

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS COMMISSION: 1.00pm on MONDAY 19 January 2026 in the SLCC Boardroom**

**PRESENT:**

**LAY:**

Jane Malcolm, Chair  
Anne Gibson (*online*)  
Jean Grier  
Thane Lawrie  
Niki Maclean, Vice Chair  
John Stevenson

**LAWYER:**

Lynne Collingham  
Dale Hughes (*online*)  
Richard McMeeken

**Apologies:** none

**In attendance:**

Neil Stevenson (CEO)  
Vicky Crichton (DoPP)  
[REDACTED] (PCo)

Louise Burnett (DoBP)  
Caroline Robertson (DoR)  
[REDACTED] (Secretariat - minutes)

**Abbreviations used:**

LSS – Law Society of Scotland	FoA – Faculty of Advocates
SGvt – Scottish Government	SP – Scottish Parliament
RPO – Relevant Professional Organisation	LPO – Lord Presidents Office
CoS – Court of Session	CIM – Case Investigations Manager
IMT – Investigations Management Team	CI – Case Investigator
DoR – Director of Resolution	DoPP – Director of Public Policy
DoBP – Director of Business Performance	ARC – Audit & Risk Committee
PCC – People & Culture Committee ( <i>formerly Remuneration Committee</i> )	

***Private Member only session, after which, the Chair invited SMT, PCo and Secretariat to join the meeting at 1.20pm***

**1. Welcome and Apologies**

1.1 The Chair welcomed everyone to the meeting and thanked everyone for their input into to a productive and informative Development Session. It was also noted that Members, Anne Gibson, and Dale Hughes were joining online.

**2. Declaration of Interests**

2.1 The Chair noted the standard declarations of interest declared by Lynne Collingham, Dale Hughes, and Richard McMeeken in relation to any pecuniary interest with regards to budgetary discussions and the Reform Bill process/responses by the SLCC.

**3. Minutes and Matters Arising from Board Meeting on 27 October 2025 and Conference Call on 15 December 2025**

3.1 The Minute of the Board Meeting was noted and approved as read, along with the Conference call notes.

3.2 The Chair noted the new Sub Committee name changes would now apply from this month onward. The Audit Committee becomes Audit & Risk Committee (ARC) and Remuneration Committee is People & Culture Committee (PCC).

3.3 The Chair thanked members for their prompt responses directly to the DoPP on the Inconvenience and Distress tariffs, as this now meant these were able to be included in the consultation document.

**4. Board Actions Register**

4.1 Members noted all Actions were completed and will be removed from the register.

## 5. Key Issues

- 5.1 The CEO spoke to the paper presented and Members agreed all items would be taken as read, with additional updates provided on specific matters.
- 5.2 **Board Appointments** – the Chair confirmed the advert had now closed, and that there was a good level of interest shown, thanking colleagues for promoting the vacancies through their networks. The shortlisting would be taking place later this week, with interviews on 11-13 February, with a ministerial decision following this process.
- 5.3 **ABS** – Members noted the updated provided by the CEO and DoPP which recorded the LSS's thanks for waiving the ABS Levy in the budget consultation. Members noted there had been some online activity on social media and in the legal press attempting to apply pressure on the LSS to implement ABS, as the LSS have intimated they will not consider implementation again until 2027. The CEO explained the history of ABS and reasons for delay by LSS in opening the scheme as an Approved Regulator. Members had a free and frank discussion on the implications of this issue.
- 5.4 **Communication and Stakeholder engagement** – Members noted the update provided by the DoPP. The DoPP reported the budget consultation was live, and reported in the legal news, comments were being monitored on all press coverage. The Chair noted it was pleasing to see Consumer Scotland citing the SLCC as an example of good practice in their 2024-25 Annual Report.
- 5.5 **Oversight** – Members noted the update provided by the DoPP and enquired if the FoA had developed an action plan following the recommendations made in the 2023 handling investigation, and the 2024 report which followed, and if they didn't, how is this matter escalated. The DoPP reminded Board that our current powers are only in making recommendations, not in enforcement or compliance. The DoPP understands that the Lord President has now asked the Faculty to consult publicly on their draft rules, so whilst we welcome this development, this might delay further any improvements being implemented. Members thanked the CEO and DoPP for their explanation and update.
- 5.6 **Cyber update** – Members noted the update provided by the DoBP, who reported ARC had fully considered the output from the latest pentest exercise, and were pleased with the results. ARC members also noted the company that conducted the pentest exercise was very complimentary of our current cyber security software.
- 5.7 **Digital and AI update** – Members noted the update provided by the DoBP in scoping out a new case management system and their discussions with LeO, which provided a helpful insight into their improved system. Members enquired if consideration was being given to the inclusion of a built in AI tool when scoping for a new system. The DoBP explained there were other tools being used by other organisations, ie Microsoft Dynamics for AI.
- 5.8 **S17 Work Update** – The Chair confirmed they met with the Lord President and officials from the LPO and LSS last week and gave an overview of the meeting, in which the Lord President reflected on the consideration of such cases at the CoS. It was an interesting meeting, where there was discussion on how to streamline the LSS process, with the LP stressing that there was a professional obligation by the profession to provide the information required of them. Another meeting is planned for 6 months in order to update the LP on what progress has been made by all involved. The CEO confirmed they had since met with the LSS to discuss how to progress matters, and echoed that the LP was complementary about the SLCCs handling of the S17 work. The DoR gave an update on the current S17 cases. Members sought clarification on whether there were any trends, in particular in relation to the types of firms that fall into this category, ie small/sole practitioners/large firms. The DoR reported that the cases which end up at the contempt stage at the CoS are the smaller firms, which seem to have real issues. Members also suggested that the larger number of cases that do not go the CoS for consideration are important and also need addressed. Members agreed they should also be monitored for trends. The Chair asked that a copy of the SLCCs correspondence to the LP should be circulated to Board for information. The DoPP agreed this would be sent by email. The DoPP also reiterated that there are differences in the firms that do not engage with the SLCC at all, and those that finally engage at the point where we are moving to court proceedings. The DoR gave some examples of reasons for delays given for non-

