

**Minutes of the fifty-second meeting of the**

**Office for Legal complaints (OLC)**

**Monday 24 February 2014**

**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:**

Rob Hezel, Chief Operating Officer  
Alison Robinson, Head of Policy and Communications  
Freda Sharkey, General Counsel  
Stephen Green, OLC Chair designate  
Allan Jones, Interim Head of IT and Telecoms (item 6)  
Paul Partridge, Head of Finance (items 8 and 9)  
Kathrine Sherrington, Head of Service (item 10)  
Carol Brady, Ombudsman – Knowledge and Quality (item 11)

**Apologies:**

Adam Sampson, Chief Ombudsman

**Board Secretary:**

Helen White

**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 members and the Chair designate, Steve Green, in attendance as an observer.

### **Item 2 - Minutes of the previous meeting**

2. The minutes of the meeting held on 20 January 2014 were approved.

#### **ACTION:**

- The Board Secretary to publish the approved minutes of the meeting held on 20 January 2014.

### **Item 3 - Matters arising and outstanding action points**

3. The General Counsel reported that the Independent Service Complaints Adjudicator had encountered technical problems which resulted in delays in completing the stage 2 service complaints analysis which was now scheduled for the end of February.

### **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 Report**

5. The General Counsel gave an oral update to the meeting on Judicial Review challenges concerning public access work by the Bar.

The Chair thanked the General Counsel for her continued hard work.

The Board requested that at an appropriate time Officers produce guidance material, for publication, in relation to public access work by the Bar.

#### **ACTION:**

- General Counsel, the Head of Policy and Communications and the Ombudsmen to produce guidance material in relation to public access work by the Bar.

#### **Chief Operating Officer's report**

6. The Chief Operating Officer updated the members on the challenge around the volume of resource and the knowledge gaps required to meet the needs of the planned projects. Members agreed that investment in external specialist project management input was essential if the projects were to be delivered as planned.

### **Register of Interests**

7. The Chair asked for confirmation of the date this report covers. The members made minor amendments to the register.

### **ACTIONS:**

- The Board Secretary to confirm the dates the register of interests report covers.
- The Board Secretary to publish the Ombudsman and OLC member register of interests on the main website.

### **Hospitality Register**

8. The members approved the register for publication.
9. The Chair requested that the Gifts and Hospitality Policy be reviewed as there is some ambiguity around the definitions. Some of the roles referred to in this, and other policies, have changed and updating is required. The Chair of Audit and Risk Committee confirmed that a policy review is on the agenda for their next meeting.

### **ACTIONS:**

- The Board Secretary to publish the Hospitality Register on the main website.
- The Audit and Risk Committee to review the current policies.

### **Finance report**

10. The Chief Operating Officer informed the members that the National Audit Office had instructed that the £0.6m expenditure associated with the office move be taken in this year's accounts, thereby increasing this year's forecast spend. The total expenditure and unit cost would however, remain ahead of target.

### **KPI Dashboard**

11. The Chief Operating Officer reported that the 80% service level in January was not met. This was due to a combination of factors including sickness, staff

training (for new telephone system) and the introduction of a new quality system.

12. There was discussion around the increased timeliness KPI of 70% for 2014/2015. The Chair asked that a timeliness question be incorporated in the customer satisfaction survey in future as it would be useful to have some feedback on customer expectation.

### **Item 5 - Claims Management**

13. The Head of Policy and Communications reported that MoJ continue to progress work to clarify the requirements for commencement of powers under the Banking Reform Act with Treasury, with dedicated legal support to allow drafting of the required statutory instruments. The next step will be in obtaining clarity around the process for funding this new area of work for the OLC. With the MoJ confirming financial and governance arrangements, the next steps are to put in place a coherent programme of work.
14. The commencement date is still expected to be in the Autumn, shortly following the planned introduction of the new IT system. One option could be to use the new platform for claims management, before transferring from the legacy system.
15. Further clarification is expected from the Ministry of Justice in early March; the Head of Policy and Communications will update the March OLC meeting.

#### **ACTION:**

- Head of Policy and Communications to update the OLC at the March meeting.

### **Item 6 - Approval of IT Business Case**

16. The Interim Head of IT and Telecoms reported to Members that a preferred bidder has been identified to provide the new case management system. The proposed solution now required the approval of the OLC Board and then the MoJ who will approve the expenditure.
17. The preferred cloud based solution has been carefully considered from the point of view of data security. Data remains at all times within the EU. Due diligence has yet to be undertaken to determine whether a separate disaster recovery service is required. The efficiency savings to be made are substantial, and benefits will be delivered in terms of workflow and the ability to establish portals both for claimants and lawyers.
18. Members were reassured by the involvement of a NED, Maureen Vevers, in the procurements process.

19. It was agreed that the appropriate contracts be agreed and signed, in accordance with the scheme of delegation, by the Chief Operating Officer in consultation with the Chief Executive Officer and Head of Finance
20. Members thanked the Interim Head of IT and Telecoms for his paper and approved the proposal, subject to MoJ approval, of the expenditure.

