scottish legal complaints commission slcc

MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS COMMISSION: 1.30pm on MONDAY 27 April 2026 in the SLCC Boardroom

PRESENT:

LAY:
Jane Malcolm, Chair
Ged Bell
Anne Gibson (*online*)
Jean Grier
Thane Lawrie

LAWYER:
Dale Hughes *(online)*

Apologies: Lynne Collingham, Richard McMeeken and John Stevenson

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

Abbreviations used:
LSS – Law Society of Scotland
SGvt – Scottish Government
RPO – Relevant Professional Organisation
CoS – Court of Session
IMT – Investigations Management Team
DoR– Director of Resolution
DoBP – Director of Business Performance
PCo – Project Co-ordinator
IA – Internal Audit
FoA – Faculty of Advocates
SP – Scottish Parliament
LPO – Lord President's Office
CIM – Case Investigations Manager
CI – Case Investigator
DoPP – Director of Public Policy
ARC – Audit & Risk Committee
PCC – People & Culture Committee

Private Member only session, after which, the Chair invited SMT, PCo and Secretariat to join the meeting at 1.40pm

1. Welcome and Apologies

1.1 The Chair welcomed everyone to the meeting and thanked everyone for their input into to a productive and informative Development Session. It was also noted that Member, Anne Gibson was joining online.

2. Declaration of Interests

2.1 The Chair noted no new declarations of interest were advised, with the standard declarations of interest declared by Dale Hughes, remained unchanged in relation to any pecuniary interest with regards to budgetary or reform discussions.

3. Minutes of Previous Meetings

3.1 **Board Meeting on 19 January 2026**

3.1.1 The Minutes, previously circulated, were confirmed as an accurate record, and were approved.

3.2 **Board Conference Call on 23 March 2026**

3.2.1 The Minutes, informed by the available transcript and previously circulated, were confirmed as an accurate record, and were approved.

3.3 The Chair thanked the Secretariat for the drafting.

4. Board Actions Register

4.1 Board noted that all actions were complete and would be removed from the action register.

5. Reform Implementation – Update

5.1 The PCo and CEO spoke to the paper presented.

5.2 **Transformation Programme – Progress and Governance** – Board received an update on progress across the Transformation Programme, including delivery status, finance, audit considerations and engagement with SGvt and wider stakeholders.

5.3 It was noted that no new financial issues had arisen since submission of the paper. Progress against individual project tasks was reported as generally positive, with several previously identified findings now progressed or resolved. Work continued on the project case management systems, with dependencies across the programme being actively monitored.

5.4 Board noted the position in relation to internal audit, including recommendations previously considered by the ARC. It was confirmed that updates to governance documentation were being taken forward, including clarification of reporting obligations to SGvt and incorporation of audit feedback into programme oversight arrangements. Board discussed and agreed that future internal audit on the transformation programme should focus on any particular areas of risk identified, and should simply become part of the normal internal audit plan.

5.5 **Stakeholder Engagement and Consultation Timelines** – Board discussed stakeholder engagement and consultation timelines. External stakeholders had raised concerns regarding capacity to respond to the proposed volume and timing of consultations and associated implementation activity, and had suggested a more staggered approach. The CEO and DoPP confirmed that discussions with stakeholders and SGvt were ongoing.

5.6 While recognising these concerns, the Board emphasised the importance of maintaining momentum in delivering the reforms, particularly in light of consumer expectations and statutory objectives. It was acknowledged that while some flexibility in sequencing might be possible, delaying timelines without clarity on alternatives carried risks.

5.7 Board noted forthcoming engagement with the LPO, including a round-table meeting was scheduled for late June, as a key opportunity to test sector views and inform next steps.

5.8 **Unregulated Legal Services – Legal Advice and Risk Management** – Board received an update on work relating to unregulated legal services, informed by recent legal advice and engagement with SGvt.

5.9 It was noted that the legal advice confirmed the relevant legislative provisions were potentially broad in scope. The DoPP explained that current work was focused on clarifying policy intent before progressing further with scoping or stakeholder engagement.

