

Minutes of the Seventy-Fourth Meeting of the

Office for Legal Complaints (OLC)

Wednesday 7 September 2016

10:00 – 11:30 am

Legal Ombudsman, Birmingham

Present:

Steve Green, Chair
Caroline Coates, member
Bernard Herdan, member
Michael Kaltz, member
Tony King, member
Prof Philip Plowden, member
Jane McCall, member

In attendance:

Nick Hawkins, Chief Executive
Kathryn Stone OBE, Chief Legal Ombudsman
Emma Cartwright, Head of Finance
Simon Tunnicliffe, Head of Operations
Andrew Gale, Head of Operational Insight & Engagement
Rob Powell, Director of Corporate Services (Designate)

Apologies:

None received

Board Secretary:

Helen White

Preliminary issues:

The Board meeting was quorate.

Item 1 – Welcome and apologies

1. The Chair welcomed Rob Powell, the Director of Corporate Services (designate).
2. The Chair updated members on the process for the reappointment of the OLC Chair and a non-lay member. He noted that the Board would work with the LSB timetable once this was agreed.
3. The Chair reported that the LSB were planning a joint event, similar to the event held in Leeds in November 2015. He noted that this was tentatively planned for 24 November in Manchester and the Board were invited. Further details would be circulated by the Board Secretary, once known.

ACTION:

- **The Board Secretary to circulate details to the Board for the joint event with the LSB to be held in November in Manchester.**
4. The Chair noted that there was a Three Chairs meeting planned for 25 November in London, but due to the joint event on 24/11, this date may need to change. Again, the Board Secretary would communicate with the Chairs of RemCo and ARAC.

ACTION:

- **The Board Secretary to notify the Chairs of ARAC and RemCo should the date for the 'Three Chairs' meeting change from 25/11.**
5. The Chair noted there were no declarations of interest.

Item 2 - Minutes of the previous meeting

6. The minutes of the meeting held on 19 July 2016 were approved as a true and accurate record of the meeting.

Item 3 - Matters arising and outstanding action points

7. Members noted those items where actions had been completed and those that were included as agenda items.
8. Discussion took place on the internal procurement guidance which was still to be finalised. The Head of Finance would ensure this was finalised by the next ARAC Board meeting on 6 October.

ACTION:

- **The Head of Finance to finalise the internal Procurement Guidance and circulate to ARAC members before the next ARAC meeting.**
9. It was noted that guidance and delegations had now been received from the MoJ. The Chief Executive reported that he proposed to bring the amended Scheme of Delegation to the October OLC Board which would outline appropriate financial delegations across the organisation.

ACTION:

- **The Board Secretary to note on the Forward Plan that the Chief Executive would be tabling the updated Scheme of Delegation at the October OLC Board.**
10. Tony King, Board Member, updated members on his oversight role on casework. He reported that to provide assurance on the consistency of

casework, he had met with one of the Ombudsmen who was undertaking a 'dip sampling' of quality reviews carried out by the team leaders.

11. Tony King reported that to ensure an embedded quality process, it had been agreed that the quality reviews would now be carried out part way through the quarter rather than at the end of the quarter. In summary, Tony had found the process being undertaken provided assurance on the quality of decisions taken.
12. It was agreed that Tony King would provide a formal note for the record on the meeting which would be circulated with the Board minutes.

ACTION:

- **The Board Secretary to circulate the note of Tony King's review of casework with the September OLC Board minutes.**

13. It was noted that a follow up would be conducted later by Tony King in the year.
14. The Chief Executive updated members on the MoJ Tailored Review process being undertaken. It was noted that the Terms of Reference had not yet been approved by Ministers, or signed off by the Cabinet Office. In view of the delays, it was noted that the Tailored Review team's attendance at the October OLC Board would be deferred to the December OLC Board meeting.

