

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 11.35 AM TUESDAY 28TH MAY 2013**

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

PRESENT:

LAY:

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

LAWYER:

George Clark
Ian Leitch
Maurice O'Carroll

In attendance:

Matthew Vickers (CEO)

[REDACTED] (OD)

[REDACTED] (HRM) (item 26 onward and then to the end of the meeting)

[REDACTED] (F&CSM) (items 10, 22, 23 & 24)

[REDACTED] (HI) (item 27)

[REDACTED] (FO) (item 10)

[REDACTED] (Secretariat, minutes)

Margaret Williamson (observing)

Abbreviations used:

LSS – Law Society of Scotland

SGvt – Scottish Government

OD – Operations Director

HO – Head of Oversight

HI – Head of Investigations

RPOs – Relevant Professional Organisations

RC – Remuneration Committee

F&CSM – Finance and Corporate Services Manager

OM – Oversight Manager

CIM – Communication & Information Manager

1. Welcome

1.1 The Chair opened the meeting and welcomed everyone, in particular, welcomed our new Board Member, Kevin Dunion to his first Board Meeting.

2. Apologies

2.1 Apologies were received from Ian Gibson.

3. Declaration of Interests

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

4. Minutes of Meeting of 11 April 2013

4.1 The Minutes of the Meeting approved subject to a typographical change on page 4 at point 3.1.

5. Board Actions Registers

5.1 The CEO provided Members on an update on the actions register and advised that the actions on: KPI/Management Information, TNS Research and Pay Remit were Agenda items for discussion later in the meeting, all other actions were noted as cleared and removed from the Actions Registers.

6. Matters Arising from 11 April 2013

6.1 It was agreed and confirmed that the action in relation to 2.1 had been superseded by the Agenda item for discussion later today, and was therefore removed from the Actions Register.

7. Chairman’s Report

7.1 The Chair expanded on his meeting with the Minister and advised they would be meeting again later in the year and it was anticipated that the Minister would also attend a future Board Meeting in October.

8. Chief Executive’s Report

8.1 Members noted the CEO’s report.

9. Proposals on Management Information for the Board

9.1 Member sought clarification on the acronyms used in the paper. The CEO expanded on these for the Members benefit: LY – Last Year, LFL – Like for Like and YTD – Year to Date. Members thanked the CEO for this paper but advised that they would also like to see the average age of a case in the system with these figures. The CEO agreed to take on board the comments and will ensure that the report reflects this going forward. The Chair and Members acknowledged that the process of gathering Management Information was moving in the right direction but there was still work to be done on the figures.

10. Finance Reports

10.1 The Chair congratulated the F&CSM on his permanent appointment to the role.

10.2 The F&CSM explained that the reports presented were in a slightly different format to those previously presented to the Board for approval, and the reason for this was in preparation for the yearend figures. Members sought clarification on the depreciation costs and the F&CSM explained that this figure now took into account the IT and equipment recently purchased by the SLCC.

10.3 The F&CSM also advised that going forward he would be carrying out more trend analysis information for the Board.

10.4 The Chair and Members thanked the F&CSM for this information.

11. Proposals on KPIs for Board

11.1 Members discussed the paper presented by the CEO and the consensus was noted that the Members were not in a position to agree the proposed KPIs and once the information was populated into the report as far as possible it would be discussed again at the next Board meeting.

12. Selection of KPIs and Targets

12.1 It was agreed following the discussions on the previous Agenda item, that this item would be carried over to the next Board meeting.

Action	Owner	Due Date
Items 11 and 12 to be added to the Agenda for the June Board Meeting.	CEO/Chair	20 June 2013

13. Annual Report Timetable

13.1 Members noted the timelines within the report prepared by the CIM and noted that the costs had reduced on the previous years. Members also suggested that the Annual Report should only be available online, with printed copies being produced for the laying before Parliament, thus cutting down further on future costs.

14. Pay Remit

14.1 Members noted the contents on the paper and wished it recorded that this provided helpful information to Members.

15. Rules Review Update

15.1 The OD advised that he had circulated a copy of the draft version of the Rules to Members to consider and sought clarification as to whether Members wished to meet to discuss these separately before meeting with staff and our legal advisors or whether they would like to meet all as one group. Members agreed that the copies of the draft version of the Rules should be circulated to all Members with a timescale for Members to respond to the proposed changes.

Action	Owner	Due Date
OD to circulate the draft version of the Rules to Members.	OD	ASAP

15.2 The Chair noted during the discussion that there appeared to be 4 issues to be discussed within the Rules Review: 1) Oral Hearings, 2) Rules Review, 3) 2007 Act Improvements and 4) 2010 Act Implementation, and the Chair advised that he would like a Member to take the lead on driving these issues forward on behalf of the Board. It was agreed that Ian Leitch would take the lead. Members also agreed that a small working group of Ian Leitch, Maurice O’Carroll and Sam Jones would meet and move the Rules revisal forward on behalf of the Board.

15.3 It was noted that the 1st consultation process on Rule 4(6) had now been finalised and the changes would be published and put into force in June.

15.4 The CEO advised that the HO was working with stakeholder groups to incorporate the additional Rule changes that will be required following the changes to the 2007 Act and these will work in parallel with the 2nd consultation process. Each change to the Rules will have different version numbers recorded on the documents for ease of reference.

