

Company number: 04608905

**MINUTES**  
**Costs Lawyer Standards Board Ltd**  
**Wednesday 22 April 2020 at 10.30 am**  
**Remotely by videoconference**

**Present:** Steve Winfield (Chair): Lay NED  
Stephanie McIntosh (Vice Chair): Lay NED  
Paul McCarthy: Non-Lay NED  
Andrew Harvey: Lay NED  
Andrew McAulay: Non-Lay NED

**In attendance:** Kate Wellington (Company Secretary and CEO)  
Jacqui Connelly (Administration Manager) (for items 1 to 5)

**1. OPENING MATTERS**

- 1.1** The Chair declared the meeting quorate. There were no apologies. Steve welcomed Jacqui to the meeting.
- 1.2** There were no declarations of interest on any agenda item.

**2. MINUTES**

**2.1 Minutes dated 22 January 2020**

The board considered the minutes of its last scheduled quarterly meeting on 22 January 2020. The board agreed the minutes as being a true record for signing.

**Action: Publish minutes on CLSB website**

**2.2 Matters arising**

The board considered the matters arising from the minutes of its meeting on 22 January 2020. There were no matters arising that had not been scheduled as agenda items or otherwise dealt with.

**3. STRATEGY**

**3.1 Progress against Business Plan**

The board was provided with an update on progress against the 2020 Business Plan, including a summary of Q1 activity and a RAG rating of each priority in the plan. The board was invited to provide feedback on both the progress that had been made and the method of reporting.

The board discussed the progress update and agreed that it was a useful oversight tool. The board requested a similar update for each quarter going forward.

**Action: Add Business Plan progress update as a standing agenda item**

### 3.2 Approach to coronavirus

Kate provided an overview of the CLSB's response to the coronavirus pandemic, building on earlier updates provided to the board by email. She explained the impact on internal resourcing, including the continuity planning that had been carried out. Resources were being diverted to priority tasks such as: producing COVID-19 advice and communications for the regulated community; liaising with oversight bodies on continuity issues; keeping abreast of developments in government guidance; and monitoring impact across all the legal professions. The executive had therefore revisited Q1 priorities by reference to a priority cascade, shown below. Using the cascade, the CLSB had achieved all but three of its scheduled milestones for Q1.

Rank	Work area	Descriptor	Examples
1.	Core regulatory functions	Areas where we have a statutory duty to act, or where there is a risk of harm to the public interest if we delay acting	Disciplinary matters; complaint handling; application processing
2.	Crisis response	Areas that facilitate our ability to respond to the coronavirus pandemic	New website; situation monitoring
3.	CLSB compliance	Areas where non-compliance with our legal or regulatory obligations creates reputational and/or financial risk	IGRs compliance deadline; data protection
4.	Improvements to regulatory arrangements	Areas where delays in updating regulatory arrangements could cause knock-on inefficiencies or problems later in the year	Rule change applications; proactive guidance development
5.	Regulatory performance	Areas that impact the outcome of our regulatory assessment scores	Diversity initiatives; governance measures

The board agreed that the outstanding milestones from Q1 should be prioritised for Q2, noting that the risks from delay were very low given the considered approach to prioritisation that had been taken.

Kate explained how the CLSB was assisting the regulated community to meet its professional obligations during the crisis. Measures included allowing for CPD to be obtained exclusively through e-learning in 2020, a dedicated advice webpage, and bespoke assistance to individual enquirers on ethical issues. The board was also provided with an overview of how ACL and the LSB were responding to the crisis.

Paul and Andrew M described their experience of market impact:

- Most Costs Lawyers were already familiar with agile working, although further guidance on IT security and data protection when working from home might be useful.
- Many clients (law firms) were less sophisticated with technology and were not able to send papers electronically, particularly where admin staff had been furloughed. This was causing delays and, for smaller firms and independents, could impact cashflow.
- There was some evidence of late or non-payment of invoices, perhaps also due to furlough of admin staff or because clients were starting to encounter their own

cashflow problems (particularly where law firms were not being paid by the ultimate client).

