

**MINUTE OF A BOARD CONFERENCE CALL OF THE MEMBERS OF THE SCOTTISH
LEGAL COMPLAINTS COMMISSION: 9.30am on MONDAY 9 June 2025 on MS
Teams**

PRESENT:

LAY:

Jane Malcolm, Chair
Anne Gibson
Jean Grier
Thane Lawrie
Niki Maclean, Vice Chair
John Stevenson

LAWYER:

Lynne Collingham
Dale Hughes
Richard McMeeken

Apologies:

Caroline Robertson (DoR)

In attendance:

Neil Stevenson (CEO)
Louise Burnett (DoBP)

[REDACTED] (Secretariat – minutes)
Vicky Crichton (DoPP)

Abbreviations used:

SGvt – Scottish Government
DoPP – Director of Public Policy
LSS – Law Society of Scotland
FacO – Facilities Officer

DoBP – Director of Business Performance
DoR – Director of Resolution
FoA – Faculty of Advocates

Private Member only session, after which the Meeting Chair invited SMT and Secretariat to join the meeting at 9.38am

1. Welcome and Apologies

- 1.1 The Chair welcomed everyone to the Conference Call and noted apologies had been received from the DoR, Caroline Robertson.

2. Declaration of Interests

- 2.1 The Chair noted the standard declarations of interest declared by Lynne Collingham, Dale Hughes, and Richard McMeeken in relation to any pecuniary interest with regards to budgetary and the reform discussion process/response by the SLCC.

3. Key Issues

- 3.1 The CEO spoke to the paper presented and agreed all items would be taken as read, with additional updates provided on specific matters.
- 3.2 **Reform** – the DoPP reminded Members the Bill successfully passed on 20 May 2025, the outcome being largely as expected with some amendments/technical changes. Following a free and frank discussion, the Chair suggested as this will be discussed at the July Board Development Session, SMT draft a briefing note on the salient points, to include key risks / lessons learnt, with early reflections noted. The Chair and Board expressed their thanks to SMT/IMT, acknowledging and recognising all the hard work of those involved in this project to date and looked forward to future discussions at the Development Session.
- 3.3 The CEO confirmed that the new Project Co-ordinator, would be starting next week and they would be attending the July Board meeting.
- 3.4 Members noted the CEO and DoPP have requested a meeting with SGvt Sponsor Team to start discussions on next steps. The Chair again thanked the DoPP and CEO for ensuring there was continued positive engagement with the SGvt Sponsor Team.

