



Building trust and confidence in legal services in Scotland

Annual Report
1 July 2014 - 30 June 2015

scottish legal
complaints commission **slcc**

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Scottish Legal Complaints Commission
Annual Report 2014 – 2015.
This Report covers the SLCC's reporting
period from 1 July 2014 to 30 June 2015.
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of Schedule 1 of the Legal Profession and
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Chairman's Foreword

In last year's Annual Report, I highlighted how our relationships with the public and the profession support our core aim – building public trust and confidence in legal services in Scotland. In this year's Annual Report, we explore how our work in complaint handling and outreach is helping to deliver this aim.

We saw some changes in the past year following some amendments to the legislation that governs us, the Legal Services and Legal Aid (Scotland) Act 2007. While many of these were small amendments aimed at streamlining our processes, some were larger and we'll discuss these throughout this report.

One of the most significant changes we had lobbied for was a statutory requirement for us to convene a Consumer Panel to assist us in understanding and taking account of the interests of consumers of legal services. The Panel members assumed their role in January, with the first meeting in March. I look forward to the Consumer Panel continuing to help us in our work in the years to come.

The past year also saw us bid farewell to Matthew Vickers, our Chief Executive since June 2012. In his time as Chief Executive, Matthew was responsible for enhancing the SLCC's work in a way that has brought benefits to both complainers and practitioners. The focus on early resolution at all stages in the process delivers a speedier resolution to complainers and practitioners and as a consequence, complaint handling times and operating costs have fallen. This has allowed us to freeze the levy for the

profession in 2014-15, then plan a reduction in 2015-16. In Matthew's time as CEO, a renewed focus on outreach to the profession has seen the Oversight team present to hundreds of legal professionals and students across Scotland. We wish Matthew all the best in his new role.

In April this year, we appointed Neil Stevenson as our new CEO from a pool of over sixty candidates after a rigorous selection process. He assumed the post in July. We agreed interim arrangements for our Senior Management Team (SMT) to cover the period from Matthew's departure to Neil's arrival. I am very grateful to the SMT for the excellent job they did in the interim period.

We are very pleased to welcome Neil as our new CEO. He joins us from the Law Society of Scotland where among other work he championed equality and diversity and access to legal services. Neil brings significant expertise from his long-term involvement in healthcare regulation and complaints. In the year to come he has a very challenging plan to deliver, and I am confident that he will do so with commitment and creativity.

Bill Brackenridge
Chairing Member



Chief Executive Officer's Report

I am delighted to have been appointed to this role, at the heart of ensuring quality legal services for clients, often at some of the most challenging times in their lives.

Work to ensure the public and practitioners have an independent, impartial and accessible complaint resolution service has continued apace. I'd echo the Chair in thanking the dedicated Senior Management Team who played a vital interim leadership role, supported by their own enthusiastic teams.

At the end of this report I set out my thoughts for the future, but despite having joined after the close of the business year reported on, it is right that I build on the Chair's comments and note some further achievements.

The launch of our Consumer Panel was an important moment in the year, and for the first time in our Annual Report, we're including an [update](#) from the Chair of the Consumer Panel on its work since March.

We've continued to focus on early resolution in our complaint handling, with 56% of complaints [resolved](#) without going to formal [determination](#). In the wider complaints system, we drew on five years of data on conduct complaints about solicitors to produce a

[trend analysis report](#) with several recommendations for the Law Society of Scotland. We also increased our [outreach](#) to advocates with the launch of a complaint handling guide for advocates and dedicated training workshops.

Of course, this period contained Scotland's historic referendum. For many, the lasting legacy will include a rejuvenation of political interest across the spectrum, and new ambition and confidence in Scotland. Although independent from government, the SLCC rightly wants to contribute to Scottish public life. Our work contributes to many of the [National Performance Indicators](#) and we want to increasingly focus on raising understanding of the value to the legal sector and Scotland our role contributes. Drawing our revenue directly from the legal sector itself also means all work is delivered without impacting public finances.

With a solid performance, stable finances and positive stakeholder relations, the SLCC is increasingly planning ahead and looking for new ways to add value based on our core role.

Neil Stevenson
Chief Executive Officer



The Objectives of the SLCC

Our work is currently guided by our three strategic objectives:

- A high quality, independent and impartial complaint handling service, focussed on early resolution and centred on the needs of users
- An influential organisation providing guidance and insight to improve standards of legal service
- An efficient and accountable organisation, which tracks performance and acts to improve on it

Complaints, quality improvement and learning

Drawing on best practice in regulation, complaints, and from industry, we are examining how we can deliver more value as an organisation based on the information we hold and the experience we have. Since we have opened we have handled over eight thousand complaints and have more experience of the issues that affects consumers and the practical application of the professional standards than any other body.

Internally we want to use this knowledge to become a learning organisation, using feedback on every case to drive our own services, and the outcomes of cases to improve our decision making in the future.

To improve outcomes for consumers we want to share learning from cases to prevent the same issues happening for another client, to inform the future of professional standards based on real cases, and to lobby for change where there are gaps or issues with current regulation and legislation. This will help ensure we deliver far greater value as an organisation.



