

FROM FIRST IMPRESSIONS TO FOLLOW-UP CALLS: CREATING A CUSTOMER JOURNEY



White Paper
2023 / 24



OUR SURVEY

SAYS THAT

64%

of calls from PI shoppers and 72% from wills shoppers were answered within three rings



of online PI enquirers received a follow-up call, compared to 50% of wills enquirers

88%

of PI shoppers and 76% of wills shoppers described their dealings with firms as warm and engaging

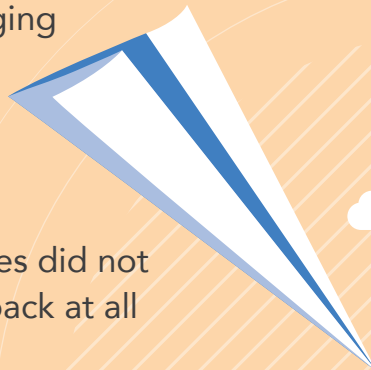


20%

of law firms offered a live chat function on their websites



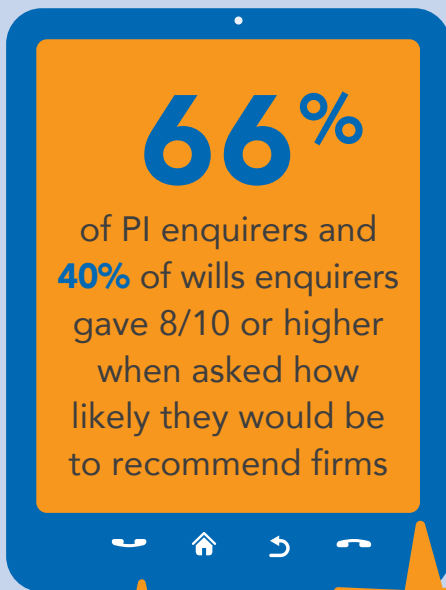
20% of wills enquiries did not receive a call-back at all





59%

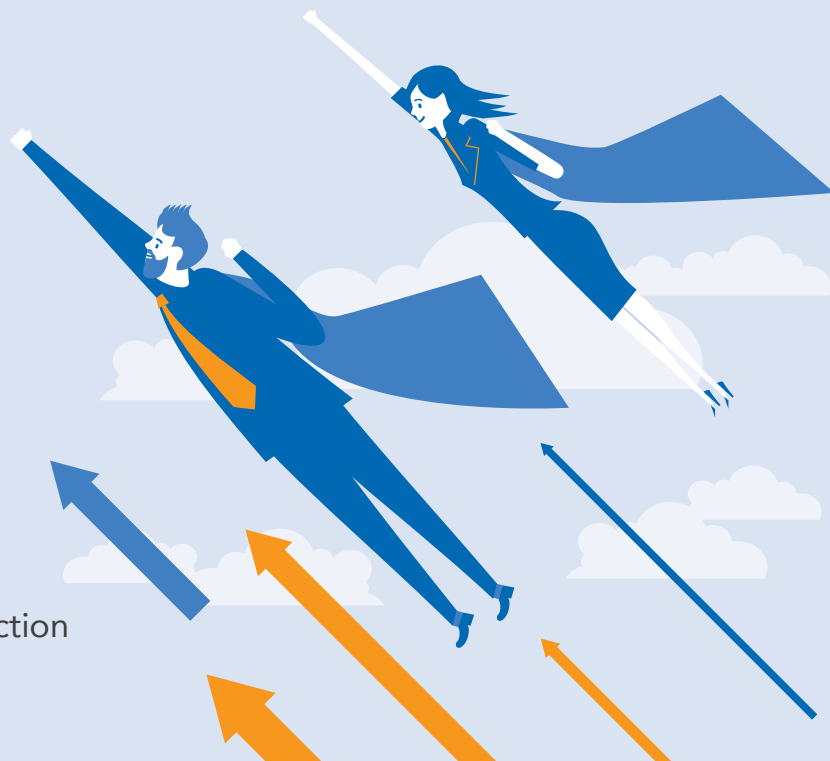
of PI callers were asked if they would like to be sent further information, compared to **11%** in 2018



44%
of PI consumers said their impression of the firm was extremely positive based on their website, compared to 8% of wills consumers



92% or more of all mystery shoppers said their interaction was jargon-free





WELCOME

Welcome to our ninth annual White Paper, this year tracking the progress made by law firms in dealing with enquiries made by prospective personal injury and wills clients, whether by phone or online.

While we at First4Lawyers work hard to generate leads for our panel firms, ultimately they are the ones who have to bring them over the line to become fee-paying customers.

The picture painted in the following pages is an encouraging one, especially among personal injury firms, where we have been able to compare their progress to 2018, when we first carried out a mystery shopping exercise. Quite why those offering both PI and wills do not apply the same service standards to each area of practice is something of a mystery and an obvious place to start when looking at improvements. There remain, of course, several areas where firms can do better and it continues to be the case that follow-up, while better than it was five years ago, remains a significant shortcoming.

The main positive I take from the research and report overall is that solicitors are not ignoring the way the market – pushed by regulators keen to empower consumers – is moving. They appreciate the need for a strong online reputation and a client experience to match and are doing their best to deliver this.

This is not easy. It is a challenge that First4Lawyers understands only too well and is why we are so keen to share our know-how through these White Papers. I hope you find this year's report of value and look forward to continuing the conversation with you.

Qamar Anwar
Managing Director, First4Lawyers

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The battle for clients is getting ever fiercer and no law firm can ignore it. That's the message coming out loud and clear this year as consumers, facilitated by legal regulators, shop around when looking for a lawyer and are quick to go online and share their opinion on the service they have received.

There is no doubt that this is proving a challenge to many law firms, which for decades have relied on word of mouth, location and, frankly, consumers' lack of confidence to question lawyers to ensure a steady stream of work. But that was then. Since the Competition & Markets Authority (CMA) concluded in 2016 that there was not enough information to help people shop around, the focus of legal regulators has been to improve this.

As Matthew Maxwell Scott, executive director of the Association of Consumer Support Organisations (ACSO), put it last year, in a report entitled *Competition and transparency in the legal services sector*: "Consumer choice is one of the main drivers of quality improvement in any service sector. Ensuring that the competition underpinning this is fair requires a strong degree of transparency, so people know exactly what to expect and where to turn if they feel they have been misled."