- 3.5 **ABS** – The CEO advised there was no further update since the last meeting. However, Board noted there had been some social media articles from some of the profession, who, now the new legislation has passed, are seeking for ABS to be implemented. The CEO will continue to update Board of any future developments.
- 3.6 **Communication and Stakeholder engagement** – Members noted the update provided by the DoPP.
- 3.7 **Oversight** – the DoPP reported they had been invited to attend the tender process for the Master Policy brokers for the forthcoming five years. The DoPP also noted a forthcoming report on the Client Protection Fund which notes that the fund was found to be operating well.
- 3.8 **Cyber Update** – the DoBP reported they were aware of a few recent cyberattacks, which has resulted in us continuing to liaise with SGvt Cyber Fraud Centre to ensure we are fully compliant. Board training has also been scheduled for the July Development session, and Vulnerability Assessment testing has also been scheduled to take place next week. Clarification was sought on who would be providing the Member training. The DoBP confirmed this would be done by Cyber Centre Scotland.
- 3.9 **Digital and AI Update** – Members noted SMT were currently reviewing the Civil Service guidance on the use of AI to inform the SLCC policy in this area, with drafts to be reviewed by Audit Committee in due course. The DoPP explained the Website provider had changed their own hosting provider, and whilst, there was no major impact on the transition, there had been a slight technical issue with the online complaint form. This is in the process of being resolved, and meantime, there is a notice on our Website advising of this issue. Members enquired if the expected use of AI would lead to an increase in complaints in this subject area. The CEO advised a future paper would be brought to Board, to date there had only been one enquiry in relation to AI, which did not expand to a complaint. It was thought these might evolve in England and Wales before Scotland and will be monitored by Oversight. The AC Chair reiterated that the AC would be reviewing the policies on use of AI etc.
- 3.10 **S17 Work Update** – The CEO advised that whilst there were no live cases with court, there were 6 new cases instructed in April, with all firms being repeat offenders. Members noted the current situation on S17 complaints. The Chair advised this would be discussed with the Lord President at their next meeting.
- 3.11 **Employment Tribunal (and linked Appeal)** - The CEO advised that the ET decision was in our favour. We applied for costs and have been awarded expenses. The solicitor has appealed again, and we wait to see if the Employment Appeal Tribunal deals with this application for appeal administratively, or if it wishes submissions.
- 3.12 **Governance** – Members noted this would be discussed later in the meeting.
- 3.13 **Equality Review** – Members noted the update provided by the CEO, with the Chair thanking all those involved in this project and seeking an update on when this would be brought back to Board. Members discussed how the KPIs would be measured and quality assured. The CEO advised the planning phase would be linked to Reform, as would the KPI target/measurement, which would depend on each of the projects identified. The DoPP advised the Consumer Panel have actively been reviewing their membership but have difficulty sourcing a representative from 3rd sector organisations. They have also been exploring representations from disability/ethnicity minority groups but again are having difficulty with representations. Members were pleased to note a representative from Working Together has joined the Consumer Panel. Members also suggested maybe utilising a university graduate for guidance research might help fill a resource gap short term. The CEO reiterated that SMT will meet in July to discuss, with an update brought to the October Board meeting.
- 3.14 **SGvt Framework Agreement** – The CEO advised the SGvt Legal Department are hoping to have the final document with us by 30 June. Following discussion, it was agreed, if this was not received by then, the CEO and Chair would escalate to the Minister and Director of Justice on behalf of Board.

Action	Owner	Due Date
CEO and Chair to raise with the Director of Justice, if the SGvt Framework Agreement is not received from the SGvt Legal Team by 30 June 2025.	CEO & Chair	By 30.06.25

3.15 **new complaint** – The CEO gave a brief overview of the new complaint.

3.16 **Changes at Eligibility** – Members noted the current position, with cases progressing through the system. The CEO confirmed these sprints were ongoing and thanks were extended to Members in dealing with the extra cases. Members noted there had been a meeting with the Legal Defence Union (LDU) to explain the current changes.

3.17 **Scottish Legal Aid Board (SLAB)** – Members noted the update provided.

3.18 **Ombudsman Association (OA) - Revalidation** – Members noted the application for revalidation has been submitted for the OA membership.

3.19 **2025/26 Pay Discussions** – Members noted the update provided by the DoBP, advising PCS are basing their pay submission on the NHS and SGvt Main negotiations. Further update will be provided in due course.

3.20 The Chair thanked SMT for their updates to the paper presented.

4. Reform Implementation Planning Update

4.1 The CEO and DoPP spoke to the paper presented. With the CEO advising that they would now be entering the phase where we discussed with SGvt commencement orders and funding. This is likely to be the focus of the next six months, with planning for the second half of the year starting during that time as plans begin to firm up. Board went on to consider specific work plan stages:

4.2 next 6 months (July to December) – following consideration of the points proposed by the Executive, Board were in agreement with the plan.

4.3 proposed approach to funding discussions with SGvt – following consideration of the points proposed by the Executive, Board noted one of the biggest costs could be the upgrade to the IT Case Management System (CAS), and both the amount and the source of funding should be established very early. Board also noted there would be increased costs to fund the Consumer Panel and, again, it was important to be clear about how that was to be funded. Board all agreed that it would be helpful to identify the minimum cost to implement the various changes in the Bill. All risks of underfunding will need to be identified, along with a very clear approach with SGvt. Board agreed with the proposed plan.

