

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS  
COMMISSION: 1.05pm on MONDAY 28 April 2025 in the SLCC Boardroom**

**PRESENT:**

**LAY:**

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

**LAWYER:**

Lynne Collingham

**Apologies:** Dale Hughes and Richard McMeeken

**In attendance:**

Neil Stevenson (CEO)  
Vicky Crichton (DoPP)  
[REDACTED] (Secretariat)

Louise Burnett (DoBP)  
Caroline Robertson (DoR)

**Abbreviations used:**

WIP – Work in Progress  
FMR – Financial Management Report  
AC – Audit Committee  
CI – Case Investigator  
RPO – Relevant Professional Organisation  
IMT – Investigations Management Team  
JT – Journey Time  
DoR – Director of Resolution  
DoBP – Director of Business Performance  
RC – Remuneration Committee

DC – Determination Committee  
LSS – Law Society of Scotland  
FoA – Faculty of Advocates  
CIM – Case Investigations Manager  
SGvt – Scottish Government  
CoS – Court of Session  
WT – Working Time  
DoPP – Director of Public Policy  
SP – Scottish Parliament

**1. Welcome and Apologies**

- 1.1 The Chair welcomed everyone to the meeting and thanked everyone for their input into a productive and informative Development Session, noting apologies had been received from Dale Hughes and Richard McMeeken.

**2. Declaration of Interests**

- 2.1 The Chair noted the standard declarations of interest declared by Member, Lynne Collingham, in relation to any pecuniary interest with regards to any budgetary discussions and the Reform Bill process/responses by the SLCC.

**3. Minutes and Matters Arising from Board Meeting on 20 January 2025 and Conference Call on 24 March 2025**

- 3.1 The Minute of the Board Meeting was noted and approved as read, along with the Conference call notes.
- 3.2 Members enquired if the LSS submitted an amendment to their letter in response to the draft Budget Consultation. The DoPP confirmed they had, all responses have been published, and as requested by Board, the Executive have responded privately to the LSS, with no response to date.

**4. Board Actions Register**

- 4.1 Members noted the ongoing Actions, agreeing all other completed actions be removed from the register. Updates were provided on the following:
- 4.1.1 Action 586 – the CEO confirmed the Budget and Operating Plan were laid in SP on Friday 25 April, so this action was now clear.

- 4.1.2 Actions 575, 576 and 578 are all connected – the CEO advised we are still waiting on SGvts response; however, this was raised again at the AC meeting last week. Members sought clarification on who audited SGvt. The DoBP confirmed it was Audit Scotland, who are also our External Auditors. Following a free and frank discussion, it was agreed the CEO would again raise this matter with our Sponsor Team, with a view to Board raising the matter formally with SGvt.

## 5. Governance Review

- 5.1 The Chair recorded that Board had a full, informal discussion earlier during the Board Development Session, on the paper presented by the Governance Consultant, Andrew Harvey. The informal discussion suggested members would be minded to agree to accept and implement all the recommendations when these were formally brought to the Board.
- 5.2 The Chair advised this would be taken forward to the Governance Project Working Group, to develop an Action Plan to be brought to the July Board Meeting, with a view to publishing an executive summary and the action plan in due course. It was agreed the CEO would arrange a meeting of the Governance Project Working Group as soon as possible.

Action	Owner	Due Date
CEO to arrange a meeting of the Governance Project Working Group to develop an Action Plan, to be presented to the July Board Meeting.	CEO	ASAP

## 6. Key Issues

- 6.1 The CEO spoke to the paper presented and Members agreed all items would be taken as read, with additional updates provided on specific matters.
- 6.2 **Reform** – The DoPP advised they were still waiting on the date of the Stage 3 debate in SP, it is anticipated it might be w/c 12 May, but we await confirmation. Members enquired if we have seen any amendments. The DoPP confirmed they have not seen any amendments from SGvt yet. Following discussion, it was agreed the DoPP would share the date and time for the Stage 3 debate when received. The DoPP confirmed they would be attending SP to listen to the debate at committee and will provide an update to Board.
- 6.3 Members enquired how comms and stakeholder engagement was progressing relating to the Bill. The DoPP gave an overview of the engagement during Stage 2, advising as Stage 3 progresses, the Executive will develop a briefing, which will be shared with Board in due course.
- 6.4 The Chair, on behalf of Board, thanked the Executive for all the work they have done on keeping Board informed as matters progress, as they have found it very helpful.

