MINUTE OF THE EXTRA BOARD CONFERENCE CALL OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS COMMISSION: 9am on Thursday 2 July 2026 on MS Teams

PRESENT:

LAY:
Jane Malcolm, Chair
Ged Bell
Anne Gibson
Jean Grier
Thane Lawrie

LAWYER:
Lynne Collingham
Dale Hughes *(till 9.25am)*
Richard McMeeken

Apologies: John Stevenson and Vicky Crichton (DoPP)

In attendance:
Neil Stevenson (CEO)
Caroline Robertson (DoR)
[redacted] (Secretariat - minutes)
Louise Burnett (DoBP)
[redacted] (PCo)

Abbreviations used:
SGvt – Scottish Government
DoPP – Director of Public Policy
LSS – Law Society of Scotland
PCo – Project Co-ordinator
DoBP – Director of Business Performance
DoR– Director of Resolution
FoA – Faculty of Advocates

Private Member only session, after which, the Chair invited SMT, PCo and Secretariat to join the meeting at 9.11am

1. Welcome and Apologies

1.1 The Chair welcomed everyone to the Conference Call, and noted the apologies as recorded from John Stevenson and Vicky Crichton (DoPP). The Chair also advised that Dale Hughes would be leaving at 9.25am due to a work commitment at Court.

2. Declaration of Interests

2.1 The Chair noted the standard declarations of interest declared by Lynne Collingham, Dale Hughes and Richard McMeeken.

3. Case Management System Option Appraisal

3.1 The Board considered a report seeking approval to progress the preferred option identified within the Case Management System (CMS) Options Appraisal.

3.2 The paper was presented by the DoBP, who thanked Member, Ged Bell for his support and input during the development of the appraisal and associated recommendations. The DoBP emphasised that the proposal represented the first step in a wider programme of work and that Board approval was being sought to progress procurement activity and detailed planning, rather than to commit to a specific supplier or system.

3.3 The Board noted that the current CMS contract was with CAS who provide NewPro. The contract covered user licences, hosting, support and maintenance, together with a Power BI data warehouse introduced to address known reporting limitations. Members heard that the Regulation of Legal Services (Scotland) Act 2025 would require substantial changes to complaint handling processes, including new workflows, data capture requirements and reporting arrangements. SMT's assessment was that the current system would not be capable of meeting these future requirements without significant workarounds and operational inefficiencies.

3.4 The Board considered the three options evaluated within the appraisal:

- maintaining the current system and making no substantive changes;

- making minimal amendments to the existing platform; and
- procuring a replacement case management system.

3.5 It was noted that the "do nothing" option would likely result in increasing reliance on manual processes, external spreadsheets and processes operating outside the core CMS, with associated risks around data quality, consistency and operational resilience. The "do minimum" option would permit some workflow amendments but would retain the fundamental limitations of the current platform and continue to present challenges in relation to future data requirements and reporting. It would also mean adding a new case type to the existing system, which would limit efficiencies and leave us open to risk as we keep existing CRM and Firm data, some of which is out of date and could risk data breaches. SMT therefore recommended the preferred option of investing in a replacement case management platform.

3.6 In presenting the preferred option, the DoBP advised that a new system would allow complaint handling processes to be designed around future legislative requirements rather than being constrained by existing system architecture. The proposed approach would provide opportunities to improve data quality, reporting capability, compliance, operational flexibility and user experience. Members noted that the intention was not to achieve staffing reductions, but rather to provide staff with more effective tools that could support efficient and consistent delivery of services.

3.7 The Board noted several factors that reduced implementation risk. The existing CMS has limited integration with other organisational systems, with the principal integration being the online complaints form. Members heard that market engagement undertaken to date suggested that suitable configurable off-the-shelf solutions were available and that significant bespoke development would not be necessary. The proposed implementation approach would not involve migration of historic case data. Instead, complaints received prior to commencement of the new legislation would continue to be managed within the existing system, which would be retained in accordance with records management and retention requirements.

3.8 Members noted that estimated implementation costs currently ranged from approximately £62,000 to £125,000. The DoBP advised that more detailed cost information would be available following procurement activity and further market engagement. The CEO confirmed that formal notification had now been received from the SGvt regarding the second tranche of reform funding and reminded members that provision had been made within those discussions for investment in a replacement case management system. It was noted the finance memorandum to parliament indicated £200k for IT, however the actual funding letters redistributed finance between different areas, and the total for IT was £286k.