15.5 A Member noted his dissent again at not being consulted on the Oral Hearing issue of his particular case.

16. 2007 Act Improvements

16.1 Members noted the timelines within the paper and the urgency of these changes being made within the timescales proposed. The Chair advised that these changes would need to be made in time for the meeting with the Minister in October. Members also recorded their concern about making these changes within these timescales and under regulation with SGvt, as they felt these might not be met, as it was only Ministers who had the powers to change the Act. However, the CEO advised that SGvt have confirmed that the changes will be possible within these timescales.

1.15pm – 1.45pm Lunch

17. 2010 Act Implementation

17.1 Members noted the contents of this paper and agreed that the CEO would feedback to the Board after his next meeting with SGvt.

18. Disbanding of Remuneration Committee

18.1 The Chair explained that he would like 2 Members to work with him on moving this forward, and this work would also involve the review of the current Members Expenses form.

- 18.2 Members noted that they were conscious that there was a need for clarity in the way Members' time was recorded and it was suggested that Members had specific headings for tasks which might aid this. The Chair reiterated that there was certainly no inference that there were any inappropriate claims made by Members in their expenses.
- 18.3 Members agreed with the Chair that there was no longer a need for the SLCC to have a Remuneration Committee for the size of our organisation but still recognised that there was a need for certain "Remuneration" issues to be brought to the Board for ratification.
- 18.4 Following discussion it was agreed that Fiona Smith and Kevin Dunion would work with the Chair to move all these issues forward, and feedback, if possible, to the next Board meeting.
- 19. Chief Executive's Contract**
- 19.1 Members discussed the CEO's contract and confirmed the offer of permanency to the CEO.
- 20. Chief Executive's Remuneration**
- 20.1 The Chair withdrew this item from the Agenda and explained why he had done so to Members.
- 21. Board Actions to address organisation climate**
- 21.1 Members discussed the paper and attachments submitted in relation to this item. The Chair confirmed that Margaret Williamson of Board Room Development Limited would be retained to deliver on option one of the proposal. A Member asked that it be recorded that the situation contained in the proposal paper, did in his view colour the proposal and in his mind show a degree of bias, and he felt that this was wrong and that this as a Board paper is critical of the Board.
- 22. Legal Services Tender**
- 22.1 Members noted the paper submitted and agreed that 3 Members would be involved in the process. Following discussion it was agreed that Maurice O'Carroll and George Clark would be involved in the evaluation of Tenders and Iain McGrory would be involved in the procurement of Tenders. It was also agreed that the CEO would appoint the successful Tender subject to Board approval.
- 23. Reserves Policy**
- 23.1 Members noted the revised Reserves Policy presented by the F&CSM and agreed to reduce the Reserves and approved the revised Reserves Policy.
- 24. Bad Debt Paper**
- 24.1 Members noted the paper presented by the F&CSM and that they would receive updates going forward.
- 25. Risk Register**
- 25.1 The CEO advised that the Risk Register had been revised in-line with the last AC feedback and had now been mapped to the Strategic Objectives a bit more clearly.
- 25.2 Following discussion it was agreed that an 11th risk should have been added and the current document would be revised at: risk 1 to include a target date, and at risk 2 to change the residual severity from 16 to 9. The revised Risk Register would be re-issued with these amendments.

26. People Plan

26.1 Members noted the contents of the paper and advised the HRM that they found the paper informative and they looked forward to receiving the quarterly updates on progress in relation to this plan. Members agreed to approve the People Plan.

27. Appeals

27.1 Members noted the current position on Appeals in the paper presented by the HI.

27.2 The HI also advised that she had now finished drafting the Appeal outcome analysis, as previously requested by the Board. The HI agreed to circulate a copy of this analysis to Members, which included key themes that have arisen out of appeals.

28. Reporters

28.1 The OD advised that the HI had so far received 2 draft Reports from the new Reporters within 48hrs of them receiving the information. Unfortunately, as part of the quality assurance process on Reports the HI felt more work was required on one of them before being issued to the parties, and in the other, the Reporter required additional information before they can finish drafting their Report.

28.2 The OD agreed to provide an update to the next Board meeting.

29. TNS Research

29.1 Members noted the paper presented by the CEO on behalf of the HO and the contents within.

30. Development of Procedures

30.1 Members noted the contents of the paper presented by the OD.

31. Board Template Review

31.1 The Chair sought Members opinion on the format of the papers presented for today's meeting and to the list of standard Agenda items proposed going forward. Members were content with the format and presentation of the papers in the new layout.

32. Communications Update

32.1 Members commented that they thought that the content of the paper was good and they liked the fact that it included hyperlinks to other relevant reference papers.

32.2 Members also commented that they thought the recent Oversight update paper was very good too.

33. Any Other Business

33.1 Scheme of Delegation – following the confirmed appointment of the F&CSM, [REDACTED], it was agreed that the Scheme of Delegation would be revised to include the signatory change to the Banking arrangements.

34. Date of Next Meeting

34.1 The Chair proposed that the Board as a whole would meet every 2 months, with alternative monthly meetings including a discussion on KPIs and Management Information.

34.2 The performance management meeting will take place on Thursday 20th June 2013, with the next full Board meeting taking place on Tuesday 23rd July 2013 both meetings commencing at 10.10 am at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

Board Meeting ends 3.35pm