There is no escaping it. The days when the law was seen as somehow different from other sectors are over. There are, of course, differences between drafting a will and selling a can of beans (although you can buy both from the Co-op) but the fundamentals of dealing with consumers are much the same.

For litigators in particular, the challenge becomes more urgent this year with the extension of fixed recoverable costs to most money cases worth up to £100,000. If you

cannot compete on price, then you have to distinguish yourself from the pack in another way. Customer experience is the obvious one. According to research in 2020 by Salesforce, 80% of customers now consider their experience with a company to be as important as its products.

It is too soon to know whether firms will make deductions from damages and compete on the level, and there is greater scope than exists in personal injury (PI) given the 25% cap. The experience of the PI market to date has been that most firms have gone for a similar level of deduction.

It remains the case, however, that while law firms spend a lot of time and money getting the phone to ring or the email to ping with prospective clients – often with the help of professionals like First4Lawyers – they do not put enough emphasis on what happens once those things happen.

Ultimately it is the firm that has to convert a warm lead into a fee-paying client and that is what this White Paper is about.

Five years ago, we undertook a major mystery shopping exercise to highlight where firms were getting the customer experience right and where they needed to improve. This year we have repeated the exercise to see what progress has been made.

THE BIG PICTURE

The intervention of the CMA had a galvanising effect on the regulators. It led to the requirements that lawyers publish details of their prices and service information for certain areas of law, data about their regulated communities being made available to third parties – particularly review and comparison websites – and a public legal education push through the cross-regulator Legal Choices website.

In its report, ACSO recommended stronger regulations mandating that legal services providers publish a description of services provided on their websites, such as which staff would deliver services and what their reputation, expertise and experience were. There should also be “timelines showing the key stages of the work to be completed with indicative timescales and any factors that might impact these”. This should sit alongside pricing information, such as price lists and scenarios.

The CMA returned in 2020 to assess progress and stressed the need to help consumers understand the quality of different providers, so-called quality indicators. This led the oversight regulator, the Legal Services Board (LSB), to issue a statutory policy statement on empowering consumers, in which it said it expected to see “a sense of pace and urgency” from regulators in improving the flow of information to consumers to help them choose a lawyer.

This includes providing consumers with information on disciplinary records and sanctions, together with published decisions by the Legal Ombudsman “as a minimum”. The LSB said consumers “should be able to find all the relevant information easily about a provider in one place”.

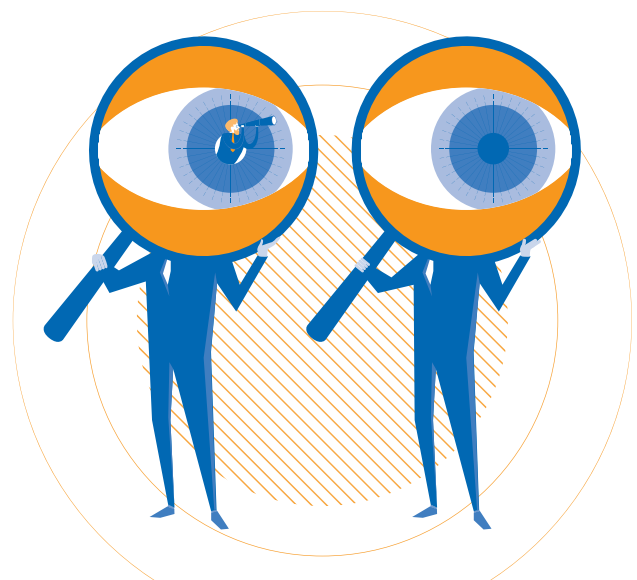
In terms of further information on quality, regulators are expected to “have regard to” performance data such as success rates and complaints data, as well as customer feedback, ratings and reviews. On price transparency, they are expected to ensure providers produce “useful information” to enable effective consumer choice, including information about ranges of costs for different stages of cases and disbursements.

The annual tracker survey run by the Legal Services Consumer Panel (LSCP) has shown a post-pandemic jump

in the number of consumers shopping around for their lawyer. This year’s surveyed 3,500 people who had used legal services in the previous two years and though the proportion shopping around fell slightly compared to last year – from 43% to 39% – it remains significantly higher than in the preceding nine years, when it ranged from 22-30%.

Looking at the demographics, the older consumers were, the less likely they were to shop around – while half of those aged 18 to 24 did so, it was only 28% of those aged 55 or over. Ethnic minority consumers were also much more likely to shop around than White counterparts (half, compared to a third) – this may be because White consumers were noticeably more likely to choose a lawyer they had used before.

Those needing advice on family matters (48%), accident or injury claims (47%) and conveyancing (45%) were the most likely to shop around. Consumers most commonly looked at three providers (36%) or four (24%) and 70% took a week or less to make their decision. Price (56%) and reputation (45%) were the main areas that consumers were looking at.



THE MARKET

IN NUMBERS



48%

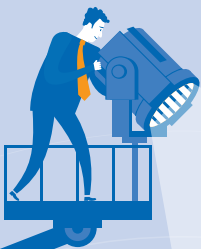
of those who shopped around were looking for a family lawyer, followed by personal injury (**47%**) and conveyancing (**45%**)

(Legal Services Consumer Panel)

56%

of consumers who shopped around said price was the main consideration

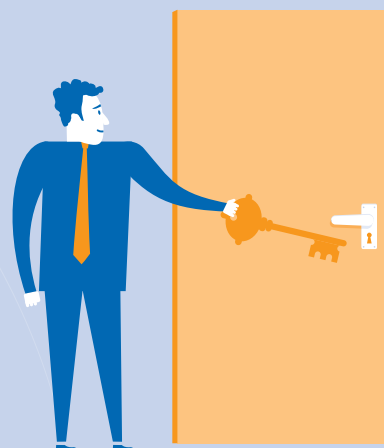
(Legal Services Consumer Panel)



44%

of law firms direct clients to post a review online

(DCT pilot)



77%

of those who used a review website found it helpful when looking for legal services

(YouGov)

THE ROLE OF REVIEW AND PRICE COMPARISON WEBSITES

It remains the case that recommendation from friends and family, and previous use, are the primary ways consumers find a lawyer – the LSCP research confirms the findings of many surveys over many years that this still holds good.

