

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 10.00 AM MONDAY 16TH MAY 2011
Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG**

PRESENT:

LAY:

Jane Irvine (Chairing Member)
Linda Pollock
Douglas Watson
Ian Gordon
Siraj Khan
Iain McGrory

LAWYER:

David Smith
Alan Paterson
Margaret Scanlan
David Chaplin
Maurice O'Carroll

APOLOGIES:

Fiona Smith

In attendance:

Rosemary Agnew (CEO)
Sam Hudson (MA) (minutes)

Abbreviations used:

LSS – Law Society of Scotland
SGvt – Scottish Government

1. WELCOME, APOLOGIES & DECLARATION OF CONFLICT OF INTERESTS

- 1.1 Apologies – Fiona Smith
- 1.2 Members confirmed there were no conflicts of interest.

2. APPROVAL OF PREVIOUS MEETINGS MINUTES

- 2.1 The draft SLCC minutes of 14th March were approved.

3. MATTERS ARISING FROM LAST MINUTES/AOB (not on agenda)

- 3.1 The CEO confirmed that the re-structuring was on course.
- 3.2 The CEO confirmed that the KPI stats for the most recent quarter would be ready for the next appropriate Board meeting in July.
- 3.3 The CEO confirmed that reporting on Conduct Oversight would be on a quarterly basis as with the complaints statistics.
- 3.4 There was a discussion regarding the LSS's approach to conduct prosecution and the fact that no prosecutions have been made since the SLCC opened. Whilst it was accepted there were fewer cases being referred to the LSS and the SLCC will monitor this. It was thought that there may be a range of contributory factors, and that when the SLCC carry out their audits of processes at the LSS, that this may give a clearer indication.

91	ACTION: CEO to provide an audit timetable.	DUE: June Board meeting
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3.5 The new Members asked for clarity on what test was applied in cases when looking for professional misconduct.

92	ACTION: Clerk to email Members with the 'Sharp Test'	DUE: asap
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4. ANNUALLY RECURRING MATTERS

4.1 **Budget:** The CEO advised that as the new Justice Minister had not yet been announced, the budget had not yet been laid before Parliament, however, the CEO is in regular communication to make sure this is done as soon as is possible.

5. COMPLAINTS UPDATE

5.1 The Board noted the information provided by the CEO on complaints broken down by business areas.

6. OVERSIGHT

6.1 **Draft Report on Guarantee Fund Research by Progressive:** The Chair invited comments on the draft report and the following was agreed:

6.1.1 The timetable to publish the report was agreed.

6.1.2 Further clarification should be sought on the following:

- Detail to be added regarding what Progressive did to boost the response rate;
- The impact on the draft findings of the group of respondents;
- To clarify whether the response rate is sufficient.

93	ACTION: CEO to revert back to Progressive with request for clarification on several points in the report.	DUE: asap
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6.1.3 The LSS should have sight of the report and the opportunity to comment before the report is published alongside a note from the SLCC.

6.2 **Manchester University Master Policy and Guarantee Fund Research Report:** The Chair invited comments on the draft report and after a lengthy discussion the following was agreed:

6.2.1 The timetable to publish the report was agreed.

6.2.2 Further clarification to be requested on data and some of the wording in the draft report.

94	ACTION: CEO to revert back to Manchester University with request for clarification on points in the report.	DUE: asap
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95	ACTION: CEO to bring back final reports of both	DUE: June Board meeting.
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	reports to the Board alongside the accompanying draft letters to the LSS and what is proposed to be published on the SLCC website.	
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7. CEO UPDATE

- 8.1 The CEO's update was noted.
- 8.2 The CEO and Chair confirmed that the annual 'Staff Governance and Remuneration Committee' will convene subsequent to the Board meeting in June and will include all Board Members.
- 8.3 There was a brief discussion regarding the Risk Register as new Members had not yet had sight of this. It was agreed that the Risk Register would be circulated with Board papers each meeting (not as a specific agenda item).

9. CHAIR REPORT

- 9.1 No report considered.

10. DISCUSSION DAY AGENDAS

- 10.1 There was some discussion over the process for admitting topics for discussion on these agendas and the Members noted and agreed the process outlined to them.

11. DATE OF NEXT BOARD MEETING

The next Board Meeting will be held on Monday 20th June 2011, 10 am at the Stamp Office
10 – 14 Waterloo Place, Edinburgh, EH1 3EG.
Board Meeting ends 12.30pm