

# MINUTE Special Meeting of the SLCC Consumer Panel



Friday 13 November 2015

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

**Present:** Carol Brennan (CB) [Chair], Queen Margaret University Consumer Insight Centre  
Shaben Begum (SB), Scottish Independent Advocacy Alliance  
Sheila Scobie (SS), Competition & Markets Authority  
Keith Dryburgh (KD), Citizens Advice Scotland  
Lynn Welsh (LW), Equality & Human Rights Commission  
Julia Clarke (JC), Consumer Affairs Consultant

██████████, SLCC in place of ██████████, Head of Oversight (HoO),  
SLCC

**In Attendance:** Neil Stevenson (NS), CEO, SLCC

**Apologies:** None.

**1. Welcome**

The Chair welcomed all present to the special meeting of the Panel which had been called specifically to discuss the SLCC's proposed Strategic Plan.

Keith Dryburgh (KD) confirmed that CAS was willing to remain on the Panel and it was hoped that a replacement for Lauren would represent CAS on the Panel in the New Year.

**2. Apologies**

None

**3. Declarations of interest**

No notes of interest or conflict were declared.

**4. Discussion of the SLCC Strategic Plan**

The Chair asked the Panel for any general comments on the four year strategy before going through the document in detail.

- 4.1 The Panel strongly approved the idea of a long term plan. It was considered that the document was generally positive, carried a consistent theme of quality assurance, and that there was a strong theme of consumer focus throughout which was welcomed. It was considered, however, that under the early resolution headings, mediation could be promoted more. It was also considered that it would be useful for the organisation if the plan could explain the SLCC's roles and functions more clearly to the consumer as this might help dispel consumer concerns that there was a bias towards the legal profession.

The Chair suggested that it would be helpful to see more from people who have complaints raised against them, what the organisations and the SLCC has learned from them, and that this is shared with the public. The Chair also suggested greater reference to the improvement of

access to redress. Statistics from the Legal Services Consumer Panel<sup>1</sup> indicated that 44% of consumers who are dissatisfied with legal services take no action. This compares with 27% in the services economy overall. Regulators therefore have to work harder to facilitate complaints.

NS was asked about the level of detail within the plan and whether it took into account potential changes in the legislative framework. NS confirmed that it was intended that a lot of underlying detail would subsequently be made available through web links. He also advised that it was likely that the new Legal Services Act would go ahead, this would include aspects such as entity regulation, and ensure that a number of current regulatory gaps are plugged.

The Panel asked how the SLCC planned to engage more with the profession. NS stated that some of this detail had yet to be included and that the draft plan would be developed to take this into account.

Members reiterated the need to push mediation and asked how the profession viewed mediation. NS said that when promoting mediation amongst the profession there might be a need to engage with the indemnity entities as they had a clear interest in mediation.

It was noted that there had been previous discussions around complainers who “drop out” of the system after the Enquiry stage and asked if the SLCC was planning to carry out any research into this area. NS confirmed that this was an area which the SLCC could look at going forward, specifically following-up with consumers who did not come back to us. This was, however, dependent on the amount of information logged at the Enquiries stage of the process. The proposed research project with SPSO and CAS would also address this area.

Panel members then discussed accessibility issues and the ease of making a complaint, pointing out that the average reading/literacy age of adults in Scotland is 11. It was noted that CAS offers assistance for those needing help in completing forms. However, of the 25,000 forms they had helped people complete, the vast majority related to benefits.

NS raised the issue of ‘Polluter Pays’ and asked for the Panel’s thoughts on using the revenue from complaints levies in a similar manner to Proceeds of Crime – for example, investing those funds to finance an advocacy service to assist people in making their complaints, providing better training etc. The Panel considered that this was a great idea and noted it was also the method adopted by energy providers.

NS pointed to the fact that the draft plan included a substantial review of the SLCC’s website and acknowledged that the current website was quite corporate. The Panel agreed that complaints should be at the fore front of the website. The Chair suggested that the SLCC look at other Ombudsman websites for ideas of best practice. NS agreed that this was a good idea and asked the Panel to forward any examples of good websites they had come across.

The Panel then discussed whether the plan should contain specific reference to vulnerable consumers, and debated whether the term “vulnerable” was appropriate as it can be interpreted in many different ways. NS agreed that this required careful thought and suggested that work could be carried out on developing a website page which approached the issue through links from statements such as “I don’t like filling out forms” which might link to a page offering step-by-step assistance.

The Panel then discussed specific comments on the detail of the plan:

## 4.2 Our priorities

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<sup>1</sup> Legal Services Consumer Panel., 2014. *Guide to consumer vulnerability* p22

The Chair questioned, in relation to point 3, whether complainers were always looking for compensation. The general consensus of the Panel was that this was not necessarily the case. NS agreed and confirmed that he would look at revising this wording.

#### Build Trust

It was suggested that there was scope to make the “encouraging of solicitors and advocates to understand our role” sound stronger, similar to the first bullet point.

The Panel discussed whether the first bullet point “ensuring all consumers know about the SLCC ...” was achievable or aspirational. It was suggested that a phrase along the lines of “ensuring all consumers can make a complaint with appropriate support” might be more realistic.

#### Promote Strong Relations

The Panel reiterated the suggestion that mediation could be given a greater emphasis.

#### Develop High Performance

The Panel questioned the order of the bullet points, suggesting that the last bullet point should be the first point. The Chair suggested that it would be good to have complaint stories and the lessons learnt from them, from both the practitioners and the SLCC. NS agreed that it would be a good idea which might help consumers connect more with the SLCC if there was a more human face on the SLCC website/annual report etc.

#### Values

Members suggested that user focus should be more prominent and that the SLCC should spell out what is meant by “service users”. It was also suggested that the values page should come near the front of the plan.

#### Context around the Plan

It was suggested that the SLCC should be thinking about the move to a more digital usage of the justice system and that the SLCC should be equipped to deal with this.

#### Engagement

The Panel suggested that mental health organisations should be included in the list.

### **5. Dates of the next meetings**

It was noted that the HoO was about to canvass dates for the next year’s meetings.

There being no further business, the Chair thanked the Panel for their input.