

MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS COMMISSION: 11.00AM ON MONDAY 15TH MARCH 2010, 10.00 AM
Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

PRESENT:

LAY:

Jane Irvine (Chairing Member)
 Ian Gordon (conference call, part of mtg)
 Linda Pollock
 Douglas Watson

LAWYER:

Margaret Scanlan
 David Smith
 Alan Paterson
 David Chaplin

APOLOGIES:

George Irving

In attendance:

Rosemary Agnew (ACEO)
 Doreen Graham (HOC) (part of the meeting)
 Sam Hudson (Minutes)

Abbreviations used:

LSS Law Society of Scotland
 FoA Faculty of Advocates
 SGvt Scottish Government
 SRA Solicitors Regulatory Authority

Member only discussion until 11.25 am

1. APOLOGIES

As noted above.

2. DECLARATION OF CONFLICT OF INTERESTS

None.

3. MINUTES & MATTERS ARISING OF 15.02.10

3.1 The minutes of the 15th February were agreed subject to minor typographical changes and amendments/additions to sections 3.1.4 and 12.2

3.2 **Matters Arising – The FVTWM Statistics:** Members asked that the format of the report provided to them be amended slightly to have the following additional information incorporated to show the information on one sheet:

- Additional column detailing when case was sent to Members;
- Additional column detailing how long it took the Member to make a decision;
- Remove the names of the complainer and the firm/practitioner being complained about;
- Additional column detailing the business area of the complaint.

22	ACTION: ACEO to ask Clerk and Secretariat PA to reformat FVTWM stats for Members as requested.	DUE: Next Board Meeting
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4. CHAIR REPORT

- 4.1 The Chair gave an overview of activities since the last Meeting.
- 4.2 The Chair referred to a meeting with an historic complainer and his Constituency MSP, John Swinney, where the complainer stated to the Chair and MSP that he was in possession of evidence of corruption within the dealings of the Master Policy. The Chair and MSP advised the complainer that this evidence should be brought to the attention of the Police.
- 4.2.1 This meeting had focused on the Master Policy and its oversight by the SLCC. In order to work effectively it was agreed to hold a further meeting between the parties in September 2010.

5. ACEO UPDATE

The ACEO ran over the points in her paper, with reference to the following points in particular:

- 5.1 **Legal Tender:** The ACEO updated Members on progress and the need to move quickly prior to the next Board Meeting. The Members were content with the approach being taken and it was agreed that once the ACEO is in receipt of all tenders, a decision on legal provision would be reached and agreed by the Board via email.
- 5.1 **Office Move:** The ACEO updated Members on the movement of teams in the office and informed Members that she was still in the process of assessing the viability of the creation of a Members' Room.
- 5.2 **LSS Appeals:** A lengthy discussion took place regarding the current appeals against SLCC decisions. The following action points were agreed:

23	ACTION: Chair and DC to draft a letter to the Sponsor Department setting out issues in relation to the issues.	DUE: ASAP
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24	ACTION: Chair and DC to draft a letter to the Lord President about timing of appeals.	DUE: ASAP
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25	ACTION: Chair and AP to lodge request for a change to the Act.	DUE: ASAP
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- 5.3 **Policies Programme:** The ACEO updated Members on the progress of the policy programme and a discussion ensued. It was agreed that the ACEO would arrange to progress policy work, and further that an audit be undertaken on work carried out so far.

26	ACTION: ACEO to arrange for policy outsourcing work to be undertaken.	DUE: ASAP
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*Lunch 1.00pm – 1.30pm
HOC joined meeting*

6. STRATEGY

The ACEO presented on the draft SLCC strategy in support of her papers already provided to Members. Members expressed their approval of the work being undertaken by the ACEO so far on the strategy and asked that the following be taken into consideration when finalising the documents:

- 6.1 Reflection of the SLCC being resolution focussed;
- 6.2 The SLCC strategy to reflect measurement of quality in addition to KPIs on time taken;

27	ACTION: ACEO to revise Strategy documents for next Board meeting.	DUE: Next Board Meeting
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DW left the meeting 2.55pm

7. BUDGET

MS and DC stepped out to allow meeting to be quorate.

The ACEO presented on the budget, in particular the workings undertaken to investigate a possible reduction in the general levy. After a lengthy discussion the following was agreed:

- 7.1 The Complaint Levy would remain as in the consultation budget.
- 7.2 The General Levy would remain as in the consultation budget.
- 7.3 The FoA's levy would be reduced by 50%.

28	ACTION: Chair, ACEO and HOC to draft responses to professional bodies, a response for the website and a press release, including the finalisation of the revised budget.	DUE: by 30 th April
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8. RESERVES POLICY

The Members agreed the policy which is now version 1.00.

9. MASTER POLICY AND GUARANTEE FUND UPDATE

AP updated the Board on the progress of the research currently being undertaken. The Board expressed increasing frustration at the lack of information being provided by the LSS on the Master Policy. The Board wish to be in a position to complete the research by the end of the financial year.

10. ANY OTHER BUSINESS

- 10.1 Website: Members requested that comparative information is provided alongside information on the SLCC website, so that Members have a benchmark to measure the effectiveness of the SLCC website against others/shifts over time.

29	ACTION: HOC to provide comparative information/benchmarks alongside website stats to allow Members	DUE: Next Board Meeting
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	to attain a view on the effectiveness of the website.	
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10.2 VAT: Members asked that the ACEO investigate with the SG whether an order could be made for the SLCC to have special status in line with other public bodies.

30	ACTION: ACEO to speak with the SG regarding the SLCC VAT status and report to Board.	DUE:
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5. DATE OF NEXT MEETING

The next Board Meeting will be held on Monday 17th May 2010, 10 am at the Stamp Office
10 – 14 Waterloo Place, Edinburgh, EH1 3EG.