

49th Meeting of the Office for Legal Complaints (OLC)

Monday 18 November 2013

11.30am – 15.30pm
Baskerville House, Birmingham

MINUTES

Present:

Elizabeth France, Chair
Tony Foster, member
David Thomas, member
Professor Mary Seneviratne, member
Margaret Doyle, member
Rosemary Carter, member
Karen Silcock, member
Maureen Vevers, member

In attendance:

Adam Sampson, Chief Ombudsman (from item 10)
Rob Hezel, Chief Operating Officer
Alison Robinson, Head of Policy and Communications

Apologies:

Freda Sharkey, General Counsel

Board Secretary:

Narinder Ubhi Assistant to the Chair and Chief Legal Ombudsman

Preliminary issues:

The quorum requirements for the Board meeting were met.

1. Welcome and apologies

The Chair welcomed and thanked those in attendance.

2. Minutes of the previous meeting

The Minutes of the meeting held on 21 October 2013 were approved for publication.

ACTION: The secretary to publish the approved Minutes of the October meeting

3. Matters arising and outstanding action points

The OLC received an update about the Legal Services Consumer Panel (LSCP) benchmarking report and event and asked for the latest version of the report and the final version of the response to be circulated.

4. **Comments received regarding items presented for information**

The items presented for information were noted. No comments had been received in advance of the meeting for circulation.

Chief Ombudsman's Report:

It was reported that the Ombudsman working with Quality & Knowledge (Carol Brady) had begun to take responsibility for the management of the team. Members agreed that she should be invited to attend the meeting on 20 January to update the OLC on progress.

ACTION: Carol Brady to be asked to liaise with The OLC members leading on Quality and to report to the Board at the January meeting

There was some discussion about one JR matter and the Chair reported that this had progressed but that General Counsel would be asked to provide the latest information.

ACTION: General Counsel to provide an update on progress on the JR matter.

A meeting was being arranged for the Chair and Chief Ombudsman with the new Minister for an introductory session and to give him an outline of our future strategy, budget and business plan.

The Chief Ombudsman is to give evidence to the Public Administration Select Committee on 10 December 2013.

Third Party Complaints

The OLC discussed the timing and consideration of issues around the Third Party Complaints. The OLC asked that a small stakeholder group focus on practical issues for the OLC to consider at a later date, noting that no review of the scheme was currently scheduled. The Head of Policy and Communications was asked to pick up next steps with the Legal Services Consumer Panel.

ACTION: Head of Policy to discuss with Legal Services Consumer Panel Manager prior to presenting at the January Board meeting

Chief Operating Officer's report

The Chief Operating Officer reported that the operational aspects of the organisation were working well. Following a pilot earlier this year a new approach to agreeing the complaint had been adopted by the Assessment Centre, which provided greater clarity of the nature of the complaint.

Work had also been done by General Counsel to look at delegation of decisions from the Chief Ombudsman to other members of the Ombudsman

team. It was agreed that once it had been finalised the delegation scheme should be presented to the board for information.

ACTION: General Counsel to provide the OLC with information about the delegation scheme once it was finalised.

Finance Report

The OLC noted the report.

IT

The OLC asked about progress in relation to the procurement of a new telephony solution and were satisfied that robust management was being applied to ensure the requirement was fully met, noting there had already been some delay in the process.

The Chief Operating Officer confirmed that research into alternative office premises was on-going and that possible sites had been identified which would meet the needs of the service and reduce costs. There would also be further discussion with the current landlords about future space requirements and cost.

5. RemCo Committee updates

The Chair of the Remuneration Committee reported that the Committee had met on 14 November and discussed in detail the HR matters raised in the HR report to the OLC Board in October and in the report of the Chief Operating Officer. She did not propose to go into any detail save that she would be writing to the Chair of the Audit & Risk Committee to raise certain issues arising from the recent HR internal audit reports.

The Chair also reported that dates had been fixed for Remuneration Committee meetings in 2014 and requested that they be included in the meetings schedule at the end of OLC agendas.

6. KPI Dashboard

Members noted from the KPI report that activity was in line with revised expectations. Service levels, operational and financial performance were all exceeding target and both the unallocated caseload and ombudsman work in progress levels had substantially declined and were now trending towards expected levels.

7. Cases for publication

No cases had been submitted for consideration under the Category 1 criteria and there were no issues arising in the run up to the publication of the next quarter's data meeting the category 2 criteria.

Equality, Diversity and Accessibility

The Equality and Diversity Manager gave a presentation. Members welcomed the progress that had been made and, following discussion :

- Noted that Equality and Diversity would be brought within the quality team in the New Year.
- Agreed that performance review arrangements on equality should be created to enable the organisation to move from the current Level 3 to Level 4 in the equality audit framework.
- Made clear that integrating equality within the quality framework should be achieved within existing resources. If new money was required for initiatives going forward, a business case should be made.

8. BIS Response – other developments

The OLC noted the current developments and engagement with BIS and its implementation of the EU ADR Directive. The Head of Policy and Communications was asked to develop a response to the forthcoming BIS consultation for discussion at a future Board meeting.

ACTION: The Head of Policy and Communications to develop a response to the forthcoming BIS consultation for consideration by the OLC in the New Year

9. Annual Business and three year strategic plan

The OLC made some minor amendments to the draft strategy and budget and agreed, subject to LSB approval of the budget on 27 November, to publish the draft for consultation at the end of November.

The OLC also agreed an approach to engagement on the strategy during the consultation period, and agreed to host an open session of the January OLC meeting to do this.

ACTION: The OLC to hold an open session in January to discuss the strategy

10. Participation in Channel 4 documentary

The OLC discussed at length the proposal that the organisation be involved in a Channel 4 documentary 'Serving the Nation'. It was decided that Board agreement would be subject to the following conditions:

- the TV company would not have contact with either lawyers or complainants until permission had been obtained;
- No lawyer or firm would be named without their permission
- The firm would not be provided with legal indemnity.

The Chief Ombudsman was designated to sign the contract once the Chair was satisfied that these conditions had been met.

11. Any other business

Date of next meeting

The next meeting will be held on **Monday 16 December at 11.30 am.**

It was noted that the Chair and Chief Executive of LSB would be present.