4.4 early thinking on describing the role of the future organisation – following consideration of the points proposed by the Executive, Board noted this will evolve and develop further over the autumn period before being finalised.

4.5 early thinking on Regulatory Statement – the DoPP spoke to the initial draft statement. Following consideration and discussion of the Executive's proposal, it was agreed the Chair and DoPP would meet to discuss this further. Board agreed with this approach.

4.6 developing our thinking on Legislative impact on core complaints process and update on recruitment of the Project Coordinator – the CEO confirmed the new Project Coordinator would be starting next Monday (16th), and they will be attending both Audit and Board meetings to ensure integrated reporting of the project progress, risk, finance etc. The CEO explained the DoR has been working with IMT on the early thinking on impact this will have on our core complaints process. Members suggested seeking legal advice when needed on identifying different areas of the Bill. It was agreed this was good advice and the project team will seek legal advice as our thinking evolves. Members also suggested enquiring if legal advice is included in any transition costs. The CEO also gave a brief overview of the new Project Coordinator's role.

- 4.7 Members suggested the Executive seek legal advice on the development of processes to ensure the balance of risk v proportionality is appropriate and wondered if Board would be involved in this process. The CEO confirmed Board's involvement would be included at various stages of the process, will need to be mindful on the operational aspects of the role but Board can be included.

Action	Owner	Due Date
Chair and DoPP to meet to discuss the early thinking on the Regulatory Statement.	Chair & DoPP	ASAP

5. Planning Timetable for Budget and Operating Plan 2026/27

- 5.1 The CEO spoke to the paper presented, advising that we may remain uncertain on the impact of Reform, we are currently proceeding again with a two part plan (what we can definitely deliver, and reform projects dependent on SG commencement orders and funding as this will be dependent on SGvt discussions on the Bill progressing. Members noted and agreed with the proposed draft timetable in annexe 1.
- 5.2 Members suggested within the draft Budget Planning Assumptions for 2026/27, the CEO and DoBP capture all the different implementation costs separately as matters progress with the Reform Bill. Board agreed with the proposal in annexe 2.
- 5.3 Board noted and agreed with annexe 3, Summary of Current Strategy.

6. Draft KPIs for 2025/26

- 6.1 In the absence of the DoR, the CEO spoke to the paper presented, advising they were proposing to continue to develop the current targets for the coming year, with these KPIs cascaded through the CEO and staffs' annual appraisals. Board was in agreement with KPIs remaining as is at present, although they discussed again the advantage of a KPI in the future covering an aspect of the members' operational input/responsibility, and they look forward to reviewing them in due course.

7. Update on Governance Review Workshop

- 7.1 The CEO spoke to the paper presented and thanked the Governance Working Party for their input in developing the Action Plan being presented today for discussion.
- 7.2 Members of the Working Party acknowledged it was a very positive process and all points had been captured
- 7.3 The Chair enquired who in SMT would be leading on the actions. The CEO confirmed it would be in his remit as an objective, with accountability to be delivered by end of year. The Chair found it helpful that they were set out in themes and looked forward to receiving an update in due course. Members approved the action plan subject to minor typographical changes.

Action	Owner	Due Date
CEO to review the suggested typographical changes within the Governance Review Action Plan and provide an update to Board in due course..	CEO	By 21 July 2025

8. AOCB

- 8.1 none.

9. Chief Executive's Report

- 9.1 Members noted the paper presented.

10. Date of Next Meetings

- 10.1 Members noted the next full Board Meeting and Development Session will take place in person, in the Boardroom on **Monday 21 July 2025**, with lunch being provided.
- **Board Development Session will commence at 10am**
 - **Board meeting will start thereafter, with a short lunchbreak in between.**

11. Review of the Meeting

11.1 With no other business the meeting concluded.

Private Member only session, where SMT and Secretariat left the meeting at 11.35am

Call ended 11.45am