

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 1.14pm on MONDAY 21 July 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
Dale Hughes

Apologies: Richard McMeeken and Caroline Robertson (DoR)

In attendance:

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

Louise Burnett (DoBP)
[REDACTED] (PCo)

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
PCo – Project Coordinator

1. Welcome and Apologies

- 1.1 The Chair welcomed everyone to the meeting, in particular the new Project Co-ordinator, [REDACTED].
- 1.2 The Chair noted apologies had been received from Member, Richard McMeeken and the DoR, Caroline Robertson.
- 1.3 The Chair thanked everyone for their input into a productive and informative Development Session, which included a useful session on Cybersecurity and on the Regulation of Legal Services (Scotland) Act 2025.

2. Declaration of Interests

- 2.1 The Chair noted the standard declarations of interest declared by Members, Lynne Collingham and Dale Hughes, in relation to any pecuniary interest with regards to any budgetary discussions the implementation of the Regulation of Legal Services (Scotland) Act 2025 by the SLCC.

3. Minutes and Matters Arising from Board Meeting on 28 April 2025 and Conference Call on 9 June 2025

- 3.1 The Minute of the Board Meeting was noted and approved as read, along with the Conference call notes.

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 589 – the CEO confirmed the draft Quality Framework document will be brought to the October Board Meeting, along with the output from Action 593 on the Q4 reporting of 'raw' data for emerging themes on feedback received.
- 4.1.2 Members were pleased to note the ongoing connected Actions 575, 576 and 578 had now been cleared, as the final document was received from SGvt on 24 June.

5. Key Issues

- 5.1 The CEO spoke to the paper presented and Members agreed all items would be taken as read, with additional updates provided on specific matters.
- 5.2 **SGvt Framework Agreement** – the CEO advised that during the AC meeting last week, they received confirmation that the SGvt Framework Agreement document was signed off by SGvt, which has also apologised for the delay. The AC noted the amended text in the new Framework and was keen to ensure that we are fully compliant as soon as possible. The Governance Working Group will now be asked to consider changes to various policies (governance framework, standing orders, terms of reference) to ensure full compliance with the Framework Agreement and these will be brought to the October Board meeting, with the proposal for review every 2 years.

Action	Owner	Due Date
Governance Working Group to consider policy changes coming from SGvt Framework Agreement and for these changes to be brought to the October Board meeting.	CEO	By 17 October 2025

- 5.3 **ABS** – Members noted there was no further progress to report.
- 5.4 **Communication and Stakeholder engagement** – Members noted the update provided by DoPP.
- 5.5 **Oversight** – Members noted the update provided by the DoPP.
- 5.6 **Cyber update** – Members noted the update provided by the DoBP.
- 5.7 **Digital and AI update** – Members noted the update provided by the DoBP, and sought an update on how the first complaint relating to AI was progressing. The CEO gave an update on this specific case.
- 5.8 **S17 Work Update** – Members noted the update provided. The Chair reiterated there had been a positive meeting with the new Lord President (LP), noting both parties were looking forward to working collaboratively on various matters, as the new LP settled into their role. Members noted there had been one new S17 instruction since last reporting, which was against a previously reported solicitor. Members noted all practitioners had access to LawCare, should they wish to seek their assistance and support.
- 5.9 **Employment Tribunal (and linked Appeal)** – Members noted the update provided. The CEO advised we have now received confirmation the individual has not paid the costs awarded to the SLCC and these will be pursued. Members sought clarification on the prospects of recovery for such costs awarded to the SLCC. The CEO gave an overview of the process of appointing legal advisors to act on our behalf in such instances. Members queried if they could go directly to inhibition on a property if required. The CEO confirmed this can be done, and gave an overview of what happened in a previous instance which was similar. The DoBP advised these costs will be noted in the annual accounting at year-end.
- 5.10 **Governance** – Members noted the date of the next Governance Project Working Group meeting, and looked forward to receiving an update at the October Board meeting.
- 5.11 **UK Spending Review** – Members considered the letter from the Cabinet Secretary for Justice and Home Affairs, whilst recognising that the SLCC does not receive any SGvt funding, they note the relevance, in terms of the general financial context of other SGvt policies that do apply around pay remit etc. which may need to change. Members noted the content.
- 5.12 **Scotland's Public Service Reform Strategy Delivering for Scotland** – Members noted that SGvt had also issued a new strategy for public sector reform. The CEO gave a brief overview of their attendance at some development events, confirming the Executive will ensure that all corporate work, such as business planning and annual accounts, are

aligned where appropriate. Members enquired if there were any opportunities to explore shared services. The CEO advised SGvt were considering a shared HR, Finance and IT portal but it was not considered this to be appropriate for the SLCC at present. The CEO reiterated it was very clear within the SGvt Framework Agreement our financial responsibility was to the profession as this was where our funding was provided.