3.9 The Board discussed governance and oversight arrangements for the project. The DoBP outlined proposals for regular reporting through the Audit & Risk Committee, appointment of a Board project sponsor and appropriate escalation arrangements for any concerns arising during delivery. Members agreed that the project would require robust governance given its strategic importance and visibility across the organisation.

3.10 Member, Ged Bell provided reflections based on his experience of major technology programmes. He emphasised the importance of establishing the project correctly from the outset and observed that many technology projects fail because of decisions made during the early stages of planning and procurement. He considered the proposal to represent an important but proportionate first step and outlined several factors which gave him assurance, including the limited integration requirements of the current environment, the organisation's experience of managing change and the intention to avoid unnecessary complexity and over-engineering. He also stressed the importance of strong staff engagement throughout the project while maintaining a focused and disciplined approach to requirements gathering and delivery.

3.11 Board members welcomed both the paper and the presentation and expressed broad support for the recommendations. Members agreed that replacement of the system was necessary to support future legislative requirements and to address existing limitations. Several members highlighted lessons from their own experiences of system implementation projects and emphasised the importance of maintaining strong governance, clear accountability, rigorous risk management and effective supplier oversight throughout delivery.

3.12 Discussion focused on a number of key considerations, including:

- maintaining a clear distinction between essential business requirements and desirable future enhancements;
- avoiding excessive customisation of any selected system;
- ensuring procurement arrangements balanced quality, resilience and value for money rather than focusing solely on cost;
- ensuring future flexibility around changing templates etc. inhouse;
- securing appropriate specialist procurement and legal support;
- managing implementation risks, including timetable slippage and cost escalation; and
- ensuring proportionate staff engagement and organisational readiness throughout the programme.

3.13 The Board discussed the relative merits of off-the-shelf and bespoke solutions. The DoBP explained that off-the-shelf systems provided greater flexibility and reduced dependency on a single supplier, while bespoke systems could create long-term support and sustainability risks. Members agreed that a configurable off-the-shelf solution represented the most appropriate approach for the organisation.

3.14 The Board also considered procurement arrangements. The DoBP advised that initial discussions indicated that the project might be able to utilise an existing UK Government framework, potentially avoiding the need for a full tender process. Members heard that further advice would be sought through the organisation's legal panel regarding the most appropriate procurement route, framework options and contractual arrangements. Ged Bell suggested that references to formal tendering within the recommendations be amended to reflect the possibility of alternative compliant procurement routes. The Board supported this amendment.

3.15 Members discussed the cost / quality ratio for any tender, noting that we must look for 'Best Value' but that quality scoring should be a significant factor.

3.16 Members explored potential risks associated with timing uncertainty around implementation of legislative reform. The DoBP advised that, if necessary, system configuration and development work could proceed while delaying wider rollout, thereby maintaining progress whilst reducing unnecessary expenditure. Members were satisfied that this approach provided sufficient flexibility to respond to any changes in legislative timescales.

3.17 Having considered the report and discussion, Board members expressed unanimous support for the preferred option. Members agreed that investment in a replacement CMS was necessary to future-proof the organisation, support reform implementation and improve operational effectiveness.

4. Decisions

The Board:

1. Approved the preferred option to invest in a replacement Case Management System and progress the necessary procurement activity.
2. Approved the proposed procurement approach, including further exploration of the most appropriate route to market and the potential use of a suitable framework agreement where permitted.
3. Approved the use of external procurement support, subject to obtaining appropriate advice and value for money.
4. Appointed Ged Bell as Board Project Sponsor for the programme.

5. Further Actions

The Board requested that:

- Regular project reporting be provided through the Audit & Risk Committee.

- Progress updates also be reported through the People & Culture Committee to ensure appropriate oversight of workforce engagement and organisational change impacts.
- A detailed project timeline, implementation reporting arrangements and post-implementation evaluation approach be developed and reported to the Board.
- The project risk register should explicitly address risks relating to cost escalation, timetable slippage, implementation challenges and scope management.
- Further advice on procurement routes be obtained and reported back as part of the next phase of the project.

6. Review of the Meeting

6.1 Following conclusion of the discussion, the Board thanked the DoBP, SMT and Member, Ged Bell for the significant work undertaken in developing the appraisal and recommendations, noting that the paper had provided a clear and compelling basis for decision-making.

6.2 With no other business the meeting concluded.

Private Member only session, where SMT, PCo and Secretariat left the meeting at 9.56am

Call ended 10.06am