

# A Guide to the SRA Transparency Rules



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There is a myth that the SRA Transparency Rules only cover information related to fees and services, however, upon reading this guide we aim to provide you with a thorough overview as to what these rules entail, what is required and what information you should be providing to consumers. By and large, these rules relate to information published on a firm's website, but if your firm does not have a website, this information must be readily available upon request in another format.

## Overview

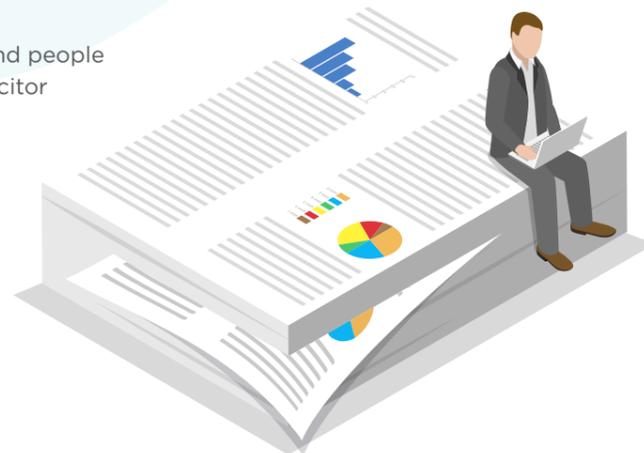
The SRA implemented the rules in December 2018. In summary, they require firms to:

- publish prices and descriptions of some legal services
- publish not only their full complaints procedure, but details of how to complain to the Legal Ombudsman and the SRA
- display the SRA digital badge on their website

In turn, the SRA have launched a digital register. This register is the definitive impartial source of information about the law firms and people regulated by the Solicitors Regulation Authority. This includes 185,000 solicitors. From this, you can:

- check whether somebody is a solicitor and find where they work
- check whether the SRA regulate a law firm
- check for firms the SRA have closed down, and people they have prohibited from practising as a solicitor

If you are listed in this register, you can maintain your data at mySRA.



## Pricing and Services Information

The SRA's Transparency Rules provide that you must display prices and service information if you publish that you work in any of the following areas:

- conveyancing (residential)
- probate (uncontested)
- motoring offences (summary offences)
- immigration (excluding asylum)
- employment tribunals (unfair/wrongful dismissal)
- debt recovery (up to £100,000)
- licensing applications (business premises)

This does not relate to publicly funded work.

For any of the above categories, you must confirm the following service information:

- explain what services are included for the quoted price
- highlight any services not included within the price, which a client may reasonably expect to be, include information on key stages and typical timescales of these
- publish the qualifications and experience of anyone carrying out the work and of their supervisors

In terms of pricing, for each service, you must:

- provide a total cost, if this is not possible provide an average or range of costs
- explain the basis of your charges, including any hourly rate or fixed fees
- highlight likely disbursements, and the cost of these
- be clear on whether VAT is included and the rate VAT is charged at for conditional or damages-based fees, explain when clients may have to make payments

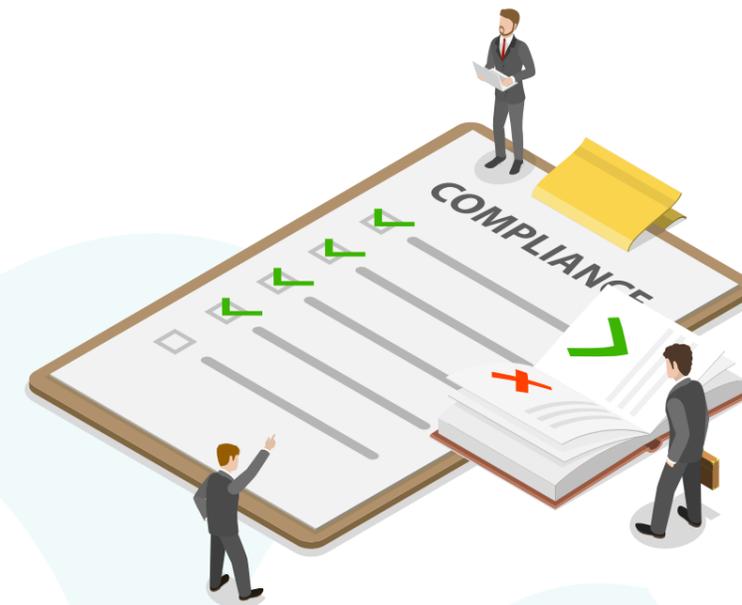


## Complaints Procedure

Irrespective of the categories of law you offer, you must publish information about:

- your complaints handling procedure
- details about how and when a complaint can be made to the Legal Ombudsman
- details about how and when a complaint can be made to the SRA

Your complaints handling procedure must be published in full, including step by step guidance as to how to complain and the details of the member of staff responsible for complaints handling.