But, under pressure from the CMA, the regulators have been focusing on how they can encourage review and price comparison websites (so-called digital comparison tools, or DCTs) into the legal market to help with shopping around. So in the year to February 2022, the Solicitors Regulation Authority (SRA), the Council for Licensed Conveyancers and CILEx Regulation ran a joint pilot on quality indicators that involved 70 law firms and nine DCTs. There were law firm and consumer surveys too as well as other activities.

The survey of 264 law firms found that 44% directed clients to submit a review on a dedicated website, with Google Reviews, ReviewSolicitors and Trustpilot the most popular. Three-quarters were satisfied with the website they used – only 3% were dissatisfied – particularly those with paid-for subscriptions, compared to those using free services.

Those who did not use these websites cited having alternative feedback systems in place, concerns about fake or negative reviews, and client confidentiality curbing their ability to respond to feedback.

Two-thirds of firms that used review websites did so to attract new clients and more than half to reassure clients/demonstrate provision. “More than half also identify good performance via review sites, although this is more prevalent among those with paid-for subscriptions.” Asked to advise of something that client reviews or feedback have prompted them to change, the main themes were improved communication and encouraging reviews – “as they like receiving positive feedback”.

Just one of the firms used a price comparison site to provide quotations to prospective clients. “They reported no benefit and were very dissatisfied with the website used,” the SRA said. “Respondents explained that they do not feel price

comparison sites can be used to effectively portray legal services as price is not the only important variable and each case is different, making comparison difficult.” They were also worried about a ‘race to the bottom’.

The YouGov poll of 1,000 people who had used conveyancing, employment or family law services in the previous two years found that 41% sought out online information of some description when looking for a lawyer. But while nearly nine out of 10 respondents used review and price comparison websites for goods and services in general, only 22% did so when searching for a lawyer. About two-thirds used multiple sites.

More than three-quarters of those who used a review website found it helpful when looking for legal services; the most common use was to support/check other information consumers had. The rest did not use a site because in the main they were happy with who they were using or had been recommended to them.

More people were influenced by review websites than price comparison sites; consumers were less likely to be aware of or use price comparison websites for legal services, but 80% of those who did use them were happy with the information they received.



“ More than three-quarters of those who used a review website found it helpful when looking for legal services; the most common use was to support/check other information consumers had. ”

The most common reasons for not using price comparison websites were that people had a firm already known to them and that elements other than price were more important.

Asked which elements they found out before making their decision to instruct, price was cited by the largest proportion (45%). This was followed by the lawyer's experience (37%), how quickly the work could be completed (27%), what previous customers thought of the firm (25%) and the lawyer's success with similar work (21%).

The final report of the pilot was only published in June this year, concluding that “barriers remain to making factual information on services and performance more readily available”. While the pilot has come to an end, the regulators have committed to continuing to work with law firms and DCTs “to explore further ways to expand the use and awareness of quality indicators to help the public make informed decisions”.

The report said: “We saw enthusiasm and strong levels of interest from consumers in a number of legal service quality indicators, including online reviews and star ratings in particular.” The number and content of reviews were also important. “Consumers were interested in legal service comparison websites, and ways to find out more about them. Review websites reported increased numbers of legal service providers and consumers engaging with their platforms. This was supported by targeted work from regulators helping to build that engagement.”

This included the SRA publishing ‘don't forget to compare’ information for the public and launching an interactive tool for consumers to help them find and use DCTs. The SRA used Facebook ads and Google Display

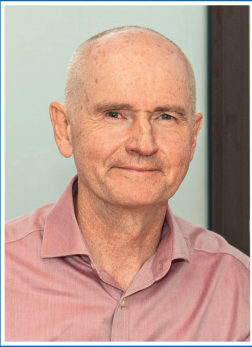
Ads to direct consumers towards its ‘shop around’ messages where their online activity suggested they may be interested in either conveyancing or employment law services. For Google Display Ads, 5.4% of conveyancing consumers and 4.2% of employment consumers who saw the advert clicked through, compared to the average of 0.35% across all sectors, indicating there is appetite for this information.

Researchers found DCTs hesitant to republish LeO decisions, with concerns including contextualisation. But 70% of consumers saw the data as important; they were interested in seeing numbers of complaints as a proportion of cases dealt with, and the nature of complaints being made.

The report concluded that voluntary regulatory approaches “will not significantly develop this quality indicator”, meaning regulation may be needed. “A regulatory approach could require providers to start publishing or connecting with current published ombudsman decisions from their websites. In this way, LeO decisions might firstly become more visible and accessible as quality indicators through provider's own websites – something found by our research to hold value with many consumers – while work with DCTs continues.”

This is unlikely to be popular with the profession. An LSCP report last year said there was “no prototype” for how to contextualise such data about law firms for consumers, and it would not be perfect from the start.

Pilot law firms described seeing commercial benefits from engagement with online reviews, “including some of the smallest firms who see increased contact from consumers as a direct result of online reviews”.



OLIVER&Co
SOLICITORS

David Owen
CEO, Oliver & Co



Everyone at Oliver & Co has a vested interest in how the business performs – and it shows.

The firm moved to 100% employee ownership in 2022, giving each of its 85 members of staff a stake and a say in how the business is run.

“It’s a team effort and that’s reflected in the fantastic service we give to our clients,” says CEO and former owner David Owen.

Customer service is the bedrock on which the Chester-based business is built. Set up almost 60 years ago, it deals with a wide range of matters including personal injury, industrial disease, clinical negligence, wills and probate, family, conveyancing, commercial property, and business law.

Enquiries are handled by a dedicated new business team among whom customer service skills are as important as legal knowledge.

“Oliver & Co place great emphasis on recruiting the right people who are confident and can put potential clients at ease in that first interaction,” says David.

“One of our call handlers worked in the shop next door and was so amazing with people that, when it changed hands, we snapped her up!

“Being 100% employee owned is also an attractive proposition for prospective employees.”

One department that differs is clinical negligence, where call handlers are trained by a dual-qualified doctor and lawyer.

The priority for all departments, however, is to pass viable enquiries onto an appropriate fee-earner as quickly as possible, often as part of the initial call.

“The longer someone has to wait for a callback, the more likely it is they will go elsewhere,” David says. “We aim to get back to everyone within the hour and often beat this target.

“It’s important that we demonstrate our expertise at that early stage so the potential client knows that we can meet their needs.”

The business has three brands – Oliver & Co, What’s My Claim Worth?, and Asbestos Justice – and a high proportion of enquiries come via their websites. The firm also operates live chat, and a freephone number for PI that lawyers have a rota to cover out of hours.

