

**Minutes of the sixtieth meeting of the**

**Office for Legal Complaints (OLC)**

**Monday 15 December 2014**

**12.30pm – 15.00pm**

**Baskerville House, Birmingham**

**Present:**

Steve Green, Chair  
Professor Philip Plowden, member  
Karen Silcock, member  
David Thomas, member  
Maureen Vevers, member  
Tony Foster, member  
Stella Manzie, member

**In attendance:**

Ian Brack, Interim Chief Executive  
Rob Hezel, Chief Operating Officer  
Freda Sharkey, General Counsel  
Ken Young, Interim Head of Policy and Communications

**Apologies:**

Rosemary Carter, member

**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 and thanked those in attendance, noting Rosemary Carter's apologies.

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

2. The minutes of the meeting held on 24 November 2014 were approved.

#### **ACTION:**

- The Board Secretary to publish the approved minutes of the meeting held on 24 November 2014.

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

3. Members noted those items where actions had been completed and that others were included as agenda items.
4. Discussion took place on the next steps on the 'Insight Capability' paper. Prof Plowden stated that in April he had taken over as lead Board Member with responsibility for research within the organisation. He explained that a meeting had been held with the Executive to discuss how to better service stakeholders with the organisation's key internal data and particularly how to ensure this data was accurate and collected correctly. In the RemCo Chair's absence, Stella Manzie requested that once a proposal paper was drafted, it was first presented to Remco. The Interim CEO confirmed that an update on next steps would be presented in January.

#### **ACTION:**

- The Board Secretary to add 'Insight Capability' to the January OLC Agenda.
5. Discussion took place on the publication of the category one case. The Interim Head of Policy and Communications stated that a 'lessons learned' exercise would be undertaken as a result of the experience of our first publication. The Chair requested that the Executive ensure the process was robust and clear to all parties to ensure that all data was verified as accurate.

### **Item 4 - Comments received regarding items presented for information**

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

#### **Interim Chief Executive's Report**

7. The Interim Chief Executive confirmed that steps were being taken to deal with Ombudsman work in progress volumes but reiterated to members that

numbers were stable. The Chair acknowledged that the early appointment of an Interim Chief Ombudsman would help to drive the focus in this area.

8. The Interim Head of Policy and Communications confirmed that discussions were nearing a conclusion with ICAEW.

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

9. The Chief Operating Officer reported that the new case management system had successfully gone live in the Assessment Centre on Friday 12 December. The training of investigators would begin shortly, with the full system rollout in January. The new system would provide search functionality and enable the team to collect more data. Members congratulated the team on their hard work over the past few months.
10. The Chief Operating Officer confirmed that the office move was on track with the first wave of staff moving in the week commencing 5 January.
11. Discussion took place on staff turnover levels which were currently at 13.2%. The Chief Operating Officer stated that turnover had increased slightly due to a more competitive marketplace but that he was satisfied whilst the level remains at under 15%.

### **Finance Report**

12. Discussion took place on the finance report. The variance was noted and it was agreed that this would be reviewed at the end of the financial year.

### **KPI Report**

13. The Chief Operating Officer presented the KPI report. He reported that work continued with the Executive on the overall performance framework. A detailed review of both Performance and Quality would be undertaken at the January OLC Board.
14. Members queried whether the performance targets would be met by March 2015. The Chief Operating Officer confirmed that this was highly likely with the focus continuing on timeliness and unallocated cases. He reported that it was very encouraging that, for the second month, investigators were meeting their target levels of closing more than 8 cases.

### **Item 5 – Corporate Risk Register**

15. Members noted the corporate risk register and that this had been discussed at the Audit and Risk Assurance Committee meeting in November.
16. The Head of Finance reported that the business interruption risk was being reviewed by the Head of IT with the aim of moving to a cloud-hosted

environment by the end of the year. The Head of Finance stated that this would require MoJ approval due to the expenditure levels. Internal resourcing levels were being monitored to ensure there is sufficient resource to meet all the deadlines.

