

Legal Software Suppliers Association – Code of Conduct

INTRODUCTION

By joining or renewing membership of the LSSA each member undertakes to comply with the obligations set out below in order to promote high levels of service quality to the legal profession. Failure to adhere to the Code of Practice or any part hereof is a disciplinary offence under the Rules of the LSSA.

GENERAL REQUIREMENTS

- 1 Members must recognise that the success of the Association and of its Members relies upon members behaving as 'good and upstanding' suppliers to the legal services market place.
- 2 Members must agree that their membership is publicly confirmed via the Association's website, and/or in any general publicity material generated by the Association.
- 3 Members must ensure that appropriate Principals, Directors, Managers and members of staff are aware of the requirement to comply with this Code of Conduct.
- 4 Members must provide their customers with a copy of this Code of Conduct on request.
- 5 Members must ensure that their customers are protected from their mistakes with adequate Professional Indemnity cover or other appropriate arrangements.
- 6 Members must ensure that their customers are protected in the event that they cease trading (e.g. through liquidation) and can obtain relevant software source code or access to relevant portal functionality through Escrow Agreements or other appropriate arrangements should they wish to participate.
- 7 Members must provide an adequate level of customer service (for example, but not limited to, training, documentation, support services, on-line instructions) in order to enable their customers to successfully use their software.
- 8 Members must recognise the right of customers to move between software systems and facilitate such moves with provision of customers' data in a reasonable timescale and at reasonable cost.

- 9 Members must comply with relevant legislation and statutory requirements (for example, but not limited to, GDPR).
- 10 Members must not induce recommendations from consultants or other advisors or subsequently reward such recommendations.
- 11 Members must not make disparaging remarks or inaccurate statements relating to other Members or their products.
- 12 Members must act reasonably and fairly towards customers and other Members.

SPECIFIC REQUIREMENTS

- 1 Members must ensure that details of their products, services and charges; and the responsibilities of the customer, are adequately explained and recorded. In particular, the following should be included where relevant:
 - a. Import and transformation of data from previous system
 - b. System configuration and set-up
 - c. Addition and removal of users
 - d. Training
 - e. Support
 - f. Upgrades
 - g. Ability to access data using third-party tools
 - h. Export and transformation of data to any successor system
 - i. Service Level Agreements
- 2 Members must take all reasonable measures to ensure the safety, integrity and confidentiality of customers' data.
- 3 Members must follow the correct procedures when customer's data is released to external authority such as the SRA, Police, HMRC. In particular, the following should be considered:
 - a. Confirming the identity of the Requestor
 - b. Documenting the request, together with all dialogue surrounding the event, including why the requestor is not approaching the customer directly

- c. Seeking a formal “Request for Information under Data Protection Act”. This should describe what data is being sought, from whom and why
- d. Identifying if access to this data is possible – if not report back and no further action is necessary
- e. Seeking permission from the client without “tipping off”
- f. Seeking protection for breach of client confidentiality and requiring a Court Production Order to release any data
- g. Liaising fully with the requestor to agree the wording of the Court Production Order as only the data specified in the Order may be released
- h. Releasing the agreed data once the Court Production Order has been acquired

In the case of intervention by the SRA,

- i. Requesting written confirmation by the intervening practice
- j. Seeking confirmation from the SRA
- k. Documenting the request, together with all dialogue surrounding the event

4 Members must have a procedure for handling complaints which should:

- a. Ensure an acknowledgement is given promptly
- b. Ensure the complaint is investigated by someone with relevant knowledge and authority
- c. Ensure that the steps for resolution, if any, are formally recorded and available to both parties
- d. Provide for an unresolved dispute to be escalated to the LSSA for investigation and possible mediation (at parties’ own expense)
- e. Ensure co-operation with the LSSA and that decisions reached through mediation are carried through

5 Members must co-operate with each other to provide system integrations where this would be beneficial to members’ customers

(Note: this does not imply such integration work would be free-of-charge)