

Minutes

Consumer Panel Meeting

Tuesday 7 December 2021 (by Zoom conference)

Present: Jane Williams (JW), Queen Margaret University (Acting Chair)
Miriam Simpson (MS), Competition & Markets Authority
Louise Johnson (LJ), Scottish Women's Aid (from item 7)
Gillian Fyfe (GF), Citizens Advice Scotland
Kirsten Urquhart (KU), YoungScot

Vicky Crichton (VC), Director of Public Policy, SLCC
Susan Williams (SW), Best Practice Advisor, SLCC
Aimi Richmond, Specialist Case Investigator, SLCC

1. Welcome and apologies

Apologies were noted from Rhona Willder (SIAA).

2. Declarations of Interest

Louise Johnson noted that she is a lay member of the LSS Access to Justice Committee.

Gillian Fyfe noted that she serves on the Scottish Civil Justice Council.

3. Approval of Minutes 7 September 2021

The Minutes of 7 September 2021 were approved.

4. SLCC Feedback

VC presented the latest quarterly customer feedback, and confirmed that the SLCC did take action from the feedback and it would inform the operational plans and the responses to the Scottish Government on consumer perceptions about the system. The SLCC appreciated all the Panel's suggestions and was looking at how it might publish some information next year on action taken based on customer feedback, and to incorporate some of the issues raised into the FAQ section of the website.

5. Service Experience Team

AR recapped that the Service Experience Team had been started to identify potential projects in customer service. The communications survey, its first project, drew input from 107 complainers' and 36 solicitors' responses, with only around 10% refusing to take the survey. The majority requested contact from the SLCC in the way this was done at present, but 44 responders indicated they would like the opportunity to book a time for a call, and this was being set up at the moment. The SET team would also look into the third preferred option of video calls. Free text responses indicated that consumers found the whole process too complex and the SLCC was looking into the potential to create short videos to explain the process in a more digestible format.

KU mentioned that YoungScot had launched a chat function, specifically because young people were less inclined to speak on the phone, but might be more willing to engage directly after using this method. The SLCC will continue to give regular progress reports from the Service Experience Team to the Panel.

6. SLCC Rules consultation

VC summarised the background to the Rules consultation, and stressed that the Rules were framed within the confines of the legislation and must be consistent with them. Apart from the amendments aimed at reflecting current and digital working methods, the SLCC had taken the opportunity to clarify and update other Rules. The Consumer Panel was a statutory consultee. She noted that Scottish Women's Aid had sent a number of comments which could be submitted as a separate response or incorporated into the Panel's draft response. Panel members commented that the Rules still seemed to be difficult for consumers (particularly young people) to read and understand and raised points that they felt would improve the clarity and be more consistent with a focus on consumer engagement. Members were happy to have the Panel's final response approved by the Acting Chair.

Secretariat final draft

7. Reform – draft consultation response

VC recapped the background to the consultation and the three models on which Scottish Government was now seeking comment before the closing date of 24 December 2021. She summarised the three models set out in the consultation, and noted that the Panel's draft response reflected a focus on consumer principles, even where some questions were not specifically answered.

The Panel specifically discussed the implications of the models and how they might address the current consumer mistrust in the system. The possibility of a combination of options may be raised later, although it was not included in the present consultation. They pointed out that many consumers would not understand the distinctions around terminology describing practitioners, or between reserved and non-reserved work. They would like to stress the importance of wider and more comprehensive consultation and engagement that could include both current and potential service-users, in addition to the baseline survey. The Panel would like to suggest that thought be given to a more inclusive appeal process, and include more general comment about the desirability of ongoing competence assessments. They thought it important to stress that any

regulation should also have the effect of protecting consumers. The Panel agreed to confirm the final draft by email.

Secretariat - circulate final draft

8. Potential new Panel members

After discussion of the options, Panel members suggested that the Equality and Human Rights Commission and Mental Welfare Commission should be approached to consider having representation on the Panel.

Secretariat to action

9. Chair and Vice-Chair positions

Members noted that an election for Chair would need to be held, since Ms Begum had left the Panel, and agreed to consider this again in March 2022.

10. Members noted the following:

a) The SLCC had responded welcoming the inclusion of the Consumer Duty Consultation, calling for it to be extended across all bodies involved in legal regulation.

b) The Law Society Regulatory Committee had published its strategic objectives for 2021-22. These included a commitment to “form a representative consumer reference panel to be consulted at the direction of the Committee”.