72% | **£401,340**
 Redress awarded or agreed for complainers at all stages, including compensation, rebates and refunds

Accepted complaints resolved or upheld

1009 NEW COMPLAINTS RECEIVED | **300** Accepted service complaints concluded
56% Complaints resolved without formal determination

Mediation success rate **76%** | **0%** Change in general levy rate 2014/15
747 Law students, practitioners and others presented to by the SLCC | **-4% to -10%** Change in general levy rate set for 2015/16

Resolved – a complaint is resolved when it is concluded with the agreement of the complainer and the practitioner or firm involved.
 Determined – a complaint is determined when a determination committee decide whether to uphold, part uphold or not uphold the complaint.

Unless stated otherwise, figures cover the period from 1st July 2014 – 30th June 2015. See our full complaints data on page 23.

The Single Gateway

The SLCC is the single gateway for legal complaints in Scotland. When someone wishes to make a complaint about a lawyer, it should be straightforward. Our gateway service means that there is a single place to go to in order to complain about legal services in Scotland.

The single gateway also means that we have a unique view of legal complaints in Scotland and can use this to identify [trends and insights](#) which we can use to improve the quality of legal services in Scotland in general.

Complaints made to us are checked first to see whether they've been made directly to the practitioner or firm concerned yet. If the complaint hasn't been made directly to the practitioner or firm, we will usually advise that the complainer does this first. This gives the profession a chance to resolve complaints themselves, which is often quicker than a formal process, saving time for complainer and practitioner alike.

Only half of the complaints we refer back return after we request the complainer to contact the firm or lawyer. In the year ahead we will be undertaking research to understand how these complaints are being resolved.

Next, we apply a series of tests to see if it is a complaint we can accept. Not all complaints can be accepted, but these initial checks ensure that complainer and practitioner are told at an early stage in the process if the complaint is [“frivolous, vexatious or totally without merit”](#). This is also the stage at which we check if the complaint is within our [time limits](#).

We will also at this stage of our process determine what kind of complaint it is. Complaints can be about the conduct of a practitioner, the services provided by a firm or practitioner or about

both. The investigation of complaints about conduct is carried out by the relevant professional organisations under our [oversight](#). The resolution and investigation of services complaints is carried out by the SLCC.

Some of the decisions on whether we can accept a complaint or not are made by [our members](#). All decisions on whether we can accept a complaint or not are appealable.

In the past year, we've been working so that making a complaint to the SLCC's single gateway for complaints is as easy as possible. This included work on upgrading our website so that complaints could also be made online, rather than through printing out complaint forms. We also now use the [ContactScotland-BSL](#) service, so deaf users of our service can communicate more easily with us.

“I wish to record my grateful thanks to you and the SLCC for I am certain that without your intervention, my complaint to this firm would have been ignored.”

Anonymous complainer who resolved their complaint after we referred them back to the firm

Resolving Complaints

Complaints can be stressful for both the complainer and the individual complained about. In many cases, a swift resolution to the complaint is what both parties are looking for. In the past few years, we have been focussing on making sure that there are numerous opportunities to resolve complaints to the satisfaction of both parties at all stages.

Firstly, for all but the most serious complaints, we give the lawyer or firm complained about the opportunity to respond to the complaint and try and resolve it without our involvement. If a complaint isn't resolved to the satisfaction of both parties, we receive the complaint form through the [single gateway](#) and we assess the complaint to see if it is one we can investigate. During this process, our staff are trained to see opportunities to resolve the complaint, provided that there are no issues requiring further investigation in the public interest.

Once we have accepted a service complaint, we consider whether it's suitable for mediation. As the mediation is led by an independent external mediator and is confidential, it means both parties feel that they can put their side of the story forward in a safe environment. In the last year, over three-quarters of the complaints we mediated were resolved successfully.

There are further opportunities for informal resolution during the investigation stage. Our Investigators are trained to spot these. At the end of the investigation process, a detailed investigation report is produced with the investigator's recommendations. The report contains a recommendation to uphold, uphold in part or not uphold the complaint. The investigator will also recommend a settlement to resolve the complaint. 40% of complaints considered at investigation are resolved either by the report or informally.

We encourage early resolution because we know it can provide redress quickly without a longer formal process. This then means that our service has a lower cost per complaint and has allowed us to work to make sure the [levy](#) we are funded by is proportionate and used efficiently.

Mediation

Our mediation service has been a very successful part of the work we do in resolving complaints. When a relationship between firm or practitioner and client has gone off track, having a skilled professional mediator talk through each party's concerns can help get things back on track. Mediation can be very empowering as both parties feels their voice has been heard and they've had the opportunity to have their say. The mediator can then see if a settlement can be negotiated.

See our [video on mediation](#) to watch how it works.

Formal Committee Decisions

Not all complaints are resolved at mediation or investigation. If there isn't an agreement from **both** parties to the investigation report or if the investigation settlement hasn't been acted on, the complaint will go before a formal Determination committee of the SLCC's members.

Due to success of early resolution, the number of complaints decided by a formal Determination committee has fallen in recent years. In the last year, they considered 132 complaints (210 were considered in the previous year). The committee makes a decision as to whether they should uphold, uphold in part or not uphold the complaint. Their decision is a binding decision that can only be [appealed](#) to the Court of Session.

The committee can also award compensation, order fee refunds and charge our complaints [levy](#). When our awards are not adhered to by the firm or practitioner, we take it very seriously. After an initial warning letter, we will take action that can include hiring tracing agents, raising actions in the Sheriff Court and making conduct complaints about the practitioners concerned. Recent decisions of the Scottish Solicitors Discipline Tribunal have shown that it regards not complying with the SLCC's decisions as a serious matter.