- In terms of work volume, there had been a noticeable decrease in commercial litigation already. Open proceedings were commonly being stayed or settled.
- PI cases, on the other hand, were based on work-in-progress and it was taking longer to see an impact in this area. However, in the medium term there would be less PI work, due to a decrease in the number of road traffic and workplace accidents during the lock down period.
- Given that less litigation was being instigated during this period, the impact on back-end costs work would likely emerge slowly over the next 12 to 36 months.
- There would inevitably be disputes directly related to COVID-19 over the coming months, however not all clients would have the cashflow to move such claims forward at pace. This could give rise to solicitors asking Costs Lawyers to do more work on a deferred or contingent fee basis, and costs firms would need to ensure they retain sufficient working capital.
- The larger defendant costs firms were seeing the most furloughed staff, including some Costs Lawyers.
- Many practitioners, clients and industry bodies (including APIL and FOIL) were viewing coronavirus as a reason to “down tools” across the board. There were concerns in the market about COVID-19 being used as an excuse to shed staff or delay litigation where this was not necessary.

The board discussed when and how to obtain more detailed feedback about the impact of coronavirus on the regulated community. It was agreed that a short, targeted survey would be the most appropriate approach. The survey should be aimed at: assessing the short-term impact on practitioners and consumers; predicting the longer-term impact on businesses and jobs; and flushing out emerging concerns to give the CLSB focus in its next phase of activity.

Factors affecting the timing of the survey included HMCTS’s progress with virtual hearings, the ability for respondents to make accurate long-term projections, and any relevant ACL activity. It was agreed that an initial survey should be issued in the next few weeks, with outcomes being reported back to the regulated community in the newsletter. Given the pace of change with the pandemic, a follow-up survey should be carried out in several months’ time to assess how things were progressing and capture delayed impact.

It was also agreed that communications should have a practical purpose for recipients, given the volume of email traffic about COVID-19 in the current environment.

**Action: Issue survey on coronavirus impact**

#### **4. BOARD MATTERS**

##### **4.1 Publication of board papers**

In January, the board had asked for a report summarising how other approved regulators approached the publication of board documents, to help identify best practice and agree a way forward. Steve took the board through the findings in the report and invited views. Board members reiterated that openness and transparency

were paramount. While the risks associated with publication of board documents (as canvassed at the January meeting) remained real, the report contained useful examples of how those risks could be effectively mitigated. In identifying best practice, the board was particularly interested in approaches that had been assessed as meeting the LSB's expectations under regulatory outcome WL3.

The board noted that the practices of some approved regulators could be perceived as opaque, even where this was not the intention or stated policy position. Such practices included heavy redaction of documents, failure to indicate the topics discussed during confidential sessions of board meetings, and lack of clarity as to what documents had been withheld from publication. The board was keen to avoid these practices in order to promote public trust.

The board agreed that, going forward, it would publish: board meeting dates; agendas; papers; minutes; and Board Decision Notes. All documents would be published as early as possible to facilitate timely scrutiny. Papers would be published within 14 days of the relevant meeting. Draft minutes approved by the Chair would be published at the same time, rather than waiting for formal approval of the minutes at the board's next meeting, to provide readers with context and help stakeholders understand the meeting outcomes.

This approach would be supported by a policy statement setting out what documents the CLSB publishes and when, as well as the exceptional circumstances in which information would be withheld from publication. It should be clear to the public where a document has been withheld and why, for example by an indication in the published agenda. The board would confirm at each meeting that papers were appropriate for publication in line with the policy statement.

The board asked Kate to implement this approach with effect from the current board meeting. Kate agreed to circulate a draft publication policy for consideration by email. Once that had been approved, the papers and draft minutes would be published.

Finally, the board discussed the possibility of introducing an annual open meeting. There was appetite to consider open meetings, but board members felt that a staged approach was preferable. This would allow the board to assess the impact of publishing board papers before determining whether further transparency measures were needed. The board noted that the LSB was still considering whether open meetings reflected best practice.

***Action: Prepare publication policy for approval by email; Update website with agreed publication policy; Publish board documentation for this meeting, including papers and draft minutes***

#### **4.2 Updated notification of CEO interests**

Kate provided an updated list of her current professional interests outside the CLSB. None of these gave rise to any actual or potential conflicts of interest.

The board agreed that, while there was a register of interests for board members, there was merit in also making an annual declaration that no conflicts existed. The board

considered whether to publish this, but decided publication was not necessary so long as conflicts were being properly managed. This position would be kept under review.

