



ILEX PROFESSIONAL STANDARDS LTD BUSINESS PLAN 2009-10

STRATEGY FOR THE FIRST THREE YEARS

Statement of intent

We will define, promote and secure, in the public interest, proper standards of professional conduct and behaviour among ILEX members.

Overriding principles

We will aim in all our work to:

- underpin the rule of law and the administration of justice
- maintain clear independence of sectoral interests
- develop our understanding of the needs of those for whom legal executive lawyers provide services
- work in close partnership with ILEX to support effective professional development and the provision of consistently good professional practice
- act proportionately, targeting risk
- demonstrate proper governance and good value for money
- act in accordance with the regulatory principles set down in legislation.

Key aims

The work of IPS has been split into six areas of responsibility. Each area has key aims. The six areas are:

- Education and standards
- Registration and accreditation
- Fitness to practise

- Governance and process
- Performance and risk
- Visibility and image

EDUCATION AND STANDARDS

- the quality of all educational programmes which lead to entitlement to ILEX membership is assured
- all ILEX members are fit on entry to exercise the privileges and responsibilities which belong to their category of membership
- the arrangements for progression to ILEX fellowship are robust, consistent and defensible
- any organisation regulated by IPS is delivering services to the standard the public are entitled to expect
- the standards of professional conduct and competence expected of ILEX members and fellows are clear, explicit and readily understood by practitioners and the public

Key Target 1: the quality of all educational programmes which lead to entitlement to ILEX membership is assured

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
AM to serve on Awards Performance Strategy Committee (ASPC) and identify quality assurance issues for IPS to consider	Ongoing	AM	AM attended first meeting of Committee in July 2009
IPS Board to receive minutes of meetings of Awards Performance Strategy Committee to enable it to assure quality of education issues	Ongoing	AH	First minutes received.
IPS Board to receive and consider annual report of work of Awards department	Ongoing	AH	First report due early 2010 for year ending 2009
IPS Board to receive and monitor ILEX's self-assessment submission to Ofqual	Ongoing	AH	First self assessment reviewed by AM
All approved providers of ILEX programmes continue to satisfy accreditation requirements	November 2009	AH AM	Initial review at APSC, June 09
Review accreditation and monitoring systems for provider centres	December 2009	AH AM	Initial review – May 2009 Further review by APSC, November 2009

Key Target 2: all ILEX members are fit on entry to exercise the privileges and responsibilities which belong to their category of membership

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Quality assure the ILEX education scheme through ongoing monitoring processes	Ongoing	AM IW	IPS Board has agreed process of review through receiving copies of relevant documentation
Quality assurance of advocates to feed into ILEX advocacy scheme, as appropriate	Ongoing	IW BB	IPS to participate in LSC and approved regulators work on development of qualify standards in advocacy

Key Target 3: the arrangements for progression to ILEX fellowship are robust, consistent and defensible

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Quality assure the ILEX education scheme through ongoing monitoring processes.	Ongoing	AM IW	IPS Board has agreed process of review through receiving copies of relevant documentation
Monitor ILEX work on work based learning	Ongoing	TB IW	Ongoing monitoring taking place
Set up qualifying employment working party	December 2009	TB, AK Staff, ILEX reps	IPS agreed to set up working party in October 2009. Work to commence to set up WP, terms of reference
Ensure compliance with CPD scheme	Ongoing	BB	Annual monitoring

Key Target 4: any organisation regulated by IPS is delivering services to the standard the public are entitled to expect

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
IPS to position itself to regulate alternative business structures	2012	BB IW	Board to review position in December 2009
Monitor and respond to LSB consultations on development of regulatory structure for ABS	August 2009 Ongoing	IW / GB	Response submitted to LSB consultation on ABS regulation
Liaise with other approved regulators on ABS matters	Ongoing	IW BB GB	IW attending regular meetings with other regulators to liaise on developments arising from the Legal Services Act and through the Legal Services Board Response submitted to SRA consultation on ABS