## SRA Digital Badge

### What is it:

- a logo displayed on your website, it can only be used by firms the SRA regulate
- it will tell the public that the firm is regulated by the SRA, it has met their expectations and that protections apply
- it is clickable, and when clicked on it will display information about protection that comes when using a regulated firm
- it has been mandatory from 25 November 2019

This is not an image file, but a bespoke snippet provided to the firm via software made available by the SRA. The logo shows online visitors that you are regulated and provides them with a link to information on the protections this provides. The badge must be shown on a prominent place on the website. This is not defined but we read this to be on the footer or home page, but you may be able to justify placing it on an 'about us' page. The badge must be at the minimum size (or larger) set by the SRA.

## Common Areas of Non-Compliance

Upon conducting numerous website reviews here at DG Legal and website sweeps conducted by the SRA, we have noticed recurring non-compliances, these are as follows:

- failure to publish required complaints information
- failure to specify the rate at which VAT is charged and applied to costs and disbursements
- failure to display information on key stages and/or timescales
- failure to provide a description or costs of likely disbursements



# 6 Top Tips

## 1. Always include the charging basis for your prices. For every price you publish must include:

- the typical cost of the service (the total cost, a range of costs, or an average cost)
- the basis that you use to charge (such as an hourly rate)

If you publish only one without the other, you are not compliant.

## 2. Describe the credentials of people who carry out the legal work:

- for each of the legal services covered you must include information about the experience and qualifications of the people that carry out the work (and of their supervisors)

## 3. Don't forget your disbursements:

- any disbursements that are likely to be required must be listed, and you must provide a cost for each one
- if the disbursement cost is genuinely unknown, you must provide an average or likely range of costs

## 4. Be clear about VAT:

- your published information must state whether your costs and disbursements attract VAT, you must say which costs attract VAT and the rate that VAT will be charged at (usually 20%)

## 5. Find the right location for your price information:

- your price information must be easy to read and must be in a prominent place on your website

## 6. Publish your complaints information in full:

- don't forget that every firm must include the required information about your firm's own complaints procedure, and information about the Legal Ombudsman and SRA



## Support

There is support available provided by DG Legal and the SRA. The SRA have produced online guidance & FAQ's and you can also get in touch with the Professional Ethics Helpline if you require help. We hope you find this guide useful; if you would like us to provide you with an analysis of your website please get in touch and we can provide this service. Our survey covers all aspects of the SRA Transparency Rules but we also look at GDPR. We can also provide an SRA compliant complaints handling procedure template. If you would like to get in touch to find out more on how we can support your firm, please visit our 'Services' and 'Contact us' page.

There are other requirements to bear in mind in relation to your website with regard to the GDPR rules. These are covered on the following pages.

# A Guide to GDPR Compliance

As you will probably be aware, GDPR & the Data Protection Act 2018 expect firms to protect personal data. To ensure GDPR compliance, you must publish the following on your website, if your firm does not have a website, it must be readily available upon request in another format:

- a full privacy policy explaining how personal data is treated, this detailed privacy policy should be in a prominent place on the website
- a shorter version or a link to the detailed version should be on the Contact Us form page (if you have one)

## Privacy Policy

A privacy policy should explain your conditions for processing data, your contractual obligations, consent, what sort of data you collect and when. How you use the data, how you protect the data, how long you keep the data for, who you share personal data with, where is personal data stored, what are the person's legal rights, information about cookies, links to other websites and information about the regulator (which in this case is the ICO) should all be included. It should also mention the governing Act (Data Protection Act 2018) and the General Data Protection Regulation.

## Contact Form Privacy Policy

You should also either have a shorter version on the Contact Us form or link to the detailed version because you will be storing personal data on your servers. This must be included near any contact form or enquiry box situated on your website where consumers can input data.

# SSL

## What is it?



If you do have a 'Contact Us' page on an insecure website you are breaching GDPR and the Data Protection Act 2018 because you are holding private information about individuals on your server insecurely. It would be easy for hackers to access these details and use them for criminal purposes. Chrome and Firefox users are able to see warnings on unsecured sites such as: 'Your connection to this site is not secure'. If you do not have a secure website, this will scare some potential clients away from using your site.

## What do you need to do?

In order to 'secure' your website, you have to purchase an SSL certificate. The cost should be in the region of £50 to £300 depending upon the number of websites and domains requiring protection. Once purchased, the browser bar linked with your website will turn partially green. Furthermore, according to numerous I.T. experts, having a secure website boosts your Google search engine ranking.

## Support

At DG Legal, in addition to conducting a survey of your website, we can provide you with GDPR compliant templates. If you would like to get in touch to find out more on how we can support your firm, please visit our 'Services' and 'Contact us' page.





DGGLEGAL

Services for Lawyers