

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 10.00 AM MONDAY 24TH JANUARY 2011**
Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

PRESENT:

LAY:

Jane Irvine (Chairing Member)
Linda Pollock
Douglas Watson
George Irving

LAWYER:

David Smith
Alan Paterson
Margaret Scanlan

APOLOGIES:

David Chaplin
Ian Gordon

In attendance:

Rosemary Agnew (CEO)
Name withheld FOISA Section 38(1)(b) (MA) (minutes)

Abbreviations used:

LSS – Law Society of Scotland

1. WELCOME, APOLOGIES & DECLARATION OF CONFLICT OF INTERESTS

- 1.1 Apologies – David Chaplin and Ian Gordon.
- 1.2 Members confirmed that there were no conflicts of interest.

2. APPROVAL OF PREVIOUS MINUTES

- 2.1 The Draft SLCC Minutes 13th December 2010 were approved subject to minor grammatical amendments.

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

The CEO gave a brief verbal update on matters arising and said that any matters not cleared are on the agenda for this meeting.

4. ANNUAL RECURRING MATTERS

- 4.1 **Draft Budget:** The CEO re-presented the draft budget and the Board approved the Budget to be published.
- 4.2 **Budget Policy:** The Members approved the Budget Setting Policy.
- 4.3 **Quarterly FMR:** Members noted the quarterly financial management report.
- 4.4 **Interim AC Update:** A brief overview of the Audit Committee minutes was given along with the AC Workplan for 2011/12. A full Audit Committee update will be provided at the May Board meeting under the next Quarterly AC Update.

Break for lunch 12.40pm, resumed 1.10 pm

5. COMPLAINTS

5.1 **Complaints Update:** The Members raised a number of points in relation to the complaints update:

5.1.1 It was noted that the number of complaints in the most recent quarter to December 2010 was down. It was also noted that bad weather and Christmas holidays over a 6 week period may have affected complaint numbers.

5.1.2 There was discussion on the number of cases resolved at investigation stage and how the number was lower than Members expected. It was agreed that output could and should increase.

5.1.3 There was discussion regarding the level of complaints withdrawn at Investigation stage.

79	ACTION: CEO to look further into the number of complaints withdrawn at investigation stage and report back with findings	DUE: next quarterly complaints update –April
----	--	--

5.1.4 The number of complaints reaching determination where the complainer had failed to respond to proposed settlements was noted. The Board decided that they were required to determine these under the 2007 Act and could not discontinue action because of a lack of response.

5.2 **Appeals Update:** The Members noted the update paper provided by the CEO. A discussion took place. The CEO agreed to augment the report to provide clarity on the legal advice received and to include cost estimates.

80	ACTION: Withheld under FOISA Section 30 (c)	DUE: next quarterly complaints update –April
----	---	--

5.2.1 The Chair stated the Board had had a discussion around the level of appeals, Withheld under FOISA Section 30 (b)(ii) & (c)

2.10 pm Douglas Watson left

5.3 **Draft Conduct Complaints Policy:** The CEO introduced the policy and in particular her concerns that without it the SLCC was exposed to risk in relation to consistency of decision making. Reasons for categorisation of the complaint will now be included in the notice accepting the complaint by the Gateway Team. The Board noted the paper and agreed it was for the CEO to approve and implement.

7. OTHER STATUTORY FUNCTIONS

7.1 **Conduct Complaints Oversight:** Members enquired as to when they would receive the first Board report on the oversight of conduct. The CEO confirmed it should be around 2 months after an auditor is appointed.

7.2 **Master Policy/Guarantee Fund Update:** The CEO gave a verbal update with the key points as follows:

7.2.1 The report on the Guarantee Fund has not yet been received from Manchester University and would be followed up again.

7.2.2 The Guarantee Fund research questionnaire has now been agreed and finalised. It will go through a short internal testing process before being sent out and a full report on findings will be brought to the Board in May 2011.

81	ACTION: CEO to provide report on Guarantee Fund Questionnaire findings to the Board.	DUE: May 2011
----	--	---------------

8. CEO REPORT

8.1 The CEO's update was noted.

9. DATE OF NEXT BOARD MEETING

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

Board Meeting ends 15.25pm