

Business Plan



2016/2017

FOREWORD

'Paralegal' is a term that until now has had a confusing meaning. In America, a Paralegal has always had a defined career but in the UK, not so much. Our colleagues in Scotland, who operate in a different legal landscape than to England and Wales, have nevertheless embedded the Paralegal profession within its legal services provision, and we must do the same. In England and Wales, the term 'Paralegal' is confused, not least within the sector, by individuals who are working in the unregulated market in companies and organisations and do not know they could be described as a paralegal.

Finally the profession has a regulator, albeit operating a voluntary scheme, that enables Professional Paralegals to obtain Paralegal Practising Certificates in order to offer legal services to the consumer under the PPR. Professional Paralegals can now fully compete in the provision of legal services, to enable the consumer to access cost effective legal advice.

The Professional Paralegal Register (PPR) will strive to ensure that consumer protection and choice is at the heart of its regulatory objectives, by encouraging and supporting affordable or free Access to Justice. We will continue to engage with the wider legal community to ensure that the paralegal profession is recognised as the fourth arm of the legal profession.

Established in 2014, the PPR has

- ✓ developed a consumer-focused approach to regulation
- ✓ been the first voluntary regulator to provide consumer protection through a compensatory scheme
- ✓ developed a Tier system for the profession that clearly identifies the level and expertise that a Paralegal holds

The PPR is a voluntary regulatory scheme for Paralegals working in the unregulated sector.

Our strategy for 2016/17 is to focus on:

- Delivering an open, transparent and proportionate registered scheme to enhance Paralegal's professionalism and to protect consumers
- Promote specialist Professional Paralegal Practitioners as the fourth arm of the legal profession by engaging with the sector and meeting consumer needs
- Increasing the membership of the PPR by actively encouraging an inclusive and diverse Paralegal Profession in all business and consumer sectors

The PPR promotes specialist rather than generalist legal practitioners to meet consumer and business needs.

Paralegals working in the unregulated market either in-house, in companies, charities, local authorities, retail outlets, the NHS and many more sectors, are all covered by the PPR. This provides recognition and confidence both for the employer and the end user in their Paralegal's competence and professionalism.

Employers are now able to access qualified paralegals through the Register, saving time and money. We believe that the Paralegal Profession will grow to become one of the largest recognised legal service providers in England and Wales within the next ten years. We sincerely hope that you will be part of it.

The PPR therefore intends to continue to promote the profession and during 2016/17 we will be seeking to have an open forum regarding paralegal legal training provision, that can sit alongside the regulatory requirements outlined by the PPR in order to best meet the profession's and end user's needs.

Under the guidance of our newly appointed Managing Director, Rita Leat and the continued invaluable work of the Advisory Board, the Register Regulatory Committee and Board of Directors, the PPR will seek to serve consumers, employers and its members who we regulate.

OUR MISSION, VALUES AND AIMS

Mission Statement

The Professional Paralegal Register (PPR) is a voluntary registered scheme to promote professional paralegals as a recognised fourth arm of the legal profession and to enhance consumer choice and protection.

Aims

- Provide easier and less costly access to justice for the consumer (to comply with the main provisions of the Legal Services Act 2007) by having a published register of qualified members.
- Develop career paths for paralegals with employers both laterally and within the specialist sectors in which they operate.
- Support and help paralegal businesses in offering a competent, professional and ethical regulatory framework.

Values

The PPR is a voluntary register that regulates Paralegals who have met the required standards of both their Recognised Membership Body and the PPR. Only Paralegals that are members of a Recognised Body can apply to join the PPR.

There are currently three Recognised Bodies of the PPR:

The Institute of Paralegals;

The Institute of Professional Will writers; and

The National Association of Licensed Paralegals.

The PPR is open for applications from any other membership bodies or trade associations whose members undertake any form of unregulated legal work.

Our values are based on **integrity**, which involves **professionalism** and **accountability; diversity of opportunity**, which involves **inclusiveness, openness** and **understanding; effective regulation**, which involves **robust standards, ensuring competence and maintaining professional conduct; and innovation**, which involves **seeking innovative ways to promote Paralegals** and to better **protect consumers**.