132 COMPLAINTS
CONSIDERED IN 2014-15

210 COMPLAINTS
CONSIDERED IN 2013-14

Complainer Viewpoints

The people who make complaints to us about legal services aren't always looking for the same thing, as the following quotes show:

"Would not have managed to get title deeds back without your intervention"

A complainer whose complaint was resolved with our help

"Quiet, but so professional service [by the mediator] was outstanding and resulted in the matter being resolved"

A complainer whose complaint was resolved by mediation

"Thanks to your intervention, I finally heard from x after four months of no response. Although no explanation was offered for the lack of contact, x did arrange to refund y and compensation of z which I received today. As such, I now feel the matter is resolved. It is good to know that organisations such as the SLCC are able to help consumers, but very disappointing to have to resort to your service when dealing with a professional company"

A complainer whose complaint was resolved with our help

"Record my respect for the demonstrable fairness and effectiveness of the SLCC's system for handling complaints, and for the thoroughness and transparency of your investigation"

A complainer whose complaint was settled at investigation

"[The complaint investigation was] Diligent and persistent"

A complainer whose complaint was upheld

We also appreciate the fact that the profession recognises the work that we do and the way we do it.

"The manner in which the SLCC has dealt with this matter has been exemplary."

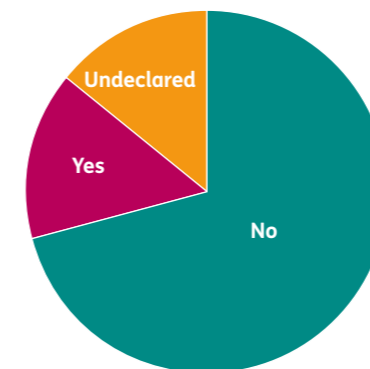
A firm's representative where a complaint was not upheld

Our Service Users

We monitor a range of characteristics in relation to our service users to make sure that our service is accessible to all consumers of legal services. Based on previous data, which is consistent with the trends below, we are now focussing some of our outreach work to specifically target 'hard to reach' groups to ensure everyone is aware of our services. We will report on progress with this in our next annual report.

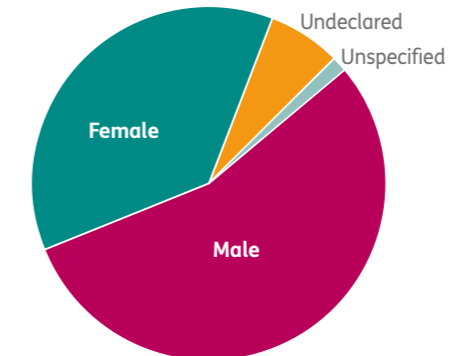
Disability:

No	71.39%
Yes	14.86%
Undeclared	13.75%



Gender:

Female	36.94%
Male	55.00%
Undeclared	6.53%
Unspecified	1.53%



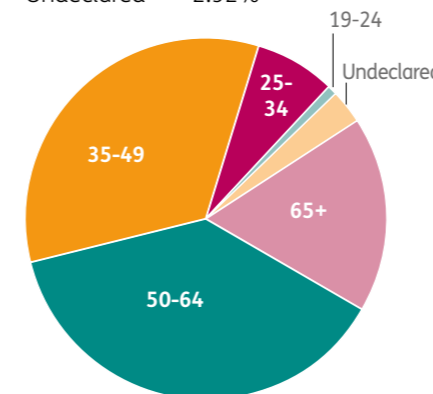
Resident in Scotland:

No	11.25%
Yes	82.78%
Undeclared	5.97%

Complainer Postcode	Percentage
EH	22.50%
G	20.23%
AB	7.47%
KY	5.10%
ML	5.10%
KA	4.91%
FK	4.63%
DD	4.35%
PA	4.25%
IV	2.74%
PH	2.65%
TD	2.17%
DG	1.23%
KW	1.04%
HS	0.47%
ZE	0.47%
Outside Scotland	10.68%

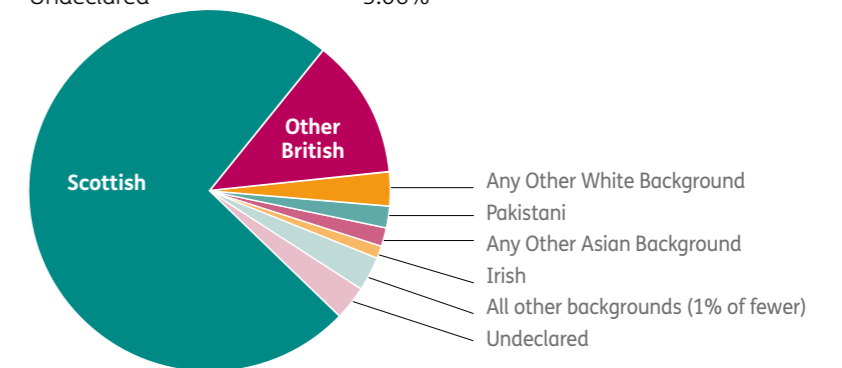
Age:

19-24	0.83%
25-34	7.50%
35-49	33.47%
50-64	37.92%
65 and over	17.36%
Undeclared	2.92%



Ethnic Background

Scottish	73.61%
Other British	12.50%
Any Other White Background	3.06%
Pakistani	1.81%
Any Other Asian Background	1.53%
Irish	1.25%
All other backgrounds (1% or fewer)	3.19%
Undeclared	3.06%



Recent Trends in Complaints

Our work in resolving and investigating complaints about legal services in Scotland gives us a unique insight into which types of work give rise to the most complaints and the commonest issues arising.