compliance. Members noted the wider issue of public protection and the public interest and application of conduct rules being applied for non-compliance under S17, agreeing with the Chair that they looked forward to receiving an update in due course.

Action	Owner	Due Date
DoPP to circulate a copy of the LP correspondence to Board.	DoPP	ASAP

5.9 **Employment Tribunal (and linked Appeal)** – The CEO gave an update on the current situation of the recent sequestration hearing, where it was noted that papers could now be served by post and a new hearing date set. It was agreed the CEO will update as matters progress.

5.10 **McClure – New Complaint** – The CEO gave an update on the [redacted] cases [redacted]  
[redacted]  
[redacted] The DoR confirmed that in order to ensure consistency, all cases are considered by the same CIM lead and CI.

5.11 **Changes at Eligibility** – the DoR gave an update on the current process, advising they have 2 CIs on the agile sprint who will be going on maternity leave in May/June, so we are starting to plan ahead and move CIs to train in both stages of the agile sprints.

5.12 **Citation** – Members noted the update provided by the DoBP, who advised the date has now been set for the substantive/formal hearing on 17 February.

5.13 The Chair thanked SMT for their updates to the paper presented.

## 6. Management Information for Q2

6.1 The DoR spoke to the paper presented, advising incoming for Q2 was 383, compared to 296 for same period last year. YTD we have received 778 compared to 600. The increase in case numbers has seen the Eligibility allocation time continuing to 12 weeks. The DoR noted that whilst the recently appointed 3 new CIs are progressing well in their training, 2 CIs have intimated they will be going off on maternity leave May/June. The DoR reiterated both SMT and IMT are closely monitoring these figures, along with considering staff morale etc. Members sought clarification on how wait times are communicated with service users. The DoR explained the process, adding that CIs consistently manage expectations. The CEO reiterated that once a complaint form is received, it is acknowledged, triaged and a timeline of when a response will be received by etc. The Chair stressed the Board maintained a clear interest in this topic. Members agreed, acknowledging the increase of incoming cases and production up, they too can play their part in assisting with Eligibility KPIs by making sure they meet the Board KPI target.

6.2 Members sought clarification on how long it would be before the 3 new CIs would have an impact on the KPIs. The DoR explained that 2 were working on Eligibility cases and the other was on Investigation cases, and they will be considering moving staff around in February to ensure the agile sprint process continues to work efficiently.

6.3 The ARC Chair suggested it might be helpful to show the production table when presenting the quarterly stats. The CEO explained to Board that the ARC Chair currently sees this data in a monthly statistics which are sent only to the Chair and ARC Chair. Following discussion, it was agreed they would include the production table that is shared with the Chairs, and include the projected productivity against actual productivity. It was agreed this would be shown for future quarterly reporting also.

