

# Report on engagement with the legal profession 2021-22

## Introduction

As well as dealing with complaints, we provide a best practice service for legal practitioners. We hold data on around 15,000 complaints and we want to build a culture of learning so that common problems can be avoided.

By engaging directly with members of the profession, we aim to:

- improve how lawyers deal with complaints made to them, so they can be resolved earlier, and fewer complaints reach us
- support the profession to draw learning from complaints, to help them lower their own exposure to the risk of complaints
- help practitioners improve their day-to-day practice, by sharing tips that can help them to avoid some of the common pitfalls that can cause complaints
- answer questions about our complaints process and how practitioners can engage with us to aid resolution and make a stressful process swifter and easier for everyone involved
- listen to lawyers to help us to better understand the issues facing practitioners and firms of different types, all across the country, so we can improve our guidance and advice to them.

## Our engagement July 2021 – June 2022

**2**  Roundtables with smaller groups

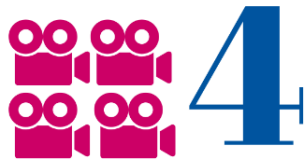
practitioner-led roundtable sessions, hosting representatives from firms of differing size, practice speciality and geographic locations

 **3** New Partner complaints sessions

run jointly with the Law Society of Scotland, including case study exercises and discussion groups

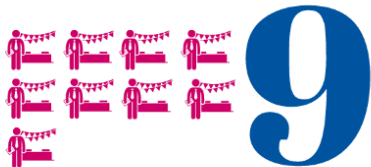
 **4** Slots at LSS conferences

across a range of practice areas, including in-house, sole practitioner, executries and family and child



Recorded talks/discussions

shared with universities for use with Diploma students



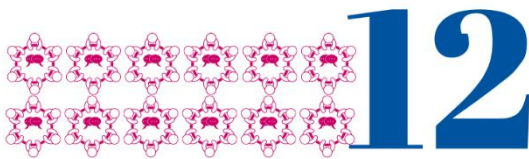
Slots at external events

sessions at other conferences or commercial providers' CPD events, for groups of trainees, specialised practice areas, faculties or bar associations



1:1 sessions with firms

tailored, bespoke sessions with firms in line with their requested topics



Discussions with firms

email or phone discussions on direct queries, relating to risk management and complaint handling - we're happy to take ad-hoc questions to clarify our process and procedures, or guide practitioners to other assistance



Quarterly CRM newsletter

our quarterly Snapshot newsletter for practitioners provides case studies and practical advice, and links to wider sources of information



Regular social media content

we've boosted our social media output to help practitioners access engaging, bite-sized, accessible content, in mobile-friendly formats, including interviews, live and animated videos and infographics (issues covered include complaints prevention, early resolution, and our statutory guidance, along with links for further information)

In addition, we make sure our core content is kept updated and accessible, including:

- [Updated formal guidance](#) – this year we have updated our statutory guidance on first-tier complaint handling, and now provide it in a more accessible format on our website, in shorter chapters which are more readily searchable and accessible
- [Other guidance and advice](#) – we have updated our guidance on key topics including engaging with the SLCC, handling third party complaints and explaining our process. We disseminate this via our website, on our social media channels, in Snapshot and in our training.
- [‘For lawyers’ section of our website](#) - we have been updating our website content to make all guidance and FAQs more accessible and to incorporate better links and cross-referencing, making it easier for practitioners to access a wider range of information.

## Key messages

We draw our key messages from the issues and trends we see in complaints. We also use every engagement with the profession to build our understanding of the issues they’re facing, and to draw examples of good practice we can share with others. This year our key messages have included:

- Seeing **complaints as a key business risk** to be understood, quantified, mitigated and evaluated
- Strategies to help firms find easier, quicker, more cost-effective and less stressful **ways to resolve complaints** made to them or once they reach us
- The importance of a **clear, easily understood complaints policy** that manages complainer expectations about how a complaint will be handled, supports staff dealing with complaints and helps firms to learn lessons from the complaints they receive
- Addressing concerns and misconceptions about **dealing with third party complaints** (complaints made by someone other than the client)
- The **benefits of mediation** as our statistics continue to show high success and satisfaction rates with mediated outcomes for both lawyers and complainers alike, but many firms still turn down the opportunity to participate when mediation is offered
- Tackling a growing trend of **firms attempting or threatening to charge for their time in dealing with complaints**, despite clear guidance that it is inappropriate.

