

Minutes of the forty third meeting of the

Office for Legal Complaints (OLC)

Monday 25 March 2013

11.30am – 14.30pm

Baskerville House, Birmingham

Present:

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

In attendance:

Adam Sampson, Chief Ombudsman
Rob Hezel, Chief Operating Officer
Liz Shepherd; CMC Project Lead (item 7)
Laura Smith; Marketing and External Communications Manager (item 8)

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 25 February 2013 were approved for publication.

ACTIONS

- The Secretary to publish the approved minutes of the meeting held on 25 February 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 Chair updated members on the section 120 response issued to the LSB. A copy of the final version and the covering letter will be issued to members by the secretary. Members were concerned to ensure that research based data collection requirements would be considered in the IT scoping project.

ACTIONS

- The secretary to forward a copy of the section 120 response issued to the LSB.
- The Head of IT and Telecoms to note that research based data collection requirements should be considered in the IT scoping project.

Item 4 – Comments received regarding items presented for information.

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

Chief Ombudsman's report

6. In response to questions from members the Chief Ombudsman confirmed:
 - Following the takeover of 2e2 by Daisy Communications, the IT service provided to LeO had remained stable.
 - Discussions had continued with the Ministry of Justice in respect of the IT procurement project.
 - The current interim Head of IT and Telecoms had agreed to remain in role for a further 12 month period. Members recognised the importance of providing continuity in this role at this stage and were pleased to note the consequent reduction in risk.
 - Short listing and interviews had been recently undertaken for the assistant ombudsman and Head of Quality and Knowledge roles. Subject to HR requirements being completed, confirmation of appointment into these roles would be announced.

KPI report

7. Members noted the KPI report and that Ombudsman work in progress had returned to a more acceptable level. Members noted however that weekly statistics identified wide variations. Discussion suggested that there was no readily identifiable reason for these. As well as focussing on the productivity of the Ombudsmen, Members were assured that efforts continued to find ways of encouraging resolution of cases without Ombudsman involvement. They were also encouraged to hear that recent target setting workshops had prompted a number of ideas on productivity improvement.
8. Members asked the Chief Operating Officer to consider developing a workflow predictor and to provide a progress update at the April meeting.
9. 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.

Finance report

10. The paper provided members with details of the financial position at the most recent month end. Members asked for an in-depth review of case fee waivers to be presented with the finance report at the next meeting and details of staff training provided in this area to ensure consistency of approach.

Approach to seeking OLC feedback on external publications

11. The paper provided members with details of the overall approach and principles in respect of asking the OLC to comment on key documents that will be submitted to external bodies or for external publications. Members noted the paper and asked that a “minimum” of 7 days notice be provided to ensure adequate time is available for comments to be made.

ACTIONS

- Chief Operating Officer to provide members with an update report on a workflow predictor model at the April meeting.
- The Head of Finance to consider the impact of variable costs on the unit cost KPI and include this in the planned cost base review.
- The Head of Finance to include an in-depth review of case fee waivers in the next finance report along with details of staff training in this area.

Item 5 – RemCo update

- 12.** The Chair of RemCo provided members with an oral update in respect of recent meetings where committee members received;
- an update from the Chief Operating Officer on the revised management structure and planned activities of the new management team;
 - details of the recent assistant ombudsman recruitment exercise;
 - a paper from the Head of HR in respect of future recruitment activities
 - details of the initial findings from the recent staff survey
- 13.** Members thanked the Chair of RemCo for the update and it was agreed that an update on the staff survey should be presented at the July OLC meeting;

ACTIONS

- Chief Operating Officer to provide members with an update report on the staff survey findings at the July meeting.