Seek new practice rights for ILEX members before IPS can be in a position to regulate entities Rights being sought in litigation and probate Submit applications to Ministry of Justice	July 2009	BB IW	Applications submitted. Monitor progress of applications. May need to re-consider if applications not approved before transfer of responsibility to LSB
Seek advocacy and litigation rights for Associate Prosecutors employed by CPS	June 2009	BB IW	Application submitted. Monitor progress of application.
Implement new practice rights in litigation and probate	December 2010	BB IW/EP/LN	Implementation to begin once new rights granted
Develop compensation fund arrangements for ILEX independent practitioners	December 2010	BB IW	Scheme rules developed, to be implemented once we have new rights
Develop indemnity insurance arrangements for ILEX independent practitioners	December 2010	BB IW	Scheme rules developed, to be implemented once we have new rights
Identify and seek new practise rights	Ongoing	BB / IW	

Key Target 5: the standards of professional conduct and competence expected of ILEX members and fellows are clear, explicit and readily understood by practitioners and the public

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Develop and promote new Code of Conduct	Jan 2010	BB FTP WP DMD	Developing new code of conduct which will then need to be communicated to membership and to public
Consultation on proposed new Code	Dec 2009	BB FTP WP	Draft Code to be sent out for consultation. WP to agree consultation document at Nov 2009 meeting
Launch new Code	March 2010	BB	Anticipate launch at ILEX conference

Embed code of conduct training into ILEX qualifications through communication of relevant issues to Awards Department	Ongoing	BB	Sharing relevant fitness to practise issues with Awards Department as they arise
Educate ILEX members on conduct issues through regular articles in Legal Executive Journal	Ongoing	BB	Regular journal articles being written
Ethics advice to be available to ILEX members.	Ongoing	BB IW ILEX	IPS to agree standards and provide information, ILEX to deliver one to one advice. System to be formally agreed.

REGISTRATION AND ACCREDITATION

- membership and fellowship of ILEX are recognised in the UK and abroad as the definitive touchstone of continuing competence among legal executives
- information published about ILEX members and fellows is accurate, validated and up to date, and indicates clearly to enquirers their current registration status, accreditations, specific rights and relevant fitness to practise history
- ILEX members and fellows are able to demonstrate that they have maintained competence and stayed up to date throughout their professional careers
- the regulation of new categories of ILEX membership is designed to ensure consistency between categories and compatibility with IPS's regulatory aims

Key Target 1: membership and fellowship of ILEX are recognised in the UK and abroad as the definitive touchstone of continuing competence among legal executives

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Review ILEX arrangements to define and evaluate qualifying employment requirements, taking into account National Occupation Standards	July 2009	TB IW Awards dept	Initial review conducted. Research on criteria for Fellowship completed.
Liaise with ILEX and conduct a detailed review of the ILEX qualifying employment arrangements and consider day 1 outcomes.	July 2010	TB IW Awards dept	Initial meetings taken place to establish and agree work being undertaken on work based learning by ILEX. Liaison to continue. Update on consultation to be received.
Set up IPS / ILEX working party to review qualifying employment and other practise rights applications	December 2009	TB AK IPS staff ILEX	Working party to be set up to review qualifying employment and committee structure for authorisation of additional practise rights

Key Target 2: information published about ILEX members and fellows is accurate, validated and up to date, and indicates clearly to enquirers their current registration status, accreditations, specific rights and relevant fitness to practise history

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Review published information on ILEX website and identify action to develop clarity and accuracy of it.	December 2009	TB Awards dept	Initial review undertaken and issues identified for development on website relating to member specialisms
Website to be updated to reflect membership information accurately and clarify specialism information	December 2010	BB IW	Work underway to clarify and develop published information on website.
Website to include specialist rights awarded to	December	BB	Advocates register developed. Immigration advisors

members	2009	LN	register being developed.
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Key Target 3: ILEX members and fellows are able to demonstrate that they have maintained competence and stayed up to date throughout their professional careers

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Undertake a review of CPD scheme and monitoring processes	December 2009	BB	Undertake a review of CPD scheme and identify areas for development
Agree CPD scheme revisions for 2010 scheme	December 2009	BB	Initial review undertaken. Revisions agreed by Board
Conduct comprehensive review of scheme for implementation on 1 January 2011	July 2010	BB	Board to review position
Consider ongoing appraisal mechanisms for ILEX members to ensure continued competence	July 2010	BB	

Key Target 4: the regulation of new categories of ILEX membership is designed to ensure consistency between categories and compatibility with IPS's regulatory aims

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Review criteria for entry into membership categories and what each category means	December 2009	TB BB IW	

FITNESS TO PRACTISE

- robust procedures are in place for dealing with ILEX members or fellows whose professional conduct, competence or state of health may call in question their continued registration
- those procedures are conducted in a fair, thorough, impartial and timely fashion, with proper regard to the rights and reasonable expectations of the respondent practitioner and the complainant
- the handling of cases is focused primarily on remediation and professional improvement, while recognising the need for sanctions wherever these are necessary
- the procedures operate independently of the IPS Board and ILEX Council, members of neither playing any part in the handling of fitness to practise casework
- cases are disposed of in a timely and consistent way, with the reasons for decisions at each stage explained in sufficient detail for interested parties to understand.