The statistics below are based on service complaints accepted by us for investigation in the Annual Report year.

The top four areas of legal work for complaints were Residential Conveyancing, Litigation, Family Law and Executries Will and Trusts. This matches what we found in 2013 when we undertook a similar analysis for the [first five years of the SLCC](#).

While perhaps unsurprising, it is important to note that these are all areas with high emotional stakes. A survey last year found that buying or selling a property, relationship break-up or divorce and a death in the family are in the top five of the most stressful experiences in life.

We're using our knowledge of complaints to produce a series of guides for [consumers](#) on different areas of legal services.

We also looked at the types of complaints about service we accepted in the last year. Any complaint we accept can have more than one "subject".

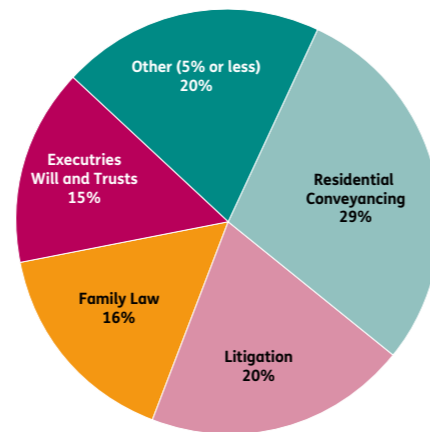
The most common issues highlight areas where problems do occur and serve as a useful reminder to the profession – getting it right in these areas can dramatically reduce the likelihood of getting complaints.

The top five types of complaint were the same this year as we found in our five year trends analysis in 2013, with a slightly different order. This indicates that some of the problems that lead to people making complaints to us are still the same – poor communication, unclear or inadequate advice, delays, lack of information and not following the client's instructions. In the year ahead, we aim to continue our [outreach](#) work to assist the profession in tackling these challenges.

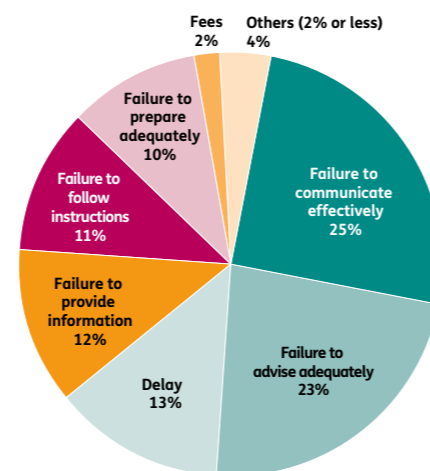
As the great majority of complaints we receive are about solicitors, it is worth noting that the types of complaints we receive about advocates will follow a slightly different distribution.

Most of the complaints we receive come from the client of a legal practitioner. However, in certain circumstances we also accept a complaint where the complainer wasn't a client. We describe these as "third party complaints". There are strict criteria under which we can accept third party complaints and the relative percentages we receive reflect this. The number of third party conduct complaints also includes those raised by the Law Society of Scotland and the Faculty of Advocates.

Accepted service complaints by business area



Accepted service complaints by type



	Conduct		Hybrid		Service	
Client Complaint	7	9%	72	73%	175	82%
3rd Party Complaint	69	91%	27	27%	38	18%

Appeals

Once we have made a formal decision, the only way it can be challenged is by an appeal to the Court of Session. Every year, a very small number of complaints are challenged in this way.

The number of grounds on which appeals can be made is strictly defined by the 2007 Legal Profession and Legal Aid (Scotland) Act 2007. The grounds are:

- The SLCC's decision was based on an error of law;
- There has been a procedural impropriety in the conduct of any hearing by the SLCC on the complaint;
- The SLCC has acted irrationally in the exercise of its discretion;
- The SLCC's decision was not supported by the facts found to be established by the SLCC.

When we do concede or lose appeals, the decision may be made again, by different decision-makers. The decision may or may not be the same the second time. In any case, we will take account of any judgments made and any learning that there may be for us.

	Eligibility	Determination	Total
Appeals received in year	8	3	11
Appeal Outcomes			
Won	4	1	5
Lost	0	1	1
Conceded	7	7	14
Withdrawn	1	1	2
On-going Appeals	5	2	7

Handling Complaints and Oversight

Conduct complaints, including “hybrid” complaints, are sent to the relevant professional organisations (RPOs), such as the Law Society of Scotland or the Faculty of Advocates, for investigation. If the complainer is unhappy with the way the complaint has been handled, they can make a handling complaint to the SLCC. If the original complaint was made to us after 1st January 2015, the practitioner can make a handling complaint too.

The summary below shows some of the work we did in handling complaints in the past year. A [full description of the process for handling complaints](#) is on our website. While handling complaints are primarily a way for the parties involved to challenge the way a complaint has been investigated, they also feed into and inform our Oversight work.

At the start of our year on 1st July 2014, we had eight ongoing handling complaints and one suspended. One of these was about the Faculty of Advocates; the others were about the Law Society of Scotland (LSS). We received six new handling complaints in the year. All of these were about the LSS.

We issued seven final reports; four with a finding of satisfactory complaint handling and three with a critical finding of unsatisfactory complaint handling.

As well as giving specific guidance to the RPOs, we can also make more general observations about their complaints processes. Sometimes these are acted on, while in other cases we have to raise the issues again.