Item 6 – 2013/14 Business and strategic plan; including 2013/14 budget

- 14.** Members were advised the LSB had approved the OLC budget at their meeting held on 18 March 2013 and that reassurance had been given to the LSB that the OLC and LeO were not complacent on costs; confirming that a cost review is to be done and presented to the OLC in July. Members thanked Karen Silcock for representing the OLC at the meeting.
- 15.** In response to questions members were advised that;
- an implementation plan had been developed to communicate and embed the business plan across the organisation;
 - a set of departmental plans would be available to members and placed on the intranet in due course.
- 16.** The Chief Ombudsman provided members with details of up to date data in respect of the timeliness KPI's and recommended that in light of the most recent data trends, consideration should be given to amending the proposed timescales of completing 55% of cases within 90 days and 85% of cases within 180 days to 60% and 90% respectively. Members carefully considered the proposal from the Chief Executive to set a more stretching target. Having looked at the risks it was agreed that amendments the targets should be made. This would not require any further consultation but would need to be drawn to the attention of the LSB.

17. Members provided the Chief Ombudsman with details of minor amendments to the draft business and strategic plan. These were all stylistic or typographic and would be taken into account before publication on the website on 1 April.

ACTIONS

- The Chief Ombudsman to update the draft business and strategic plan to reflect the amended timeliness KPI's and minor stylistic or typographic amendments.
- The Chief Operating Officer to provide members with a copy of departmental plans .

Item 7 – CMC update

18. Members received an oral update in respect of CMC project developments and noted:

- no commencement date had been confirmed as an appropriate Bill had not been identified by Officials for the necessary legislative changes. Discussions were ongoing with the Ministry of Justice; the most recent meeting had been on 20 March;
- the CMC Programme Board would continue to meet in order to monitor developments;
- communications will continue with the Ministry of Justice, confirming that LeO is as ready as it can be to proceed, without incurring significant expenditure. To recruit and train staff a minimum of five months notice will be needed; this must be made clear to officials.
- An update would be provided to members as soon as further information was received from the Ministry of Justice.
- Members noted that this was Liz Shepherd's last day as a member of LeO's executive and thanked her for significant contribution to creating the vision and delivering the reality of the Ombudsman service.

ACTIONS

- The CMC project team to provide members with an update when further information is available.

Item 8 – Stakeholder panel update

19. Members noted the paper which set out the background to the stakeholder panel and recommended steps for updating the process for gaining feedback where there is a requirement on engagement on specific topic areas or issues.

20. Members approved the recommendation but suggested that the implied need to engage with those who criticise as well as those who support our approach should be

made explicit and also to consider ways to obtain unprompted feedback from stakeholders.

Item 9 – 2012/13 OLC annual report update

21. Members received an update from the Chief Ombudsman who confirmed;
 - A plan and timetable to develop and present the Annual Report was in place
 - The laying date was confirmed as 13 June 2013 and would be supported by an annual event as in previous years.
22. Members suggested that may be cost effective to consider holding the June OLC meeting on the same day as the annual report laying event on 13 June.

ACTIONS

- The Secretary to liaise with the Head of Policy and Communications to see if it is possible to utilise the location for the annual report presentation event to host the OLC meeting afterwards.

Item 10 – Publishing decisions: category 1 cases

23. There were no cases presented to members for consideration and approval for publication.

Item 11 – Any other business

24. Members noted the decision made by the LSB to amend their expenses policy. While this was not unexpected, disappointment was expressed about the way the decision had been communicated and the response to concerns addressed. The Chair agreed to provide feedback to the LSB.
25. Members considered the frequency of OLC meetings and the Chair agreed that the secretary should review the agenda schedule to identify key items and dates and reconsider the timetable of meetings, providing a recommendation to members for consideration at the September strategy meeting.

ACTIONS

- The Chair to provide feedback to the LSB in respect of the recent change to their expenses policy.

- The secretary to review the OLC agenda schedule with a view to reconsidering the timetable of meetings, providing a recommendation to members at the September strategy meeting

Next meeting

- 26.** The next OLC meeting will be held on 22 April 2013 at Baskerville House, Birmingham. The Chair and Chief Executive of the LSB would be in attendance.

Andy Taylor
Board Secretary
28 March 2013