Key behaviours adopted by us are:

- Transparency in all that we do
- Employer / Consumer Awareness of the Paralegal Profession and the PPR
- Robust Standards of the PPR
- Clarity of objective
- Inclusion
- Support

We will champion sector good practice by:

- Encouraging and Maintaining Independent Involvement in our Boards
- Providing on-going Review of our Practices
- Ensuring Consistency of Approach in our decisions
- Effective Communication

THE VOLUNTARY REGULATORY SCHEME

The PPR is **NOT** an approved regulator under The Legal Services Act 2007 (“the Act”). This is because Paralegals are not required to be regulated.

The Legal Ombudsman does not have jurisdiction to hear complaints from consumers who have used a paralegal outside of solicitors firms for legal services such as will writing.

The PPR is able effectively to hear complaints regarding Paralegals who are on the Register and offer reliable redress to consumers when things go wrong. Only Paralegals **with** Paralegal Practising Certificates can offer this level of protection to include a compensation fund.

The PPR as a voluntary regulator is able to provide cost-effective regulation, which can embrace the challenges that affect Paralegals in the legal market, whilst adhering to the principles of the regulatory objectives set out in the Act.

We regulate in a fair and proportionate way.

REGULATORY OBJECTIVES

1. Protecting consumers
2. Improving access to justice and the public’s awareness of it.
3. Promoting consumer choice
4. Developing a strong, independent and diverse legal profession
5. Supporting the constitutional rule of law
6. Supporting and promoting adherence to professional conduct

THE LEGAL SERVICES MARKET

During 2007/8 the economic downturn began to affect the provision of legal services in the UK.

In England and Wales we have seen many solicitor's firms fading away unable to compete in a sector that requires a high level of regulation and scrutiny.

The same was seen in the licensed conveyancing sector and with the addition of the lack of legal aid, the detriment to the consumer has been less Access to Justice over the last seven years.

The Legal Services Act 2007 clearly laid out its objectives for the sector but the unregulated market has not, until now, been considered 'professional' largely due to the lack of regulation.

During the early stages of economic recovery, the sector picked up but it is still failing to adequately address the needs of the consumer when faced with the realities of litigation in a court setting. The work being done to assist the steadily increasing numbers of Litigants in Person is admirable and in some areas quite remarkable, but one wonders how sustainable pro-bono legal advice and assistance can be moving forwards post 2013 LASPO. The need for cost effective, specialised, Professional Paralegals has never been so evident.

In business, those who work in legal departments, HR departments, contract management, debt advice, the NHS, the retail sector, local authorities, charities and the like, all have Paralegals working in the unregulated sector who can now join the PPR and become recognised for their profession.

The legal services market is a consumer driven market. The expectations of consumers in the internet age is to have services that are easily accessible, quick to access and competitive on price. Many consumers now use comparison websites when choosing to purchase services and these changes must be embraced by the sector.

The role of the PPR is to ensure that those who are on the Register can provide the high standards of competency and professionalism required, and that consumers who use the services or a PPR Paralegal who has a valid Paralegal Practising Certificate are protected by a range of sanctions and compensation if things go wrong.

DEVELOPING THE PPR'S STRATEGY

The regulatory model that the PPR has adopted is outcomes focused, proportionate and targeted to achieve excellence.

The PPR believes that specialist Paralegals are often more suitably qualified to offer certain legal services, as their training, CPD and linked practice skills are targeted to one specific area of law, making them experts in their chosen area.

This makes regulation easier and more cost-effective when assessing compliance. It also enables the regulation to be proportionate to the risk that is associated in

OUR STRATEGY

- **To deliver a cost effective regulatory scheme that allows for growth in the Paralegal sector whilst ensuring consumer protection.**
- **To support specialist legal service providers by regulating in a proportionate way.**
- **To provide recognition for Paralegals in the unregulated sector to encourage businesses to use Professional Paralegals.**

the actual services that are carried out by each individual.

