



The Law Society

Compliance Reference Group Service

Pilot for Top 100 firms

May 2012



What is the Compliance Reference Group Service Pilot for Top 100 firms?

New SRA requirements

The SRA implemented a new outcomes-focused regulatory regime (OFR) on 6 October 2011. All recognised and licensed bodies must nominate a Compliance Officer for Legal Practice (COLP) and a Compliance Officer for Finance and Administration (COFA), who will start to fulfil their responsibilities from 31 October 2012.

COLPs will be responsible for taking all reasonable steps to ensure their firm's compliance with all of its regulatory objectives (except in relation to the SRA Accounts Rules which will be the responsibility of the COFA). These requirements are set out in the SRA Authorisation Rules.

Why this new service?

The purpose of the Compliance Reference Group Service is to enable COLPs in Top 100 firms to submit enquiries to a Group, which will provide advice on major problems with respect to compliance with the Code of Conduct that can be relied upon to the maximum practical extent.

The Law Society intends to provide a similar service to different groups across the profession.

How long?

The pilot will run from May – December 2012.

The Group

The Compliance Reference Group (CRG) will comprise around 15 volunteers from Top 100 firms, who will be the COLP for their firm.

The Group will consider enquiries where no answer has been received from the SRA or existing Law Society guidance – so where all other lines of enquiry have been exhausted. It is likely that the enquiries received will be case specific.

The Group will consider enquiries on compliance matters pertaining to the role of the COLP. The Group will provide a practical interpretation of what seems to be the most appropriate action given the state of knowledge at the time in light of the Code of Conduct, Authorisation Rules or any other part of the SRA Handbook. It is possible that the advice will offer more than one possible option or solution.

Enquiries that raise wider issues of policy with ramifications beyond the individual case will be referred to the Legal Policy team and to relevant Law Society Committees/Boards with a view to taking appropriate action to lobby the SRA on the issue.

Currently, the details of the volunteers on the Group will not be disclosed outside of the Group so anonymity of volunteers will be maintained.

The Group's advice

The Law Society will stand behind the Group's advice. If an individual or firm follows advice from the Group, and subsequently finds that action is being considered or taken against them by the SRA, the Law Society will stand by that individual or firm.

The Policy team will consider how best the Law Society can stand by the individual or firm, which may include lobbying the SRA, getting involved in any formal regulatory process against them by the SRA and putting forward the Law Society's view on the issue for use before the SDT in appropriate cases, facilitating or assisting with further advice for them, providing further information to them or providing PR assistance.

The Group's advice may be published anonymously in a e-newsletter format.

The Law Society

The Law Society will carry out the secretariat function for the Group.

Do you have an enquiry?

You will be able to submit an enquiry from **2 May 2012**.

Please consider the following factors before submitting an enquiry to the Group:

Step 1: Is your firm within the Top 100?

Step 2: Are you the COLP for your firm?

Step 3: Have you reviewed existing Law Society guidance (for example, the Practice Notes or Practice Advice Service) or sought the opinion of the SRA, if appropriate?

Step 4: Is your enquiry within the remit of the Group?

If you have answered 'yes' to the above questions please complete the template enquiry form and email it to

ComplianceGroupPilot@LawSociety.org.uk

The Group will aim to respond to your enquiry in a timely manner, and no later than 3 weeks after it has been submitted. However, please indicate if your enquiry is particularly urgent.

While efforts are made to ensure the advice provided through the Service is accurate, up to date and useful, neither the Law Society nor the members of the Compliance Reference Group will accept any legal liability in relation to advice. To the fullest extent permitted by law, the Law Society and the Group members exclude any liability for any loss or damage whatsoever arising out of or relating to the advice.