

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 10.25 AM TUESDAY 19th FEBRUARY 2013**

Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

PRESENT:

LAY:

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

LAWYER:

George Clark
Ian Leitch
Maurice O'Carroll

In attendance:

Matthew Vickers (CEO)
[REDACTED] (OD)
[REDACTED] (F&CSM) (for part of meeting)
[REDACTED] (HRM) (for part of meeting)
[REDACTED] (HI) (for part of meeting)
[REDACTED] (SC) (for part of meeting)
[REDACTED] (Clerk) (for part of meeting)
[REDACTED] (Secretariat, minutes)

Abbreviations used:

LSS – Law Society of Scotland
SGvnt – Scottish Government
RPOs – Relevant Professional Organisations
OD – Operations Director
F&CSM – Finance and Corporate Services Manager
HRM – Human Resource Manager
HI – Head of Investigations
CIM – Communication & Information Manager
AC – Audit Committee

1. WELCOME, APOLOGIES AND DECLARATION OF INTERESTS

- 1.1 The new Chair opened the meeting and welcomed everyone to his first meeting at the SLCC and gave a brief synopsis of his previous working background and stated he was looking forward to working with everyone in the SLCC.
- 1.2 It was noted that there would be a standard Declarations of interest declared by George Clark, Ian Leitch and Maurice O'Carroll in relation to any pecuniary interest in relation to budget discussions.

2. CEO UPDATE

- 2.1 The CEO's paper was tabled. In discussion Members noted that the job evaluation and appeal process was now complete. Members also noted the appointment of the new HR Manager, and the CEO advised that a full review of current issues would be discussed at the forthcoming Management Meeting later this week.
- 2.2 Members noted the update from the CEO regarding the 2007 Act improvements and it was agreed that a full report would be tabled at the April Board meeting, along with an update on the TNS research into complaint handling.

Action	Owner	Due Date
CEO to provide full reports on the 2007 Act and TNS research by Oversight.	CEO	11 April 2013

2.3 It was also agreed that Members would be invited to any forthcoming media training that were organised for the SLCC.

2.4 Operations Update - The OD's paper was tabled. Members sought further clarification surrounding the process and implications on the short-term recruitment of contract-based Reporters, and it was agreed that the OD would provide a detailed report at the next Board meeting. It was also acknowledged during discussions that the SLCC currently out-source Mediation via using external Mediators and it was agreed that these contracts should be reviewed to ensure the SLCC currently comply with current legislation.

Action	Owner	Due Date
OD to provide a full report on the recruitment of short-term contract based Reporters, and to ensure a review is carried out on current Mediator contracts.	OD	11 April 2013

2.5 Members noted the update on training by staff and advised the OD that they would be interested in attending procedural training if any were organised.

2.6 The Chair thanked the CEO and the OD for their updates.

3. LEGAL SERVICES ACT 2010

3.1 The CEO update paper was tabled. In discussion Members suggested that it might assist the CEO in moving this forward with the sponsor department, that he reviews the SGvnts Financial Memorandum regarding the operating model of this Act as this will have cost impact on the SLCC. Members recognised that there was a need for the CEO to continue to liaise with the SGvnt sponsor department on this issue.

Action	Owner	Due Date
CEO to obtain a copy of the SGvnts Financial Memorandum in relation to the Legal Services Act 2010.	CEO	ASAP

3.2 The Chair advised Members that as part of his role as Chair, it has been agreed that he would meet 3 times a year with the sponsor department and once a year with the Justice Minister.

11.50am F&CSM joined the meeting

4. BUDGET

- 4.1 **Financial Management Report (FMR) to January 2013:** The FMR paper was tabled. Members noted the position for the year to date and the projected out-turn for the full year.

11.55am F&CSM left the meeting

5. AUDIT COMMITTEE UPDATE

- 5.1 Members noted the draft Audit Committee Minutes tabled by the AC Chair and that there would be a review of the Strategic Risks Register in-line with the Operational Plan, which would be discussed at the next AC meeting in April.
- 5.2 The Chair sought clarification to the reasoning behind the revision of the draft 3-year Internal Audit Plan and thanked the AC Chair for his explanation of this for his benefit.

6. PREVIOUS MINUTES, MATTERS ARISING AND BOARD ACTIONS REGISTER

- 6.1 **Minutes from 22.01.13 Meeting:** Minutes approved subject to a typographical change on page 2 at point 4.6.
- 6.2 **Board Strategic Actions Register:** The CEO provided Members on an update on the actions register and advised that the KPI breakdown and timescales would be provided at the next Board meeting in April.

Strategic Board Meeting ends 12.20pm with a break for lunch

Operational Meeting resumed after lunch at 12.50pm where HRM, HI, SCI and Clerk joined the meeting

7. OPERATIONAL/TACTICAL PRIORITIES

- 7.1 **Eligibility:** Members noted the paper tabled by the OD. A discussion ensued on the proposed suggested outline changes to the Eligibility process, during which the OD expanded as to the reasons for the change to which Members would assess cases by exception and delegate powers to the HI. The HI stated that the Eligibility Team were already providing a more detailed explanation at the outset which was helping at the enquiry stage. Members noted there was a need to have a more robust procedure at the Eligibility stage and agreed to consider more detailed proposals in due course. It was therefore, agreed that the OD would draft a Report to Members detailing the proposed changes, as well as indicating the number of cases dealt with by Members for the next meeting in April.

Action	Owner	Due Date
OD to provide a proposed process and full report on the suggested change to the Eligibility process.	OD	11 April 2013

- 7.2 **Rules – Time Limits:** Members noted the paper tabled by the HI and thanked the HI for producing such good, clear wording in her paper. Members agreed that subject to a minor typographical change, the revised wording would be accepted and the drafting of the Rules would be carried out externally by our service Lawyers. It was also noted that this 'Rule' would now be ready to go out with the next Rules external consultation in due course.

Action	Owner	Due Date
Subject to typographical revision this 'Rule' would be drafted externally by the service Lawyers.	HI	ASAP

- 7.3 **Appeals Update:** The HI gave Members an update of the current appeals. Following discussion, the Chair asked the HI to present the information in a different format, and it was agreed that this could be provided for the next Board meeting.

Action	Owner	Due Date
HI to provide a revised format on the Appeals Update and include key learnings.	HI	11 April 2013

- 7.4 **Set-Off:** Members noted the paper tabled by the Clerk, and following discussion it was agreed that the matter of outstanding fees between a solicitor and their client is a matter of civil debt and up to the solicitor and client to deal with appropriately between them. Members agreed that Clerks would continue to apply the SLCC policy in relation to set-off.

- 7.5 **Board Operations Actions Register:** The OD provided Members on an update on the actions register and Members noted there were a number of outstanding actions since last year that addressing and the OD took on-board this feedback.

8. ANY OTHER BUSINESS

- 8.1 Members thanked the Vice Chair for 'taking the reigns' in the absence of the formal appointment of the new Chair.

9. DATE OF NEXT BOARD MEETING

- 9.1 The next Board Meeting due to be held on Thursday 11th April 2013 at 10.10 am at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.

Operational Board Meeting ends 2.30pm