One of their most important marketing tools is Trustpilot, where the firm has more than 1,000 5* reviews.

Marketing Manager, Annie Somerville, says: “We get a number of new clients who say they come to us because of the excellent reviews they have read online.

“Potential clients contact us with high expectations, so it’s important that the first contact is handled impeccably.”

The firm has implemented more technology since the pandemic and says managing more matters online has helped broaden its client base.

Conveyancing clients can check on cases via a mobile phone app, for example, and now clients come to the firm from all over the country as opposed to just Chester and the North-West.

“It’s about embracing the technology but understanding that clients still want to speak to lawyers,” David says.

“We routinely ask clients where they heard of us, and often it will be through recommendations and repeat business, so we must be getting something right.”





WHAT WE DID

We commissioned customer experience specialists at insight6 to conduct the mystery shopping of 50 PI firms and 50 wills practices.

The PI shoppers pretended to be a checkout assistant in a supermarket who slipped on a water spillage while walking in a staff-only area. They hurt their back and, four weeks on, could still not go back to work. CCTV showed that neither the person who spilt the water nor three other colleagues had attempted to clean it up despite a 'clean-as-you-go policy' that meant any staff member who saw a spillage should attend to it immediately.

The will shoppers were someone who was divorced last year and had a child/children from their first marriage. They were now with a new partner and had a list of assets to mention in their request for a will.

WHAT WE FOUND

Telephone enquiries – PI

The customer experience journey starts from the moment the prospective client picks up the phone – how long it takes to get through and the manner of the person answering the call. All but one of our shoppers got through at the first attempt and two-thirds of the calls were answered within three rings. This is good. People are increasingly impatient and if they have other firms they could call, they will not wait. The call centre standard is that 80% of calls are answered within 20 seconds but telecoms giant Mitel recommends answering on the second or third ring.

The phone should be answered positively – indeed, with a smile – and with the person's name as well as that of the firm. While almost all named the firm, only half of team members gave their own name. Pleasingly, all but two answered with a smile and handled the enquiry in a polite and enthusiastic manner. Most asked for the caller's name (but fewer then went on to actually use it – a good way to show empathy), none interrupted and all were able to deal with the enquiry "appropriately".

This generally meant putting the caller through to someone else – good practice is to give their name but few firms did this. Where they could not, the team member asked for contact details and most gave an idea of when the firm would call back; but only half said who would call. These and various other improvements listed further on are all small things individually but put together they add up to a much slicker and better experience. All are very easily fixable too.

In all, 56% were put through on the first attempt, while a further 16% heard back within two hours. Unfortunately, 12% either waited more than two working days or did not receive a call at all. Why does this happen? It is probably a systemic failure, with firms not having a clear procedure in place to ensure calls are returned.

After being put through, no fee-earners answered by giving their whole name (again, good practice) but the shoppers were impressed by their phone manner – answering with a smile, using the caller's name, showing empathy, being polite, speaking at an appropriate pace and asking questions to identify their needs. Every caller said the fee-earner showed a good understanding of their needs.

The good news continues – most fee-earners explained how the firm could help, clearly explained the cost structure and suggested a way forward. Where they promised to send follow-up information, every one did. This may not sound surprising, but on the basis of our previous research, it is. Not all provided their own contact details, however. A third of callers were told there would be a follow-up call and actually slightly more (38%) reported receiving one, while more than half received an email and 19% a text message.

Wider research indicates that it can take several contacts to persuade a consumer to buy a particular product. That may not be the case with legal services, where time can be more of the essence, but follow-up is often crucial to secure a client. An email or text message, though

better than nothing, cannot be as good as speaking to a prospective client to persuade them to instruct you and deal with any concerns they may have.

Quizzed on their overall impressions, 88% of shoppers found their treatment warm and engaging, and all said the interaction was jargon-free. Only a minority of firms (42%) asked how they found out about the firm and a similar proportion sought to add value or 'go further' for them. What does 'added value' mean in this context? It could be support with medical issues or just an approach to hand-holding through the process that goes beyond an email outlining what will happen next. It is part of law firms working out their own selling points.

Asked for an overall score of 0-10 (10 being their likelihood of recommending the firm to others), 60% gave an eight or above, with a further 20% scoring a seven or six.

Telephone enquiries – wills

Given the size of the samples, we cannot read too much into relatively small discrepancies between the results from the PI and wills mystery shoppers, but there were a few areas of more significant divergence.

Broadly, wills callers had a similar experience to their PI counterparts in terms of the approach and attitude of both the initial call-handler and the fee-earner. Where wills fell short was in being able to speak to the fee-earner immediately (only 40% could) and the speed of the return

call when they could not. None called back within 15 minutes (the gold standard) and while 16% did within two hours, a staggering 20% did not call at all (and a further 8% took more than two working days). Why spend money marketing your services if you're just going to let potential clients fall through your fingers like that?

Only a third of fee-earners sold the benefits of using their firm, while just 19% offered to send further information (all did so) and none said there would be a follow-up call. So it will be no surprise that none of the shoppers received one, although 24% were sent an email. Lawyers will fairly point out that they are not salespeople. But that is why the savvy firms have employed people to do this work for them.

While the substance of the calls with wills firms was of a good standard (76% of shoppers found their treatment warm and engaging), the follow-up was not. Also, only 12% of firms asked how the caller had found out about them or attempted to add value.

This might explain why only 40% scored their experience as an eight or higher (in fact, none said 10, 8% said nine and 32% said eight). While a further 24% gave a seven or six, the same proportion went for three or lower.

Web enquiries – PI

It goes without saying nowadays that your website is your shop front more than your actual shop front (if you have one). So it is excellent to see that our shoppers were impressed



with the websites they viewed. Virtually everyone said they contained all the information they needed for their enquiry and were easy both to navigate and to send an enquiry.

Based on the website alone, 88% said their impression of the firm was either extremely positive (44%) or positive (44%) – and that they would have made an enquiry had the scenario been real.

Response time is obviously vital and 28% of shoppers received a (non-automated) response by phone (mostly) or email within 15 minutes, and a further 36% within two hours. But for 8% it took longer than two days and 16% did not hear a thing. At the risk of repeating ourselves, this is terrible.