**Action: Diarise annual declaration**

## **5. FINANCE**

### **5.1 Quarterly report: Q1 2020**

Jacqui introduced the quarterly finance report and sought feedback on the new report format, which included a clearer assessment of expenditure against budget and year end projections for each line item.

The board considered the financial position at the end of Q1. Board members asked about how the projections had been calculated and Jacqui explained the degree of certainty attaching to the different line items. The board found the new format helpful and agreed that it should be used going forward.

### **5.2 Legal Choices funding**

Kate explained the background to the Legal Choices project for the newer board members and updated the board on recent developments. This included a letter from the Solicitors Regulation Authority (SRA) asking the LSB to take on responsibility for the website. Kate reported the outcome of a recent Legal Choices Governance Board meeting at which this proposal had been opposed by the other approved regulators. At the same meeting, approved regulators had been asked to commit to covering a proportion of the funding shortfall created by the Bar Standards Board's withdrawal. They were also asked to commit to continued funding of the website following the end of the initial three-year project term. The board discussed the issues raised.

The board strongly agreed that the CLSB would not support the SRA's request for the LSB to take over the website. There were concerns around the LSB's capacity to run the site and the associated implications for funding and level of input. The board also discussed the potential outcomes if the LSB declined the invitation.

In relation to the funding shortfall, Kate noted she was still awaiting confirmation of the precise amount of the expected contribution. The board agreed that if the 2020 budget would bear it, the amount should be paid. However, the board was keen to make clear that, as a matter of principle, approved regulators could not be expected to prop up the budget where other parties withdrew from the project. Kate agreed to revert to the board if the contribution sought was materially higher than expected.

In relation to future funding of Legal Choices, the proposed contribution split was again still pending, making it difficult for the board to consider this issue in detail. The CLSB had already indicated it would be reluctant to commit further funding to the project without seeing tangible benefits. The board noted the progress made with the site, including to hit rates, but was concerned that the significant increase in traffic which was being driven by COVID-19 content was not an indication of longer-term viability. However, the board also recognised that it would lose the ability to input into the project if it did not provide some level of funding. The board agreed to review the matter again once the proposed contribution for 2021 had been communicated.

**Action: Pay top-up contribution if manageable and revert to board by email if not**

## 6. RISK MANAGEMENT

### 6.1 Review of risk registers

The board reviewed the risk registers and considered whether any new risks should be added, any existing risks removed or any risk scores changed.

The board discussed whether it was necessary to add a specific risk in relation to coronavirus. The board agreed it was not; rather, the crisis fed into the recorded risks, either by increasing their probability or as additional evidence of risk. The board therefore agreed the following amendments to the registers:

- add the impact of coronavirus as further evidence of risk OP1 (*more leave than enter the profession*) in relation to job security in the short and longer term;
- note that there could be some positive impact of coronavirus on risk OP1 – for example, it had been announced that the MoJ's whiplash reforms were being further delayed;
- include the impact survey of the regulated community as a new control under risk OP1;
- add a control under risk OP2 (*organisational structure not sufficient to ensure business continuity*) around assessing continuity risks in light of coronavirus;
- add the potential impact of coronavirus on regulated numbers and practitioners' disposable income as further evidence of risk OP4 (*ACL becomes insolvent*).

At this stage, it was considered too early to adjust the probability scores for most risks, as the longer term impact of coronavirus was hard to quantify. The board agreed to reconsider this at its July meeting, taking account of the evidence available at that time. The impact of coronavirus on all risks in the register would be kept under review.

Otherwise, the board agreed to:

- downgrade the probability rating for OP5 (*failure to comply with data protection obligations*) from 4 to 2, reflecting follow-up work from the recent audit;
- increase the probability score for R2 (*Costs Lawyer accepting client money*) from 1 to 2 to reflect issues raised in a recent complaint, and update the evidence of risk accordingly;
- remove risk OP8 (*retirement of board members in close succession*) to reflect that, following new NED appointments in January, the board was now satisfied that its skills mix was adequate and institutional knowledge was protected.

