

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS COMMISSION: 10AM ON MONDAY 8<sup>TH</sup> DECEMBER 2008**  
**Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG**

**PRESENT:**

**LAY:**

Linda Pollock (Stand-in Chair)  
George Irving  
Ian Gordon

**LAWYER:**

David Chaplin  
Margaret Scanlan  
David Smith

**APOLOGIES:** Jane Irvine (Chairing Member)  
Dougie Watson  
Alan Paterson

**In attendance:** Eileen Masterman (CEO)  
Rosemary Agnew (HoI)  
Doreen Graham (HoC)  
Allison Leitch (HR Mgr)  
Sam Hudson (Minutes)  
Sheena Robson (Minutes)  
Stuart Brown (Accountant, Item 8)

**Abbreviations used:**

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

**1. APOLOGIES**

Apologies were noted from Jane Irvine, Dougie Watson and Alan Paterson. As the meeting was not quorate it was agreed that no decisions made could be taken and recommendations would be submitted for decision at the next Board meeting of 22<sup>nd</sup> December 2008.

**2. CONFLICTS OF INTEREST**

No conflicts of interests were noted.

**3. MINUTES AND MATTERS ARISING FROM MINUTES OF 24.11.08**

Amendments were noted to the following points:

- 3.1.1 [information withheld under the terms of FOISA and/or DPA]
- 4.1 Date for expenses should read November instead of December to ensure payment for Christmas.
- 6.11 Action should read: to CEO and HOI and not CEO/AP/LP.
- 6.12 Should read: 'It was noted that the HOI is actioning items 6.2.2 and 6.2.3, 10<sup>th</sup> November minutes.'

**4. MATTERS ARISING**

- 4.1 Members' expenses document was re-circulated for information.
- 4.2 The house-guide style tabled at the previous meeting, was noted to be excellent, and thanks to the HOC were recorded.
- 4.3 FOI – it was agreed that the HOC would circulate an email relating to information requested on Guarantee Fund/Master Policy information and clarification was sought as to whether this related to pre or post 1<sup>st</sup> October. It was noted that SLCC have 20 days to respond to this FOI request, ie by 6<sup>th</sup> January 2009, and HOC will include all details in the email.

ACTION: HOC/All

- 4.4 HOI agreed to circulate information to Members on the efficient use of Outlook for the control of documents.

ACTION: HOI

- 4.5 Discussion took place regarding FOI training for Members it was anticipated that this would be completed by end January 2009. It was suggested that SLCC should draft a Common Security Policy and information would be obtained from Scotslite IT as a starting point. HR Manager to obtain a copy.

ACTION: HR Manager

- 4.6. Members requested a separate meeting date outwith the Board dates to discuss FOI issues. It was suggested that this would take place after the FOI training in January 2009.

ACTION: HOC/Chair

- 4.7. Decisions Register/Action Register – completed actions and updates were noted on the registers.

## 5. CHAIR UPDATE

- 5.1 Paper was noted in the absence of the Chair. It was noted that September should read November.
- 5.2. LP intimated that the CEO will, as from the next meeting, bring a regular written report to the Board.

## 6. COMPLAINTS UPDATE

- 6.1 The HOI had produced a written report for the Board,. She highlighted that there has been a 20% drop in enquiries from October to November - to be expected at this time of year. The 90% return of complaint forms is a good response rate, and indicates that forms are user-friendly.
- 6.2 Most communication is being received direct from clients, which represents a shift in balance as previously most were received from the LSS.
- 6.3 One month into the Gateway Team pilot, the HOI indicated that the Gateway Team are very busy. The HOI intends to bring an earlier, interim report to the

Board, in February. The early indications are that that a new role will be created, which will need to be Hay Graded.

- 6.4 The SLSO work remains steady and it is anticipated that this will continue for the next year.
- 6.5 All SLSO costs and statistics are captured separately for SG and a timesheet is being drafted to aid this process. Members recorded their appreciation of the work the HOI is doing in relation to this topic.
- 6.6 Mediation training has been completed for twelve mediators. The HOI reported that she was happy with the content relating to the process of a mediation request, and that mediators have been trained in what to do if a conduct issue emerges during the process of mediation.
- 6.7 The HOI is continuing to meet with LSS on a fortnightly basis, but this is likely to change to monthly.

ACTION: HOI
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[information withheld under the terms of FOISA and/or DPA]

- 7.5. The research steering group will next meet on 6<sup>th</sup> January 2009.

## **8. STAFF GOVERNANCE & REMUNERATION ADVISORY COMMITTEE UPDATE**

- 8.1 Draft Minutes from the meeting of 28<sup>th</sup> November 2008 were circulated. The appendix was tabled and will be approved at the next Board meeting. It was also noted that the Minutes from the SGAR meeting of 21<sup>st</sup> November 2008 were outstanding and would be ratified at the next Board meeting.

8.2 Amendment made to page 1, point 2.2 should read 'management charge for *Standard Life Pension* has increased'.

8.3 Board Recommendations:

8.3.1 It was noted that the CEO and HR Manager will continue to monitor the Moorepay issues going forward and update the Board as required.

8.3.2 The salary implications will be discussed under Budget 2009-2010.

## 9. BUDGET 2009-2010

Draft Budget papers had been previously circulated to Board Members and the accountant joined the meeting. The AFAC Chair focused on the draft base budget paper which was reviewed line by line:

9.1 It was suggested that under Staff Costs an additional Board Member for half a year be incorporated, with an additional note within the papers to explain rationale.

9.2 Pension Contributions – this cost is the actual cost which we anticipate paying. This does not cover any potential costs outlined by Government Actuaries Department (GAD). Additional information is not available from the Actuaries until January 2009. However, it is noted that this figure is adequate for SLSO contributions as part of COSOP.

9.3 Mediation – it was proposed that the word 'pilot' be removed and these costs moved to be included under the Staff Costs heading.

Fundamental policy issues were discussed in relation to the use of the potential budget surplus, the level of carry over monies/reserve fund and the inclusion or otherwise of income from the complaints levies. The following were suggested:

[information withheld under the terms of FOISA and/or DPA]

1-2pm lunch

- 9.9 Revised Budget and Levy Forecast papers were tabled by the accountant. Following a lengthy discussion it was suggested that Budget Model 3 would be proposed to the next Board meeting for decision on 22<sup>nd</sup> December 2008. This would include a cash flow document.
- 9.10 The proposed Budget will be on schedule for consultation during January and February 2009, with feedback requested by 28<sup>th</sup> February 2009. After which the AFAC will meet on 5<sup>th</sup> March 2009 to consider responses received. These will be submitted to the Board Meeting of 23<sup>rd</sup> March 2009 and subsequently published.
- 9.11 It was noted that as the Budget remains a working document, it will not be discussed with any external parties until the consultation begins in January 2009.

## **10. NEXT MEETING**

The next Board Meeting will be held on Monday, 10 am – 1 pm 22<sup>nd</sup> December 2008 at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.