Regulation that is based on one-size fits all, has no place in helping our members to reach the level of compliance that is required in order to apply for a Paralegal Practising Certificate.

Our focus shall be: to provide a robust but proportionate regulatory scheme that the sector and consumers can have faith in; to increase Access to Justice for consumers, ensuring protection at a cost effective price; to educate the

consumer on the services that Paralegals have to offer; to promote Paralegals by being inclusive, encouraging all Paralegals in the unregulated sector to join forces under the PPR to make them a unified group within the sector.

BUSINESS PLAN OBJECTIVES 2016-17

For 2016/2017 we have identified seven main objectives. These objectives have been agreed through consultation with the PPR Advisory Board that is independent of the Directors.

Objective 1

To deliver an effective, cost effective and proportionate scheme of regulation

- a) Develop the PPR regulatory framework to ensure that proportionate regulation is adopted
- b) Adopt an efficient data management system to ensure the quality of our service is meeting end user's needs
- c) Embed a system of monitoring aligned to perceived or actual risks
- d) Support the Register Regulatory Committee by ensuring a full range of sanctions is available for use in a proportionate way
- e) Ensure that the disciplinary procedures are meeting the timeframe as outlined in our Rules to ensure consumer protection
- f) Publish regulatory decisions
- g) Act upon advice provided by the PPR Independent Advisory Board

Objective 2

To ensure that the PPR has sufficient financial security to support its regulatory objectives

- a) Review the financial arrangements for protection of consumers
- b) Implement financial arrangements for a compensation fund
- c) Monitor the financial viability of the PPR

Objective 3

To actively promote the Paralegal profession as a credible legal service provider for the consumer and business markets

- a) Prioritise and target key sectors that engage Paralegals

- b) Engage with consumer organisations to assist with consumer awareness of the PPR
- c) Meet with key stakeholders in the public, private and third (charity) sector to embed the Paralegal Profession in the provision of legal services
- d) Engage with Universities, Colleges and Schools to ensure young emerging talent is aware of the Paralegal Profession as a career choice
- e) Hold a Paralegal conference in 2016
- f) Prepare a marketing and PR plan to enhance consumer awareness of the PPR
- g) Hold an awards ceremony in 2017
- h) Implement a strategy for training and development by setting standards
- i) Investigate the provision of innovative CPD opportunities

Objective 4

To engage with training providers to develop qualifications that map to professional paralegal standards.

- a) To assist educational institutions to develop programmes of study suitable for the PPR Tier System.
- b) Encourage and support the development of diverse CPD opportunities.
- c) To enable the mapping of qualifications to PPR standards.

Objective 5

To encourage diversity and innovation within the legal services sector

- a) Review the training and qualification routes for Professional Paralegal Practitioners
- b) Implement the issuing of Paralegal Practising Certificates
- c) Monitor the performance of Paralegal Practitioners
- d) Undertake a review of the value and cost of Practising Certificate fees
- e) Encourage and support the development of a Practitioner's forum to share good practice
- f) Encourage applications for Recognised Body status
- g) Actively engage in the business community where Paralegals work

Objective 6

To continue to have an open and collaborative approach to communication with key stakeholders in the sector and the wider business community

- a) PPR to continue to meet regularly with
 - The Office for Legal Complaints
 - The Legal Services Board Consumer Panel
 - The PPR Independent Advisory Board
 - The RRC
- b) Meet with government and parliamentary spokespersons and representatives of other legal regulators to further the aims of the PPR
- c) Prepare a schedule for open dialogue with other sectors and industries

Objective 7

To streamline and simplify our operations so that we can deliver the best service to our members in a cost effective way

- a) Continually review our website so that it offers a user friendly and useful tool for its users
- b) Implement a more streamlined application process for our Recognised Bodies
- c) Develop a consistent and efficient Paralegal Practising Certificate application process
- d) Develop an efficient and consistent Paralegal Practising Certificate renewal process

We would welcome feedback on our business plan at info@ppr.org.uk