Action	Owner	Due Date
CEO/DoPP to provide Members with the date and time for the Stage 3 debate when available, and provide an update on the debate to Board	CEO/DoPP	ASAP

- 6.5 **ABS** – Members noted there was no further update to report.
- 6.6 **Communication and Stakeholder engagement** – Members noted the update provided by the DoPP. The Chair enquired if a full copy of the Scottish Law Agents Society (SLAS) survey had been obtained. The DoPP confirmed it had, showing 96 responses being received to their survey, we have offered to meet with SLAS to discuss their survey results.
- 6.7 **Oversight** – Members noted the update provided by the DoPP.
- 6.8 **Cyber update** – Members noted the update provided by the DoBP.
- 6.9 **Digital and AI update** – The DoBP advised they were starting to look at the use of AI having had a demo from CAS for the case management system and the benefits of using this in the business. Members noted the Digital Specialist had also given an overview to RC of the new in-house recruitment app, which was developed for the CIM and Project Co-ordinator recruitments.

- 6.10 **S17 Work Update** – The DoR reported whilst there were no live cases currently with the CoS, we have recently instigated 5 new S17 instructions. Again, 2 are against the same previous 2 lawyers. Members noted additional information on S17 had also been provided to the Lord President.
- 6.11 **Employment Tribunal (and linked Appeal)** – The CEO advised the ET decision, which was ruled in our favour, has been appealed and were waiting to hear if the Employment Appeal Tribunal will deal with this application administratively, or if submissions are required. The CEO advised we have made an application for costs.
- 6.12 **Governance** – The CEO reiterated there had been good discussion at the Board Development Session earlier, and a meeting would be convened for the Governance Project Working Group to develop an Action Plan to be brought to the July Board meeting.
- 6.13 **Equality Review** – The CEO provided an update, noting the next step would be to engage with stakeholders, with an update coming to the June meeting. The CEO advised this will complete the project within the planned business year (2024/25), allowing it to feed into planning for the next operational year.
- 6.14 **‘Framework’ Agreement** – Members noted the current position, which was also raised at AC last week.
- 6.15 **RDC Response Times** – Members noted the earlier adjudication training session from the Board Development Session, which they found helpful. They also acknowledged the timescales set in the RDC process. The CEO described the impact of not meeting this deadline has on the automation which is carried out in the background of the Members App. The Chair echoed Members requirement to ensure they meet the timescale set as part of the RDC process, so that the automation can run as part of the procedure.
- 6.16 **Changes at Eligibility** – The CEO gave a brief overview of the recent meeting with LSS representatives. It was noted the LSS are considering instigating a Judicial Review and individual appeals on cases. The CEO confirmed legal advice has been sought. The DoR advised that liaison is now progressing, with 24 cases now being passed back from the LSS liaison. It was agreed the CEO and DoR would update Board if the LSS decide to progress with a Judicial Review.
- 6.17 The Chair thanked SMT for their updates to the paper presented.