5.10 Board noted that early discussions with SGvt were underway and that this was an important initial step, given the potential risks of unintended market impact and reputational risk if engagement progressed prematurely. Board recognised the uncertainty around potential demand and resource implications, and noted that these risks were appropriately reflected on the reform risk register. It was further noted that the provisions were not expected to be commenced before 2028.

5.11 **Case Management System – Options and Procurement** – Board received an update on preparatory work towards a potential new case management system.

5.12 It was noted that system demonstrations had been completed and that work was underway to develop an options appraisal and business case for Board consideration. The DoBP confirmed that procurement rules would require a competitive tender process.

5.13 **Transformation Governance Framework** – Board confirmed their approval of the revisions to the Transformation Governance Framework document and also confirmed that risks 2 and 3 remain separate on the Reform Risk Register.

5.14 Board noted the governance, financial thresholds and assurance arrangements would be addressed in a forthcoming paper, and for them to be aligned to the wider reform governance framework.

5.15 Board took assurance that the Transformation Programme remained actively managed, with appropriate governance, stakeholder engagement and risk oversight in place. The Chair confirmed SMT would continue to update the Board on material developments.

Action	Owner	Due Date
Board agreed a detailed paper including governance and procurement implications, to be brought to the July Board Meeting for update on the case management system/IT.	CEO	Q4 reporting

6. Regulatory Statement

6.1 The DoPP spoke to the paper presented.

6.2 Board considered the revised Regulatory Statement, which had been updated to reflect responses received during consultation. It was noted that the DoPP had undertaken a detailed review of consultation feedback and had made amendments to the draft where appropriate, while recognising that a number of responses reflected fundamental differences of view rather than issues that could be addressed through drafting changes.

6.3 Board acknowledged the constructive engagement undertaken with stakeholders and thanked the DoPP for the quality of the analysis and the clarity of the revised document, and for sharing the consultation responses received .

6.4 Board discussed in particular the treatment of consumer definitions and the extent to which the Regulatory Statement appropriately referenced external statutory and policy frameworks. It was noted that, while some respondents had expressed strong opposition to aspects of the position set out, these reflected legislative requirements which the organisation was obliged to implement.

6.5 The DoPP confirmed that engagement with the Lord President's Office had been positive and that there was support for proceeding with publication. Board noted that the Regulatory Statement could be reviewed in future as the wider regulatory landscape developed, including once additional perspectives from external bodies became available.

6.6 The Chair confirmed that Board approved the Regulatory Statement for publication, together with consultation responses, and delegated final drafting and minor presentational amendments to SMT.

Action	Owner	Due Date
Board delegated final drafting and minor presentation updates to the regulatory objectives to be finalised by SMT prior to publication.	DoPP	ASAP

7. Consumer Panel

7.1 The DoPP spoke to the paper presented. Board considered proposals for new governance arrangements for the Consumer Panel, intended to support transition from the current arrangements and provide a revised framework for future operation and membership.

7.2 Board noted that the proposals would allow existing Consumer Panel members to transition onto the new governance arrangements, while also establishing a basis for the recruitment of new members in line with the revised framework. Board acknowledged the work undertaken by the DoPP, with support from Board members, to develop the proposals and refine the governance model.

7.3 Board discussed feedback received from Consumer Panel members and Board members in advance of and during the meeting. It was noted that a number of constructive comments had already been incorporated, and that further minor drafting refinements would be taken forward, without altering the overall approach or intent.

7.4 Board welcomed the clarity provided by the revised arrangements, including clearer roles, responsibilities and lines of accountability, and noted the importance of ensuring continuity and stability during the transition period. The contribution of Board members who had been closely involved in the development of the proposals was formally acknowledged.

7.5 The Chair confirmed Board approved the proposed Consumer Panel governance arrangements, subject to incorporation of minor drafting amendments, and authorised SMT to proceed with implementation and recruitment activity on that basis.

Action	Owner	Due Date
Board delegated final drafting updates on the consumer panel policies to be finalised by SMT.	DoPP	ASAP

8. Draft Policy on Complaints initiated by SLCC

8.1 The DoPP spoke to the paper presented.

8.2 Board considered a draft policy setting out the proposed approach to the SLCC's statutory power to initiate complaints in its own name where it is considered to be in the public interest.