When shoppers received a call (and 84% did), they generally scored the team member more highly than they did for in-bound calls, performing well on most of the metrics (except for explaining the benefits of using the firm). Some 45% were promised a follow-up call but only 39% received one within five working days – 60% received an email. Given the positive feelings about how they were treated in their dealings with the firms (88% said it was warm and engaging), it seems fair to assume that the issues with callbacks explain why the scores out of 10 were lower. None handed out a 10 (12% of callers did), while 44% gave a nine or eight. By contrast, 28% scored their firm at three or lower.

“

Lawyers will fairly point out that they are not salespeople. But that is why the savvier firms have employed people to do this work for them.

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Web enquiries – wills

While in all other respects these firms' websites were of similar quality to PI firms, where they really fell down was pricing, with just 32% of shoppers saying they found relevant pricing for making a will. Unlike probate, this is not one of the areas covered by the transparency rules (at the moment), but it is nonetheless a type of work that lends itself to some indicative pricing. Perhaps as a result, only 8% of users said their impression of the website they checked was 'extremely' positive, although 64% said it was positive. Still, four in five said they would have made an enquiry had the scenario been real.

Wills firms were quicker to make their initial response than PI firms – 8% did so within 15 minutes, 16% within two hours and a further 52% within eight hours. They were more likely to send an email than PI firms. But again, a fifth did not respond at all.

Only half of wills shoppers received a call as a result of their enquiry. Once more, they were generally pleased with the quality of the call, although again only a third of firms explained the benefits of using them. Nearly 60% promised to send follow-up information – which most did – but none said there would be a follow-up call, and fewer than 10% actually made one within the next five days, although 64% sent an email.



Overall, wills firms scored worse than their PI brethren for warm and engaging treatment (64% vs 88%), while hardly any asked how they found out about the firm or sought to add value. The former question is valuable intelligence on the effectiveness of your marketing, so building it into your scripts is a no-brainer. But in terms of the scores out of 10, they were pretty much identical – none handed out a 10, while 44% gave a nine or eight. By contrast, 28% scored their firm at three or lower.

Comparisons with 2018

The questions asked this year mirrored those in 2018 and to a large degree generated broadly the same results in terms of the customer experience when they made contact. But where there has been a notable improvement is in follow-up, which tells you how poor it was five years ago. Back then, just 11% of PI firms offered to send the client further information, compared to 59% this year, while 26% received a follow-up call within five days (38% in 2023), 12% an email (57% in 2023) and 2% a text message (19% in 2023).

It is a similar story with web enquiries, where in 2018 20% of firms promised to send further information, half the proportion of this year, while 15% made a follow-up call (39% in 2023), 36% sent an email (60% in 2023) and 5% sent a text message (12% in 2023). This is very encouraging to see but the numbers are still too low. Many firms still have a long way to go to professionalise their approach.

PI vs Wills

A closer analysis of the insight6 data by First4Lawyers throws up a curious anomaly. There were 35 firms that were mystery shopped for both PI and wills, and on every measure of responsiveness, the PI departments performed better.

For example, 77% of those with a PI enquiry via the web received a call from a fee-earner, compared to 46% of wills shoppers, and PI shoppers were three times as likely to receive a follow-up call within five days.

What this indicates is that firms are letting individual departments determine how they deal with incoming enquiries. This makes no sense – management should ensure a consistent approach across the firm. You're only as strong as your weakest link and, when it comes to referrals, a PI client will expect the same level of services from the wills department.

Live chat and social media

As well as the work of insight6, we conducted our own research into the use of live chat and social media by the firms surveyed. We're in a multi-channel world and firms should open up as many of them as they can for contact.

Just 20% offered a live chat function on their websites. While low, this is in line with the profession more broadly, according to a recently published Legal Services Board study on technology and innovation. But you would expect such competitive and consumer-focused areas of law as PI and wills to score higher, perhaps. There are various providers able to take the stress of live chat away from firms. Only a single firm provided a number to contact them via WhatsApp, while a further two firms gave a number for potential clients to text them on. All but five of the firms had Facebook pages – although several did not link to them from their websites, curiously – and most had Facebook Messenger enabled; a couple gave out numbers for WhatsApp instead.

Only four firms did not use Twitter – although again a few did not link to it from their websites – while 35% had messaging enabled. Encouragingly, 70% used Instagram but the issue of not linking from the website was more prevalent here than any other type of social media. Most enabled people to message them via Instagram too. Eight firms used TikTok.

Every firm used LinkedIn, but once more some did not link to it from the websites, while a few had broken links.

The key lesson

There is a lot to be positive about from these results in all and the areas where firms are going wrong generally seem to be matters of process and systems – such as ensuring contacts other than by phone are followed up quickly, and that team members arrange follow-up calls and then actually make them.

The Salesforce research showed too that 69% of consumers want to talk with a company in real-time, while 60% of customers in the UK expect the customer experience to be connected. This shows the importance of getting this right.

In some ways, this is a relatively straightforward management task but can be helped by an approach called customer journey mapping, a visual representation of how a would-be client interacts with your business.

You map out the touchpoints (website, social media, telephone call etc.) and then create user journeys for each type of client. This helps you see what happens when and what you are missing.

Salesforce says: "Customer journey mapping is important, because it is a strategic approach to better understanding customer expectations and is crucial for optimising the customer experience... One of the most important aspects of the customer experience is personalisation. Recent research found that 84% of consumers feel that being treated like a human rather than a number is crucial to winning their business.

"Customer journey mapping allows SMEs to create personalised experiences across all touchpoints – for every individual, across all channels."

The biggest benefit of this, says the company, is "simply understanding your customers more". It explains: "The better you understand their expectations, the more you can tailor the customer experience to their needs."

Andy Cullwick, Head of Marketing at First4Lawyers, says: "Whilst the research is focused on customer satisfaction, the main takeaways and learnings are about how law firms approach the wider issues of user experience and client engagement.

"Reassuringly we have seen marked improvements in performance from those in the PI sector when it comes to their attitude and approach to capturing initial client enquiries. They have clearly demonstrated investment of time and effort into improving how they onboard new potential customers.

"However, there is still much to do. It's clear that law firms have not adopted a universal approach because many of those multi-disciplined firms we mystery shopped had such different performance scores on initial enquiry management depending on the service we were enquiring about. PI scored much higher for speed of response, follow-up and getting through to the right person.

"What's more, there's a wider resistance from the legal sector as a whole about engaging with prospective clients through DCTs.