**Action: Update risk registers as agreed and publish on website**

## 7. REGULATORY MATTERS

### 7.1 Disciplinary Rules and Procedures

Kate informed the board that the CLSB's rule change application in relation to its Disciplinary Rules and Procedures (DR&P) had been approved and the new regulatory arrangements would be implemented on 1 May. The board received a copy of the LSB's decision letter and notice. Kate noted that the one outstanding issue raised by

the LSB in its decision letter had been addressed by an addition to the internal guidance for Conduct Committees and Conduct Appeal Committees.

The board was invited to consider three new policy documents that had been drafted to supplement the rules, namely:

- a) Panel Member Appointment Policy and Code of Conduct
- b) Guidance for Conduct Committee and Conduct Appeal Committee on decision making and penalties
- c) Policy statement on publication of disciplinary decisions

It was recommended that documents (a) and (c) be published in full, while an extract from document (b) would be published covering enforcement and mitigating/aggravating factors, with the intention of providing guidance to the profession and ensuring transparency of approach.

The board discussed the documents. In relation to (a), the board agreed that the requirement for former CLSB board members to wait at least two years before being eligible for Panel membership should also apply to former CLSB staff, and the appointment criteria should be amended to reflect this. The board also discussed the evidence that ought to be obtained from a prospective Panel Member before concluding that he or she met the appointment criteria. It was agreed that at least two of the evidence sources in paragraph 7 should be required. In relation to the Code of Conduct in document (a), the board discussed the timing of Panel Members disclosing conflicts of interest, but it was agreed that the drafting was adequate on this point.

In relation to document (b), the board noted that two items in the table of mitigating and aggravating factors had been transposed. The board also discussed the need to ringfence income from financial penalties and costs awards to ensure they were allocated exclusively to dealing with disciplinary matters. Kate agreed to explore with the accountants whether additional internal processes were required.

Subject to the agreed amendments, the board approved the new policy documents for publication as recommended. The board also agreed to revoke guidance documents relating to the existing DR&P, which had been superseded.

***Actions: Implement new DR&P and related policy documents (amended as agreed) on 1 May 2020; Revoke guidance documents relating to the outgoing DR&P; Liaise with accountants re funds from disciplinary matters***

## **7.2 Consultation outcomes**

The board was provided with outcome reports for the CLSB's recent consultations on the CPD Rules and Practising Rules. The board discussed how the challenges presented by coronavirus heightened the need for a more flexible approach to CPD.

### 7.3 Guidance

Kate updated the board on changes to guidance that had been implemented under Phase 1 of the Costs Lawyer Handbook audit (including guidance on ADR, Complaints Procedures and Reserved Legal Activity Rights).

Kate also informed the board that all CLSB guidance materials had been reformatted for the new website. This process had revealed some areas where content would be better housed on a webpage: as FAQs or a policy statement. A good example was the Guidance Note for Client / Potential Client of a Costs Lawyer. This had been housed in the Costs Lawyer Handbook, which was aimed at practitioners, and it was unlikely that a client would seek out guidance of this kind. The board therefore agreed to revoke this guidance and transfer any relevant content to the section of the website entitled "For the public". This would better allow the content to be updated over time to address trends in enquiries from the public and other evidence of consumer need.

Kate introduced a new guidance note covering the interplay between the Costs Lawyer Code of Conduct and the SRA's Code of Conduct for Firms. The SRA's Code applied to Costs Lawyers working in solicitors' firms and, while the Codes were similar, they were not identical and contained overlapping duties. A need for clarification had been identified through the CLSB's ongoing work, and the note was aimed at addressing that need. Kate noted that the draft had been approved by the SRA, who had been very helpful in reaching an agreed position.

The board discussed the guidance note and agreed that it would be useful for practitioners. A query was raised around whether certain statistics in the guidance could be updated for the practising year just passed. Subject to that update, the guidance was approved.

***Actions: Revoke Guidance Note for Client / Potential Client of a Costs Lawyer and incorporate into website content; Implement new Guidance Note for Costs Lawyers in SRA regulated firms (updated as agreed)***

### 7.4 Consumer engagement Board Decision Note

At its January meeting, the board agreed that a Board Decision Note (BDN) should be published on the development of its consumer engagement strategy. Kate presented a draft BDN for this purpose, drawing together deliberations of the board over several meetings. The board agreed that this was a helpful summary of the decision-making process and approved the draft for publication.