**ACTION:**

- Head of IT to progress contractual arrangements with relevant officers including General Counsel.

**Item 7 - Strategy 2014-2015**

21. The Head of Policy and Communications presented the Strategy document and explained that it had been revised based on stakeholder feedback.
22. Members requested some minor changes to the wording for clarity and accuracy and noted that the strategy would be polished before the new financial year once the budget had been finally agreed by the Legal Services Board.
23. Members thanked the Head of Policy and Communications for the paper.

**ACTION:**

- The Head of Policy and Communications to revise the document as discussed and arrange for publication before the new financial year and after budget approval has been received.

**Item 8 - Budget 2014-2015**

24. The Head of Finance updated the members on the budget for 2014-2015.
25. It was agreed that the Head of Policy and Communications would work with the Head of Finance to look at ways of expressing the impact of the levy on individual lawyers over the previous years, including showing the average figure paid, when publishing the strategy and budget to seek to illustrate in simpler terms the overall impact on individual lawyers.
26. The budget will be presented to the Legal Services Board by the Chair and Chief Executive on 26 March 2014.

**Item 9 - Proposal for Office Move**

27. The Head of Finance presented the proposal for the office move.

28. Members requested that the Head of Finance meet with staff who may require reasonable adjustments for the new office accommodation.
29. The importance of internal communications in relation to this move was recognised and the management team were asked to identify benefits that would be available for staff as part of the relocation.
30. Members agreed the proposal and authorised the Head of Finance to agree the Heads of Terms and the lease terms. The Chief Executive Officer is authorised to sign the lease.

**ACTIONS:**

- The Head of Finance to meet with staff who may require reasonable adjustments for the new office.
- Head of Finance to progress the new lease arrangements.

**Item 10 - Customer Satisfaction Survey Annual Results and Action Plan**

31. The Head of Policy and Communication reported that the survey was a retrospective look at performance for 2012/2013.
32. The findings and learnings would be fed into developing the new case management system and would inform both operations and quality approaches. There was an action plan in place which was feeding into an improvement priority group. External focus groups would also be held to look at what the customers want as well as internal focus groups looking at how we communicate – written, language and tone.
33. Members asked the Head of Policy and Communications to draw up a communication plan to include press release, internal LeO News article and arrange a focus group in order to outline the survey outcomes. It was considered important to deliver the message that the organisation is learning and listening; and is pleased to have this information in order to learn the lessons and progress.

**ACTION:**

- The Head of Policy and Communications to draw up an action plan for the communication of the survey results to internal and external stakeholders.

**Item 11 - Quality**

34. The Ombudsman (Knowledge and Quality) updated the members on the organisation's approach to quality and the work undertaken over the past eight months.
35. Members agreed that the paper and discussion outline a significant step forward in the approach to quality.
36. The first quality service improvement paper, which draws together data from all internal reviews, service complaints and customer satisfaction would be available in April. This will show a correlation of all the data that has been collected and reviewed across the organisation since January and will highlight key learnings and areas of improvement. These issues will go to the Improvement Priority Group who will determine what steps need to be taken to drive up service improvement in the identified area and who is responsible for ensuring it will happen.

**ACTION:**

- The Service Improvement paper to be presented to the April Board meeting.

**Item 12 - Staff Satisfaction Survey Results and Action Plan**

37. The Chief Operating Officer updated the members on the staff survey results. There was an 89% response rate (up from last year's 85%) but the target response rate of 90% was not hit.
38. Members agreed that the management team needed to consider the results in more detail. The Chief Operating Officer explained that focus groups had now started and would provide more feedback.
39. Members agreed that the Remuneration Committee should discuss the survey results in more detail at their next meeting in March.

**ACTION:**

- The Board Secretary to add the Staff Satisfaction Survey Results and Action Plan to the Remuneration Committee March agenda.

**Item 13 - Any Other Business**

40. The Chair explained that the contract for the independent complaints assessor expires on 31/3/14. This is a Board appointment. Members agreed that the Chair would write to Walter Merricks, offering a one year contract extension to 31 March 2015, after which the role would be advertised externally.

**ACTION:**

- The General Counsel to draft a letter for the Chair's signature, offering a one year contract extension to 31 March 2015.
- 41.** The Chair reported that allegations had been received and considered under the whistle blowing procedure. This was the first such allegation which the Legal Ombudsman or OLC had received. As the discloser had addressed their allegations to the Chair, Chief Executive and Chair Designate, the Chair had decided to investigate the allegations made but was unable to interview the discloser as the correspondence was anonymous. No evidence to substantiate allegations of impropriety had been found. As Chair of Remco, Rosemary Carter had reviewed the process and would act as custodian of the relevant material.
- 42.** The Chair explained that the outline of the Annual Report would be tabled as an agenda item at the March OLC Board.

**ACTION:**

- The Board Secretary to include an agenda item on the March OLC Board for the Annual Report.

**Next meeting**

- 43.** The next OLC meeting will be held at 11.30 am on 24 March 2014 at Baskerville House, Birmingham.