Key Target 1: robust procedures are in place for dealing with ILEX members or fellows whose professional conduct, competence or state of health may call in question their continued registration

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Complaints handling and prior conduct rules are reviewed	December 2009	BB FTP WP	New rules approved by IPS October 2009
Launch and Introduce new complaints and disciplinary rules	January 2010	BB FTP WP	New rules to be fully operational by 4 January 2010
Agree and introduce transitional arrangements for complaints procedures	October 2009	BB FTP WP	Transitional arrangements agreed in October 2009 and now at implementation stage
Agree and introduce implementation procedures for new rules, including recruitment of new panel members	December 2010	BB FTP WP	Procedures drafted, recruitment procedure commenced.
Ensure health rules are fit for purpose	December 2009	BB FTP WP	Revisions agreed in October 2009
Suitable accreditation procedures are in place to regulate immigration advisors	December 2010	BB	Need to develop regulatory regime for immigration advisors

Key Target 2: those procedures are conducted in a fair, thorough, impartial and timely fashion, with proper regard to the rights and reasonable expectations of the respondent practitioner and the complainant

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
New rules recognise rights of ILEX members and complainants to fair and impartial investigation	December 2009	BB FTP WP	Issues recognised as part of rules review. Advice sought as appropriate.
Investigations to be completed in a timely fashion	Ongoing	BB EP/LN/GB	New rules expedite procedure wherever possible. Case completion times to be monitored

Key Target 3: the handling of cases is focused primarily on remediation and professional improvement, while recognising the need for sanctions wherever these are necessary

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
New rules introduce appropriate sanctions	December 2009	BB FTP WP	New rules to be launched December 2009. Sanctions reviewed as part of review of rules, powers of Tribunal increased
Sanctions guidelines to be developed	December 2009	BB	First draft developed. Work commenced on second draft
Introduce delegated powers to expedite investigation of cases, where appropriate	December 2009	BB FTP WP	New rules have introduced more delegated powers to increase expediency of remediation and professional improvement
Publish findings in Legal Executive Journal to educate members and help them to identify areas for their improvement	Ongoing	BB	Regular items published
Develop publication policy	December 2009	BB FTP WP	Policy developed. Ready to be finalised

Key Target 4: the procedures operate independently of the IPS Board and ILEX Council, members of neither playing any part in the handling of fitness to practise casework

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
New rules to introduce independence into all disciplinary decision making committees	December 2009	BB FTP WP	Independent adjudication processes and committees introduced into new rules with effect from 4 January 2010

Key Target 5: cases are disposed of in a timely and consistent way, with the reasons for decisions at each stage explained in sufficient detail for interested parties to understand.

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Performance against key performance indicators to be regularly monitored	Ongoing	BB LN	Quarterly monitoring mechanism introduced
Clear reasoning is given by adjudicatory committees and communicated to the parties	Ongoing	BB EP/GB/LN	Clear reasoning is given by all committees involved in complaints and disciplinary cases. Developing reasoned determinations
Cases will be reviewed on a quarterly basis to identify learning outcomes and monitor performance	Ongoing	BB LN	Reviewing system to be introduced
Standardised format of reasoned determinations to be introduced for use by all disciplinary and complaints committees	October 2009	BB EP	Format to be developed

GOVERNANCE AND PROCESS

- IPS conducts itself, at Board and Executive level, in accordance with best practice in organisational governance
- relations with the ILEX Council and other key stakeholders are governed by unambiguous protocols and statements of understanding and partnership, making clear where boundaries lie and how responsibilities, accountabilities and powers are shared between organisations
- members of the Board and Executive conduct themselves with integrity and probity, demonstrating compliance with established principles of public life and putting the public interest first at all times
- best use is made of the knowledge, skills and experience of each member of the Board and Executive, and all such individuals are effectively resourced, supported, appraised and rewarded in the exercise of their duties
- Board and committee members are selected in a transparent way, using an open appointment process, with independent input, in which applicants are assessed against published criteria.

