SLCC approach to oversight

The SLCC's aim

Our overall aim in discharging our duties as an oversight regulator is to build public confidence by providing assurance that complaints and redress systems are effective, regulators perform well, and opportunities for continuous improvement are identified and acted upon.

The SLCC's oversight function is important to:

- build public confidence in the complaint handling of Relevant Professional Organisations and Approved Regulators
- provide assurance that disciplinary processes are fair and transparent
- drive improvement across the legal services sector using the learning from complaints
- reduce risk and the associated regulatory and indemnity costs.

The principles underpinning our approach

Our approach is consistent with the regulatory objectives and our own regulatory statement. In applying these principles to our oversight duties we will reflect and learn from past experiences, interpret and respond to present circumstances, and assess and prepare for the future.

Risk based

- focus on key risks to the public and system
- proportionate and targeted based on our knowledge of the significant issues we see in complaint handling and redress
- base our enforcement actions/recommendations on the key risks to public protection and public confidence.

Quality focused

- assess the adequacy and effectiveness of quality assurance systems
- promote best practice in relation to regulation and compliance with legislation and rules

Improvement-focused

- support long-term improvements, that promote quality, innovation and competition in the provision of legal services

Outcome-focused

- provide assurance that complaints and redress processes function effectively, therefore protecting and promoting the interests of consumers and the wider public interest

Transparent

- be open about our aims, actions and findings, including reporting/ publishing information where possible
- ensure our approach is clearly articulated, easy to understand, and user-friendly for both the public and legal services providers

Accountable

- explain our decisions and be open to scrutiny.

Our approach

We will:

- act in the public interest and to protect consumers from harm and detriment
- be clear and transparent about what we're seeking to achieve and what we expect from others
- promote preventative approaches and support providers to resolve complaints
- share data and insight to support improvement
- highlight risks or opportunities to achieving the key outcomes
- work collaboratively and influence others to drive improvement
- assess the costs, benefits, risks and impact of any new measure or proposal
- make practical recommendations for action
- use our statutory powers consistently and fairly, when needed
- follow up our recommendations to assess progress
- publish information where possible
- identify further policy or legislative changes needed.

Key outcomes

We will apply the above principles and approach in order to achieve the following key outcomes:

- Clear and effective complaint processes
- Consumers receive awarded redress
- Causes of complaints are understood and risks are reduced
- Systems are used to learn and improve

Our oversight powers

We can issue guidance, request information, audit complaint handling, review regulators, require improvements, set minimum standards and monitor compensation arrangements. References are to sections of the Legal Profession and Legal Aid (Scotland) Act 2007) [* denotes new powers yet to be commenced under the 2025 Act].

Topic	Power	Source
First tier complaints handling	Issuing guidance and best practice advice to the profession on complaints handling Issue guidance (which may set minimum standards) to RPOs on their role overseeing first tier complaint handling * Issue guidance (which may set minimum standards) to RPOs on standards that must be set by the organisations for practitioners that they regulate relating to first tier complaint handling * Issue guidance (which may set minimum standards) to RPOs on standards that must be set by the organisations for practitioners that they regulate relating to any practice contributing significantly to complaints *	S40
	Power to request complaint logs from firms *	S40B
	Referring a complaint back to allow the practitioner/ firm to consider a complaint made prematurely	S8

Complaints handling by RPOs and Approved Regulators	Dealing with complaints about RPO conduct complaint procedures, making recommendations and directions to comply	S23, S24
	Dealing with complaints about Approved Regulator regulatory complaint procedures	S57
	Powers to audit RPOs' complaint records	S36
	Issuing guidance to RPOs (which may set minimum standards) relating to how they are to investigate and determine conduct and regulatory complaints *	S36A
Obtaining information from RPOs	Requiring RPOs to provide information or documents relevant for any of the purposes of sections 23, 24 or 36	S37
Consumer redress	Monitoring the effectiveness of the Client Protection Fund or analogous funds or arrangements, request information, and issue guidance (which may set minimum standards) *	S39
	Monitoring the effectiveness of indemnity arrangements, request information, and make recommendations for improvement	S39
Enforcing minimum standards	Requiring information and explanations about how minimum standards are being met *	S40A
Monitoring, reporting and publishing	Monitoring practice to identify trends in complaints and complaints handling across the sector	S35, S36
Performance of Approved Regulators	Dealing with Approved Regulator complaints	S57E