8.3 Board noted that this was an early piece of preparatory work linked to legislative provisions that had not yet been commenced and were expected to come into force alongside wider complaints reform on 1 July 2027. The CEO explained that bringing the policy forward at this stage was intended to establish clear principles and a governance framework in advance of implementation.

8.4 Board noted that the policy set out circumstances in which the power might be exercised, applying to conduct and regulatory complaints, but not service complaints, and included safeguards relating to public-interest thresholds and oversight. Members considered comments provided in advance of and during the meeting, particularly on clarity, proportionality and alignment with related policies.

8.5 The CEO and DoPP confirmed that minor drafting refinements would be incorporated and that the policy would be kept under review as wider reform planning developed. The Board welcomed the proactive approach to early policy development and the clarity it provided.

8.6 The Chair confirmed Board approved the draft policy, subject to minor drafting amendments, and agreed that it should be kept under review as reform implementation progressed.

Action	Owner	Due Date
Board delegated final drafting updates on the policy complaints in the SLCC's own name to be finalised by SMT.	DoPP and CEO	ASAP

9. Key Issues

9.1 The CEO spoke to the paper presented. Board considered a range of emerging operational issues and updates provided on:

9.2 **Board Appointments and forward planning** – the CEO formally welcomed new members, G Bell to his first meeting. Board noted the update on future Board membership, induction planning and forward succession arrangements. Board also noted that work was underway to plan induction activity for newly appointed members, with indicative timescales discussed for phased onboarding over the coming months. The CEO confirmed early engagement with SGvt was planned regarding future recruitment rounds, in light of upcoming end-of-term dates for existing members, and the need to ensure continuity and appropriate skills coverage.

9.3 The Chair highlighted the importance of forward planning across Committee memberships, including Audit & Risk Committee and People & Culture Committee, and noted the intention to consider the use of independent external expertise where appropriate to strengthen assurance and resilience. Board supported this approach and noted that further proposals would be brought forward as planning progressed.

9.4 **Cyber update** – the DoBP provided an updated on internal audit work relating to third-party cyber security, noting that this was an area of increased organisational reliance and had not previously been subject to detailed review. Board welcomed the focus on strengthening assurance arrangements and ensuring appropriate standards were in place for third-party providers.

9.5 **Digital and AI update** – Board also discussed the increasing prevalence of artificial intelligence in complaints and correspondence received by the organisation. It was noted that AI-generated submissions were becoming more common and could present challenges in terms of clarity, tone and process expectations. The CEO confirmed that work was underway to develop appropriate messaging and guidance, with an emphasis on constructive engagement and managing expectations, rather than discouraging use outright.

9.6 **Translation and Interpreting Project** – the DoR provided an update on translation and interpreting services, following earlier Board interest in reasonable adjustments and accessibility. It was noted that uptake had not previously been systematically monitored, and that work was now underway to track usage and better understand demand. The Board noted that expenditure to date had been modest (£4.5k to date), and welcomed the focus on ensuring accessibility while maintaining proportionate oversight.

9.7 **S17 Work Update** – Board received an update on ongoing engagement with the LSS in relation to S17 matters, following earlier correspondence and discussion with the Lord President.

9.8 Board noted that some initial actions had been taken and that further engagement was underway, including development of a clearer plan of activity. Board discussed the extent to which current actions were likely to address underlying issues, noting the importance of ensuring that engagement was evidence-based and capable of delivering meaningful impact, rather than limited to short-term or presentational responses.

9.9 Board noted that further discussion with the Lord President was scheduled for June and agreed that this would be an important opportunity to assess progress and consider whether additional or different approaches might be required.

Action	Owner	Due Date
SMT to provide an update following the joint meeting re S17 with the LP and LSS.	SMT	ASAP

9.10 Board took assurance that succession planning, operational risks and external engagement were being actively managed, and that SMT would continue to keep Board informed of any material developments across these key areas.

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

10. Management Information for Q3

10.1 The DoR spoke to the paper presented. Board considered the Q3 performance and KPI report, with particular focus on eligibility performance, workload management and the impact of ongoing process change.