Key Target 1: IPS conducts itself, at Board and Executive level, in accordance with best practice in organisational governance

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Code of Conduct to be developed for Board members	February 2009	HD	Code developed and agreed by Board
Develop draft format for Board papers	February 2009	HD	Format developed and adopted
Standing orders and matters reserved to Board developed	February 2009	HD	Standing orders and reserved matters agreed by Board
Agree reserved matters on Education and Standards for the APSC	Feb 2010	AH, IW AM	

Key Target 2: relations with the ILEX Council and other key stakeholders are governed by unambiguous protocols and statements of understanding and partnership, making clear where boundaries lie and how responsibilities, accountabilities and powers are shared between organisations

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Protocols agreed between ILEX and IPS	April 2009	HD IW	Protocols agreed
Develop service level agreements to protocols	December 2009	IW GB	
Review ILEX and IPS protocol after one year of operation	December 2010	HD IW	
Develop protocols with other regulatory bodies and with LSB and OLC	June 2010	IW GB	Work commenced to develop protocols and initial drafts produced
Review ILEX protocol with OISC once remit	June 2010	IW	Protocol to be substantially revised as OISC will not

passes to LSB		BB	be overarching regulator
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Key Target 3: members of the Board and Executive conduct themselves with integrity and probity, demonstrating compliance with established principles of public life and putting the public interest first at all times

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Code of Conduct to be developed for Board members	February 2009	HD	Code developed and agreed by Board
Review performance of Board Members against Code	October 2009	AK	Review as part of Board Member appraisal
Board to review its performance	December 2009	All	Review process commenced October 2009

Key Target 4: best use is made of the knowledge, skills and experience of each member of the Board and Executive, and all such individuals are effectively resourced, supported, appraised and rewarded in the exercise of their duties

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Board Members are set annual objectives	December 2009	AK Board members	2009 objectives were agreed. 2010 objectives to be set during December 2009
Mechanism introduced for appraisal of chair and Board members	June 2009	HD	Mechanism agreed
Appraisals undertaken of chair and Board members. Appraisal system used to identify any training needs.	December 2009	AK HD Board members	Appraisals commenced in October 2009

Key Target 5: Board and committee members are selected in a transparent way, using an open appointment process, with independent input, in which applicants are assessed against published criteria.

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Appointment process for Board members and chair to be introduced and agreed with ILEX	October 2009	HD IW	Process developed. Needs agreement of ILEX

PERFORMANCE AND RISK

- future opportunities and challenges are identified through a continuous process of horizon scanning and intelligence gathering
- key risks facing IPS are monitored, assessing the likelihood and impact of each of these and putting in place measures for their effective mitigation
- budgets are set at the level required to deliver regulation to an appropriate standard, recognising the need to demonstrate that spending is reasonable in the eyes of those who pay the bills
- spending is closely monitored against budgets, securing effective use of resources and good value for money
- IPS's performance is continuously monitored against key indicators reflecting the priorities set by the Board
- data are readily available to enable the Board to measure performance, give account where required and answer criticism whether founded or unfounded
- IPS complies at all times with the established principles of good regulation.

Key Target 1: key risks facing IPS are monitored, assessing the likelihood and impact of each of these and putting in place measures for their effective mitigation

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Risk register developed to monitor risks faced by IPS	April 2009	FE IW / BB	Risk register developed
Risk register updated regularly and risks kept under review	Ongoing	BB	Regular monitoring taking place. Risk levels updated as necessary

Key Target 2: budgets are set at the level required to deliver regulation to an appropriate standard, recognising the need to demonstrate that spending is reasonable in the eyes of those who pay the bills

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Budgets to be agreed by IPS Board and ILEX for 2010	October 2009	IW	Second draft of budget produced
Business planning to take place to identify budgetary needs	October 2009	IW BB	Business plan produced
Comply with LSB on independent regulation and transparent fee setting	April 2010	IW/DB/TC	
ILEX members are provided with clear information about subscription fees for regulation, representative services and LSB/OLC levy	October 2010	IW ILEX	Budgetary work to be undertaken to split fees into three categories for subscriptions due January 2011

Key Target 3: spending is closely monitored against budgets, securing effective use of resources and good value for money

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Regular monitoring of spending takes place against budget	Ongoing	IW	Reports of budget to Board at each meeting