"The reality is that the way consumers engage with businesses is changing, period, but law firms are not necessarily evolving at the same pace. Or, more importantly, are not showing the willingness to evolve or even consider that it is a requirement. This, to some degree, is fine if the entire market adopts the same approach, but sooner or later – as we are seeing in the PI sector – there will be innovators that embrace change and capitalise accordingly."



WHAT DOES THIS ALL MEAN?

It is now beyond debate that law firms have to focus on customer service in a way that was, frankly, unthinkable not many years ago. The pandemic has also accelerated the need to do this through online channels.

"Your clients are better informed, more demanding and prepared to move if they do not get the service they want," says Fiona Martin, Marketing Director and Head of Employment Law at Sussex firm Martin Searle Solicitors. "They pay for a premium service, and they expect it."

Writing for the Law Firm Ambition website, she goes on: "But they compare the service they get from lawyers with the service they get from other service providers – personally or in business – and they don't like it. As survey after survey shows, too many lawyers deliver the legal expertise customers need, but fail to deliver the customer service they want."

Clients and lawyers may vary, but the same core issues come up again and again, she says. First is how lawyers go about understanding client needs. "Too often, the process is geared to identifying what legal services can be provided. Instead of really listening to what the client is saying, you're waiting for them to stop talking so that you can get started," Ms Martin says.

"It's easy to be impatient, particularly when you've heard a similar story from dozens of clients before. But clients need the chance to tell their story. And they need to know that you are genuinely interested. Nobody likes being patronised or ignored."

Other issues she highlights include focusing on the legal inputs rather than the client's desired outputs, the need for frequent communication, transparency on fees and getting feedback.

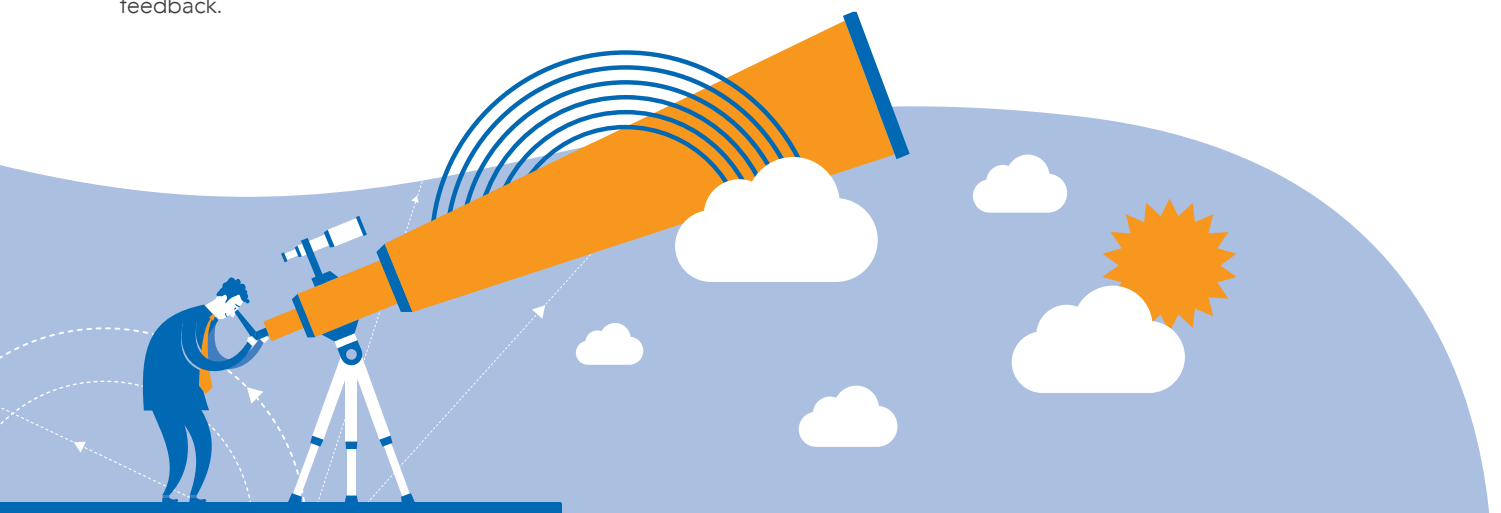
Understanding the customer experience

Customer experience is no longer "purely a measure of satisfaction, but a business imperative, grounded in changing customer needs", says Capita in a report setting a benchmark for it. "Delivering on the experience fundamentals will contribute to organisational success, meeting customer expectations and building loyalty."

Though focused on telecoms, financial services and utilities, the central thrust of Capita's CX Index is appropriate for the law too. It involves two key pillars, 'empathy' and 'ease', and three cross-cutting features running through all customer journeys: authenticity, adding value and an end-to-end experience.

By empathy, it means ensuring you have consumers' best interests in mind (a regulatory requirement in the case of lawyers, of course), making consumers feel valued, and providing "great solutions". Ease is defined as treating customers fairly, giving them confidence that you can resolve their issues, and providing a seamless experience.

Capita says its research shows how ensuring customers feel valued is the best way to create an emotional attachment, defined as a high level of relationship strength that goes beyond mere satisfaction. This drives "positive behavioural and, therefore, business outcomes with customers, beyond what is achieved through functional satisfaction alone".





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Adele Whitfield
Partner, Eaton Smith



“It’s not so much about how you get to the end of a client’s journey, but how they feel when they have got there,” says Adele Whitfield, Partner at Eaton Smith.

Adele heads up personal injury and clinical negligence at the Huddersfield firm, which also has a separate brand, YES Personal Injury Lawyers.

Despite rapid advancements in technology, she says the vast majority of clients still want some level of human interaction – albeit not face-to-face.

“We very rarely see clients anymore, we just don’t get asked to,” she says. “Most people do want to speak to us though. We have a portal in conveyancing where clients can log in to see what stage their case is at, but we find that even if they do that, they will still ring up. It doesn’t make a difference.”

As a panel firm of First4Lawyers, the bulk of new enquiries have already been screened and so the primary aim for the firm at that stage is to make a positive impression.

The key is making sure potential clients are confident in the fee-earner’s abilities.

Adele adds: “From day one, we try to transfer them straight through to the fee-earner who they will be dealing with for the life of their claim. Continuity is key. It’s how we’ve always worked, and I think that’s why we have such a good conversion rate because they get to speak to the expert straight away and are confident in their capabilities.

“We very rarely miss a call or message but if we do, we have a chatbot and a virtual reception and they will typically get a callback or a response within a few minutes.

