qualification: <ul style="list-style-type: none"> • offers an accessible route to qualification, • is of an appropriate standard, • remains relevant, • is being effectively communicated out and managed, is cost effective.
Communication/ consumer protection	31 January	Licence the Mark of Regulation logo to Costs Lawyers with a current practising certificate, as requested by them.
Fitness to practice	31 January	Issue letter and list of Costs Lawyers with a current practising certificate to all costs judges.
Regulatory compliance	15 February	Review Oxera chart, inputting stats from 2013 practising certificate applications
Diversity	15 March	Issue a diversity analysis questionnaire to Costs Lawyers & Trainee Costs Lawyers.
Regulatory compliance	1 April	Revise guidance as a result in changes on referral fees in personal injury matters.
Regulatory compliance	30 April	Provide LSB with required regulatory self-assessment forms and documentation in support.
Diversity	15 May	Publish diversity survey results in Costs Lawyer Journal and on CLSB website and issue any appropriate Equality Impact Assessment (EIA) in the Costs Lawyer Journal & on the CLSB website.
Regulatory compliance	30 May	Provide LSB with requires independence assessment forms and documentation in support, countersigned by ACL.
Fitness to practice	15 June	Undertake a random audit of 2012 CPD records of

		Costs Lawyers.
Consumer protection	15 June	Undertake a random audit of 2012 CPD records of Trainee Costs Lawyers.
Regulatory compliance	31 July	Survey/evaluation of Costs Lawyer profession <ul style="list-style-type: none"> • Work: Legal aid/non-legal aid • Employment: Self-employed, employed, in-house • Client: Litigant in person/informed consumer
Regulatory compliance	1 August	Commence S51 application for 2014 practising certificate fee.
Fitness to practice	15 Nov	Issue application forms for 2014 practising certificate to all Costs Lawyers on the 2013 Register and all newly qualified Costs Lawyers (examinations 1 st or 2 nd week of November).
Consumer protection	15 Nov	Issue forms for registration and regulation to all Trainee Costs Lawyers that are undertaking study with an Authorised Study provider.
Regulatory compliance	On-going	The impact and viability of entity regulation will be considered and implemented to commence 1 January 2014 if possible.
Educational standard	On-going	Work with Authorised Study Providers on reporting structures, communication of material e.g. handbook, website etc.
Fitness to practice/ consumer protection	On-going	The Conduct Committee and Conduct Appeal Committee will deal with conduct complaints under prevailing CLSB rules & procedures as they arise.
Communication	On-going	Partake in consultation processes received and will respond should proposals therein impact on the Costs Lawyer profession.
Communication	On-going	Initiate consultation processes as required.
Consumer protection	On-going	Continued risk management in accordance with defined procedure.
Consumer protection	On-going	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.
Communication	On-going	Continued raising of awareness of those who are regulated (Costs Lawyers with a current practising certificate) and those who are not (Law Costs Draftsmen).
Communication	On-going	Communication through Costs Lawyer Journal, CLSB website, events and meetings.
Communication	On-going	Continued engagement with those in regulatory community e.g. LSB, AR's, LeO.
Consumer protection	On-going	Continue engagement with Consumer Panel and Legal Ombudsman to identify any concerns in relation to consumer interest.

2. OPERATIONS

2.1 Governance

CLSB will have in place during 2013 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 2013 by way of £200.00 per Costs Lawyer from the 2013 Practising Certificate fee of £250.00. The CLSB will also retain a further £50.00 from that fee to pay the LSB/Legal Ombudsman per head levy (payable April 2014 for those practising during 2013). The CLSB has identified an operating cost for 2013 of approximately £132k. The CLSB is not registered for VAT and is not liable to Corporation Tax. agp will continue to provide accountancy services and company secretary support for 2013.

2.4 Insurance

Insurance cover has been put in place for 2013 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 and the CLSB logo & Mark of Regulation are both registered trademarks.

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/needs be basis to ensure they are relevant.

Those directly attributed to Costs Lawyers (accessible on the CLSB website) are:

- Costs Lawyer Code of Conduct
- Costs Lawyer Practising Rules
- Costs Lawyer Disciplinary Rules

- Costs Lawyer Disciplinary Rules & Procedures

Those directly attributable to Trainee Costs Lawyers (if the proposal CLSB will regulate Trainees with effect from 1 January 2013 is approved) will be:

- Trainee Costs Lawyer Code of Conduct
- Trainee Costs Lawyer Disciplinary Rules & Procedures
- Trainee Costs Lawyer Training & CPD Rules

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

CLSB Board Approved
Dated: 3 October 2012