

Topic guide

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SRA Transparency Rules

Background

Our Transparency Rules came into force on 6 December 2018. These aim to make sure individual and business consumers have the information they need to make an informed choice of legal services provider.

Under the rules, firms are now required to publish:

- Price and service information regarding specific common areas of law (as outlined in the rules).
- Details on the teams/individuals who will provide services in the specified areas.
- Details of their complaint's procedure, including how and when issues can be referred to us or the Legal Ombudsman.

It is not our role to say how much a firm should charge their clients, unless there is evidence of improper or unlawful overcharging (such as overbilling practices or false cost claims).

Clients can challenge fees directly with the firm and escalate matters to the Legal Ombudsman if they cannot be resolved. Clients may also be to apply to court to have their bill assessed.

The rules are mandatory, but we do appreciate that implementing the rules may require changes to a firm's websites and other digital marketing. To help firms, we have published a suite of resources to show firms how to comply with our requirements, including:

- Detailed guidance
- Frequently asked questions
- Templates.

Our approach to enforcement

We will use a range of tools to identify non-compliance with the rules in addition to dealing with reports received, including:

- Thematic reviews and engagement with firms
- Random web sweeps
- Working with consumer groups to raise awareness of the new requirements and to encourage reporting.

It is our role to enforce our regulatory requirements in a fair and proportionate manner, in line with our Enforcement Strategy [</sra/strategy/sub-strategies/sra-enforcement-strategy>].

Indicative sanction guidelines

Where we receive a complaint or report, if there are no other misconduct issues raised, then on the first occasion we are likely to write to the firm detailing the breach and what they need

to do to comply.

Following this, if any further concerns come to light, we will take a proportionate approach to investigation.

In considering what action we need to take, if any, we will consider any mitigating and aggravating factors, including those set out below.

Mitigating factors	Aggravating factors
Co-operation with the SRA	No steps taken to comply
Compliance with the rules achieved in most areas	Deliberate refusal to comply/refusal to act on our advice
Evidence of attempts to comply and delay caused by technical / practical issues such as reprinting marketing information or third parties needing to update a website	Deliberately or recklessly provided vague, misleading or meaningless information
A clear plan to make sure compliance in all areas with a reasonable timeframe for completion	Previously received a warning/ repeat offence
	Information is not in a prominent place, including where the information is disguised or not displayed with the services

Strong mitigating features combined with a lack of aggravating features, are more likely to result in us closing the matter. We may, however, ask for evidence that the information has now been published before doing this, or provide further advice or a warning to the firm about its future conduct.

We will consider imposing more serious sanctions, such a rebuke or a fine, where the breach involves significant aggravating features. For example:

- a deliberate failure to comply with the rules despite a request to do so, or
- the display of deliberately vague, misleading or meaningless information.