In addition to the recommendations we make in handling complaints, we have various other powers to oversee the way the relevant professional organisations deal with conduct complaints. In the last year, we undertook an [analysis of trends](#) in the way conduct complaints against Scottish solicitors have been managed by the LSS. As well as highlighting trends in the number of and type of complaints, we also made a number of recommendations to the LSS, based on information received through handling complaints and our monitoring of conduct decisions.

We recommended that the LSS:

- Consider fast-tracking certain types of complaints
- Continue to work with the SLCC to improve the effectiveness and efficiency of complaint handling, particularly in relation to hybrid complaints
- Review the consistency of sanction awards
- Revise and publish written guidance and/or a tariff for Unsatisfactory Professional Conduct sanctions
- Consider publishing information in relation to Unsatisfactory Professional Conduct decisions
- Review the involvement of the fiscal in the determination process and remitting complaints back for secondary decisions

We will continue to discuss these issues with the LSS & the SSDT.

Recommendations made in final reports:	
Reinvestigation and reconsideration	3
Compensation	3
Reimbursement of cost for making handling complaint	3
Guidance to RPO	1

Promoting Best Practice

Promoting best practice in professional services within the legal profession is an important part of our work. By learning from the complaints that are made to us, we are in an excellent position to give guidance to solicitors and advocates on avoiding complaints and improving the customer experience through promoting high quality professional services and dealing with complaints effectively when they are received.

While we continue to engage with solicitors through speaking events and articles in the industry press, in the last year we have also increased the scope of our best practice work with advocates.

We've previously published [guidance](#) to assist in solicitors in how best to deal with complaints. To complement that, in January, we launched [Best practice in complaint handling – a guide for Advocates](#). This guide was produced in collaboration with the Faculty of Advocates and is designed to equip advocates to deal with complaints they receive in a helpful and effective manner.

“It is important that the public should know that if an advocate receives a complaint, it will be handled properly and in accordance with standards approved by the SLCC.”

Gordon Jackson,
Vice-Dean of the Faculty of
Advocates, launching the guide

We followed this in May with a training session for advocates' clerks. The clerks are often the first point of contact for a complaint and we were able to give some tips on how best to deal with the early stages of a complaint before it is looked at in detail.

In the year to come, we aim to build on our existing work in promoting best practice to ensure that the SLCC remains a strong voice for high quality customer service and best practice in complaint handling in the legal profession.

Consumer Outreach

Following the successful launch of our first Consumer Guide last year, on buying and selling a home, this year we published our second guide. We chose another area of legal work that we know generates lots of complaints – family law.

In preparing our guide, we put together an initial list of recurring issues we had seen in complaints to us. We then discussed these with a panel of family law practitioners and consumer representatives to hone our advice further. The final guide, *Family Law – a guide for legal consumers* was published in March. It included ten tips for consumers to avoid problems occurring when using a lawyer for family law work.

“Congratulations on the clarity and assistance the guide will give to clients in the often fraught field of family law.”

One family law practitioner’s response to *Family Law – a guide for legal consumers*

The guide has been promoted by the Family Law Association of Scotland to its members and some practitioners are already providing it to their clients with their initial information.

The next guides, on Wills and on Executries, will be published in the 2015/16 year.

This year also saw the launch of our Consumer Panel. Set up on a firm statutory footing by an amendment to our founding Act, the panel is intended to assist us in understanding, and taking into account, the interests of consumers of legal services.

The panel must include at least two members from organisations representing the interests of consumers and at least one member from an organisation promoting equality. The panel can have up to 8 members. We invite organisations to have a member on the panel – their choice of individual representative is up to them.

Consumer Panel Chair’s Report

As the nominated representative of Citizens Advice Scotland on the SLCC’s Consumer Panel, I was honoured to be appointed as Chair as the Consumer Panel started its work.

In March we held our inaugural meeting and we were pleased to welcome our guest, the Manager of the Legal Services Consumer Panel in England & Wales who provided a useful overview of the work they do. We hope that in the future there might be further opportunities to work with our equivalent down South.

Under our [Terms of Reference](#), we are expected to meet at least twice a year. After our first meeting, there was unanimous agreement that we should meet more frequently in the initial stages to create momentum. And so, our second meeting was held in May.

In the Consumer Panel’s first months, we have already discussed a number of topics for potential research work by the Panel with the SLCC’s assistance. The Panel members look forward to taking these forward in the months and years to come. In particular, possible projects relating to consumer principles and professional standards in legal services, and a detailed look at the SLCC’s statistics relating to complainers.

Lauren Bruce
Chair, SLCC Consumer Panel



Lauren Bruce, the SLCC’s Consumer Panel’s first Chair.

Our Board and Our Staff

Our Members play an essential dual role at the SLCC. In addition to forming the Board of the SLCC, they also make important decisions on complaints. Our members can be involved at the start when we consider if a complaint is one we can accept. They are also involved at the end of our process when they make determinations to uphold, uphold in part or not uphold complaints.

Our Board are drawn from across Scotland – from the Northern Isles, the Inner Hebrides, Argyll, the Highlands, Aberdeenshire and the Central Belt. We have a majority of non-lawyer members (including the Chair) and when the Board make final determinations on complaints, their committees have a majority of non-lawyer members.

In order to ensure the SLCC is accountable, our Members' [register of interests](#), [gifts and hospitality register](#) and a [record of expenses](#) are all published on our website.

