

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 11.35 AM TUESDAY 24th SEPTEMBER 2013**

Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

PRESENT:

LAY:

Bill Brackenridge (Chair)
Iain McGrory (Vice Chair)
Kevin Dunion
Ian Gibson
Sam Jones (via Skype)
Fiona Smith

LAWYER:

George Clark
Ian Leitch
Maurice O'Carroll

In attendance:

Matthew Vickers (CEO)
[REDACTED] (HRM)
[REDACTED] (F&CSM)
[REDACTED] (OM)

[REDACTED] (IO)
[REDACTED] (HO)
[REDACTED] (HI)
[REDACTED] (HR Assistant, minutes)

Abbreviations used:

LSS – Law Society of Scotland
SGvt – Scottish Government

RPOs – Relevant Professional Organisations
AC – Audit Committee

1. Welcome

1.1 The chair opened the meeting and welcomed everyone, advising Sam Jones to add to discussion where she wished to rather than waiting to be invited.

2. Apologies

2.1 No apologies were recorded as all Members were present.

3. Declaration of Interests

3.1 It was noted the standard Declarations of interest was declared by George Clark, Ian Leitch and Maurice O'Carroll in relation to any pecuniary interest with regards to budget discussions.

4. Minutes of Meetings from 23 July 2013 and 20 August 2013

4.1 23 July 2013

4.1.1 The Minutes of the Board were approved subject to a change on page 2 at point 6.2.

4.2 20 August 2013

4.2.1 The Minutes of the Performance Management meeting were approved subject to a typographical change on point 3.1.

5. Board Actions Registers

5.1 The CEO provided and update and advised that there is no date yet set for the next Quarterly meeting of the Mediators but that it will be in November 2013

Action	Owner	Due Date
To use solid due dates rather than ASAP to ensure the Board actions Register becomes a competent and usable document. CEO to make document fit for purpose.	CEO	19 November 2013

6. Matters Arising from 23 July 2013

6.1 No matters arising.

7. Chairman's Report

7.1 The Chair expanded on the quarterly Meeting with the President of the LSS.

8. Chief Executive's Report

8.1 The Board noted that the CEO's Report reflected the move towards becoming a broader organisation. The CEO expanded on the reasons for his meeting with Douglas Connell of Turcan Connell, Bill Scouler of Online Dispute Resolution, Lindsay Montgomery of SLAB and clarified that HIAL was Highlands and Islands Airport Ltd.

9. Management Information

9.1 CEO confirmed that the format of this paper had been amended to show more bullet point explanations. The CEO clarified that the Eligibility figures could reflect cases from the previous Quarter, and there was some discussion around the commonality of 'tests' applied to cases at this stage, and around Determination procedures. The Board requested statistics on how many cases are currently sitting at Eligibility. CEO confirmed this information will be available but not yet. CEO confirmed possible to predict influx of cases and possibility of assigning more cases to each Determination Committee.

Action	Owner	Due Date
To develop procedures surrounding Determination Committees	CEO/Lead Clerk	19 November 2013
Investigate if commonality between staff and members	CEO	19 November 2013
Press ahead with precedent database	CEO	End of this calendar year

10. Finance Reports

10.1 F&CSM confirmed the paper was a draft final report from KPMG and that AC had been in earlier in the morning and report will be finalised following AC comments. There were no control findings and AC happy with key judgements. F&CSM requested 7 days from AC to provide more clarity on particular issues.

11. KPIs

11.1 Members noted the paper presented by the CEO. CEO advised that the grid will be populated by January 2014 rather than November 2013 as the data will be more meaningful after 2 quarters.

Action	Owner	Due Date
CEO to populate KPI matrix with data	CEO	January 2014

12. Legal Services Procurement Paper

12.1 Members noted the paper and IO confirmed that an ITT will be drafted to ensure that firms bidding know what they will be expected to provide. This will contain Evaluation Criteria as to how they will be measured. Maurice O'Carroll and George Clark content to sit on Evaluation Panel. Members requested the opportunity to extend contract by another year if, at the end of the 4 year contract, no alternatives have been found.

Action	Owner	Due Date
CEO to consider position on Evaluation Panel	CEO	19 November 2013

13. 2007 Act Proposed Amendments

- 13.1 Members agreed proposal [A] in section 2.6
- 13.2 Members did not agree Proposed Act Change [B] in section 2.10 as this is not explicit in the Act so therefore cannot change what is not there.
- 13.3 Members agreed Proposed Act Change [C] and HO clarified that it only relates to conduct complaints as we judicate service complaints.
- 13.4 Members agreed Proposed Act Change [D]
- 13.5 Members agreed Proposed Act Change [E]
- 13.6 Members agreed Proposed Act Change [F] although Members queried the use of the word 'wholly' in section 2.20
- 13.7 Members agreed Proposed Act Change [G]
- 13.8 Members agreed Proposed Act Change [H]

14. Appeals

- 14.1 Members noted new format of the paper. Next appeal going to the Court of Session will be in December 2013. Members will be advised of exact date.

Action	Owner	Due Date
HI to inform Members of court date so Members have option of attending	HI	ASAP

15. WorkPro Update

- 15.1 Members noted paper and CEO requested a 'ceiling figure' from the Board to ensure progress continues on the project. Members approved the figure as noted in the paper.

Action	Owner	Due Date
CEO to inform the Board electronically of any figures higher than that which has been approved for the WorkPro update.	CEO	When information becomes available

16. Annual Accounts

- 16.1 Members approved the annual accounts on the advice of the AC. Minor adjustments to be made but annual accounts are in line with the Financial Management Report that was presented to the Board in July 2013.

Action	Owner	Due Date
Send electronic copy of annual accounts to Sam Jones	F&CSM	24 September 2013
Letter of recommendation to KPMG	F&CSM	?

17. Reporters

- 17.1 CEO gave update on Reporters and confirmed 3 months of the budget remaining. The Board agreed that at the end of the 3 months, a full evaluation needs to be done on the work the Reporters have been doing. CEO confirmed that he did not intend on using reporters in a way that would mean a strategic shift for the organisation.

Action	Owner	Due Date
Full assessment of mixed model of Reporters and SLCC staff	CEO	28 January 2014

18. People Plan

18.1 The Board noted the paper. HRM asked Members what/if any training/support they needed. Members agreed a session on Reasoning and on what weight to give to evidence would be beneficial.

Action	Owner	Due Date
Led discussion on Reasoning and weighting to evidence	HI	19 November 2013
Members to provide Clerks with sufficient reasons why cases should be upheld, and the Clerk to draft a legally competent document around this	Lead Clerk	19 November 2013

19. Oversight and Communications Update

19.1 Members noted the update and planned timescales.

20. Minutes from previous Audit Committee

20.1 Members noted the approved minutes from the meeting held on 9 July 2013.

21. Date of Next Meeting

21.1 Members noted the performance management meeting will take place on 29 October 2013, with the next full Board meeting taking place on Tuesday 19 November 2013, with both meetings commencing at 10.15 am at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.

22. Disbanding of Remuneration Committee

22.1 Members noted the paper.

22.2 Members approved the amended version and it was clarified that Members claim at an hourly rate rather than at a daily rate.

23. Chief Executive's Remuneration

23.1 The Board considered the paper on the CEO's remuneration presented by the Chairman. Ian Leitch proposed that the recommendations in the paper be not accepted. The Board agreed to accept the recommendations by five votes to four and authorised the Chairman to arrange the implementation of the recommendations.

24. Pay Remit

24.1 The CEO updated the Board on discussions with the SGvt about modifications to the pay remit. The Board asked to be kept informed.

Board Meeting ends at 3pm