

**Minutes of the forty eighth meeting of the  
Office for Legal Complaints (OLC)  
Monday 21 October 2013  
11.30am – 15.30pm  
The Studio, 7 Cannon Street, 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  
Freda Sharkey, General Counsel  
Paul Partridge – Head of Finance (items 7 and 11)  
Marcus Passant - Human Resources Manager (item 10)

**Apologies:**

None

**Board Secretary:**

Janet Edwards                      Assistant to the Policy and Communications team

**Preliminary issues:**

The quorum requirements for the Board meeting were met.

David Thomas made a general declaration of interest: he has recently begun some strategic consultancy work for another Ombudsman scheme.

**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 9 September 2013 were approved for publication.

### **ACTIONS**

The Secretary to publish the approved minutes of the meeting held on 9 September 2013.

## **Item 3 – Matters arising & action points**

3. Members noted those items where action had been completed. One amendment to outstanding actions from 15 July 2013, the Equality and Diversity paper was required for the November meeting not October as stated. 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.

### **Chief Ombudsman's (CO) report**

5. The Chief Ombudsman's report was noted and in response to questions from members the Chief Ombudsman confirmed that:
  - Decision making is a priority at the moment and processes have been streamlined to assist with this. There has also been a reduction in the number of speaking engagements being undertaken by the Ombudsman team, including the Chief Ombudsman, in line with this priority.
  - Members asked the executive to maintain attention to the need to balance the day to day operational requirements within the Ombudsman team with a need for strategic oversight of the Knowledge and Quality function by a designated Ombudsman. The Chief Ombudsman provided assurance that this was being actively managed and that he would continue to report to the OLC in this area.
  - The OLC welcomed the research into the business case for good complaint handling as a sound initiative to raise standards in the profession and to gain insight into the broader impact of complaints resolution across the sector. They were satisfied that the methodology used by Economic Insight for the draft report was objective and able to be replicated, which was anticipated as a strength of the research. The outline of methodology and approach for the business case would be shared with all members. Mary Seneviratne has been involved from inception in her role as OLC oversight of research. The methodology could also be extended to

reviewing the business case for complaints reform in other areas, in pursuit of the OLC's aim of reducing cost to the legal profession by seeking increased throughput of work.

- Results of the draft benchmarking report produced by the Legal Services Consumer Panel gave rise to concerns about the overall approach and methodology as the draft seen did not seem to distinguish between the results of benchmarking and the Panel's opinion, derived more broadly. The Consumer Panel had agreed to work through the concerns expressed and also to correct any inaccuracies. The OLC acknowledged that it was the Panel's report, and agreed that once the final version had been considered an appropriate response would be prepared for issue at the time of publication. in mid November. A copy of the draft report including comments is to be shared with members.

**Actions:**

- Head of Policy and Communications to circulate Economic Insight methodology
- Head of Policy and Communications to circulate draft Legal Services Consumer Panel report
- Chief Ombudsman to update members after meeting with Consumer Panel

**Chief Operating Officer's (COO) report**

6. The Chief Operating Officer's report was noted and in response to questions from members the COO confirmed:
  - Support departments will switch focus to a business partner model to allow a more efficient focus in line with good practice.

**KPI report**

7. Members noted the monthly KPI report and in response to questions the Chief Operating Officer confirmed:
  - Focus is on hitting our timeliness targets and they are achievable. There have been challenges with the level of unallocated cases during September and there will be more in December due to holidays but awareness of these issues mean we can plan ahead in order to deal with them successfully.

**Ombudsman and OLC member register of hospitality**

8. Chair requested that the register of hospitality for the second quarter of the 2013/14 financial year be brought up to date and re-circulated.

#### **OLC member register of expenses**

Chair requested that the register of expenses for the second quarter of the 2013/14 financial year be checked and re-circulated as it appeared to be inaccurate.