Our current Members are:

Non-lawyer members

Bill Brackenridge (Chair)
 Prof Kevin Dunion OBE
 Ian Gibson
 Dr Samantha Jones
 Iain McGrory
 Fiona Smith

Lawyer members

George Clark
 Ian Leitch CBE
 Maurice O'Carroll

In the next year Maurice O'Carroll, Iain McGrory and Fiona Smith will finish their terms and a public appointment process will take place for three new members.

Our Staff

We have a team of 46 highly experienced and committed people (32 female and 14 male), with the majority of our staff working directly in dealing with complaints made to us.

We are a small organisation and everyone knows each other. As a team we meet weekly to discuss our strategy, day to day operational issues and general updates – this is led by our CEO. We are committed to continuous development and our focus for this year has been the development of our managers in leadership and the ongoing development for all our staff in increasing skills and knowledge in resolution of complaints. Staff and

managers worked together during this year on a number of projects ranging from complaints handling improvements to an updated employee handbook. We have two staff elected representatives who work with management and staff on a regular basis. The impact of all our work in this area will be measured through a staff survey in the next annual report year.

Every year our staff choose a charity to support through a range of fundraising. In the past year, we raised £2,248 for Alzheimers Scotland and the MS Society. Our charity for 2015/16 is The Yard.

£2,248

raised for Alzheimers Scotland and the MS Society

Accounts and Levy

As we have mentioned earlier in this report, our operational efficiency has benefited from the success of early resolution in the complaints process. As well as providing a swift and effective settlement for complainers and practitioners, it has lowered the operational cost per complaint.

In the 2014/15 operational year, we had a further period of solid financial performance. The result was £50,000 better than we had budgeted. Our total expenditure increased less than half a percent on the previous year.

During the year we invested further in our case management system, to further streamline our complaint process.

Our year end reserves are down less than 4% on their 2014 level to £710,000.

Increased efficiency also meant that having frozen the levy in the previous

year, we have reduced the levy for all sections of the profession in the 2015/16 year. The reduction has been set in a way that is proportionate to the areas of the profession that receive the most complaints. All practitioners will benefit from a reduction of at least 4%, advocates will benefit from a reduction of 6% and in house lawyers will receive a reduction of 10%. We've also announced that we'll be including the complaint levy, charged when a complaint is upheld (fully or in part), in our budgeting.

There is a summary of our Annual Accounts [later in this report](#).

How is the SLCC funded?

The SLCC receives no public money. We are funded by a levy on the on legal profession, collected from individual practitioners by the relevant professional organisations. We can also charge a levy when we uphold a complaint against a law firm or practitioner.

Freedom of Information

As a public authority, we have a duty to provide information under the Freedom of Information Scotland Act. This is also in line with our commitment to be an open and accountable organisation.

In the past year we received forty-two requests for information.

Information partly supplied	15
Information supplied	20
Information not supplied	5
Clarification sought	1
Other	1

Requests came from:

Members of the public	21
Media	17
MSPs	2
Solicitors	2

Our Service

We are proud of the work our staff do and the enthusiasm and energy they approach it with. However, it's also important that if those using our complaint handling service aren't happy with the service they've received, they can raise their concerns. They can do this by making a Service Delivery Complaint to us.

In the past year, we received 18 Service Delivery Complaints.

- 1 was upheld in full
- 9 were partially upheld
- 8 were not upheld

42 INFORMATION REQUESTS RESPONDED TO IN THE PAST YEAR

Contribution to the Scottish Government's Aims and Objectives

The SLCC is independent of government and of the legal sector. Based on our governing statute we set our own priorities and budgets, something that is key to ensuring the mutual confidence of the professions and the public in how we impartially resolve disputes.

In providing an important public role and benefit we do, however, believe the organisation should be inspired by the Government's National Performance Framework and the commitment to measurement of progress within it.

Studies, and the recent experiences of the downturn, show that consumer confidence is critical to **economic stability and growth**, and effective complaints handling plays a vital role in that. Likewise, access to legal service contributes to **social cohesion**, often levelling the economic and social divide, with the SLCC helping ensure that all those using a lawyer receive an appropriate service. We contribute, in these small ways, to these two elements of the Scottish Government's highest level 'purpose'.

In common with other organisations within the Justice sector much of our work focusses on the government's 'strategic objective' of **safer and stronger communities**. Looking to the 'justice outcomes' we consider that complaints resolution is part of **ensuring respect in exercising rights and responsibilities** and that **legal services are fair and accessible**. Although outside the public sector, we too are guided by the objective that **institutions and processes are effective and efficient**.

The 'National Indicators' also guide our thinking on many areas. Effective legal services, and the resolution of issues about those services, help ensure Scotland is an **attractive place for business**. Every aspect of our work needs to assist in **tackling inequality** – from appointments to our Board and our own

arrangements for staff to ensuring our service is accessible to all. Being part of Scotland's unique and historically separate legal system, and the values it upholds, plays a part in a **strong, fair and inclusive national identity**. Many other areas are relevant, and this year will see us place more information on our website on these themes.

In issuing our next plan we hope to more clearly cross reference where our own independent planning and priorities assist in supporting Scotland's national aspirations. We will also wish to work with The Law Society of Scotland, The Faculty of Advocates, and the Scottish Solicitors Discipline Tribunal to ensure that plans and work to protect the public and enhance clients experience is co-ordinated, without gaps, and avoids duplication.

