

Minutes

Consumer Panel Meeting

Tuesday 9 March 2021 (by Zoom conference)

Present: Jane Williams (JW), Queen Margaret University (Acting Chair)
Eva Groeneveld (EG), Competition & Markets Authority (excluding item 6)
Gillian Fyfe (GF), Citizens Advice Scotland

Mark Paxton (MP), Case Investigation Manager, SLCC (item 9 only)
Vicky Crichton (VC), Director of Public Policy, SLCC
Susan Williams (SW), Best Practice Advisor, SLCC
Gemma Pettie (GP), Marketing & Communications Officer, SLCC (observing)

1. Welcome and apologies

Jane Williams was appointed as Acting Chair.

Apologies were noted from Shaben Begum (SIAA, Louise Johnson (Scottish Women's Aid) and Louise Macdonald (Young Scot).

2. Declaration of interests

None declared.

3. Minutes 8 December 2020

The Minutes were approved with no amendment.

4. Appointment of Vice-Chair

It was agreed that the Panel would consider some options for a formal process for appointment of an interim or Vice-Chair, to assist where the Chair was not available either for meetings or urgent sign-off.

SLCC

5. SLCC Feedback

The Panel discussed the latest quarterly summary of feedback received from SLCC consumers about the handling of complaints. Panel members appreciated the revised

method of presenting the feedback at various stages and the clearer format.

6. SLCC 2021-22 Operating Plan and Budget

The Panel discussed its draft response to the SLCC's operating plan and budget. Panel members discussed the direction for the future, noting the "best value" aspect was important in an organisation funded by levies. They felt that a comparison to the models of other Ombuds might be useful, and discussed the terminology the Panel preferred.

It was agreed that the Members would receive and approve the final draft by email.

7. Update on call service standards

The Panel received an update on the work to date on the calls service standards, and the SLCC's thanks were conveyed for the helpful comments about the first draft of the at the Panel's last meeting. Panel members discussed the wording and particularly liked the indication of what consumer should expect from conversations and made some suggestions on tweaking the language to give a more positive slant. They felt it may be useful to put people in touch at this point with those working with vulnerable consumers. It was noted that this formed part of the overarching *Delivering Clarity* project and the different inputs would be checked for consistency.

8. Prematurity research and sprint project

The Panel were briefed about this small but discrete piece of work trialling a different approach to dealing with complaints made to the SLCC before the lawyer or firm concerned had been able to consider them. The SLCC had carried out research with complainers who had made 'premature' complaints to test its hypothesis for what happened to those which do not return to the SLCC. Taking a sprint approach offered the opportunity to carry out small scale research, then test and evaluate a new approach based on the findings. There had been very positive outcomes for both the complainers who might otherwise have felt ignored, and for staff who were able to help complainers rather than have difficult conversations.

The Panel noted that the Legal Ombudsman's research findings showed that the term 'prematurity' did not resonate well with complainers and the SLCC would be considering that too. Members felt this was a positive move that demonstrated the impact of using a different method and mode of communication. They asked if there could be followed up and it was confirmed that these particular cases would be tracked to evaluate the longer term impact of the changed approach.

9. Delivering Clarity: Communications about Eligibility

The Panel were updated on the *Developing Clarity* project which is looking at all communications with complaint parties. The Eligibility process, which was quite complex and not the 'quick sift' that was perhaps originally intended by the drafters of the Act, was particularly difficult for people to understand. The SLCC was particularly focusing on template letters, as these form the basis of many communications. The Panel were consulted on language to use and to avoid, as the SLCC is well aware that clarity might be perceived differently by those immersed in the process and those encountering it for the first time.

Members' suggestions included more use of a "direct, human and empowering" tone such as "I want you to know...", less use of the passive tense, and plain language, with headings for accessibility. They commented on indications of timing that could be less vague. They also discussed whether emails were still the preferred method of communication and the accessibility of further information, including website links. They considered whether 'resolution' implied more use of direct conversations and whether the reference to resolution might not be confusing to complainers who believed that it was up to the SLCC alone to make a decision. They suggested that it could be useful to include specific examples of the types of matters that the SLCC might not be able to investigate. Members agreed to send more comments through by email.

10. For noting

The SLCC will be putting together packs for MSPs taking office after the election, particularly focused on constituency work, with reference to the Consumer Panel's work. The SLCC would also include information on the reform process.

11. AOB

GF updated the Panel that the results of the polling done last year by CAS last year on legal services was available so she would share the link.

VC reported that the Financial Conduct Authority had been doing some work around vulnerable consumers. Members were aware of the guidance published in the previous week and both CAS and CMA had been involved in some of the discussions.