## 7. **Reform Implementation Update**

- 7.1 The CEO spoke to the paper presented, giving an overview of the history and background to date, along with the proposed approach to Commencement Order discussions with SGvt. Members noted and agreed with the Executive’s planned approach. Members discussed whether the timescales would be achievable depending on when the Bill concludes and suggested they might need adjusted. Board agreed that the timescales would be kept under review.
- 7.2 Board then considered the planned request to approach SGvt to discuss funding for the implementation phase of the Bill. The DoBP reiterated any funds received would be strictly controlled in terms of the accounting treatment to ensure we meet Audit purposes. The CEO confirmed they will liaise with the Auditors in advance which is key, and Board agrees with this approach.
- 7.3 The CEO advised SMT have started discussions on the early thinking on how to describe the ‘new’ organisation (covering all functions now enhanced or added by the Act), which will be brought back to Board once the Bill has passed. Members suggested the Executive might wish to engage the services of professional support for comms/marketing when appropriate. The CEO and DoPP agreed this will be considered.
- 7.4 Members noted that the early thinking on the development of a regulatory statement would be included in the implementation planning stage, and this would be brought to the July Board Meeting.
- 7.5 The DoBP advised the Project Co-ordinator recruitment was progressing, with interviews due to take place w/c 12 May 2025. Members sought clarification on the role competencies and to who the appointed person would directly report. The CEO gave a brief overview of the role and confirmed this role would directly report to the CEO.
- 7.6 Members thanked SMT for their update to the paper presented.



## 8. Quality Management Framework

- 8.1 The CEO spoke to the paper presented, and for the benefit of new Member, gave a brief overview of the quality systems and standards in place. Explaining this does not provide detail on the operational activity or process standards but focuses on the framework which provides assurance for Board and Audit Committee.
- 8.2 Members had a free and frank discussion on the draft Quality Framework document, following which it was agreed SMT would make the suggested changes made by Board. A clean version of the document would be reviewed by Member, J Grier. The final document would be kept under rolling review but would be brought back to the October Board Meeting for further discussion.

Action	Owner	Due Date
CEO to finalise the draft Quality Framework document, to be reviewed by Member, J Grier, for a final draft to be brought back to the October Board Meeting.	CEO & JG	1. by 30 May 2025 2. by 17 October 2025

## 9. Management Information for Q3

- 9.1 The DoR spoke to the paper presented, advising incoming was still steady, reminding Members they were still dealing with the knock on from the McClure cases. The DoR also advised two new CIs had started today.
- 9.2 Members noted WIP was stable for Q3, with JT being lower than anticipated. The DoR explained this related to cases being held up at liaison with the LSS. Members agreed there had been good performance overall in Q3 and requested this feedback be given to staff. The DoR agreed this would be.

Action	Owner	Due Date
DoR to feedback to staff, Board's thanks for a good performance overall in Q3.	DoR	ASAP

## 10. Appeals Update for Q3

- 10.1 Members noted the paper presented and sought clarification on costs relating to one of the new appeals. The CEO explained the reasoning for this appeal having hire costs, in that, for this case Senior Counsel instead of Junior Counsel, is being used, hence increased costs.

## 11. Op Plan Update for Q3

- 11.1 Members noted the paper presented. The DoPP explained they were making good progress on the majority of projects, which were on track for completion, with only a couple being delayed. The new Data Analyst had settled in well and was embarking on their training.
- 11.2 Following discussion it was agreed that the two projects behind schedule and not anticipated to be delivered by yearend be removed. The DoPP agreed.

Action	Owner	Due Date
DoPP to review the Op Plan, removing the two projects behind schedule, which will not be completed by yearend.	DoPP	for Q4 Reporting

## 12. Strategic Risk Register

- 12.1 The DoBP spoke to the paper presented, advising Members that under the Public Sector Risk Theme header, an additional theme has been added (7<sup>th</sup> column) – Cyber, Data & Info. Management.
- 12.2 The AC Chair gave a brief overview of the recent AC discussions to Board and for the benefit of new Member, T Lawrie, explained that text highlighted in red on page 2 onwards of the RR, contained the updates to risks from AC to Board meetings.

