

Minutes of the forty sixth meeting of the

Office for Legal Complaints (OLC)

Monday 15 July 2013

11.30am – 15.30pm

Baskerville House, Birmingham

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
Rob Hezel, Chief Operating Officer
Alison Robinson, Head of Policy and Communications
Gary Garland, Deputy Chief Ombudsman (items 1 to 10 inclusive)
Chris Maiden, Head of Knowledge and Quality (item 7)
Freda Sharkey, General Counsel (item 8)
Baljit Kaur, Equality and Diversity Manager (item 9)

Apologies:

None

Board Secretary:

Andy Taylor

Preliminary issues:

The quorum requirements for the Board meeting were met.

There were no declarations of interest.

Item 1 – Welcome and apologies

1. The Chair welcomed and thanked those in attendance.

Item 2 – Minutes of previous meeting

2. The minutes of the meeting of 20 May 2013 were approved for publication.

ACTIONS

- The Secretary to publish the approved minutes of the meeting held on 20 May 2013.

Item 3 – Matters arising & action points

3. Members noted those items where action had been completed and that others were included as agenda items. No further comments were received.

Item 4 – Comments received regarding items presented for information.

4. The items presented for information were noted. No comments had been received in advance of the meeting for circulation.
5. A number of members reported late delivery of papers prior to the meeting. The Secretary noted this and agreed to review the administration of papers for future meetings.

Chief Ombudsman's (CO) report

6. The Chief Ombudsman's report was noted and in response to questions from members the Chief Ombudsman confirmed that:
 - alternative solutions to deal with the funding of CMC complaint handling were being actively pursued following the opinion by the LSB that the proposals put forward by Treasury and MoJ would be likely to be challenged ;
 - Jenny Pickrell has recently been appointed as our new Ministry of Justice point of contact.
7. Members noted the electronic circulation of the Welsh Language Scheme and approved this for submission to the Welsh Language Commissioner:

Chief Operating Officer's (COO) report

8. The Chief Operating Officer's report was noted and in response to questions from members the COO confirmed:
 - excellent progress continued to be made in respect of the 90 day timeliness target; with high expectation the published KPI will be exceeded for the month of April;
 - the recent downtime incident had occurred due to the landlord allowing unauthorised access to a shared server room on the second floor of Baskerville House. This issue was addressed and rectified quickly by the IT Team who have developed a plan of action to avoid a repeat.

9. Members noted the electronic circulation of the telephony business case and approved this for progression.

KPI report

10. Members noted the monthly KPI report and suggested minor amendments to the proposed new external measure in respect of complainant and lawyer satisfaction and also to the commentary in respect of the quality of ombudsman decisions.
11. Members suggested that an opportunity for proof reading of ombudsman final decisions should be considered prior to issue. This might help support the quality measurement and also follows a complaint sent directly to OLC members regarding concerns expressed over the quality of a recently issued final report.
12. Tony Foster and Mary Seneviratne advised members they continued to meet and provide support to the quality team.

Ombudsman and OLC member register of hospitality

13. Members noted the updated register of hospitality and approved this for publication on the main website.

OLC member register of expenses

14. Members noted the register of expenses for the first quarter of the 2013/14 financial year and approved this for publication on the main website.

Service complaint report

15. Members noted the quarterly service complaint report, acknowledging the inclusion of new sections detailing actions undertaken since the last report and complaints data related to specific villages.
16. In response to questions members were advised that:
 - a copy of the report is circulated to the wider Management Team and a process is already in place to receive feedback in respect of the implementation of recommendations agreed by the Operations Management Team.

ACTIONS

- The Secretary to publish the register of hospitality and register of expenses on the main website.

Item 5 – RemCo update

17. The Chair of RemCo provided members with an update in respect of recent HR developments. Members were advised that:
- a recent meeting had not had the benefit of details of the cost base review proposals and following this, a recommendation was made to issue details to members in advance of the OLC meeting;
 - papers about pay, reward and appraisal tabled at the last meeting had not been appropriately prioritised and a further meeting had been scheduled for 10 September to discuss these matters further.

Item 6 – Staff survey

18. Members noted the paper which provided an update on progress made against the response to the 2012 staff survey. This included action plan updates in respect of the following topics; quality, workloads and targets in Operations, PDR and pay, senior management communication, systems and processes, and, morale reward and recognition.

Item 7 – Quarterly quality report

19. The Head of Knowledge and Quality introduced the report to members and provided an insight into future plans and projects to support the organisation in the management and development of the organisation's knowledge and quality systems.

Item 8 – General Counsel quarterly report and category 1 cases for publication

20. Members noted the report presented by General Counsel.
21. In response to questions members were informed:
- enforcement activity involving sole practitioners had increased; this was most likely due to the ongoing economic climate;
 - David Thomas, Adam Sampson and Freda Sharkey had met in respect of successor firms and agreed that further guidance should be issued.
22. There were no category 1 cases presented to members for consideration and approval for publication.

Item 9 – Equality and diversity

23. Members noted the paper presented by the Equality and Diversity Manager and agreed that:
- the approach in respect of mainstreaming equality across the organisation should be implemented; and

- the recent equality audit had provided members with assurance that the culture of the organisation accurately reflected the core value of fairness.

24. Members asked that the Equality and Diversity Manager develop a paper setting out the next steps for the organisation, to be tabled at the September meeting.

ACTIONS

- The Equality and Diversity Manager to develop a paper setting out the next steps for the organisation in respect of equality and diversity to be tabled at the September meeting.

Item 10 – CMC update

25. Members noted the earlier update from the Chief Ombudsman; further developments would be reported as soon as possible.

Item 11 – Strategic vision

26. Members noted the discussion paper which supported work with BIS in relation to the EU directive. Engagement around the paper would occur in September regarding alternative dispute resolution and the paper also prompted discussion of a potential voluntary scheme in the broader context of the EU Directive.

27. Members provided feedback on the paper suggesting that it should be summarised and amended to:

- make a clear statement of where the organisation is at present and identify the overall strategic aims regarding the EU directive and additional jurisdictions;
- include a statement of authority quoting the source of appropriate evidence
- refine the consultation questions into three distinct areas, inviting respondents to provide evidence supporting their views.

ACTIONS

- The Head of Policy and Communications amend the paper as suggested and to circulate a revised copy electronically to members inviting comment and approval by 19 July 2013

Item 12 – Any other business

28. The Chair confirmed that a meeting of RemCo would take place on Tuesday 10 September 2013.

29. The strategy meeting scheduled for 9 September will commence at 11.30am and include a presentation by the Claims Management Company regulator Kevin Rousell.

Private meeting; cost review; including the finance report.

- 30.** OLC members held a private meeting with the Chief Ombudsman and Chief Operating Officer. No other members of the Management Team or OLC Secretariat were in attendance.

Next meeting

- 31.** The next OLC meeting will be held on 9 September 2013 at the Copthorne Hotel, Birmingham.

Andy Taylor
Board Secretary
16 July 2013