## **How we've done it**

We work to engage lawyers in a range of different ways, and we continually review our approach, draw learning from others, and working to make our outreach content as engaging, relevant, helpful and practical as possible.

We've taken tailored training to meetings and conferences across the whole diverse legal spectrum, talking to student and trainees, client relations managers and partners, and across all the major areas of law, using relevant case studies and identifying the specific issues we see arising in different areas of practice.

In keeping with the SLCC's broader digital strategy, we've regularly used diverse digital platforms to engage. We've boosted the video and graphical content we provide so practitioners can access it on the move and in bite-sized chunks, with links to find out more about any topic of interest on our redesigned webpages for lawyers. We've proactively sought opportunities to engage with wider audiences, and we've been particularly keen to engage in more discursive formats, so we can have a real conversation with the sector about applying learning from complaints.

We draw on the issues we see in our daily complaint handling to develop case studies or content to illustrate good practice, or where issues can arise. If we identify a specific issue in a firm's Terms of Business or approach to complaint handling, we may contact the firm directly to provide feedback and to offer training or support. We actively research and pass on examples of good (and poor) practice from other sectors and jurisdictions. We hope this provides practical, real-time opportunities for firms to reflect on their approach to complaints and to the service they provide, and to consider whether improvements could be made to avoid future complaints.

## **What we've learned**

We truly believe that good engagement is as much about listening as talking. We really appreciate every opportunity to engage with the profession and will continue to actively seek opportunities to do so. We know it strengthens the guidance and advice we provide, making it more relevant and useful to the profession, and so more likely to have an impact on their work.

Some of our key learning this year includes:

- A better understanding of how changed working environments and practices are continuing to affect firms across the country, including flexible working, staff recruitment, training and succession planning, client expectations, digital processes, regulatory requirements etc.
- The ways in which firms might choose to grow or adapt, including more conscious planning on the work they are prepared to accept, the composition of the firms, and differing strategies to retain and grow their market share, taking into account competition from their peers and other professions.

- The challenges firms face in dealing with complaints, such as dealing with emotional or challenging complainers, handling non-client complaints and supporting staff in dealing with complaints
- Examples of good complaint handling and successful resolution strategies that we can share with others in our outreach and case studies.

## What we'll be focusing on next year

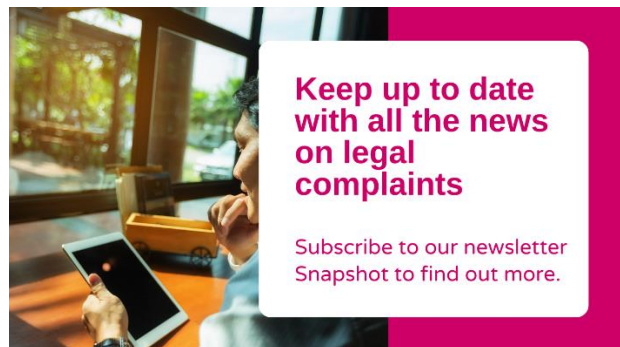
Next year we're looking to build on all of this work, including promoting our updated statutory guidance. We'll be highlighting the benefits of a good complaints process and what it should include. We'll also be carrying out some targeted work looking at the information firms include in their Terms of Business letters about complaints.

We're hoping to continue the conversation with individual practitioners and firms about the information and advice they need from us, what's affecting their business, and how we can all work together to improve the service legal clients receive. We'd like to extend our thanks to those who took the time to talk to us this year about their work. If you'd like to be part of that conversation, we'd love to hear from you.

## If you want to know more



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Have a look at our resources



Get in touch with us if you're interested in arranging training for your team, association or faculty