**ACTION** Head of Finance to check both registers and re-circulate before publication.

#### **Item 5 – Audit and Risk Committee update**

The Chair of the Audit and Risk Committee provided members with an oral update:

- No particular concerns had arisen from the external audit. There were no issues raised by the external audit which required the board's attention.
- Question had arisen over whether Cabinet Office needed to agree any severance payments. Chief Operating Officer had agreed look into this and also confirmed that MoJ had been updated and no payments went beyond contractual obligations.
- Chair of Audit and Risk congratulated the Head of Finance on the revised format of the corporate risk register as it would improve overall risk analysis and our ability to actively manage and respond to those risks.

#### **Item 6 – RemCo update**

An overall HR update was included on the agenda, which picked up key issues of discussion at the Committee. It was agreed that this should also be listed as an item for the November Board agenda after the Committee next meet.

#### **Item 7 – Finance report**

9. Members noted the Finance report and there were no questions.

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

Members noted the quarterly update provided by General Counsel.

#### **Item 9 – Service complaint report**

Members requested General Counsel considers random sampling of Stage 2 complaints by the Independent Service Complaints Adjudicator.

**Action:** General Counsel to contact Independent Service Complaints Adjudicator

### **Item 10 – Human resources – report re turnover and other stats**

10. Members noted the report presented by the Human Resources Manager and in response to questions it was confirmed:

- Management had been supportive and understanding of the increased pressure on the Human Resources department.
- The new appraisal process has created some confusion amongst staff but appears to have been well received so far.

The Chair thanked the Human Resources Manager for the efforts of his department over the past months.

### **Item 11 – Cost review update, annual budget and office requirements**

11. Members received a report on the outcome of the cost review, noting that the review had gone as planned, with risks effectively managed and the expected benefits in terms of overall efficiency and cost delivered as anticipated. The OLC noted the importance of building morale and a focus on the future now this stage was over – and welcomed the ongoing thought and focus on engaging staff to encourage ways of working more effectively over time. The OLC also noted the learning from the exercise and asked the executive team to continue to reflect and use this learning as the organisation continued to mature and develop.

12. Members agreed the overall approach to the annual budget, noting the process of engagement with the Legal Services Board. The Head of Finance clarified how the costs review savings interacted with budget projections and the OLC agreed a draft budget to support the initial draft business plan to be presented to the LSB and then be published for consultation.

13. The OLC noted the considerations around the costs of office accommodation, as well as the potential risks of the different options proposed. The OLC agreed the proposed approach to look to seek savings from accommodation costs, taking into account the need to maintain an environment that fostered effective working.

### **Item 12 – Annual business and three year strategic plan including feedback on consultation**

The OLC considered the draft framework and key themes for the next strategy and business plan, confirming the direction set at the OLC away day at the previous meeting in September. The OLC took the opportunity to further develop some of the aspects of the strategy, encouraging the executive to continue to look at ways of developing the Ombudsman as an effective customer facing service while also looking to meet the challenges of a changing external context. The OLC asked the executive to produce a comprehensive draft strategy for consideration at its November meeting.

As part of this discussion, the OLC also considered its response to the recently closed discussion paper and developments in relation to the implementation of the EU ADR Directive. The OLC asked for a paper to be presented to its next meeting outlining a response to the discussion paper feedback and assisting it to consider its overall response to this and the coming BIS consultation in this area.

### **Item 13 – Any other business**

**14.** Chair informed members that they were all invited to attend the Awards event on 5 December

**15.** Members agreed to roll forward dates of meetings as set out in the papers for the meeting and noted that the Chair of the LSB would join the December meeting.

**16.** Noted that 24 March 2014 would be the last meeting for three members

**17.** Chair confirmed that she would not be able to attend a meeting on 27 November 2013 when our budget is due before the Legal Services Board.

**Action:** Karen Silcock and Tony Foster to check and confirm their availability for LSB meeting on 27 November

### **Next meeting**

**18.** The next OLC meeting will be held on 18 November 2013 at Baskerville House, Birmingham.