Complaints Statistics

Enquiries

	2014/15	2013/14
Enquiries in hand at the start of the year	11	98
Enquiries received	2771	4020*
Enquiries dealt with	2762	4104*
Enquiries in hand at the end of the year	20	11

* During the 2013/14 year, we moved to an updated case management system which meant that there were two periods within the year where we were unable to accurately record all enquiries.

Complaints

	2014/15	2013/14
Complaints opened/brought forward		
Complaints in hand at the start of the year	487	627
Complaints received	1009	1024
Previously premature complaints reopened	9	69
Complaints reassessed as eligible on appeal	0	0
Complaints in hand at the end of the year	473	487
Eligible complaints		
Accepted as an eligible service complaint	237	156
Accepted as an eligible conduct complaint	79	62
Accepted as an eligible hybrid complaint (hybrid includes both conduct and service complaint)	98	101
Ineligible complaints		
Premature – practitioner not given reasonable opportunity to resolve the complaint	90	138
The complaint was made outside time limits	132	204
“Frivolous, vexatious or totally without merit”	209	257
The complaint was by a practitioner acting in a judicial capacity	0	0
Ineligible for another reason	7	7

Complaints Statistics cont.

Other complaints received	2014/15	2013/14
Resolved before an eligibility decision was taken	130	104
Complaint withdrawn before an eligibility decision was taken	60	64

Complaints dealt with	2014/15	2013/14
Eligible service complaints dealt with and closed by SLCC	300	361
Complaints closed in previous year with compliance work completed in 2013/14	0	30

By practitioner type	2014/15	2013/14
Complaints received:		
Solicitors	991	1005
Advocates	18	19
Complaints accepted as eligible:		
Solicitors	411	315
Advocates	3	4

Mediation

	2014/15	2013/14
Resolved at mediation	56	62

Investigation

	2014/15	2013/14
Resolved at investigation by report	60	52
Resolved at investigation by conciliation	21	29
Withdrawn at investigation	31	28

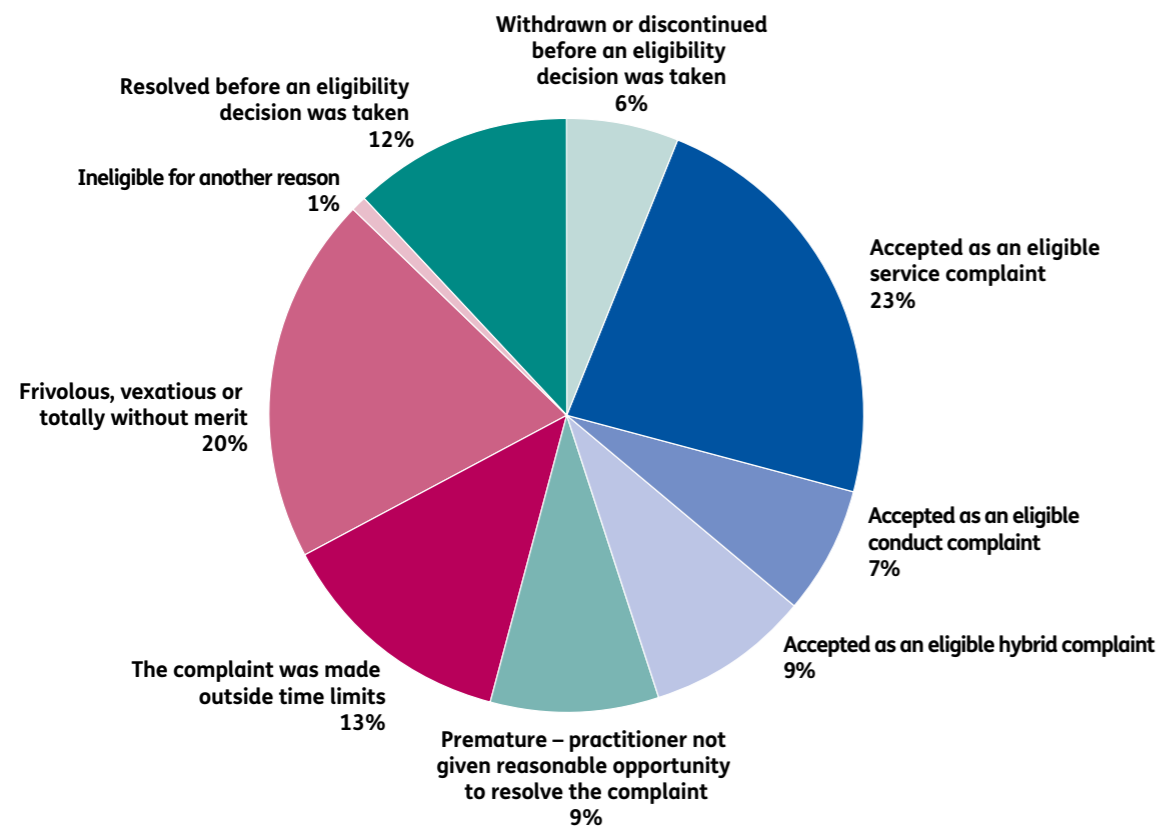
Determination

	2014/15	2013/14
Complaints wholly/partly upheld at determination	109	118
Complaints not upheld at determination	23	92
Total number of cases determined	132	210

SLSO Legacy Work

We continue to deal with a small number of [handling complaints](#) that, under transitional arrangements, fall under the powers of the ex-Scottish Legal Services Ombudsman.