- 5.13 **McClure – New Complaint** – The CEO gave a brief update to the current status of this complaint.
- 5.14 **Changes at Eligibility** – The CEO advised cases were working through the process, with a meeting was scheduled for later this week with the LSS to review this process and agree a standardised process going forward. Members sought clarification on how many cases were being considered at liaison with the LSS/FoA. The CEO advised these were all tracked and the DoBP confirmed there were currently 2 cases at liaison with the LSS.
- 5.15 **Board Appointments** – The Chair advised a provisional meeting is being scheduled for October with the Public Appointments Team, and the CEO gave a brief overview of the initial planning discussion with the SGvt Sponsor Team. Following this discussion, it was agreed a single exercise to replace members demitting in March and December 2026 would be an efficient use of time and advertising. It was also agreed these appointments can be made under the current Act. However, if a commencement order for relevant sections of the new Act can be brought into force in time, this would allow staggered term lengths for new members, helping move to a more ordered recruitment cycle. The Chair advised that the Governance Working Group would be reviewing the skills audit for the recruitment profile, which is in line with the Governance Action Plan. The CEO confirmed this would be discussed at the Governance Working Group meeting later this week.
- 5.16 **Ombudsman Association – Conference and Revalidation** - Members noted the update provided.
- 5.17 **Pay Discussions 2025/26** – Members noted the DoBP had no further progress to report.
- 5.18 **Citation** – Members noted the update provided by the DoBP, who confirmed one of our legal panels have been instructed to support the individual. The Chair sought clarification on the process should the same instance also happen to a Board Member. The CEO explained, and advised that they were in the process of drafting a policy for Directors and senior members of staff. The CEO confirmed an internal review of the handling by the staff member has been formally recorded as part of the Governance process.
- 5.19 The Chair thanked SMT for their updates to the paper presented.

6. Reform Implementation Update

- 6.1 The CEO spoke to the paper presented, advising they have had an initial meeting with the SGvt Bill Team on commencement orders. This was a positive meeting, with 3 further meetings planned over the summer period. The CEO reported there was lots of preplanning work being done by the Executive, who are hoping by the October Board meeting, there will be a fuller update to report on. Members were pleased to see future dates scheduled in.
- 6.2 Board noted that it was unlikely there would be any SGvt funding before the setting of the 2026/27 budget, and that funding post 2026 might be phased. The CEO advised a request has been made for the future funding meeting cycle to be linked with the Bill Team, as this would allow for the development of commencement and funding discussions to run in parallel.
- 6.3 Board noted the Executive's plan to propose the development of a 4-year transition plan/strategy and considered whether this would be achievable or if it was dependent on other various deliverables. Board also considered the need for clear stakeholder messages during this process. The CEO and DoPP agree, reiterating they hoped to try to get a clear steer from SGvt on the phasing of funding etc. to update Board at the next meeting.
- 6.4 Board considered the development of a Gantt chart to assist in visually showing how all projects develop throughout this phase of the Bill. The CEO advised the PCo hopes to have a Gantt chart drafted for the October meeting, and gave a brief overview of the project scopes for the proposed Gantt chart. Members had a free and frank discussion on

commencement order dates and the sequence of when different stages should happen. They discussed the whether the SLCC could suggest a timetable, and whether a single order could cover the whole programme of implementation. The DoPP believed this would be dependent on SGvt's capacity on issues and funding, but thought this wouldn't be possible. The CEO advised they do have a meeting scheduled with the drafters, explaining that whilst the commencement order might be possible in January the May elections means it may not happen until September. The Chair noted a great deal of material work being done by the Executive before everything is finalised, and thanked them for their work to date, noting it was positive there had been 2 meetings thus far, with 3 more scheduled at this stage.