**17.** The Head of Audit and Risk stated that there was the need to pull the policy review exercise into the wider governance review framework to ensure a review of the Scheme of Delegation as well as ensuring all key documents were cross-referenced to the relevant framework agreements, memorandum of understanding and Managing Public Money.

**18.** Discussion took place around the number of vacant posts on the management team. The Head of Finance was asked to add this risk to the risk register.

**ACTION:**

- The Head of Finance to add a risk to the risk register around the number of vacant posts on the management team.

**19.** The Head of Audit and Risk requested that RemCo reviewed the indicator levels for the People (P) risks to ensure the levels were set at the right levels.

**ACTION:**

- The Board Secretary to add 'People Risks' to the next RemCo agenda.

**20.** It was agreed that the Audit and Risk Assurance Committee would review the strategic risks to ensure the right elements were included, with the correct trigger points for these elements.

**ACTION:**

- The Board Secretary to add 'Review of Strategic Risks' to the next Audit and Risk Assurance Committee agenda.

**21.** The Interim CEO was asked to ensure the correct process was in place to make sure the risk register was updated regularly. He was also asked to review the process by which the register was subjected to regular internal review.

## **Item 6 – Equalities and Diversity Update**

**22.** Stella Manzie informed members that the next meeting of the internal E&D group was due to take place on 16/12 and that she would attend. She explained that this group would set timescales, milestones, and accountabilities for the various E&D activities. She stated that whilst supportive of the overall E&D activity, the checking and review mechanisms required firming up.

23. Prof Plowden stated that the JCP 'two ticks' initiative could sometimes be perceived, counter-intuitively, as raising expectations that may not be met. The E&D Manager informed members that 'two ticks' had received some press coverage in recent months stating that organisations were using the symbol as 'impression management' rather than ensuring lasting effects on disabled people. As a result, LeO met with JCP to understand the commitment fully and ensure effective practices are in place.
24. The Chair stated that he felt strongly assured about the internal E&D activity but questioned whether equal assurance could be derived from our external focus. The SRA had received scrutiny over the disproportionate impact on ethnic minority practitioners and OLC needed to be assured that the organisation could provide information to this effect in relation to suspension and enforcement activity. Stella agreed and confirmed the internal E&D group would consider this issue further.
25. The General Counsel reinforced the need for undertaking equality impact assessments which could be provided as assurance if the need arose.
26. Members formally approved the Equality Priorities and Objectives for 2015-18.

#### **Item 7 – Changes to Scheme Rules**

27. The Interim Head of Policy and Communications reported that technical changes were already in train for the January 2015 start of the CMC jurisdiction and that the EU Directive would require further changes to be made before July 2015. Discussion was held on to what extent this review should focus on the narrow technical changes required to comply with the EU ADR Directive or look more widely.
28. David Thomas made a number of detailed observations on the proposed approach. The Head of Policy and Communications would review them and send a revised draft to David Thomas before bringing a further paper back to the Board in January.

#### **ACTION:**

- The Board Secretary to add 'Changes to Scheme Rules' to the January OLC Board agenda.

#### **Item 8 – CMC Update**

29. Simon Tunncliffe, Head of CMCs, joined the meeting to update members on CMCs. He presented members with an online view of the CMC portal with the suggested branding.

**30.** Members requested that the Head of CMCs ensured that the range of broadband speeds was considered when developing the website and that the site met any requirements of users with visual impairments.

**31.** The Head of CMC's reported that discussions were continuing with the MoJ around the framework document. Concerns were expressed by OLC members that the final framework may not be complete prior to the January go-live date, and that amended detailed financial budget authorities were also awaited.

**ACTION:**

- The Interim CEO to approach the MoJ to progress the final and/or an interim framework and to obtain the detailed amended budget papers.
- The Head of CMC's to present a CMC Update to the January OLC Board.

**Item 9 – Any other business**

**32.** No other business was raised. The Chair declared the meeting closed.

**Next meeting**

**33.** The next OLC meeting would be held on Monday 19<sup>th</sup> January in London.