Action	Owner	Due Date
CEO to include the production table currently in the monthly stats in the quarterly stats, showing the projected productivity against actual productivity for future reporting to Board.	CEO	Q3

6.4 The Chair sought clarification on how CIs selected their caseloads as they noted some seem higher than others. The CEO explained it was for the CIs and CIMs to discuss caseloads, but CIs are not selective about the cases they choose, they are allocated on a

rotational basis due to capacity. Members considered whether cases were weighted due to complexity/number of issues etc. The DoR explained that all cases were triaged and the system for a CI applying for recognition of a complex case. The CEO gave a brief overview of the historical analysis work, which was conducted by Azets, our internal auditors, which showed it was difficult to predict the complexity of cases until a CI starts their investigation, but this is constantly kept under review by IMT.

## **7. Op Plan Update for Q2**

7.1 Members noted the paper presented. The DoPP confirmed all projects have been reviewed, and confirmed the two decommissioned projects had been removed as the LSS have confirmed they will not implement until 2027. These were A5 (ABS) and B5 (Approved Regulator Complaints). The DoPP advised there was one project purposely delayed D9 (our statutory Biodiversity Report), as this is not due to be published till January 2027, and is now included in the 2026-27 Op Plan. Members agreed with this proposal.

## **8. Appeals Update for Q2**

8.1 Members noted the paper presented. The DoR explained there were no specific trends identified by the CIM lead on Appeals, but the rate of cases passing from investigation to DC (due to one or both parties not accepting the recommendation) is higher than it has been previously (with no clear reason). If this continues, appeals may go up even if the percentage of appeals remains static. The DoR advised we have had one recent appeal which is linked to one of the agile sprints.

8.2 The Chair noted there were multiple appeals by the same complainants at appeal stage. The DoR confirmed there were.

8.3 Members noted that there can be varying timescales between cases being conceded and sought clarification on why this was the case, as in some cases it was 7-9 months with excessive costs associated with this stage of the process. The CEO gave an explanation of reasons why these timescales can occur, for example negotiating a joint minute, along with other reasons for delay. The CEO reiterated that in order for cases to be conceded, they need to be considered under the McAllister Appeal Decision, going forward the new legislation will resolve this type of case. This will also allow us to review the budget for appeals going forward, as the Chair reiterated once the commencement orders move forward, this stage of the process will change.

8.4 Members enquired if the COPFS have now accepted our jurisdiction. The DoR confirmed we have jurisdiction to consider these cases.

## **9. Strategic Risk Register**

9.1 The DoBP spoke to the paper presented, advising Members that due to the short timeframe between the ARC and Board meeting dates, the Risk Register was as presented to ARC.

9.2 The DoBP reported that Risk 8 had increased: whilst it was acknowledged we were awaiting SGvt transition funding, this risk had increased until the money had actually been received and the risk will reduce once the money was in the bank.

9.3 The ARC Chair confirmed the Risk Register will be updated to include our statutory duty and the ongoing work to embed this.

9.4 The CEO reminded Board that both the Framework Agreement and the Scheme of Delegation will be updated and brought back to Board for approval at the appropriate time.

9.5 The DoBP also advised that cyber security would be added to Risk 1.

## **10. Finance Management Report for Q2**

10.1 The DoBP spoke to the paper presented reporting on the FMR spend to end December 2025.

10.2 The DoBP reported, based on actual income against budget, income was up by £238,015, with expenditure showing an overspend of £47,309.

- 10.3 Complaint levy income was currently £119k ahead of budget for this financial year. This was due to the increase in the number of cases being considered at Determination stage, and is being monitored by SMT/IMT.
- 10.4 The DoBP explained the new time to pay for goods and services table was included in the FMR. The SLCC always aim to make payments in less than 30 days, and following the recent external audit (EA) it has been suggested these timescales should be shortened. The DoBP and FinO were trialling making these payments within 20 working days.
- 10.5 The ARC Chair also advised there would be clear budgeting lines to show the income and expenditure costs relating to the SGvt reform transition funding when received from SGvt.
- 10.6 Members sought clarification on at what point do those on the bad debt provision table get written off. The DoBP clarified this was reviewed as part of the year end process, there is a process in place for reviewing this table, as there are also some inhibitions in place against certain individuals.
- 10.7 Members sought an update on H&S, in particular the appointment of a consultant. The DoBP explained that since the staff responsible for this area departed last May, it was considered prudent to utilise the services of a consultant to review our H&S policies etc. as a fresh pair of eyes, to ensure compliance.
- 10.8 The Chair thanked the DoBP for their explanation to the paper presented.