***Action: Publish BDN on consumer engagement***

### 7.5 Handling of client money

Kate updated the board on two recent developments – one arising from a disciplinary investigation and one from a public enquiry – which suggested an emerging need to



revisit the CLSB's prohibition against Costs Lawyers handling client money. The board discussed whether the current regulatory arrangements in the Code of Conduct provided adequate consumer protection in all circumstances and/or whether additional guidance was warranted in light of learnings from the CLSB's recent work.

The board canvassed various options for addressing this complex issue and agreed that no obvious solution presented itself whereby better consumer outcomes could be guaranteed (within the limited scope of the CLSB's regulatory jurisdiction). The board discussed possible sources of comparative evidence and advice, and agreed that a mix of legal, policy and practical expertise were required. Kate agreed to have further discussions with contacts and advisers during Q2 and report back to the board at its July meeting.

***Action: Discuss options with advisers and stakeholders and revert in July***

## **8. LEGAL SERVICES BOARD (LSB)**

### **8.1 Diversity**

The board was provided with a letter from the LSB (sent to all approved regulators) in relation to its emerging policy approach to diversity and inclusion. The letter set out revised expectations on regulators and sought a progress report on performance by 1 May 2020. The board was provided with a draft progress report for the CLSB and invited to provide feedback.

The board agreed that the CLSB's approach to diversity was appropriate to the organisation's resources and the size of the profession. The draft progress report rightly celebrated the CLSB's initiatives in this area and drew together various strands of activity. It was agreed that the CLSB should publish its progress on diversity at an appropriate point in the future, in the interests of transparency.

The board also agreed to revoke the existing guidance note on equality and diversity in the Costs Lawyer Handbook; the content was more suited to a webpage dedicated to diversity issues, and this had already been incorporated into the new CLSB website.

Kate explained that the CLSB had collaborated with the SRA during Q1 to develop a guide for Costs Lawyers on the business case for diversity. This built on existing SRA research, tailored to the CLSB's regulated community. The board agreed that this was a positive example of how the CLSB could work with the larger regulators to develop quality outputs for Costs Lawyers in important areas.

***Action: Revoke guidance note on equality and diversity; Submit progress report to LSB on diversity initiatives***

### **8.2 Internal Governance Rules**

Kate presented a draft Memorandum of Understanding (MOU) and Operational Protocol (OP) that had been agreed in principle with the Association of Costs Lawyers (ACL). The new MOU did not change the relationship between the parties, but had been expanded to ensure compliance with the LSB's Internal Governance Rules 2019. Kate also provided updates from a recent conversation between the CLSB, LSB and

ACL. The LSB had indicated that paragraph 4.4 of the OP should more clearly specify when information would be provided to enable ACL to perform its residual role.

The board was also provided with draft documentation describing how the CLSB complies with the Internal Governance Rules 2019. Under the LSB's regulatory arrangements, the CLSB was required to certify its compliance at board level and submit a compliance certificate by 24 July 2020. Kate explained that ACL would need to make a rule change application to the LSB for approval of the new MOU and OP (following agreement between the parties), however the LSB had informed the CLSB that its compliance documentation could be submitted on the basis that it was conditional upon the outcome of that rule change application.

The board discussed the MOU, OP and compliance documentation. Board members considered what assistance could be provided to ACL in making the rule change application, as this task usually fell to the regulatory body. Kate confirmed that she was facilitating discussions and sharing documentation wherever possible.

The board approved the MOU and OP, subject to an amendment to paragraph 4.4 of the OP as noted above. The board certified that the CLSB complied with the Internal Governance Rules 2019, for the reasons set out in the certificate of compliance. This certification was conditional upon the LSB approving the new MOU and OP following ACL's pending rule change application.

The board also approved minor amendments to the CLSB Board Terms of Reference to refer to the updated Internal Governance Rules. Board members noted an inconsistency on the face of the Terms of Reference in relation to voting in writing, however it was understood that this inconsistency was derived from the CLSB's Articles of Association. It was agreed that a more holistic review of the organisation's governance documents should be included in the draft 2021 Business Plan that would be considered by the board in July.