Complaints in hand at 1 July 2014	1
New complaints received	1
Complaints not accepted for investigation	1
Complaints investigated and closed	1
Complaints in hand as at 30 June 2015	0



Annual Accounts Summary

Statement of Comprehensive Income and Expenditure for year ended 30 June 2015

	2015	2014
	£'000	£'000
Operating Income	(2,773)	(2,757)
Expenditure		
Staff Costs	1,912	1,874
Other Administration Costs	742	789
Depreciation and Amortisation	126	94
Total Expenditure	2,780	2,757
Net Operating Cost	7	0
Other Comprehensive Income		
Actuarial Loss on Pension Scheme	20	41
Net Deficit for Year	27	41

All amounts relate to continuing activities.

Statement of financial position as at 30 June 2015

	2015	2014
	£'000	£'000
Non-Current Assets		
Property, Plant and Equipment	26	68
Intangible Assets	103	116
Total Non-Current Assets	129	184
Current Assets		
Trade and Other Receivables	73	49
Cash and Cash Equivalents	1,045	1,056
Total Current Assets	1,118	1,105
Total Assets	1,247	1,289
Current Liabilities		
Trade and other payables	(395)	(445)
Total Current Liabilities	395	445
Non-Current Assets plus Net Current Assets excluding Pension Liabilities	852	844
Pension Scheme Liability	(87)	(56)
Non-Current Assets plus Net Current Assets including Pension Liabilities	765	788
Non-Current Liabilities	(55)	(51)
Provision for Dilapidations	-	-
Assets less Liabilities	710	737
Equity		
General Fund	710	737
Total Equity	710	737

The General Fund represents net assets available to the SLCC at the balance sheet date.

Public Services Reform (Scotland) Act Disclosure

Under the Public Services Reform (Scotland) Act 2010 we are required to publish a statement of expenditure for:

- Public relations
- Overseas travel
- Hospitality and entertainment
- External consultancy

The statement is also on our [website](#).

The Public Services Reform (Scotland) Act also requires us to publish a statement on the steps taken to promote and increase sustainable growth through the exercise of our functions and the steps taken to improve efficiency, effectiveness and economy.

For information on steps taken to promote and increase sustainable growth, see [Contribution to the Scottish Government's Aims and Objectives](#) and our [Chief Executive Officer's Report](#).

For information on steps taken to improve efficiency, effectiveness and economy, see [Accounts and Levy](#).

Payee	Description	Annual Expenditure 1 July 2014 to 30 June 2015
Public Relations		
Meltwater News UK	Media Monitoring Service	£3,636
Morton Ward	Annual Report	£4,715
Brightwire	Website	£4,980
NLA Media	Media access	£210
	Total	£13,541
Overseas Travel		NIL
Hospitality and Entertainment		NIL
External Consultancy		
Scott Moncrieff	Internal Audit and ICT Consultancy Services	£11,738
Hay Group	Evaluation of jobs	£4,080
Hays Recruitment	Recruitment costs	£17,490
Audit Scotland	External Audit Fees	£11,193
	Total	£44,501
Suppliers paid in excess of £25,000		
Threadneedle Property Unit Trust	Rent and Service Charges (paid quarterly)	£264,405
NVT Group	IT Equipment and Support & telephone	£71,453
CAS	Case Management System Support & Upgrade	£79,330
Anderson Strathern	Various Expert Advice*	£101,093
Harper Macleod LLP	Various Expert Advice*	£38,535
City of Edinburgh Council	Business Rates (paid monthly)	£64,886
	Total	£619,701

*Includes Court of Session representation

CEO's Closing Remarks

In this Annual Report, it's been exciting to hear about the excellent work that my SLCC colleagues put in over the past year. While much has been achieved, there is still much more that could be done. I have arrived to an ambitious plan for 2015/16, which I will now be working with the Senior Management Team to deliver.

I'm delighted to see the organisation focussed on offering new and innovative ways to improve our own customer service. This year we also plan to look at research into consumer views on the standards they expect from legal services, establish better measures of consumer confidence in complaints handling and focus even more on resolving complaints at the earliest possible stage – something we know is valued by lawyers and the public.

We also intend to increase our outreach, creating a newsletter for Client Relations Managers and Advocates' Clerks to share learning and to help support complaints handling at source, we will move to publishing case studies of complaints, and to support MSPs to know how to assist and direct constituents when they have faced issues with legal services they have used.

We also need to consider the UK's implementation of the Alternative Dispute Resolution Directive and how this may impact on the way we work, and will be consulting in January 2016 on new fees for 'Approved Regulators' and 'Licensed Providers', two new types of body we can investigate a complaint against once a regulatory scheme is fully approved by government and the Lord President.

A key focus of the work of the staff and the Board in this year will be also developing a longer-term plan for the organisation. Over the last few years the organisation has gone through a set-up phase and then worked to embed quality systems. Once high standards had been achieved we reviewed our work and re-engineered processes for efficiency, and we are now in a strong 'steady state'.

Building on this, we now want to look at how we can deliver greater value from the detailed understanding of service standards we have developed – insight into the consumer experience of legal services that is greater than any other organisation. We need to ensure that users of legal services know that we are here to assist, and we are ambitious that our insight can lead to improvements for all consumers, assisting practitioners and ultimately reducing complaints.

As we define that four-year plan we will consult with government, considering the national performance framework, with our stakeholders on their plans and priorities, and we will aim to engage the public directly and through organisations working with the public. We look forward to consulting on this plan in January 2016.

Neil Stevenson
Chief Executive Officer




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