

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

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

PRESENT:

LAY:

Jane Irvine (Chairing Member)
Douglas Watson
Ian Gordon
Linda Pollock

LAWYER:

David Smith
David Chaplin
Alan Paterson

APOLOGIES: George Irving
Margaret Scanlan

In attendance: Eileen Masterman (CEO)
Rosemary Agnew (Hol)
Doreen Graham (HoC)
Allison Leitch (HR Mgr)
Sheena Robson (Minutes)

Visitors in Attendance:

Richard Henderson, President, LSS
Ian Smart, Vice President, LSS
Lorna Jack, CEO, LSS
Jamie Millar, Treasurer and Vice President elect, LSS
Philip J Yelland, Director of Standards, LSS

Iain G Armstrong QC, Vice Dean, FoA

Abbreviations used:

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

10.10am LSS Visitors to Consult on the Proposed Budget 2009/10

The Chair thanked the LSS for visiting today. The President of the LSS thanked the SLCC Board for the opportunity to comment directly on the proposed Budget for 2009/10 and stated that he hoped that the comments are constructive and helpful to the SLCC. The LSS stated they would like to comment on 4 particular points:

- ❖ Overall Budget
 - Staff Costs
 - Board Member Costs
 - Harmonisation & Pension
 - Recruitment Costs
 - Communications
 - Special Projects
 - Contingency Reserve
- ❖ SLSO Costs
- ❖ Levy Structure
- ❖ Stage Payment of Fees

11.30am FoA Visitor to Consult on the Proposed Budget 2009/10

The Chair thanked the Vice Dean for talking the time out his busy schedule to visit today. The Vice Dean stated that the FoA were neither going to criticise or approve the proposed Budget as they are of the opinion that the SLCC should manage their own organisation.

The Vice Dean did however have one point to make in relation to future budgets, the FoA would like the SLCC to give consideration to proportionate Levy Fees for the FoA, if, after experience, it is found that there relatively few complaints upheld against Faculty members ie he was proposing that the LSS members would pay a higher levy than the FoA members as it might be determined that proportionately they have a greater number of complaints made.

11.40am normal Board Meeting Agenda resumed

1. APOLOGIES

Apologies were noted from George Irving and Margaret Scanlan.

2. CONFLICTS OF INTEREST

No conflicts of interests were noted.

3. MINUTES AND MATTERS ARISING FROM MINUTES OF 19.01.09

Minutes approved as accurate with typographic amendments being made to point 5.1 'Lord Roger' should read singular 'Lord Rodger' and point 7.3 should read 'the March Board meeting' and not 'next meeting'.

4. MATTERS ARISING

4.1 It was noted that the Chair had not yet received any points from Members regarding review of Governance scheduled for 23rd March 2009. The chair requested these prior to 19th February 2009.

4.2 The CEO advised the Board that to date there were currently 2 notes of interest in the research tendering process.

5. STORING OF FINAL MINUTES

5.1 Following discussion it was agreed that approved final Board Meeting Minutes would be signed-off by the Chair of the Meeting and kept in a central file for auditing purposes.

5.2 The Hol stated that the electronic storing of these documents would be addressed within the Document Management System.

5.3 Members requested training on their laptops for the process of filing and storing of documents. It was agreed that **all Members** would bring in their laptops to the next Board Meeting on 16th March 2009 where the Hol would provide training on this topic.

ACTION: All Members

6. CHAIR UPDATE

6.1 Paper (08.07.5.1) was noted from the Chair. The Chair also stated that she and the CEO had attended a meeting with the SG to discuss the recruitment of an additional

Board Member. It was noted that SG have agreed to the appointment of 2 additional Lay Members; this is due to 1 Lay Member wishing to stand-down in the near future so that there will be 1 additional new appointment. Discussion took place regarding the recruitment process for additional Members and it was agreed that the Chair would update Members as matters progressed.

ACTION: Chair

7. CEO UPDATE

- 7.1 Paper (08.07.6.1) was noted from the CEO. The CEO also stated since the last meeting the HR Manager had received additional information relating to the Pension transfer. The HR Manager was currently waiting for confirmation from A&S for approval of this information in order to move the matter forward. The HR Manager will continue to pursue this issue and will continue to update the Board and staff as required. [information withheld under the terms of FOISA and/or DPA]

