

**Scottish Legal Complaints Commission**

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30 January 2015

Dear

**Consultation on the Operating Plan and Proposed Budget for the SLCC for 2015/16**

Over the past three years, the SLCC has made considerable progress in ensuring that it is an efficient and effective organisation. Guidance has been issued to make sure that expectations of legal services are realistic and that complaints made to the profession are taken seriously and addressed wherever possible without the need for the SLCC to become involved. Where complaints do reach the SLCC, our focus has been on encouraging early resolution. We've invested in staff training to promote settlements throughout our process and have seen the take-up and resolution rates for our free, confidential mediation service increase too.

We no longer rely on formal determination as our predominant means of dealing with complaints. We have found that both complainers and practitioners in many cases prefer to reach resolution with our help earlier in the process. This means that we are closing cases more quickly at lower costs than before. As our Annual Report for 2013/14 indicated, we are taking firm and decisive action where we need to. More money was awarded or agreed as redress than ever before. Almost two-thirds of complaints which have been assessed as eligible are either resolved or upheld. We are not only more efficient, we are more effective too.

The proposed budget and operating plan for 2015/16 continues this approach and develops the themes which we have established over the last three years. The proposal sees a 2.5% reduction in the overall budget as both staff and non-staff costs fall against last year. We continue to manage our costs closely and we intend to release £83000 from reserves, 10% more than we did last year.

Our 2014/15 budget saw the general levy frozen for all practitioners and reduced for some. This year we are able to reduce the levy for all practitioners; it will be reduced by almost 4%. We recognise that some parts of the profession generate very low volumes of complaints and have gone some way to reflecting this in the levy. Consequently in-house solicitors will see their levy fall by more than 10% and advocates will benefit from a 6% reduction.

We intend to recognise the complaints levy for the purposes of calculating our budget and we have included £25000 of income from this source in 2015/16. It is fairer that more of the SLCC's running costs are met by those who have complaints upheld against them at the determination stage and who put greater demand on our resources. Whilst we do not propose any change to the range of the complaints levy, we intend to make this part of the considerations of Determination Committees in setting the levy in cases which are partially or fully upheld. In effect this will introduce an element of cost recovery or "polluter pays" thinking into the complaint levy imposed. To ensure that this is done fairly and transparently, such an approach will only apply to complaints which are made after 1 July 2015 and the policy informing our approach will be published.

Nevertheless, our complaint handling work is one facet of the SLCC's functions. All parts of the profession benefit from our guidance and outreach work and from the increased public confidence which stems from the existence of an independent and impartial body with powers of oversight over the complaint handling system. All parts of the profession will be paying less in 2015/16 for what we are confident is a more efficient, effective and influential organisation.

I would be grateful if you could provide me with any comments which you wish to make on the Operating Plan and the 2015/16 Budget by Friday 20 March, since we must publish all responses which we receive by the end of March. I would be pleased to meet with you if you would like me to explain any aspect of the budget and plan in further detail.

Yours sincerely

**Matthew Vickers**  
**Chief Executive Officer**

Encs: 1      SLCC Operating Plan 2015/16  
      2      SLCC Budget 2015/16