

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 11.00AM ON MONDAY 26th OCTOBER 2009**
Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

PRESENT:

LAY:

Jane Irvine (Chairing Member)
Ian Gordon
Linda Pollock
George Irving (via the telephone link)

LAWYER:

Margaret Scanlan
David Chaplin
David Smith

APOLOGIES:

Douglas Watson and Alan Paterson

In attendance:

Eileen Masterman (CEO)
Rosemary Agnew (HOI) (part of the meeting)
(Clerk to the Board) (part of the meeting)
Sheena Robson (Minutes)

Abbreviations used:

LSS Law Society of Scotland
FoA Faculty of Advocates
SGvt Scottish Government
SRA Solicitors Regulatory Authority

1. APOLOGIES

As noted above.

2. DECLARATION OF CONFLICT OF INTERESTS

None.

The Chair advised that the purpose of today's meeting was a continuation of the Board Meeting of Monday 19th October and would only be considering Agenda item 13 Complaints Update.

3. COMPLAINTS UPDATE

3.1 The HOI gave reprise of previous week's discussion of the breakdown of statistical information from both September and the year to date. Members enquired whether the figures provided gave a 'like for like' comparison. The HOI advised that this would not be accurate until next year, whereby the review would compare 'like for like' on a full years statistics.

Clerk to the Board left 11.10 am

3.2 Discussion took place about the transition order date of 1/10/2010. The Chair advised that clarification was needed as to the full understanding of the transition order, as new complaints on or after that date will be dealt with by SLCC, thus allowing the migration of ex-SLSO staff into dealing with the new complaints received.

ACTION: HOI to seek clarification

- 3.3 The HOI explained the roles of the Gateway Team Members and the Case Investigators within the SLCC and sought approval of recruitment proposals to meet short-term needs of Gateway.
- 3.4 Following this discussion Members then asked whether the CEO and HOI felt they had the correct structure in place given the number of complaints was lower than originally anticipated at set-up.
- 3.5 Members enquired whether the CEO had commenced a review of staff numbers in light of complaints. The CEO advised that no she had not due to harmonisation not being finalised, however this should hopefully be completed by the end of November.
- 3.6 The reasoning behind Members suggesting a review of the structure was due to one year of operation being completed, the pattern of work division being more apparent and the SLCC looking at fewer complaints than was anticipated. It was agreed these issues should be a trigger to review the structure of the whole organisation. The CEO and HOI were asked to provide Members with a proposed 'vision' structure at the November Board Meeting.

ACTION: CEO/HOI

- 3.7 The Chair noted that this review might have an impact on the proposed budget for next year and suggested that provisions should be taken into account within the proposed budget if appropriate.

ACTION: CEO

- 3.8 Outreach Work – The HOI stressed to Members the need of highlighting the SLCC's profile to members of the legal profession. Members enquired whether the HOC had an agreed plan for facilitated talks to different legal faculties around the country. The CEO explained that the HOC has written to them all and made offers for this service. The HOI explained that she would like other managers and case investigators involved in all planned outreach work.

- 3.9 It was agreed that the CEO would pursue with the HOC to clarify what has been carried out, ie who has been written to and what responses have been followed up on these offers. Members felt that the HOC should be proactive in supporting those carrying out the road shows, ie setting up, providing leaflets etc. It was also agreed that the HOC should provide Members with an update report at the November Board Meeting.

ACTION: CEO/HOC

- 3.10 Rules – the HOI advised Members that they were still waiting on a response from SGvt in relation to the consultation. Members acknowledged the suggested amendments to the Rules and were in agreement with the HOI's recommendations. It was also agreed that the HOI would write to consultees informing them of the Board's decision.

ACTION: HOI

- 3.11 Legal Services Bill – Members suggested they would like to hold another discussion day on this involving the working group. Therefore it was agreed that the HOI would draft a response to be discussed at a later date.

ACTION: HOI

- 3.12 Information Management and Security – Discussion took place as to the feasibility of purchasing a new IT system should the MOU not be concluded with the current provider, and it was acknowledged that it was not as simple as buying a system off the shelf. It was agreed that the HOI should meet with the current provider of the backup service of the SLSO work on Respond. The effect of any move of IT supplier was discussed. It was agreed that an initial user requirement would be drawn up with a view to providing a comparative cost paper.

ACTION: HOI

Recommendation from the Board: Members agreed with the HOI's recommendations in her paper 13.1 – Complaints Update Report.

12.35pm Break for Lunch

4. DATE OF NEXT MEETING

The next Board Meeting will be held on Monday 23rd November 2009, 10 am at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.