

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 10AM ON MONDAY 19th JANUARY 2009**

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

PRESENT:

LAY:

Jane Irvine (Chairing Member)
Douglas Watson
Ian Gordon
George Irving (arrived 11.15am)

LAWYER:

David Smith
David Chaplin
Margaret Scanlan

APOLOGIES: Linda Pollock
Alan Paterson

In attendance: Eileen Masterman (CEO)
Rosemary Agnew (Hol)
Doreen Graham (HoC)
Allison Leitch (HR Mgr)
Sheena Robson (Minutes)

Abbreviations used:

LSS Law Society of Scotland
FoA Faculty of Advocates
SG Scottish Government

1. APOLOGIES

Apologies were noted from Linda Pollock and Alan Paterson

2. CONFLICTS OF INTEREST

No conflicts of interests were noted.

3. MINUTES AND MATTERS ARISING FROM MINUTES OF 22.12.08

Minutes approved as accurate. One typographical amendment to point 12.2 'minutes' should read singular 'minute'.

4. NO MATTERS ARISING

5. CHAIR UPDATE

5.1 Paper (08.06.4.1) was noted from the Chair. The Chair also stated that she had attended a meeting with the Office of Fair Trading and a presentation by Lord Rodger at the Anderson Strathern Offices which was very informative and stimulating. The Chair also asked if any Members would like to attend any of the Diploma Student presentations they would be most welcome. The Chair requested that Members and senior staff forward topics for discussion at the Governance Meeting on 23rd March 2009 to her by the 16th March 2009.

ACTION: All Members

6. CEO UPDATE

- 6.1 Paper (08.06.5.1) was noted from the CEO. The CEO also stated since the last meeting the Budget preparation had now been finalised, and papers have been circulated to both the LSS and the FoA. It was agreed that the HoC would circulate a copy of today's article from the Scotsman Newspaper which related to the Budget press release. It was also noted that both the LSS and FoA would be in attendance at the next Board Meeting on 16th February 2009. In preparation for this meeting it was agreed that the CEO would draft a briefing paper.

ACTION: HoC/CEO

7. COMPLAINTS & CONDUCT OVERSIGHT UPDATE

- 7.1 The Hol presented Paper (08.06.6.1 & 08.06.6.2) sharing case statistics. It was acknowledged as helpful, but Members also requested information on case types. It was agreed that the Hol would provide a background paper on cases received. Members acknowledged the statistics provided by the Hol as very informative.

ACTION: Hol

- 7.2 It was noted that the Hol was sourcing various options for Member and staff training, one of which would include a 2-day training course on 22-23rd June 2009. Members were asked to confirm availability with the PA for these dates.

ACTION: PA/Hol

- 7.3 It was noted that the Hol would provide a report to the Board on the pilot of the Gateway Team for the March Board meeting. Following the outcome of this report it was suggested that the organisational structure could be finalised by SGAR.

ACTION: Hol/SGAR

(11.15am George Irving arrived)

- 7.4 It was noted that going forward the Hol would provide a separate report on Conduct Oversight. The Hol stated that the LSS and the FoA have a deadline of the end of February before they have to provide the relevant information.

- 7.5 The Hol confirmed she continues to meet with the LSS on a monthly basis and with the FoA on a quarterly basis at present to discuss any issues. She will report on these meetings at future Board Meetings.

ACTION: Hol

8. MASTER POLICY & GUARANTEE FUND OVERSIGHT, STEERING GROUP UPDATE

- 8.1 It was reported that since the last Board meeting, an updated background document had been finalized for circulation with the draft tendering document. The CEO reported that unfortunately the draft tendering document was not returned from the SG Research Team in time for circulation prior to today's meeting. Therefore it was agreed that the CEO would circulate this via email for approval. Members were asked to confirm approval by close of play Wednesday 21st January 2009.

ACTION: All Members

- 8.2 The CEO confirmed that it was still anticipated that the results of the research report would be provided within the timescales as planned (June 2009). It was agreed that going forward the CEO would provide a report on the research process.

ACTION: CEO

9. STAFF GOVERNANCE & REMUNERATION ADVISORY COMMITTEE UPDATE

- 9.1 Draft Minutes from SGAR Meeting of 5th January 2009 were noted by Board Members. It was acknowledged that the Risk Matrix document was produced to highlight the transition between SG and SLCC prior to handover, it was agreed that this document would continue to be reviewed at SGAR.

ACTION: SGAR

- 9.2 The HR Manager advised the Board that unfortunately her meeting with SG was cancelled which left her unable to circulate her paper on pension arrangements to the Board prior to the meeting. The Board noted the paper presented. The HR Manager stated that they were still awaiting information from GAD for the SLSO staff but she is continuing to follow this up. The Chair thanked the HR Manager for her perseverance on this matter and it was noted that the Board were disappointed that the SG have not addressed this in a timelier manner. It was agreed that the CEO would write to the SG to record the Board's disappointment in this process. The Board stated that the HR Manager would also clarify whether expected legal costs will be included in the 'set up' costs for the Pension.

ACTION: CEO/HR Mgr

- 9.3 It was noted that two staff representatives have been chosen from the harmonisation group.

10. AUDIT & FINANCE ADVISORY COMMITTEE UPDATE

- 10.1 Draft Minutes from the AFAC Meeting of the 5th January 2009 were noted by Board Members.

- 10.2 A copy of the Draft Quarterly Financial Management Report that was circulated, with an amendment noted to note 2 in the Treasury Deposits notes date should read 6th January 2009. The Board approved the format of the Financial Management Report.

ACTION: CEO/Accountant

- 10.3 The CEO reported that correspondence had been received from the Cabinet Secretary for Justice giving approval, on behalf of Scottish Ministers, to the SLCC to pay fees and remuneration within specified limits. Out with these limits approval will be sought from Scottish Ministers.

- 10.4 The Board agreed with the CEO's recommendation that the SLCC should not purchase Fidelity Cover. However the Board noted they were still awaiting information from the Brokers relating to Personal Accident insurance, which the CEO will follow up.

ACTION: CEO

- 10.5 The Board agreed with the proposal to retain the Accountant's services until the end of March 2009.

10.6 It was agreed that the CEO would ensure that the LSS and FoA would receive a copy of the Quarterly Management Report.

ACTION: CEO/Accountant

10.7 It was noted that the CEO would pursue an up to date copy of the draft Risk Register from SLAB.

ACTION: CEO

10.8 The Board noted that the SLSO insurances had been cancelled. The Chair awaits a response from the Brokers.

ACTION: Chair

11 AOCB

11.1 The Action Register was reviewed with updates to current points noted.

11.2 The CEO agreed to circulate an updated note regarding Members Expenses.

ACTION: CEO

11.3 Board Members introduced themselves to all staff with a 5 minute presentation explaining their motivation for joining the SLCC.

12 DATE OF NEXT MEETING

The next Board Meeting will be held on Monday 16th February 2009, 10 am – 2 pm at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.