“We also provide an out-of-hours service on evenings and weekends”.

The long-established firm is also rooted in its local community, which Adele says is important when it comes to attracting clients.

The firm runs awards for local businesses and also has a free family clinic for domestic violence survivors which is run in partnership with related charities.

“We have a lot of local clients, and we want them to view us as a part of their community,” she says.

“The goal for us is that they recommend us and/or come back to use us again themselves.”

Adele says AI is a useful tool, but still no substitute for the human touch. Conversations with the firm’s chatbot, for example, are monitored in case there is a question it can’t answer and a legal professional needs to step in.

The firm has no immediate plans to alter its client offering, but says technology is always under review.

“Advancements in technology are moving at such a pace that we can always say we need to review our own, but at the moment it is sufficient for our needs. I think the most important part of the process is our interactions with clients and the feedback we’re receiving shows that ours are spot on.”

“

From day one, we try to transfer them straight through to the fee-earner who they will be dealing with for the life of their claim. Continuity is key.



SHOWING EMPATHY

Capita says that, for some time, empathy was prioritised second to ensuring customers have an easy and painless journey. “The Covid-19 pandemic brought to light the importance of treating customers with empathy...”

People now expect to feel that their unique needs are understood and expectations are met. An empathetic interaction will not only understand the customer needs but will make an effort to understand how the customer feels and tailor the response to this.”

A guide to putting empathy at the heart of client care published last year by telephone answering and live chat specialist Moneypenny says: “The things we say over the phone, face-to-face or via online channels such as live chat or social media can make the difference between a customer feeling validated or under-valued.

“Because empathetic people listen and have good emotional intelligence, they are typically able to handle customer requests and issues with care, understanding and a desire to help.”

Of course, some people have more empathy than others, and Moneypenny says there are certain personality traits that will not help in the delivery of empathetic customer care, such as “conversational narcissists”, who consistently turn conversations back to themselves. However, our research indicates that generally law firms have the right

people dealing with enquiries – they listen, don’t interrupt and speak at an appropriate pace.

Key elements of showing empathy on calls, the guide says, include legitimising the caller’s feelings – showing you understand, take their feelings seriously and act accordingly – and establishing how the caller feels, rather than assuming you know.

Going the extra step

The argument among customer experience specialists is that businesses need to go beyond functional performance. A 2020 report from data company IPSOS, *The forces of customer experience*, says: “Our data shows that while there are benefits associated with creating functional satisfaction, huge gains can be achieved in terms of ‘business success metrics’ as relationship strength increases.

“When a customer is emotionally attached, they are far more likely to express a preference towards the brand, much more likely to recommend the brand (than if they were just functionally satisfied), and significantly more likely to stay with the brand in the future.

“

The things we say over the phone, face-to-face or via online channels such as live chat or social media can make the difference between a customer feeling validated or under-valued.

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“In addition to being crucial to driving customer retention, advocacy, preference and the resulting share of spend, emotional attachment can insulate brands from mistakes. Emotionally attached customers are more likely to be forgiving, which can lead to reduced rates of complaining behaviour and a higher operational efficiency.”

Many lawyers will again distinguish the occasional purchase of a legal service from an ongoing relationship with a retailer or utility, say. How many accidents is a person going to have that lead to a claim? But for consumer law firms in particular, there will be other opportunities to provide services, while – as highlighted earlier – word-of-mouth recommendation consistently comes out top as the best way people find a lawyer (albeit that they will often back this up with a web search too).

Working with behavioural scientists, IPSOS created a framework for customer experience. It has six elements:

- **Fair treatment:** Make customers feel that there is a fair exchange in their relationship with you.
- **Status:** Make customers feel valued, respected and worthy of special treatment.
- **Certainty:** Make customers feel that things are clear, transparent and working as expected.
- **Belonging:** Help customers feel a sense of belonging and show you care about the greater good.
- **Control:** Help customers feel in control of the situation and in the driving seat.
- **Enjoyment:** Make customers’ lives easier, so they feel a sense of freedom.

It may look on the face of it that not all of these apply to legal services, but actually they do. How can a PI law firm create a sense of belonging? By supporting a charity for injured people, for example. You can make the process enjoyable by making it easy, with regular updates and clear explanations.

At the same time, some will be more important than others. The company says it is “crucial” for organisations to work out which of the different forces drive their relationship strength most among their own customers, as well as at an overall sector level. They can then prioritise the areas of improvement and design solutions.



80%

Proportion of customers who say their experience is as important as the product



69%

Proportion of consumers who want to talk to a company in real time



84%

Proportion of consumers who say being treated like a human rather than a number is ‘crucial’

THE BENEFITS OF REVIEWS

The other end of the customer journey has been taking up more and more time for many firms – reviews. The SRA research shows that a significant proportion of firms still do not engage with them, despite the business benefits of a strong online profile, but of course that does not stop reviews happening. Better to be on top of what's said about you online.

The regulator identified three main benefits from reviews: attracting clients (“We saw evidence of legal service providers increasingly acknowledging commercial impacts of online reviews”); using them to recognise and celebrate staff achievements; and marketing opportunities for smaller providers. It explained: “We heard evidence from smaller law firms about benefits they experience from proactively managing online reviews. This includes using free plans with review websites and using online reviews as a digital marketing opportunity for reaching new clients.”

Brightlocal, which supports marketing for local businesses, has been tracking online reviews since 2010. “Whilst a simple star rating may have been enough to persuade potential customers back then, our findings over the years show that the most important review factors have evolved,” its 2023 report says. “This, plus an increasing saviness when it comes to detecting fake reviews, and shifting perceptions of different review platforms, makes for an ever-changing landscape.”

It found that 76% of consumers ‘regularly’ read online reviews when browsing for local businesses, with 87% using Google in 2022, up from 81% the year before. At the same time, the percentage of consumers using Facebook to evaluate local businesses has been falling, from 54% in 2020 to 46% in 2022. Google is “the most trusted review platform across all industries”.

Interestingly, Brightlocal noted a significant increase in the proportion of consumers who feel that reviews are ‘important’ or ‘very important’ in the financial and legal sector, from 66% to 81% in just a year.

It said: “This change may have been driven by squeezes in consumer spending power due to rising inflation and increasing reliance on credit services, leading to more seeking financial and legal services. At the very least, these economic factors will have likely influenced the typical consumer’s perspective of the importance of these services – and therefore their business reviews.”