***Actions: Execute MOU and OP (amended as agreed) with ACL; Submit compliance documentation to LSB, including this minute as evidence of board certification; Adopt amended Board Terms of Reference; Include wider review of governance documents in draft 2021 Business Plan***

### **8.3 Practising fee approval process**

Kate updated the board on the LSB's ongoing review of its processes for determining practising fee applications under section 51 of the Legal Services Act. The board was provided with a letter from the LSB outlining the proposed changes.

Kate explained that she had significant concerns about the proposals for refusing applications. She noted that the LSB appreciated the significant risks associated with refusal, but the only proposed solution was to allow regulators to collect an interim practising fee while the matter was resolved. The CLSB considered this untenable in practice for many reasons (including logistical, financial and reputational difficulties). It had recently become clear that these concerns were shared by other regulators.

The LSB was now exploring other potential solutions, including regulators relying on financial reserves for cashflow while waiting for a fresh application to be determined. Kate's view was that this approach was equally problematic, given the many difficulties in pushing back the renewals process at all, which she had communicated to the LSB.

The board noted that the CLSB was at particular risk of harm if this aspect of LSB policy was not properly thought through. Kate agreed to continue to engage with the review and report any significant developments to the board by email, and otherwise update the board at its scheduled meeting in July.

**Action: Kate to report on progress as appropriate**

#### **8.4 Other workstreams**

Kate noted that the LSB was working on several stakeholder projects, which the CLSB was engaging with via bilateral meetings or workshops. These included: a listening exercise to gather feedback on LSB performance; collating views on priorities within the legal services sector to feed into LSB strategy; and a call for evidence on continuing competency. The board noted the position and encouraged ongoing engagement as appropriate.

The board was also provided with an article that had been published in the ACL bulletin in March, based on a comment from the LSB CEO that questioned the future of the smaller legal services regulators. Steve noted that, while the CEO's comments had been taken out of context, they were nevertheless unhelpful and undermined the relationship-building process between the two organisations. The issue had been raised with the LSB.

### **9. LEGAL SERVICES CONSUMER PANEL (LSCP)**

#### **9.1 Work update**

Kate noted that the LSCP had provided useful feedback on the CLSB's Consumer Engagement Strategy and explained how this was being actioned. The board was grateful for the Panel's input.

### **10. LEGAL OMBUDSMAN (LeO)**

#### **10.1 Service complaints position**

The board was informed that the CLSB had referred two service complaints to LeO in Q1. In one case, LeO had initially told the complainant that it did not have jurisdiction to determine the complaint and the CLSB had intervened to establish jurisdiction. The board discussed whether this was evidence of a more systemic issue. The board also noted that the CLSB was likely to have an increasing role in assisting complainants with LeO processes over time, linked to the rise in lay client instructions.

#### **10.2 Work update**

The board was provided with a Gazette article reporting that the proposed 21% increase in LeO's budget – which the board had considered at its January meeting – was not approved by the LSB. Kate noted that she was due to speak to the new Chair of the Office for Legal Complaints (which oversees LeO) and would enquire about plans for the budget and short term priorities. The board noted the position.

## **11. REPRESENTATION (ACL)**

### **11.1 Council minutes**

Paul volunteered to provide minutes of ACL Council meetings going forward, following the departure of Tracyanne from the board in January. Kate agreed to circulate the most recent minutes to board members following the meeting.

**Action: Circulate latest ACL Council minutes by email**

### **11.2 Work update**

The board welcomed the news that the ACL Chair had returned to post following a period of leave.

## **12. EDUCATION**

### **12.1 Costs Lawyer Qualification coronavirus update**

Kate informed the board that she had been liaising with ACL Training around ensuring continuity in delivery of the Costs Lawyer Qualification in light of coronavirus. The board noted that, due to the course running from January to December in 2020, it was less likely that final exams would be impacted. There was, however, a small cohort undertaking the final year of the old course who were due to sit an exam in June. This had been cancelled, but students were being accommodated during the resit cycle (in August).

Otherwise, the course remained on track for current learners. ACL Training was aiming for all students to successfully complete their studies in 2020 to allow them to progress to the next year of the course, or qualify, in the usual timeframe. The course was being run online, including seminars and revision sessions, while government restrictions were in place. Adjustments had been made to other policies and regulations (for example, around requests for extensions and deferrals) to take account of current circumstances. ACL Training was proactively keeping the CLSB updated where changes were made. The board noted these matters and discussed the need to keep the exam position under review.