### 13. Finance Management Report for Q3

- 13.1 The DoBP spoke to the paper presented reporting on the FMR spend to end March 2025.
- 13.2 The DoBP reported, based on actual income against budget, the income was up £172,646, with an expenditure underspend of £51,062.
- 13.3 The DoBP noted the current 2024-25 Budget forecast surplus was £10,301, explaining they were currently forecasting a surplus of £151,177. Advising, £47,337 of this would be returned to reserves. This is because of increased income from general levy, and interest, which offsets overspends in legal and IT costs. The DoBP also advised £103,840 relates to Reform costs, which will not be spent this year, this will be returned to reserves and spend in 2025-26, as it has already been charged to the levy. Members noted these increased reserves to £1,473,597 for yearend.
- 13.4 Members noted the figures presented and the Chair thanked the DoBP for their explanation to the paper presented.

### 14. Scheme of Delegation

- 14.1 The DoBP spoke to the paper presented, advising the cover paper included the summary of changes within the Scheme of Delegation (SoD) document, explaining points 1.2-1.6 were amendments to role titles, and points 1.7 and 1.8 take account of the Wilson appeal decision.
- 14.2 Members suggested under heading 6 – Complaints, the 4<sup>th</sup> point should be removed as it no longer is applicable. Subject to this minor change Board accepted and approved the paper presented. It was agreed the DoBP would accept the changes and finalise the SoD.

Action	Owner	Due Date
DoBP to finalise the SoD document subject to the minor changes by Board.	DoBP	ASAP

### 15. Customer Service Experience Report for Q2

- 15.1 The DoR spoke to the paper presented, advising SET were considering their projects for Q3 and Q4, particularly in relation to 'bias' and how we are funded, along with looking to explore the difference between complainers 'understanding' and 'agreeing' with decisions.
- 15.2 During discussions Members suggested the layout of 'free text' to be reviewed for future presentation purposes. The DoBP and DoPP agreed, explaining this project had been delayed due to staffing and hoped, now the new Data Analyst was in post, this would progress. Members also suggested the comments and free text could be reviewed by AI markers with a view to try and identify themes.
- 15.3 The Chair suggested it would be helpful to have an overview paper to accompany the 'raw' data, and was pleased to see the Consumer Panel also receive this information to review.
- 15.4 Members suggested the report includes 'unsolicited' feedback received from parties. The DoR agreed this could be included in Q3 reporting.

Action	Owner	Due Date
DoR to review the 'raw' data for Q3 reporting to include a cover paper, along with 'unsolicited' feedback, and emerging themes.	DoR	for Q4 Reporting

### 16. Chairs Report

- 16.1 The Chair advised, herself and Member, J Grier attended the recent LSS annual dinner in Glasgow. Following which they have received an invite for the SLCC to attend the Glasgow Bar Association to give a talk. Thanks were passed on to Board from the outgoing Chief Executive of the LSS.

### 17. Proposed dates for 2026 Board and Committee Meetings

- 17.1 The proposed plan of dates for 2026 Board and Committee meetings were approved as presented. It was agreed the Secretariat would send out diary invites to all.

**18. AOB**

18.1 None noted for discussion.

**19. Note from Remuneration Committee of 8 April 2025**

19.1 Paper noted as read.

**20. Note from Audit Committee of 14 April 2025**

20.1 Paper noted as read. The DoBP advised they would be holding Internal Audit Interviews on 14<sup>th</sup> and 22<sup>nd</sup> May.

**21. Minute from Consumer Panel of 3 December 2024**

21.1 Members noted the paper presented.

**22. Chief Executive's Report**

22.1 Members noted the meetings attended by the CEO.

**23. Date of Next Meetings**

23.1 Members noted the date of the next meeting would be a Board Conference Call on **Monday 9 June 2025 at 10am** to discuss Yearend figures.

**24. Review of the Meeting**

24.1 With no other business the meeting concluded.

*3.17pm the SMT and Secretariat left the meeting*

**Private Member only session**

*3.25pm Board Meeting ends*