ACTION: HR Manager

8. COMMUNICATION STRATEGY

- 8.1 Members received a presentation on a revised WEB site and recognised it represented an improvement on the current WEB site. Timing for implementation was stated to be testing of the system within the next 2 weeks (early March), with a view to going live at the end of April 2009.
- 8.2 The HoC then presented Paper (08.07) Communications Strategy discussion document. The HoC explained that this strategy was a long-term view which would be sufficiently flexible to allow change dependent on the needs of the business. It was acknowledged that the communications strategy would involve both internal and external strategies.
- 8.3 Discussion took place around the adoption of a company strap-line branding. Members liked the use of the roller-banner which included: 'independent – impartial – accessible'. The HoC advised that she was in the process of obtaining quotes for display-boards to be used when the SLCC are involved in Roadshow events etc.
- 8.4 The HoC advised that she was also looking at an internal intranet site which would also include a facility for staff to have a 'blog' which would allow them to communicate informally.
- 8.5 The HoC stated that leaflets would also be produced and which would raise the SLCC's profile in the community. Members were concerned that this might be seen as advertising our services. However the HoC advised that we had a duty to inform the public that we exist and that this would be raising the SLCC's profile and not advertising for clients. Members suggested that the language used in these leaflets be tailored for specific client groups. The HoC agreed to take on board the Board's comments.
- 8.6 Discussion took place as to how the HoC would measure the success of the SLCC, and one option suggested was a short questionnaire on the website for anyone who had used the services of the SLCC, also the use of evaluation forms at Roadshows etc.

- 8.7 The HoC stated that she regularly meets with many of her media contacts and has an article due out in the LSS Journal and the Faculty Newsletter and is also looking for editorial to be accepted by a local evening paper.
- 8.8 Members advised that they would like to discuss the Communications Strategy in more detail, and it was agreed that the HoC would circulate the relevant papers to Board Members prior to the meeting on 20th April 2009 for discussion.
- 8.9 The HoC thanked Board Members for their input and advised that their comments would be taken on board for inclusion into the final draft of the Communications Strategy document.

ACTION: HoC

9. COMPLAINTS UPDATE

- 9.1 The HoI presented Paper (08.07.7.1) Complaints Statistics update document. The HoI explained that figures were now including SLSO's workflow information for Members. It was noted that there have been 2 decisions made on vexatious complaints and the first mediation case had, last week, unfortunately been cancelled at short notice.
- 9.2 The HoI also reported that the Process and Rules Advisory Group had met to review various policy documents and also to consider the helpful draft opinion of counsel on premature complaints. A reply has been sent on behalf of the SLCC.
- 9.3 It was also noted that Members would like the HoI to provide some background descriptions on the different types of complaints received to date.

ACTION: HoI

10. STAFF GOVERNANCE & REMUNERATION ADVISORY COMMITTEE UPDATE

- 10.1 Draft Minutes from SGAR Meeting of 9th February 2009 were noted by Board Members. It was agreed that the amended Organisational Structure would be discussed by the Board on 16th March 2009.

ACTION: SGAR

- 10.2 A comprehensive private paper was discussed by Board Members. Following a detailed private discussion, it was agreed that the CEO and the HR Manager would gather additional information on this issue; following this, the CEO would circulate information to Members to address their concerns raised during the discussion.

ACTION: CEO/HR Mgr

- 10.3 A second private paper was discussed by Board Members. The Board agreed the pay progression and end of year pay policy. The Board requested that the Terms and Conditions are updated going forward to correct an existing anomaly.

ACTION: HR Mgr

11. AUDIT & FINANCE ADVISORY COMMITTEE UPDATE

- 11.1 Draft Minutes from the AFAC Meeting of the 9th February 2009 were noted by Board Members.

- 11.2 A copy of the Draft Treasury Management Policy Statement was discussed with Members who made minor amendments concerning dates of reporting to the Board. Subject to the amendments, the Board approved in principle the format of the Treasury Management Policy Statement document.

ACTION: CEO/Accountant

- 11.3 The Board agreed with the CEO's recommendation that the SLCC should not purchase additional Personal Accident Insurance Cover.

12. AOCB

- 12.1 The Action Register was reviewed with updates to current points noted.

- 12.2 It was agreed that a meeting would be arranged to discuss the ABS consultation paper with Members before the end of March.

ACTION: Chair/CEO/PA

- 12.3 The CEO agreed to re-circulate the updated Members Expenses document.

ACTION: CEO

- 12.4 It was noted that the draft Strategic Risk Register would be discussed by the AFAC on 5th March 2009 and would therefore be submitted to the Board Agenda on 20th April 2009 along with the Business Continuity Plan and the Communications Strategy.

13. DATE OF NEXT MEETING

The next Board Meeting will be held on Monday 16th March 2009, 10 am – 2 pm at the Stamp Office 10 – 14 Waterloo Place, Edinburgh, EH1 3EG.