We have written before about the importance of engaging with reviews. The SRA reported: “Pilot law firms described seeing commercial benefits from engagement with online reviews – including some of the smallest firms who see increased contact from consumers as a direct result of online reviews published about them. As more consumers shop around for legal services, online reviews are increasingly influential. Some providers already respond by building them into their marketing approach.

“Challenges remain – for example, where reviews appear to not be written by clients. However, DCTs are evolving their processes in response, including equipping all providers with free-to-use features – such as tools enabling reviews to be replied to, or for fake reviews to be removed.”

76% of consumers ‘regularly’ read online reviews



GETTING DOWN TO BASICS

We believe that there are three key areas that law firms need to focus on in response to the findings of this report and the wider consumer environment.

DCTs

Love them or loathe them, they are here and will continue to evolve and grow. Naysaying and denying they will ever work for legal services only prolongs the inevitable. Regardless of the regulators' desire to push DCTs on law firms, consumers already use them, with nine out of 10 people using price comparison and review websites as part of day-to-day life.

Part of the distrust within the legal profession of these tools is a lack of understanding. We've all seen, and probably used, things like Compare the Market and Go Compare to buy insurance and financial products because they have been sold to us as the best way to get a good deal.

This has led to a misconception that any legal DCT will all be about commoditisation and driving down the cost of legal services.

Not all legal services can be simply commoditised but increasingly consumers are time-poor and technically savvy. They want ease and convenience to be able to find the right lawyer for them. Increasingly we are seeing that the five key driving principles when choosing a law firm are price, experience, speed of service, success rates and customer reviews.

Whilst there are a number of legal DCTs available offering elements of those to consumers, there is not yet one that offers all of that information through a single platform. And whilst regulators may encourage firms to show more of this information on their own websites, consumers will feel more assurance if it can be found in a single trusted comparison website.

This will become a win-win for all involved. A wider data set means you are not just selling on price and consumers do not have to click around for hours to find this information from individual sources.

User experience technology

How do you engage and interact with prospective customers? This has changed massively over the last few years, with Covid seeing an acceleration in online-related communications channels. Phone and walk-in enquiries are still relevant – even as legal services become an increasingly national market – but consumers want to chat on their terms and that often is not through a single channel point of contact. Live chat, Messenger, WhatsApp and individual social media channels are all becoming points of contact for customers. As we show above, law firms are still hit and miss with this.

If you are using different marketing channels to get your message to prospective clients and it is their preferred channel to consume information, then you can bet it is their preferred channel to engage with you on too.

As such, have you mapped out your customer experience journey and ensured it is working as it should be? For example, do the same people who take your frontline phone calls also have access to your social media accounts to manage enquiries in real time?

Soft skills and speed of service

From our research, it is clear that law firms are getting better in this area but there are still some glaring disparities across not only the wider legal sector but within individual firms.

If you have established a framework of what the right level of customer service looks like for one department in your business, then make sure it is shared and implemented across the entire business.



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Jane Penman
Managing Partner, Russell and Russell



Clients at Russell and Russell prefer the personal touch.

Despite the trend for legal services moving online, Managing Partner Jane Penman says most people still request calls to discuss their case.

The challenge is the need for speed, with clients – particularly post-pandemic – expecting an immediate response.

Jane says: “Most new enquiries come via our website, where we also advertise our 24/7 telephone line. Clients expect a quicker response these days and will look elsewhere if they don’t get one, so I definitely think having that round-the-clock availability gives us the edge.

“We have an out-of-hours rota for every department so there is always someone to pick up calls whatever the practice area.

“During working hours, calls are triaged and the process varies depending on department, but our new client team are either paralegals or have equivalent knowledge. We recognise that clients’ needs differ and it’s important that their first point of contact is someone who understands what’s happened and how to help.”

Established in 1888, the firm’s services include personal injury, wills and probate, family, conveyancing, commercial property and criminal defence. New enquiries are typically responded to within the hour by the new client team before being passed through to a fee-earner.

While the firm has embraced technology to streamline systems and processes, new business is most likely to come from word-of-mouth and walk-ins at its nine offices across the North-West. Since Covid, the firm has operated an informal hybrid working policy with colleagues in the office for around three days each week.

Jane says: “Clients are willing to do a lot more online. In conveyancing, for example, we have a portal where they can

upload documents, send messages and see where their case is up to.

“We are looking at rolling that out across other departments, but I don’t think the demand is there yet. We have more ways of communicating than ever before and clients don’t expect to come into the office as much as they used to, but there are points at which they do still want to speak to someone.

“Some of the more serious personal injury cases, for example, may take years and you build a relationship. We also do a lot of home visits for our elderly clients.

“We pride ourselves on providing a professional but personal service and I think the number of recommendations and the repeat business we get is evidence of that.”

Staff retention is high, which is also a plus point for clients, says Jane. She herself has been with the firm for almost 25 years.

“The one thing clients don’t like being told is that their lawyer is changing,” she adds. “Change is sometimes unavoidable, but a lot of our people have been with us long-term. One of the personal injury partners has been here for 33 years.

“We provide the personal touch and we’re proud of that. Some firms operate almost solely online these days and there is a place for that, but it’s not for us.”



AND FINALLY

Whilst it is important to think about the clients you have today, you always need an eye on the future and what your next customer looks like. How do they consume information, engage with businesses and want to interact with you?

This is changing and much of the industry research shows that they are on increasingly disparate marketing channels, are becoming increasingly time-poor – wanting quicker responses – and are more likely to shop around.

But how do you know that they are even considering your business?

Shopping around is not just picking up the phone and speaking to a member of your team and then comparing you to two or three other firms they have approached. Shopping around could be looking at reviews across Google, Trustpilot or another platform. It could be about the type of information you put out across your social media platforms. It could be the information on your own website.

The reality is you need to ensure you are using all your routes to market to show prospective clients an idea of what you charge, your experience, speed of service, success rates and what other people think about you. Then you need to ensure you are ready to respond to their enquiry the way they want to speak to you.

'If you build it, they will come' may work for mystical baseball fields, and once upon a time may even have been enough for law firms, but in 2023 it is not so simple. Nowadays, the power is more in consumers' hands than it has ever been. If you are not backing up your marketing efforts by focusing just as much on what happens next, then you will learn this the hard way.

“

The reality is you need to ensure you are using all your routes to market to show prospective clients an idea of what you charge, your experience, speed of service, success rates and what other people think about you.

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