## **11. Customer Service Feedback Q1**

- 11.1 The DoR spoke to the paper presented, reminding Members this was drafted by SET.
- 11.2 Members noted the top themes still included bias and trends showing confidence in fairness. The DoR gave an overview of the QA process and how it is reviewed internally, at area meetings etc. Members considered how they could improve/build on confidence. The DoR reiterated they work with the Oversight Team, who explained our process during their outreach work. The DoPP also explained that they were reviewing useful phrases, the language used, reviewing the website wording also, as the perception is we are biased by how we are funded, so therefore not independent, which as we know is not the case.
- 11.3 Members agreed there was good/positive feedback in the paper and thanked the team for this information.

## **12. Reform Update**

- 12.1 Transformational Programme Update - The PCo and CEO spoke to the paper presented, reiterating the recent meeting with the LPO and LSS was very interesting, with another meeting scheduled to take place in September, and it is hoped this could be brought forward. Members sought clarification on why the meeting wouldn't be till September. The CEO explained that the LPO had stated this was because of the forthcoming election period, however it was anticipated both the SLCC and LSS will keep discussing in the meantime.
- 12.2 Members considered the joint collaboration and enquired if there would be any joint communications to the profession. The DoPP and CEO thought not at this point
- 12.3 Members noted the update presented on the Transformational Programme.
- 12.4 SGvt Funding for Reform – Members noted this paper included a copy of the draft SGvt funding letter, which included the timescales, constraints on what the money can and cannot be used for etc. The Chair acknowledged the work involved by the SMT working with SGvt on this matter, Board note the figures presented. The CEO confirmed that the executive was reflecting on the overall presentation of figures for accounting purposes.
- 12.5 The Chair enquired if this paper was fully considered at the ARC meeting last week. The DoBP advised it did not go to the full ARC as it had not been received by then; it was sent to both the Board Chair and ARC Chair as soon as received. Members considered how this would be presented in the annual accounts. The CEO explained that LB would be liaising with the EA after the Board meeting on how to present this in the annual accounts. The ARC Chair acknowledged that whilst Audit Scotland cannot give audit advice, views should be sought from another auditor. The DoBP agreed and will contact our IA, Azets. The Chair suggests our legal team also consider the wording under governance and

reporting in the annual accounts. The DoPP also noted that Audit Scotland will also be familiar with these processes.

- 12.6 The Chair confirmed Board were all in agreement to accepting the SGvt funding, with delegated final sign off to the CEO as Accountable Officer. Board all agreed.

### **13. Chair's Report**

- 13.1 The Chair confirmed that as Niki McLean reaches the end of her term at the Commission, Thane Lawrie will be taking over from her as ARC Chair, from 1 April. Member Lynne Collingham will be moving from the PCC to also join the committee. After the Board Member recruitment concludes, it is anticipated that the member joining the Board in 2026 will join the PCC.

### **14. AOB**

- 14.1 None noted for discussion.

### **15. Minute from Consumer Panel of 2 September 2025**

- 15.1 Members noted the paper presented. Discussion took place on the conflict of interest and bias towards solicitors being complained about. The DoPP noted this related to our legal panel members and if there was a complaint made about one of these firms, was there a perceived conflict and how was this dealt with. The DoPP to clarify this was the point being made.

### **16. Chief Executive's Report**

- 16.1 Members noted the meetings attended by the CEO.

### **17. Date of Next Meetings**

- 17.1 Members noted the date of the next meeting would be a Board Conference Call on **Monday 23 March 2026 at 10am** to discuss the response to our Budget and Business Plan consultation.

### **18. Review of the Meeting**

- 18.1 With no other business the meeting concluded.

*3.15pm the SMT, PCo and Secretariat left the meeting*

**Further Private Member only session, after which the Chair confirmed with the Secretariat the Board Discussion on item 19.**

### **19. Chief Executive's Six-Month Performance Review**

- 19.1 The Chair confirmed that Members noted and agreed with the Chair's presented paper in relation to the mid-year 6-monthly appraisal for the CEO. Board formally agreed.

*3.30pm Board Meeting ends*