

**MINUTE OF A MEETING OF THE MEMBERS OF THE SCOTTISH LEGAL COMPLAINTS
COMMISSION: 10AM ON MONDAY 16th MARCH 2009**

Venue: The Stamp Office, 10 – 14 Waterloo Place, Edinburgh, EH1 3EG

PRESENT:

LAY:

Jane Irvine (Chairing Member)
Douglas Watson
Ian Gordon
Linda Pollock
George Irving (arrived at 10.40am)

LAWYER:

Margaret Scanlan
Alan Paterson

APOLOGIES: David Chaplin
David Smith

In attendance: Eileen Masterman (CEO)
Rosemary Agnew (HOI)
Sheena Robson (Minutes)

Abbreviations used:

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

1. APOLOGIES

Apologies were noted from David Chaplin and David Smith.

2. CONFLICTS OF INTEREST

No conflicts of interests were noted.

3. MINUTES AND MATTERS ARISING FROM MINUTES OF 16.02.09

Minutes approved as accurate with typographic amendments being made to points 8.1, 8.2, 8.4, 8.7 and 10.1.

4. MATTERS ARISING

4.1 It was noted that a meeting has been arranged for 24th March 2009 for the Board to discuss Policy as regards the ABS Consultation paper response.

5. PROPOSED BUDGET 2009/10

5.1 The CEO advised Members that the AFAC met to discuss the points raised following the meeting with the LSS and FoA.

5.2 The CEO also advised that subsequent to this meeting an update had been received from SG to state additional monies would be available to cover recruitment costs in this quarter as part of the start-up costs and this will add to our carry-over figure.

5.3 The CEO reported that whilst the LSS request to stage payments was understandable, the External Auditors recommended against accepting stage payments. Members agreed the LSS will be asked to make a single payment and the CEO would communicate Board reasoning to the LSS.

5.4 The LSS comments on case fees were discussed in detail and it was noted that the SLCC will pursue the review of the Rules later this year to enlarge SLCC discretion on waiving case fee payments.

5.5 Members acknowledged the comments made by the LSS and FoA were helpful in concluding the final Budget document.

5.6 Members approved:

5.6.1 The Budget set – reference paper tabled 08.08.4.1.

5.6.2 The Annual Levy per Practitioner – reference paper tabled 08.08.4.1.

5.6.3 The Complaints Levy – reference paper tabled 08.08.4.1.

5.7 Members also acknowledged the work contributed by Members of the Audit and Finance Advisory Committee in the drafting of the proposed Budget document.

5.8 Members agreed that copies of the formal responses from the LSS and FoA would be placed on the Website by 31st March 2009.

ACTION: CEO/HOC

5.9 Members also agreed that as the proposed Budget had been accepted by Members of the Board it would also now be laid before Parliament. Members confirmed they wished this to occur by 31st March 2009. The CEO advised that this would now be forwarded to the Justice Department to comply and ensure that this timetable was met before the due date of 30th April 2009.

ACTION: CEO

5.10 Members were in agreement that the Chair and CEO would approve the press release drafted by the HOC in relation to the Budget being presented to Parliament.

ACTION: Chair/CEO

5.11 Members agreed that letters would be drafted by the CEO to thank the LSS and FoA for their formal comments on the proposed Budget and advise them that the final version would now be forwarded to the SGvt for laying.

ACTION: CEO

6. CASE HANDLING PRESENTATION

6.1 The HOI presented an overview of the draft Case Handling Manual and Workpro system to Members. The HOI advised that the Case Handling Manual would be a constant work in progress and would be reviewed and updated regularly.

6.2 Discussion took place as to whether Members should be able to access 'live' cases on Workpro and it was suggested that Members only have access to cases when at Determination stage. Following this suggestion it was proposed that papers relating to Determination cases would be sent to Members by courier to ensure safe and timely delivery.

ACTION: Clerk/HOI

- 6.3 Members were reminded that the Emergency Contact numbers for the HOC should be used at all times.

ACTION: All

7. POLICY DOCUMENTS

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

ACTION: HOI

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

ACTION: HOI

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

ACTION: HOI

Resume after Lunch

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

ACTION: HOI

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

ACTION: HOI

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

ACTION: HOI

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

ACTION: HOI/HR

7.9 It was agreed that due to the length of today's discussions, Paper (08.08.9.1) would be re-tabled at a later date, thus ensuring it will be given the attention and full discussion it deserved. Following the agreement of Members the meeting closed at 5.10pm.

ACTION: Chair/HOI

8. DATE OF NEXT MEETING

The next Board Meeting will be held on Monday 20th April 2009, 10 am – 2 pm at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.