- 6.5 The Chair confirmed Board were in agreement with a draft 4-year strategy being prepared, along with a Gantt chart, coming to the October Board meeting for update.

- 6.6 Members thanked SMT for their update to the paper presented.

Action	Owner	Due Date
CEO and PCo to draft a project Gantt chart to be brought back to the October Board Meeting.	CEO & PCo	by 17 October 2025

7. Regulatory Statement

- 7.1 The DoPP spoke to the paper presented, advising Board had considered the initial draft at their June meeting, this draft captures all points suggested by Members following that meeting. The Executive were now seeking Board's confirmation that there were no additional points for noting before they begin the consultation process. The DoPP reminded Members this would be sent to all key stakeholders, the Consumer Panel, along with being placed on the website with the press release.

- 7.2 The Chair thanked the DoPP for finalising the drafting, noting Board was being asked, subject to a final proof reading, if Board were in agreement with this document being issued for consultation. Members enquired if there would be young person friendly version available for accessibility purposes etc. The DoPP agreed to consider this, along with any other minor typographical changes suggested by Members.

- 7.3 The Chair confirmed, subject to the typographical changes being made, Board was content with the draft document for consultation.

Action	Owner	Due Date
DoPP to finalise the draft Regulatory Statement ready for consultation.	DoPP	By 12 September 2025

8. Management Information for Q4

- 8.1 In the absence of the DoR, the CEO spoke to the paper presented, advising incoming YTD was 4% down on last year's peak incoming (driven by the failure of a single firm), and 1% down from the projected year-end estimate in the budget consultation. Members noted cases were continuing to progress cases quickly and within KPIs, whilst continuing to have a slight wait at the start of the process, but this is improving.
- 8.2 Members agreed there had been good performance overall in Q4 and for EoY too, but sought clarification on whether the Eligibility and Investigation KPI targets should be reviewed for next year. The CEO explained how these were set, stating they can fluctuate for various reasons. For example, if a CI leaves or if CIs move into a new area for development etc. Members agreed targets need to be realistic and achievable. The CEO agreed, noting this had been another busy year, with more complex cases being considered, along with extra CI recruitment that was in this year's budget. Members also considered what these KPIs mean for the service users. The CEO reported it was approximately 4-6wks before a 'named' person is allocated to investigate a complaint.
- 8.3 The Chair reiterated for in a small organisation, such as ours, staffing changes can have an impact, so it was good to see cross sectional training being done between Eligibility and Investigation stages. Not only does this ensure the flexibility of staff, but along with the additional CIs, will assist in reducing KPIs.

9. Appeals Update for Q4

- 9.1 Members noted the paper presented.

10. Op Plan Update for Q4

- 10.1 Members noted the paper presented. The DoPP confirmed the two projects that were not anticipated to be delivered by year-end had been removed as discussed, as they were delayed due matters outwith the SLCCs control. These were A4 (ABS) and B5 (Approved Regulator Complaints).
- 10.2 The DoPP advised 22 projects were green, 1 amber - D6 (sustainability) and 2 red - B4 (using data to track risk factors) and D5 (data action plan). These are all in progress, but due to the departure of both the Facilities Officer and Data Officer during this business year, they will be carried over and continued into 2025-26 Op Plan.

11. Strategic Risk Register

- 11.1 The DoBP spoke to the paper presented, advising Members there had been an update to mitigations relating to Risk 10 – Reform Implementation, which had been reworded to include the beginning of commencement orders phase of the Bill.
- 11.2 The AC Chair gave a brief overview from the recent AC meeting, confirming the RR contained updates to risks from this meeting.

12. Finance Management Report for Q4

- 12.1 The DoBP spoke to the paper presented reporting on the FMR spend to end May 2025.
- 12.2 The DoBP reported, the overall income was up on year to date to budget by £193,109, with an expenditure underspend of £62,917. Complaint Levy income is £10,550 behind budget, which is offset by the £31,657 saving in Bad Debt Provision. Interest rates have been slightly higher than expected when the budget was set, with currently £84,668 being received from interest to end May, with the potential forecast increasing compared to budget.
- 12.3 The Chair sought clarification on the status of two firms listed on the Bad Debt Provision, and following discussion it was agreed the DoBP would clarify the status and update the table for reporting at the next meeting.

