

SLCC Consumer Panel Response to SLCC Strategy consultation



The Consumer Panel is grateful to the SLCC for the opportunity provided earlier this year to enter into discussions with the SLCC management during the formulation of the SLCC's proposed Strategy. We are pleased to note that a number of matters previously raised by the Panel during those discussions have been included in this consultation document.

The Consumer Panel welcomes this further opportunity to comment on the proposed strategy. In particular the Panel would make the following comments in relation to specific proposed initiatives:

- The Panel considers that the timeliness of dealing with complaints is of great importance to consumers and we are, accordingly, supportive of the aim to reduce the complaint journey to six months. Whilst we acknowledge that this is an aspirational target, and that the legislation governing the SLCC's processes is restrictive in that regard, we would comment that even a six-month timeframe may appear too long to some consumers – or indeed lawyers.
- Awareness of the route to making a complaint is key for consumers, and we share the SLCC's concern that knowledge of the Commission could be, and should be, improved. We are aware, from research undertaken by the Legal Services Consumer Panel in England and Wales, that 44% of legal consumers who are dissatisfied with the level of service they have obtained do not complain. This compares to 27% in the services economy overall. We also know, from the SLCC's own demographic figures, that women in Scotland are less likely to make a legal complaint than men. We therefore welcome initiatives which aim to remove or minimise the barriers to making a complaint. We would be interested to know more about how the SLCC intends to measure the success of such awareness raising initiatives.
- We note that the Commission states that a sign of success will be a reduction in the level of complaints. The Panel would suggest that such phraseology has the potential for misinterpretation if taken out of context, particularly where the successful raising of public awareness of the Commission's role should lead to an increase in legal complaints. We do recognise, however, that in the wider context of improving the level of legal services in Scotland, the ultimate goal of the SLCC would be measurable by an overall reduction in the need for consumers to make complaints.
- We welcome the suggestion of a "key facts" document for legal consumers, similar to that which exists in relation to financial services. We perceive this as separate from existing terms of engagement/business documents and forming a charter which specifically defines the service levels which legal consumers can reasonably expect from their lawyer.

- The Panel agrees that visibility of the legal consumer journey is incomplete without sight of the valuable work which takes place by lawyers at first tier. Access to first tier information will, in our view, enhance the effectiveness of promoting best practice in complaint handling and early complaints resolution.
- We are aware of the power imbalance which exists for consumers and which, particularly for vulnerable consumers, can form a barrier to expressing dissatisfaction. We therefore welcome the Commission's aim to provide further support for legal consumers at the point at which they initially make their concerns known to the lawyer, particularly as this is a point in the journey at which consumers are currently unsupported.
- We share the SLCC's concerns around those situations where the redress awarded to complainers following an upheld complaint cannot be realised. We are supportive of any measures which can fill this obvious gap in consumer redress.
- We would encourage the Commission to explore innovative ways of utilising available technology to improve the consumer journey. We are aware, for example, that some Ombudsman schemes provide a facility for the on-line tracking of complaints which may be a model the Commission would wish to consider.
- We support the SLCC's continued drive towards achieving greater external effectiveness through internal efficiencies. The Panel looks forward to working with the Commission to explore feedback from consumers and exploring learning gleaned from individual complaints.