Key Target 4 IPS' performance is continuously monitored against key indicators reflecting the priorities set by the Board

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Key performance indicators developed for IPS	June 2009	FE BB	KPI developed
Monitor performance against KPI	Ongoing	BB LN	Quarterly performance reports to Board

Key Target 5: data are readily available to enable the Board to measure performance, give account where required and answer criticism whether founded or unfounded

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Good use made of 'profile concept' to record complaints work so that data can be extracted	Ongoing	BB EP/GB/LN/ SF	Database used for all complaints cases
Annual report of complaints work accounts for performance	March 2010	BB EP	
Annual report of IPS Board	March 2010	GB IW	

Key Target 6 IPS complies at all times with the established principles of good regulation.

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
IPS to ensure it works to PACTT better regulation principles	Ongoing	AK / IW	Embed PACTT principles in IPS work
IPS ensures it regulates in accordance with regulatory objectives and professional principles under Legal Services Act 2007	Ongoing	AK / IW	Embed regulatory objectives and professional principles in IPS work

VISIBILITY AND IMAGE

- the visual identity and public face of IPS closely reflect its values and aspirations
- those values and aspirations run throughout the organisation and are shared and exemplified by all members of the Board and Executive
- IPS listens to and communicates regularly with all who have an interest in its work, explaining its decisions and actions clearly, succinctly and at the appropriate times, and making effective use of all available means of communication
- the needs of different stakeholders and audiences are clearly understood, ensuring effective communication with each by using the media most appropriate for them
- IPS takes active steps to give account of itself, promoting positively the benefits of its work and of professional regulation in general.

Key Target 1: the visual identity and public face of IPS closely reflect its values and aspirations. Those values and aspirations run throughout the organisation and are shared and exemplified by all members of the Board and Executive

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
IPS corporate image is embedded into all of its documentation	Ongoing	IW / BB All	Corporate logo has been developed and used in all documents
Develop IPS website templates	October 2009	NS IW/BB/LN DMD/NS	Templates being developed for the IPS website
Agree site map structure for website	October 2009	NS IW/BB/LN DMD/NS	Work being undertaken to develop site map
Write content of website pages	November 2009	IW/BB/LN	Work to commence on write up. Currently reviewing present website content
Undertake testing of new website	December 2009	NS/IW/BB/ LN/DMD/N S	
Launch new website	Jan 2010	NS IW/BB/LN DMD/NS	

Key Target 2: IPS listens to and communicates regularly with all who have an interest in its work, explaining its decisions and actions clearly, succinctly and at the appropriate times, and making effective use of all available means of communication

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
IPS to report regularly to ILEX council and ILEX at Board and Executive level	Ongoing	IW	Regular reporting of IPS minutes to council Regular meetings between IW and DB

			Regular meetings between AK and ILEX President & vice-President
IPS liaises with and consults LSB and OLC	Ongoing	IW GB/BB	IPS attend LSB meetings
IPS consults widely on its proposals	Ongoing	IW All	Consultations sent to wide audience, posted on website
IPS consults and liaises with consumer bodies	Ongoing	IW All	Consultations take place with consumer organisations
IPS consults and liaises with other regulatory bodies	Ongoing	IW All	Attend regular meetings with approved regulators and regulatory bodies
Method developed for Board members to provide input into consultations to which IPS responds	Ongoing	All	Email input received on regular basis
Information to be communicated through website	Ongoing	LN/BB/IW	Web pages being developed for IPS consultation documents

Key Target 3: the needs of different stakeholders and audiences are clearly understood, ensuring effective communication with each by using the media most appropriate for them

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Use to be made of website, correspondence and other mediums to communicate with stakeholders	Ongoing	All	Identify and use appropriate mediums on a needs basis
Develop programme of stakeholder engagement	June 2010	All	

Key Target 4 IPS takes active steps to give account of itself, promoting positively the benefits of its work and of professional regulation in general.

ACTION	DATE	LEAD/ RESOURCE	UPDATED PROGRESS
Annual report of IPS to be produced	February 2010	IW GB	
IPS writes regular articles in Legal Executive Journal updating members on its work	Ongoing	AK / IW	Several articles written
IPS writes articles in other journals promoting its work and ILEX	Ongoing	AK / IW	Article written in magistrates publication
IPS communicates with consumer bodies on its work	Ongoing AK / IW		