

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS  
COMMISSION: 10.10 AM TUESDAY 27<sup>th</sup> JANUARY 2015  
Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG**

**PRESENT:**

**LAY:**

Bill Brackenridge (Chair)  
Iain McGrory (Vice Chair)  
Kevin Dunion  
Ian Gibson  
Sam Jones  
Fiona Smith

**LAWYER:**

George Clark  
Ian Leitch  
Maurice O'Carroll

**In attendance:**

Matthew Vickers (CEO)  
[REDACTED] (CM) – items 6-9  
[REDACTED] (Secretariat, minutes)

[REDACTED] (F&CSM) – items 4 & 5  
[REDACTED] (HI) – items 6 & 12

**Abbreviations used:**

LSS – Law Society of Scotland	RPOs – Relevant Professional Organisations
SGvt – Scottish Government	AC – Audit Committee
HO – Head of Oversight	F&CSM – Finance and Corporate Services Manager
HI – Head of Investigations	CM – Clerking Manager
WIP – Work in Progress	DC – Determination Committee
SMT – Senior Management Team	FMR – Financial Management Report
FoA – Faculty of Advocates	

**1. Welcome**

- 1.1 The Chair opened and welcomed everyone to the meeting. The Chair revised the order of Agenda to ensure the appropriate members of staff were present at the relevant time.

**2. Apologies**

- 2.1 Apologies were received from [REDACTED] (HO).

**3. Declaration of Interests**

- 3.1 It was noted the standard Declarations of interest were declared by George Clark, Ian Leitch and Maurice O'Carroll in relation to any pecuniary interest with regards to budget discussions.

**4. Finance Report**

**4.1 FMR – 6months to 31<sup>st</sup> December 2014**

- 4.1.1 The F&CSM spoke to the FMR papers presented and advised that they were for the first six months of this financial year, up to the 31<sup>st</sup> December 2014. The F&CSM also advised that the figures presented today had been reported to the AC last week. Members noted that whilst the projected revised figures would now give a revised deficit of £10k; this would mean that there would in fact be an increase in our reserves which would put the amount held at the upper level of the reserves policy.
- 4.1.2 The F&CSM also gave an overview of the Balance Sheet figures which were presented along with the FMR. The F&CSM confirmed that the bad debt provision is being pursued and will continue to be monitored.

**7. Consistent Decision Making**

7.1 The CM gave an overview of the paper presented and sought clarification from Members as to when they would like to reschedule the cancelled decision making development session. Members confirmed that this would now take place after the March Board Meeting and the planned Conveyancing development session would now take place after the May Board meeting.

Action	Owner	Due Date
CM to reschedule planned development sessions.	CM	24 March 2015 & 26 May 2015

7.2 Discussion took place regarding the frequency of formal DC Chairs meetings and it was agreed that the DC Chairs, CM and Clerks would meet as a minimum once of a year, with the proviso that they would meet more often if required. Members agreed as this would also link into consistent decision making of DC Chairs and clerking consistency.

7.3 Members discussed the option of the SLCC now providing Guidance to RPOs and the CEO reiterated that this topic had been included in the proposed Operating Plan 2015/16 by Oversight. Members suggested reviewing other similar organisations to ascertain the type of documents they produce to inform the public and RPOs.

*11.15am – 11.25am comfort break*

7.4 Members also advised they would like to develop a guidance document for good complaint handling by the profession, so that the profession and the public were aware of the standard of service they should receive in relation to complaints, ie a set of 'house rules'/standards which should apply in these instances. It was agreed that this would be drafted after final draft of the Rules were implemented. The Chair asked that the Consistent Decision Making Working Group draft this information as soon as possible.

Action	Owner	Due Date
Consistent Decision Making Working Group tasked with drafting additional complaint handling guidance document on a set of 'house rules'/ standards once the Rules are finalised.	CM	ASAP

**8. Complaint Levy Policy Guidance**

8.1 The CM spoke to the paper presented and advised Members that this was the current Complaint Levy Policy with the additional reference to guidance to be taken into account regarding post 1 July 2012 complaints.

8.2 Members thanked the CM for the update and approved the updated Complaint Levy Policy with the proviso that it was considered again for the implementation of the new Rules which come into force on 1 July 2015, so it was agreed that this paper would be reviewed at the May Board Meeting.

Action	Owner	Due Date
Review of the Complaint Levy Policy.	CM	26 May 2015

8.3 Discussion took place as to whether or not legal providers were proactive in resolving complaints within their firms and was there any way in identifying how many complaints are handled by firms in-house. The CEO advised that, whilst it was noted within the LSS Rules, that all firms should have a complaint log, however at present there is no power for anyone to carry-out an Audit on this information and as such to gather this information would require a subsequent change in the Act.

12.40pm HI left the meeting

**13. Revised Risk Register**

- 13.1 The CEO gave an overview of the paper presented and advised that this was compiled following the Member and SMT Development Session and the direction given at the last Board meeting. Members discussed the option of bringing forward some of the target completion dates and it was agreed that the Risk Register would continue to be a focussed item on the Agenda for both the AC and the Board.
- 13.2 Members thanked the CEO for his update on the paper as presented.

Action	Owner	Due Date
It was agreed that any 'red' risks would continue to be raised with the Board	CEO	ongoing

**14. Audit Committee Annual Report to the Board**

- 14.1 The AC Chair gave an overview of the AC work for the previous year and reiterated that the Risk Register was one of the areas that the AC was continuing to focus on for 2014/15.
- 14.2 The Chair thanked the AC Chair for his update on the AC.

**15. Minutes of Meetings from 25 November 2014 and 16 December 2014**

- 15.1 25 November 2014  
15.1.1 The Minute of the Board Meeting was approved as read.
- 15.2 16 December 2014  
15.2.1 The Minute of the Performance Management meeting was also approved as read.

**16. Board Actions Registers**

- 16.1 The CEO provided Members with an update on the actions register. Members noted the updates and all cleared items had been removed from the Actions Register.

**17. Matters Arising from 25 November 2014 and 16 December 2014**

- 17.1 There were no matters arising to be discussed.

**18. Chairman's Report**

- 18.1 Members noted the meetings undertaken by the Chair and the Chair advised that the new Minister, Paul Wheelhouse would also be attending the launch of the new Consumer Panel.

**19. Chief Executive's Report**

- 19.1 Members noted the meetings undertaken by the CEO.

**20. Date of Next Meeting**

- 19.1 Members noted the next Performance Management meeting will take place at **10.15am** on Tuesday 24<sup>th</sup> February 2015, with the next full Board meeting taking place on Tuesday 24<sup>th</sup> March 2015, commencing at **10.15am** followed by a Board Development Session commencing at **1.30pm** at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.

*Board Meeting ends at 1.00pm*