10.2 The DoR provided context on eligibility timescales, noting sustained pressure arising from fluctuating incoming volumes, staffing movement and the parallel operation of sprint and legacy processes. It was explained that, while average processing times remained challenging against target, the time taken to progress cases once within the eligibility process had reduced significantly, representing a material operational improvement.

10.3 Board discussed the method used for reporting eligibility performance, noting that the KPI reflected the longest-waiting case rather than an average, and therefore represented a worst-case measure. Members acknowledged the value of this approach for transparency and assurance, while recognising that it could obscure underlying improvements in throughput and flow.

10.4 Board explored the balance between customer experience, operational efficiency and workforce management. It was noted that accelerating eligibility allocation purely to meet target risked creating bottlenecks later in the process and could undermine overall performance, case quality and cost effectiveness. The DoR confirmed that case allocation was actively managed to support smooth progression through the end-to-end process, rather than shifting delays between stages.

10.5 Board also discussed the impact of workforce changes, including the planned departure of experienced staff from eligibility roles and the associated need to redeploy expertise and support recruitment. It was noted that this created short-term pressure but was being managed alongside broader transition to new ways of working expected under future process reform.

10.6 Members reflected on the importance of clearly articulating the current position, challenges and intended trajectory for eligibility performance, particularly in the context of ongoing reform. It was suggested that a more consolidated explanation of the competing factors influencing performance would assist Board oversight and support external scrutiny.

10.7 The Board agreed that a short, consolidated paper should be brought forward, setting out the rationale for the current KPI approach, the operational trade-offs involved, and the expected impact of workforce and process changes over the coming period.

Action	Owner	Due Date
DoR to draft a short, consolidated paper, setting out the rationale for the current KPI approach, include the operational constraints, impact of workforce and process changes over the coming period.	DoR	Q4 reporting
DoR to continue to include the production table in the KPI paper, showing the projected productivity against actual productivity for future reporting to Board.	DoR	ongoing

11. Op Plan Update for Q3

11.1 Members noted the paper presented.

12. Customer Service Feedback Q2

12.1 Board considered the customer feedback report, including themes arising from recent complaints and service-user feedback.Positive feedback regarding staff professionalism, empathy and thoroughness was noted, and the Board acknowledged the continued efforts of staff to engage constructively with service users.

12.2 Board also discussed feedback relating to the clarity and quality of written decisions, noting that some respondents had raised concerns that outcomes were unclear, insufficiently reasoned or did not fully address the evidence provided. It was noted that this appeared alongside survey data indicating improved scores for understanding and clarity during the same period. Board noted that there was a degree of inconsistency between qualitative feedback and quantitative measures.

12.4 The DoR confirmed that this issue was being monitored closely, and that work was underway to review and refresh internal guidance, including "useful phrases" and report-writing support, to promote clarity and consistency across decisions. It was also noted that perceptions of clarity were often influenced by whether the outcome aligned with the expectations of the parties involved.

12.5 Board welcomed the continued focus on report quality, and agreed that monitoring of feedback themes should continue.

13. Appeals Update for Q3

13.1 Board received and noted the appeals update, including information on current and emerging legal issues.

13.2 Board discussed an ongoing appeal concerning the interpretation of "prosecutorial decisions" and the scope of the statutory exemption applying to decisions taken by the Lord Advocate. It was noted that there remained differing views between the organisation and the Crown Office as to whether certain actions fell within this definition and were therefore exempt from scrutiny.

13.3 The CEO explained that the matter raised broader questions of legal interpretation rather than the merits of an individual case, and that judicial clarification would be helpful in establishing a consistent position for future cases.

13.4 Board recognised the sensitivity of this area and the importance of maintaining the organisation's statutory role. Board took assurance that appeals activity and associated legal risks were being appropriately monitored and managed, and that further updates would be provided as matters progressed.

14. Finance Management Report for Q3

14.1 The DoBP spoke to the paper presented.

14.2 Board considered the finance and levy update, including the current projected outturn and movements on the balance sheet.

14.3 Board noted that the financial position continued to reflect overspends primarily driven by appeals and S17 costs, trends previously highlighted to the Board. While levy income was reported to be ahead of expectations, this had resulted in increased debtor balances rather than an improved cash position.

