

Minutes of the twentieth meeting of the

Office for Legal Complaints (OLC)

Monday 21 February 2011

11.30am – 1.30pm

Baskerville House, Centenary Square, Broad St, Birmingham B1 2ND

Present:

Elizabeth France, Chair
Margaret Doyle, member
Tony Foster, member
Brian Woods-Scawen, member
David Thomas, member
Professor Mary Seneviratne, member
Rosemary Carter, member

In attendance:

Adam Sampson, Chief Ombudsman
Liz Shepherd, Operations Director
Rob Hezel, Director of Finance and Business Services
Gary Garland, Deputy Chief Ombudsman
Alison Robinson, Head of External Affairs

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 those in attendance.
2. No apologies were received.

Item 2 – Minutes of previous meeting

3. The minutes of the meeting of 21 January 2011 were approved for publication.

Item 3 – Matters arising & action points

4. Members noted those items where action had been completed and that others were included as agenda items.
5. The Chief Ombudsman confirmed that the business process to manage the work of the Acting Legal Services Ombudsman (ALSO) had been agreed and staff were also in place to commence work on the expected backlog of cases with effect from 2 March 2011.
6. Members were advised that a pilot exercise had been in operation since February to capture complainants' equality and diversity information and this was to be fully implemented by the end of March.

ACTIONS

- Members requested that the Acting Legal Services Ombudsman attend the March OLC meeting to provide an update on ALSO casework.

Item 4 – Comments received regarding items presented for information.

7. Members noted the items presented for information and comments received in advance of the meeting were circulated to members and those in attendance.
8. The Chief Ombudsman advised members that approximately 20 new staff had now completed training and commenced work in the Resolution and Assessment Centres. The previously reported short term backlog of casework had already been allocated to the new teams.
9. The Chief Ombudsman advised members that an initial analysis of the staff satisfaction survey results would be available by the end of March and that an interim paper would be presented at the April OLC meeting.
10. Members were advised that the staff flexible benefits scheme would be considered by members of a new staff forum as soon as possible. It was expected that the scheme

would be in place by July 2011. The Chief Ombudsman explained that a budget for the flexible benefit scheme (which was part of the contractual commitment to staff) had been set aside for the 2010/11 financial period and recommended that a non consolidated payment be made to staff on a pro rata basis at the end of the current financial year and again at the end of the first quarter of 2011/2012. Members approved the proposal subject to clear communication being made to staff regarding the nature of the payment.

11. It was agreed that where the Executive became aware of consultation exercises to which it would be appropriate to respond, response could be prepared and sent by the Executive, with copies to the board, where no new lines were being taken. Where new issues were raised a draft should come to the board. It was also agreed that the monthly report should set out the status of consultations.
12. Members noted the Audit and Risk Committee meeting minutes and requested that committee minutes should be issued electronically to members for information in future.

ACTIONS

- The Chief Ombudsman to present an interim report on the staff satisfaction survey results to the April OLC meeting.
- The Head of External Affairs to provide members with advance notice of all open consultations and proposed approaches to them. A policy to reflect the practice agreed should be drafted.
- The Secretary to note that future committee minutes are to be issued electronically to members for information purposes as soon as they are available.

Item 5 – Publishing our decisions.

Summary of the tabled papers

The tabled papers provided members with details of the responses received to the recent consultation exercise relating to publishing decisions and also included information relating to two items of independent research.

13. Members were advised that the General Counsel had provided some advice in respect of publishing decisions and a request was made for this to be forwarded to members for information purposes. Members considered the tabled documentation and following discussion agreed that;
 - Anonymised case studies should be published with immediate effect; and
 - Anonymised Ombudsman's decision should be published aiming for a start date in June 2011.
 - Proposals for the naming of firms should be subject to the collection of further data in order to allow the Executive to clearly identify a set of naming criteria. Once this had been done, a further consultation should take place to

obtain the views of stakeholders. Following this, a further paper should be presented to allow members to consider the matter of naming firms further.

- An appropriate search and filter facility should be introduced to enable the effective electronic navigation of published decision information.

14. Members thanked those staff involved in collating the information obtained from the consultation and research process.

ACTIONS

- The Head of External Affairs to forward the communication received from the General Counsel to members as soon as possible.
- The Executive to commence publication of anonymised case studies as outlined above, and to develop and introduce an effective electronic search function as soon as possible.
- Proposals for further consultation to be prepared for the March meeting.

Item 6 – 2011/12 annual budget.

Summary of the tabled paper

The tabled paper outlined details of the proposed budget for the 2011/12 financial year and included information relating to; key sensitivities and efficiency assumptions; organisation structure & headcount; income and expenditure; capital expenditure and cash flow and the balance sheet. Members were asked to consider and approve the budget for the 2011/12 financial year.

15. Questions were invited and Members were advised that;

- Details of the draft 2011/12 annual budget were included within the 2011/12 business plan and the information contained in the tabled papers evidences a slightly reduced budget.
- The Executive confirmed they were content with the level of capital expenditure outlined in the 2011/12 annual budget.

16. Members asked for a glossary of terms to be included within the document and approved the 2011/12 annual budget.

ACTIONS

- The Head of Finance to include a glossary of terms within the 2011/12 annual budget document.

Item 7 – 2011/12 strategy and business plan.

17. The tabled document was presented to members following the closure of the recent consultation exercise. Members were advised that only one response to the consultation had been received, however one further response was still expected.
18. Members considered the response received and approved the 2011/12 strategy and business plan subject to minor amendments being made to the document.

ACTIONS

- The Head of External Affairs to amend the 2011/12 strategy and business plan as requested by members prior to publication.

Item 8 – Human resources; quarterly report.

19. Members were advised that both Audit and Risk and RemCo had received a progress report on the key HR issues identified following a recent internal audit undertaken by KPMG. A further report by Towers Watson was in progress and the findings would be shared with RemCo as soon as they were available.
20. Members were advised that RemCo was taking responsibility for monitoring the implementation of the Executive action plan in response to the audit reports.

Item 9 – Any other business.

21. Members were advised that a number of activities in conjunction with the LSB had either taken place since the last OLC meeting or were scheduled to take place shortly. The Chair and Chief Ombudsman had met the Chairman and Chief Executive of the LSB; the Chairs of the respective Audit and Risk committees met and a letter had been circulated to OLC members advising of the agreed shared values. A joint meeting will take place in early March to discuss the exchange of management information and KPI's.
22. The Director of Finance and Business Services advised members of a proposal to introduce a Legal Ombudsman Beneficial Trust. The purpose of the trust was to allow efficient tax management relating to the benefits scheme and the administration would be undertaken by a standard instrument, a copy of which was presented to members. The beneficial trust was approved subject to any objections to the standard instrument being raised by members by the end of the week.
23. The next OLC meeting will be held on 21 March 2011 at Baskerville House in Birmingham.

Andy Taylor
Board Secretary
06 March 2011