THE SCOTTISH LEGAL COMPLAINTS COMMISSION

MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS COMMISSION HELD AT 10AM ON MONDAY 11TH NOVEMBER 2008 AT THE STAMP OFFICE, 10 – 14 WATERLOO PLACE, EH1 3EG

PRESENT:

LAY:	**LAWYER:**
Jane Irvine (Chairing Member)	David Chaplin
Linda Pollock	Margaret Scanlan
Dougie Watson	David Smith
George Irving	
Ian Gordon	

APOLOGIES: Alan Paterson until 12.15 pm

In attendance: Rosemary Agnew (HoI) – Items 6 - 8
Doreen Graham (HoC) – Items 6 - 8
Sam Hudson (Minutes)

Abbreviations used:

LSS   Law Society of Scotland
FoA   Faculty of Advocates
SG   Scottish Government

1.   APOLOGIES

JI welcomed all Members and apologies were noted from Alan Paterson.

2.   CONFLICTS OF INTEREST

Conflicts of interest were declared for all Members in respect of Item 5 where Member Remuneration would be discussed.

3.   MINUTES AND MATTERS ARISING FROM MINUTES OF 27.10.08

Minor grammatical changes were made to the minutes.

3.1   Matters Arising

All matters arising are in hand and most will be updated on later in the meeting during Senior Management updates and will be updated on the Actions Register.

4.   CHAIR UPDATE

4.1   The Chair and Members discussed how the Actions Registers would work. All outstanding pre 1st October items were being gradually transferred to operational staff. The current register shows where items sit now and will be

used to check off matters arising from previous minutes. It requires to have a column added to indicate due date of action.

ACTION: SH

4.2   The Table of Aims was noted by Members as showing redistribution of operational tasks within senior staff. The Chair reiterated that this was only for information purposes at this meeting, as this is a working document for the Senior Management's use.

4.2   The FOI policy (Publication Scheme) was briefly discussed. The policy is currently with the Information Commissioner for approval and will be circulated once approved. At present FOI requests are being dealt with by DG, with appeals to JI. Members agreed this was appropriate.

ACTION: JI

4.3   Members discussed the formation of the Strategic Plan.   Members recognised the business of the SLCC is largely set by the Act & strategic direction cannot easily be set in view of the lack of history or experience in carrying out the work required by the Act.   However it was agreed that a facilitated discussion would be organised in the Board Room on 26th January 2009.   The Business Plan would then flow from the Strategic Plan. Prior to this, and before Christmas, the CEO would prepare a draft of both.

ACTION: CEO/JI   to   organise discussion

GI arrived 11.00 am

4.5   Board Meeting and Advisory Committee dates were discussed and it was agreed that the dates which have been set should be non-moveable.

4.6   The Chair advised Members they could claim for their Members' Allowance in advance for the remainder of time up until the year end (end of June) which would be 9/12's of the year - £450. It was agreed that the Audit & Finance Committee would look again at Members' expenses at the end of April 2009.

4.7   There was discussion on various Scotslite issues. Members asked for training to show them where to find/save documents and how to access the WorkPro system and other SLCC files on their laptops when connected.

ACTION: SH

4.8   Members asked for a table-top linkage to connect their laptops whilst at Board Meetings.

ACTION: SH to ask Scotslite

4.9   The Service Agreement with ISIS was discussed and it was agreed that this would be finalised once the SLCC had Counsel's Opinion back.

5. MEMBER REMUNERATION

There was a brief discussion surrounding the recent advertisement in The Times for Members of the Legal Complaints Commission in England.

5.1 The appointment of a further Lay Member was briefly discussed and it was agreed that the Chair would push this issue with the SG as Members anticipated problems may arise due to limited availability of lay members when trying to appoint Determination Committees.

> ACTION: JI

6. [information withheld under the terms of FOISA and/or DPA]

6.2.3 As part of the SLCC's Conduct Oversight function, how criminality is dealt with within conduct complaints will be looked at.

> ACTION: RA

AP arrived 12.15 pm

7. COMPLAINTS UPDATE

The HoI updated Members and the main points to note were:

7.1 The HoI and Investigation Manager have been organising training on decision making, stakeholders, and ethical decision-making.

7.2 Staff are helping to draft SLCC policies.

7.3 The Gateway Team pilot officially launched this month.

7.4 A new reporting function on WorkPro has been set up.

7.5 Since opening there have been 659 enquiries, 145 of which were in the last week.

7.6 The average time to deal with and close an enquiry is 3.69 days.

7.7 475 enquiries have been closed.

7.8 There have been 2 FOI requests.

7.9 There will be a Rules and Process Meeting after the Board Meeting.

8. COMMUNICATIONS UPDATE .

There was a discussion on the update paper and Members raised the following points:

8.1 Members would like to revisit the initial Communications Strategy and for the HoC to indicate timescales and information regarding the reports mentioned in the strategy. They also asked that the HoC demonstrate in the strategy how she intends to benchmark the SLCC against the reports' aims.

> ACTION: DG

8.2 It was noted that in the Board minutes of the 25th September, that a Stakeholder Strategy would be required from the HoC to look at how the SLCC performs as would bring a form of rigour into the information the SLCC disseminates and collates on different groups.

> ACTION: DG

8.3 Members agreed that the reports that the HoC brings to the Board should be running reports on the initial Strategy paper and also take account of the discussions that Members have regarding communication issues.

> ACTION: DG

8.4 Members also requested clarity on who represents the SLCC at speaking engagements. It was agreed the Chair was and should be the person promoting and presenting the SLCC policy and strategy.

8.5 Members asked that a brief account of any negative publicity, criticisms and questions asked at talks/conferences be included regularly in the Communications Board updates. Any negative publicity will also be held in a separate press folder for Members' information.

> ACTION: DG

9.   STAFF GOVERNANCE & REMUNERATION ADVISORY COMMITTEE UPDATE

The SGAR Chair updated on the draft minutes submitted and it was agreed that the CEO would report on the revisions made to the organisational structure chart to date to SGAR by December 2008 and any proposed changes would be for SGAR to consider and Board to approve.

ACTION: EM/SGAR

10.   AUDIT & FINANCE ADVISORY COMMITTEE UPDATE

The AFAC Chair verbally updated Members on the recent meeting in the absence of finalised minutes, the following points were noted:

10.1   SLAB's terms of reference will be discussed at the next AFAC meeting.

10.2   The CEO has met with Grant Thornton and will raise the issue of overlap in the external and internal audits and report back to the AFAC.

10.3   The CEO and Accountant will draft a Treasury Management Policy to bring to the AFAC and eventually the Board to be agreed.

10.4   A system will be introduced for a Reserve Fund.

10.5   Anderson Strathern's role in providing legal advice to the SLCC will be extended in the absence of a procurement policy and the SLCC now have their terms of reference and engagement.

10.6   The details of when a procurement task has to be completed are being arranged with the SG.

10.7   The Chair updated the Board on the SLCC's accountancy arrangements which are detailed in the latest AFAC Minutes.

11.   ANY OTHER BUSINESS

Members asked to be updated on the process and timescales for claiming their expenses, taking into consideration that the CEO requires signing these prior to being submitting for claim.

ACTION: AL

12.   NEXT MEETING

The next Board Meeting will be held on Monday, 24th November, Shepherd & Wedderburn, 1 Exchange Crescent, Conference Square, Edinburgh, EH3 8UL

Meeting finished at 2.15 pm