## **13. OPERATIONAL MATTERS**

### **13.1 IT update**

Kate explained that a new IT consultant has been retained in Q1 and provided the board with an overview of the IT workplan that was currently in delivery. The program of work for 2020 included:

- (i) Development of a new website
- (ii) Transition to a better, cheaper, integrated email system
- (iii) Commissioning and deployment of various software, including new cloud storage and mail distribution systems
- (iv) Development of a new Costs Lawyer database, which would power the CLSB's online register and practising certificate renewal process
- (v) E-forms for practising certificate renewals

Projects (i) to (iii) had already been largely delivered, on budget and earlier than anticipated. Significant progress had been made on projects (iv) and (v), which would be delivered later in the year.

Kate explained that the new website had been launched in late March; this was slightly earlier than expected, but was needed to facilitate timely communication with the regulated community during the coronavirus crisis. Kate outlined the work that had been done in considering the site's purpose, its key audiences and branding. This informed both the structure and style of the new site.

In summary, the project team had:

- Redesigned the site's look and feel, incorporating previous board feedback on different audiences and their likely needs.
- Improved navigation around the site, so materials were more clearly signposted and there were more pathways leading to key information.
- Redrafted the content of every page, using plain language and a consistent tone.
- Incorporated FAQs across the site, giving it a more practical focus.
- Brought older PDF documents into the new house style.
- Published more material and data than previously, in a more accessible format.
- Made application forms available as writable PDFs, which could be downloaded, filled in and signed electronically (previously all forms had to be requested and were sent out by post). The intention was to move to full e-forms over time.
- Designed the site to comply with the accessibility requirements for public bodies that would apply from September 2020.

While there was insufficient budget to carry out extensive formal testing, the site's navigation and user experience had been informally tested on solicitors and lay members of the public who looked at the site from the perspective of a client. Their feedback was incorporated wherever possible at proportionate cost. Feedback was also sought from stakeholders such as ACLT (in relation to student use) and Costs Lawyers generally (via an email communication).

The board felt that the website, as well as the e-forms for practising certificate renewals (which were in development), were a vast improvement on the previous offering and would help the organisation move into the modern era. The board acknowledged that the old website would have placed the CLSB at a significant disadvantage in responding to COVID-19 issues and was pleased that the organisation had been nimble in bringing publication of the new website forward. Board members gave feedback on specific aspects of the website and forms, which Kate agreed to action.

***Action: Implement board feedback on website and forms***

#### **14. AOB**

The board agreed that the virtual format for the meeting had worked well and all business had been dispensed with effectively. The board discussed whether there was merit in moving all future meetings to a virtual platform, to save cost and avoid travel time. It was agreed that a mix of formats was likely to be appropriate, with some meetings held in person and some held virtually throughout the year. The board agreed to hold its July meeting by videoconference and take stock after that.

## 15. NEXT SCHEDULED QUARTERLY MEETING

When: Tuesday 21 July 2020 at 10.30am

Where: By videoconference

There being no further business, the Chair declared the meeting closed.

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Chair

### Related documents

Item	Document	Publication location (CLSB website)
2.1	Board minutes (22 January 2020)	About us ⇨ Our board
3.1	2020 Business Plan	About us ⇨ Strategy and governance
4.1	Board documents	About us ⇨ Our board
4.1	Policy statement on publishing board documentation	About us ⇨ Our board ⇨ What we publish
6.1	Risk registers	About us ⇨ Strategy and governance
7.2	Consultation outcome reports	Regulatory matters ⇨ Consultations
7.3	Guidance notes	For Costs Lawyers ⇨ Costs Lawyer Handbook
7.4	Board Decision Note	About us ⇨ Our board
8.1	Guide for Costs Lawyers on the business case for diversity	Regulatory matters ⇨ Equality and diversity
8.2	Memorandum of Understanding and Operational Protocol with ACL	About us ⇨ Who we are ⇨ CLSB and the Association of Costs Lawyers
Item	Document	Publication location (other)
7.1	Disciplinary Rules and Procedures rule change application and outcome	LSB website <a href="#">here</a>
8.2	Internal Governance Rules 2019	LSB website <a href="#">here</a>