14.4 Board noted that a deficit of approximately £245k was reflected on the balance sheet and that this would be reviewed as part of the year-end bad-debt assessment process. It was confirmed that a proportion of the debt had already been provided for, with further provisioning dependent on recovery outcomes.

14.5 The DoBP provided an update on the debt-recovery activity, including cases involving discontinued instalment plans and organisations in administration. Board noted the increased effort required to pursue outstanding debts and the limits on recovery in some circumstances, and emphasised the importance of maintaining appropriate and proportionate recovery arrangements.

14.6 Board thanked the DoBP for the clarity of the reporting and the continued focus on monitoring levy income, debt and cost pressures.

Action	Owner	Due Date
DoBP to provide an update on those firms that have stopped paying their bad debts by way of instalments.	DoBP	Q4 reporting

15. Strategic Risk Register

15.1 Board considered the updated Strategic Risk Register and noted changes since the previous review at the ARC meeting.

15.2 It was reported that a number of risks had remained broadly stable, reflecting ongoing controls and monitoring arrangements. The DoBP highlighted specific areas where increased clarity and assurance had enabled risk scores to be reduced, including risks associated with budget setting and financial certainty for the coming year, following confirmation that the 2026–27 Budget had been agreed and laid before Parliament.

15.3 Board noted that risks relating to reform implementation and engagement with SGvt had also been reassessed, reflecting increased certainty around timings and commencement expectations, while recognising that dependencies and external factors remained active considerations.

15.4 Discussion focused in particular on risks associated with IT resilience and third-party service provision. It was noted that recent changes in IT supplier arrangements and increased reliance on external providers merited continued close monitoring. Board agreed that clear oversight and assurance in this area remained important, particularly given the role of digital systems in underpinning operational delivery and the changes required by transformation.

15.5 Board also noted that the risk register would continue to be reviewed regularly, with emerging risks escalated as required and mitigations refreshed to reflect organisational and external changes.

15.6 Board approved the updated Strategic Risk Register as presented and took assurance that appropriate review, monitoring and mitigation arrangements remained in place.

15.7 The DoBP reminded Board that responses to the de novo risk register review are due tomorrow, 28 April 2026.

16. Chair's Report

16.1 The Chair provided an update on recent external engagement and Board-related matters. Board noted the Chair's attendance at the LSS dinner, where constructive engagement had taken place.

16.2 The Chair also highlighted emerging priorities outlined by the incoming President of the LSS, including a particular focus on sole practitioners.

16.3 Updates were provided on Board and Committee arrangements, including changes to membership and allocation of responsibilities. At this stage G. Bell would join PCC and other changes would take place as the new members joined later in the year. The Chair confirmed G. Bell would be the lead Board member on the case management project, with A. Gibson leading on Consumer Panel liaison and work, and T Lawrie would be the Board cyber liaison lead. The Chair reiterated the importance of maintaining appropriate skills and expertise across Committees, including consideration of independent external members where beneficial.

16.4 The Chair noted her forthcoming planned absence from a future meeting in October, and confirmed that appropriate arrangements would be in place to ensure continuity of Chairing and governance.

16.5 Board noted the update.

17. Proposed dates for 2027 Board and Committee Meetings

17.1 The proposed plan of dates for 2027 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 People & Culture Committee of 7 April 2026

19.1 Paper noted as read. The Chair of the PCC noted the most recent meeting had been substantive, with detailed consideration of workforce matters, including staff survey findings and policy development, and thanked the DoBP and HRA for the quality of the papers prepared for the meeting.

20. Note from Audit & Risk Committee of 13 April 2026

20.1 Paper noted as read. The Chair of the ARC highlighted the Committee’s focus on assurance and risk management, noting that the matters discussed aligned with issues already covered in the Board agenda. No additional issues were escalated.

21. Minute from Consumer Panel of 2 December 2026

21.1 Members noted the paper presented. The DoPP confirmed there were no specific issues raised from the Consumer Panel minutes to be shared with Board.

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 8 June 2026 at 10am** to discuss Yearend figures.

24. Review of the Meeting

24.1 With no other business the meeting concluded, with the Chair thanking Board, SMT and the PCo for their input to the meeting.

3.30pm Board Meeting ends