Action	Owner	Due Date
DoBP to update the Bad Debt Provision table for reporting to October Board meeting.	DoPP	By 17 October 2025

- 12.4 For the benefit of the new Member, the DoBP and DoPP gave an overview of how the complaint levy budget income was set.
- 12.5 The DoPP explained that the new Act gives discretion to apply a levy at different stages of the process. Members noted that any proposed changes to this process, would need to be fully considered and clearly communicated with the profession.
- 12.6 Members noted the figures presented and the Chair thanked the DoBP and DoPP for their explanations to the paper presented.

13. Customer Service Experience Report for Q3

- 13.1 In the absence of the DoR, the CEO spoke to the paper presented, advising they have found an academic who will be able to review the SET project in relation to perceptions of 'bias' towards legal services providers.
- 13.2 Members shared their concerns about the use of inappropriate language in the free text sections, some of which they found offensive and difficult to read. The DoBP reminded Members that the raw data/free text section was part of a project being worked on by the new Data Analyst. It is hoped this will be displayed differently for Q1 reporting to Board in due course.
- 13.3 Members enquired how responses were considered/acknowledged when received via Trust Pilot. The DoBP explained the process of responding to points raised via this service.

- 13.4 Members considered the impact feedback had on staff, noting any constructive learnings on how to improve the service experience are taken on board, having been reviewed by SET and the Consumer Panel.
- 13.5 Following a free and frank discussion on whether service delivery complaints (SDCs) should be measured against service standards, and the categorising of service complaints against service standards. It was agreed these would be analysed under the current service standards.

Action	Owner	Due Date
DoR and CEO to check the categorising of service complaints against service standards and consider how these may be analysed under the current service standards.	DoR	for Q1 Reporting

- 13.6 Members sought clarification on the split of SDCs and whether they were against decisions which had not been favourable to the service user. As had been agreed, SDCs should not be another avenue to make a complaint. The DoPP reported in the Annual Report there had been 16 SDCs, 11 had been not upheld complaints and 5 had been upheld/part upheld in the last year. The CEO explained that MSPs often send in responses to SDC letters on behalf of their constituents.

3.17pm Member J Grier left the meeting due to another diary appointment

14. Chair's Report

- 14.1 The Chair gave a brief overview of the recent meeting with the new Lord President, which was attended with the CEO.
- 14.2 The Chair plans to schedule Member 1-1s and will circulate dates via the Secretariat for these to be arranged in Q2.

15. AOB

- 15.1 None noted for discussion.

16. Note from Remuneration Committee of 8 July 2025

- 16.1 Paper noted as read. The RC Chair reported the ToR had been agreed in principle and had been forwarded to the Governance Working Group. RC Members were also considering a new more appropriately reflective committee name, which was still to be agreed.

17. Note from Audit Committee of 15 July 2025

- 17.1 Paper noted as read.

18. Minute from Consumer Panel of 4 March 2025

- 18.1 Members noted the paper presented.

19. Chief Executive's Report

- 19.1 Members noted the meetings attended by the CEO, also noting a meeting had been planned to meet the new CEO of the LSS in due course.

20. Date of Next Meetings

- 20.1 Members noted the next full Board Meeting and Development Session will take place in person, in the Boardroom on **Monday 27 October 2025**, with lunch being provided.
- **Board Development Session will commence at 10am**
 - **Board meeting will start thereafter, with a short lunchbreak in between.**

21. Review of the Meeting

- 21.1 With no other business the meeting concluded.

3.35pm the SMT and Secretariat left the meeting

Private Member only session, after which the Chair confirmed with the Secretariat the Board Discussion on item 22.

22. Chief Executive's EoY Review 2024/25 and 2025/26 Targets for CEO/SMT

- 22.1 The Chair confirmed that Members noted, discussed and agreed with the Chair's presented paper in relation to the end of year annual appraisal for the CEO. With Board warmly endorsing the CEO's end of year review, formally agreeing with the objectives and proposed learning and developments for the year ahead. These are as set out in the Chair's paper that was discussed in the private session.

3.45pm Board Meeting ends