

**Minutes of the forty fourth meeting of the**

**Office for Legal Complaints (OLC)**

**Monday 22 April 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

**In attendance:**

Adam Sampson, Chief Ombudsman  
Rob Hezel, Chief Operating Officer  
Alison Robinson, Head of Policy and Communications  
David Edmonds Chairman; Legal Services Board  
Chris Kenny Chief Executive; legal Services Board  
Sian Lewis Policy & Research Officer (item 9)  
Freda Sharkey General Counsel (item 10)

**Apologies<sup>1</sup>:**

Maureen Vevers, member  
Karen Silcock, member

**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.

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<sup>1</sup> Where appropriate, members submitted comment on papers in advance of the meeting.

## **Item 2 – Minutes of previous meeting**

2. The minutes of the meeting of 25 March 2013 were approved for publication.

### **ACTIONS**

- The Secretary to publish the approved minutes of the meeting held on 25 March 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.
4. The Chief Operating Officer updated members on progress since the last meeting in respect of developing a workflow predictor model and confirmed that departmental business plans had been developed to support the overall organisational business plan. These were to be communicated to staff during week commencing 22 April.
5. The Chief Ombudsman advised members that he had recently met with Dr Elizabeth Gibby, MoJ to discuss CMC developments; a further meeting was scheduled for 26 April.
6. The Chair reminded members of the Annual Report event on 13 June 2013 and suggested that an OLC meeting might be convened on the same day.

### **ACTIONS**

- The secretary to make arrangements for a shortened OLC meeting to take place on 13 June to replace the scheduled meeting on 17 June.

## **Item 4 – Comments received regarding items presented for information.**

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

### **Chief Ombudsman's report**

8. In response to questions from members the Chief Ombudsman confirmed:
  - Three of the four newly appointed Ombudsmen commence roles with effect from 1 May.
  - The Management Information Team includes two staff dedicated to extracting business data and converting this into reports designed to help support business operations and KPI monitoring.

- Policy and Communications will work with local law societies and other umbrella bodies to ensure that CPD accredited training is delivered to lawyers in a fair manner.

### **KPI report**

9. Members noted the from the KPI report that Ombudsman work in progress had been maintained at an appropriate level. Tony Foster and Mary Seneviratne were to meet with the Quality team after the meeting and would discuss the accuracy element of KPI framework. Members also requested further information about the process for identifying 'multiple' cases and the Chief Ombudsman agreed that a checklist would be available for the May meeting.

10. In response to questions members were advised;

- The Head of Finance would consider the impact of variable costs on the unit cost KPI and include this as part of the planned cost base review.
- Ombudsmen continue to provide feedback to investigators on quality issues identified in their case reviews.

### **Register of hospitality**

11. Members noted the register of hospitality and approved it for publication on the main website.

### **OLC member expenses report**

12. Members noted the quarterly and financial year end OLC member expenses reports and approved both for publication on the main website.

### **ACTIONS**

- Chief Ombudsman to provide members with a checklist relating to the determination of a 'multiple' case.
- The Secretary to publish the register of hospitality and OLC member expenses report on the main website.

### **Item 5 – LSB update**

13. The Chairman of the Legal Services Board provided members with an update of recent work undertaken by the LSB, including;

- the recently published LSB business plan;
- occupancy at Victoria House, London;

- the recommendation to the Lord Chancellor to include will writing as a regulated activity;
- quality assurance advocates;
- the future publication of a legal education training review; and
- the planned timetable relating to the recruitment of a new Chairman of the LSB, Chair of the OLC also for 2 new members in each organisation.

14. The Chair thanked The LSB Chairman for the comprehensive update

#### **Item 6 – Service complaint annual report**

15. Walter Merricks, the Legal Ombudsman’s Service Complaint Adjudicator, presented his annual report relating to complaints about the Legal Ombudsman. Members noted the report which also included a report from the Head of Compliance and in particular the good progress made in respect of dealing with complaints made about the organisation.

#### **Item 7 – Finance report**

16. Members noted the year end finance report. The Chief Operating Officer advised members the NAO had completed their pre audit work and no issues were expected to arise from the final audit which had just commenced and was expected to take two weeks to conclude.

17. The Chief Operating Officer advised members that a depreciation policy had been presented to the Audit and Risk Committee earlier in the day and guidance had been issued to staff in respect of case fee waivers and the case management system also incorporated a checklist to act as a direct prompt for staff.

#### **Item 8 – Draft 2012 – 13 OLC annual report**

18. Members noted the paper and were asked to provide comments on structure to the Head of Policy and Communications by the end of the week.

19. The Chair of the Audit and Risk Committee reported that feedback had already been provided in respect of the Governance statement as this featured as a formal agenda item at the audit meeting earlier in the day.

#### **Item 9 – Research update**

20. Members noted the paper which presented the results of research undertaken during the 2012 – 13 financial year and that KPI’s in respect of reputation and impact will be published in May 2013. There was discussion about the measure used and the risk that it gave too comfortable a picture of satisfaction with the service provided. It was agreed that the measure itself needed further consideration for the future, and that for this occasion care would need to be taken in developing an appropriate communication strategy. In response to questions members were advised;

- The aim of research was to gain an understanding of external perceptions of the organisation and to use this to develop learning and improve KPI performance; and
- A mystery shopper programme targeted at the Assessment Centre was due to commence shortly.

#### **Item 10 – General Counsel quarterly update and ‘category 1’ cases for publication**

21. Members noted the paper which provided details of recent challenges and enforcement of the ombudsman process. Members were reassured that the litigation risks faced by the organisation were being appropriately managed.
22. There were no ‘category 1’ cases presented to members for consideration and approval for publication.

#### **Item 11 – Any other business**

23. The Chair raised the process for consideration of members’ expenses with the Chairman of the LSB who agreed to discuss this with his Accounting Officer.

#### **Next meeting**

24. The next OLC meeting will be held on 20 May 2013 at Baskerville House, Birmingham.

Andy Taylor  
Board Secretary  
26 April 2013