

To all Approved Regulators and current legal complaints handling organisations

26 February 2010

Dear colleagues

I wanted to write to update you on the latest developments on our plans to introduce a new approach to resolving complaints about lawyers through the creation of the Legal Ombudsman. I hope you will share this letter with all your staff.

When we wrote last, we were waiting for the High Court hearing regarding the status of the application of TUPE to the creation of the new ombudsman scheme. Today's court decision that TUPE does not apply gives us all much needed clarity about how to move forward to set up the Legal Ombudsman. It also reaffirms the vision of Parliament which set up this new scheme to bring about a fresh way of resolving complaints in the legal services market.

You will remember that in December 2009 we consulted on a proposed approach for the start up of the new ombudsman scheme following considerable work with the Ministry of Justice and Approved Regulators. This suggested a number of principles and particular mechanisms which we might use to enable staff from existing bodies to secure posts at the Legal Ombudsman. They are attached to this letter for information.

We received responses from Approved Regulators, consumer groups and existing complaints handling bodies about the proposed arrangements to manage the period both before and after the Legal Ombudsman opens its doors. The responses we received broadly endorsed the approach that we set out in the December 2009 consultation. We will shortly publish the responses to the consultation.

We have now written to the Minister, following the outcome of the court hearing, to ask her to confirm that these arrangements remain the right way of ensuring that neither

The logo for the Legal Ombudsman. The word "LEGAL" is written in a bold, pink, sans-serif font. A large, elegant, pink cursive flourish starts from the top right of the letter 'L' and loops over the top of the word "LEGAL". Below "LEGAL", the word "OMBUDSMAN" is written in a black, all-caps, sans-serif font.

consumers nor lawyers suffer any detriment as the old schemes close and the new one begins. With her support, we propose to implement the proposals we set out last December as we begin to recruit.

In addition to implementing our staffing proposals, we understand that the Ministry of Justice will shortly be contacting all the approved regulators and other relevant stakeholders to set out the proposals for transitional arrangements. This will be based on the arrangements described in our consultation proposal. Many of you agree that this approach is pragmatic and sensible and we will be seeking to support the Ministry of Justice in its decision-making in this area.

Finally, I would like to take this opportunity to say that we are planning to begin to recruit for key roles across the Legal Ombudsman in March. Information will be available on our website at a minimum and we are also keen to be able to speak to your staff face to face to help them understand our approach and ask questions about our ethos and organisation. I hope this will be possible.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adam Sampson', written in a cursive style.

Adam Sampson  
Chief Ombudsman