ACTION:

- **The Board Secretary to note the Tailored Review team would attend the December OLC Board meeting, and not the October meeting.**

Item 4 - Comments received regarding items presented for information

15. The items presented for information were noted.

Chief Executive's Report

16. The Chief Executive reported that the organisation was now able to recruit to front line positions, having introduced a process which was MoJ compliant.
17. IT Update: The Chief Executive reported that the mandatory CRM update had been successfully implemented in August. The next upgrade would take place in November and the Executive were working with Version 1 to ensure the learning points were noted before the next upgrade.
18. It was noted that the Executive were working to finalise the business case for the wider upgrade to the CRM system to cover the next stage of the IT reconfiguration. This would be presented at the October OLC Board.

19. The Board expressed concern that the work undertaken on the CRM system during the last eighteen months continued to highlight potential issues and that the investment approved in February 2014 had not resulted in the agreed business benefits.
20. The Board were assured to note that the Executive were proceeding with the proposed third party validation of the IT design solution.
21. CMC Update: The Chief Executive updated members on the implications of realignment of CMC regulation to the FCA.
22. It was agreed that until there was more clarity on what was happening and the agreed timescales, it was impossible for the Board to discuss next steps.
23. The OLC Chair assured Board Members that once more detail was known, the Board would be updated.

Chief Legal Ombudsman's Report

24. The Chief Legal Ombudsman reported that a meeting had been held the previous day with the LSB where performance had been discussed. Members thanked Simon Tunnicliffe and his team as performance was now starting to improve with the 90 day timeliness figure now reaching 53% and Customer Satisfaction 60% (against a target of 40%).
25. The Chief Legal Ombudsman reiterated that this improved performance was as a result of a cultural change as staff now had a shared understanding of their role and how the customer service principles inform our expectations of good customer service.
26. The Head of Operational Insight and Engagement updated Members on the relationship management trial being run in the legal jurisdiction. Board Members requested that the Head of Operational Insight and Engagement provide an update on Relationship Management in his report for the October OLC Board.

ACTION:

- **The Head of Operational Insight and Engagement provide an update in his October OLC report on Relationship Management.**
27. Discussion took place on the need for both internal and external surveys. The Head of Operational Insight and Engagement reported that the internal surveys were surveys done part way through the process and quarterly surveys were conducted by an external provider to ensure robust, independent results. He noted that there was an encouraging alignment between the internal and external surveys.

28. [REDACTED]
 [FOIA exempt s43(2)]

29. Discussion took place on the proposed KPI for overall customer satisfaction which would run to the end of the year. The Head of Operational Insight and Engagement reported that the proposal was for a KPI for customer satisfaction at each point in the process; initial contact, investigation and end of process. He reported that the proposed ratings would apply to both jurisdictions but with complainants only being surveyed at the initial contact stage and both complainants and service providers being surveyed at the other two stages.

30. Board Members approved the proposed KPI's and ratings which would run to the end of year with a more detailed review taking place when the targets for 2017/18 were proposed.

ACTION:

- **The Head of Operational Insight and Engagement to proceed with the proposed KPI's and ratings to run to the end of the year.**

31. Discussion took place as to whether other similar ombudsman schemes surveyed customers other than at the end of the process as it was difficult to source this information as it was rarely published externally. A Board Member said that they were aware of an Ombudsman scheme where such surveys were conducted and undertook to report back on whether or not they published any data.

ACTION:

- **The Board Member to report back on whether or not they could find any publicly available data.**

32. The Head of Operations updated Members on operational performance. It was noted that the balanced scorecard and detailed performance paper would be presented at the October OLC Board.

33. The Head of Operations reported that workloads within the Assessment Centre were returning to a more stable level, with an average wait time of 2-3 weeks. He noted the unallocated number within the Resolution Centre was currently 536.

34. It was noted that an Operations Managers had been allocated responsibility for each timeliness target.

35. The Head of Operations reported that issues with the IT system had impacted the operational area with 2.5 days lost in August. Additionally three investigators had each been involved in three days' testing for the August CRM upgrade. This had unfortunately impacted on performance.

36. It was noted that Ombudsman work in progress had reduced from a peak of 310 to 262. It was hoped that by the end of the month this figure would be closer to 200.
37. The Head of Operations reported that work had commenced to look at the end to end business process and to ensure this tied in with the UNITE work programme being undertaken within IT. He reported that the first draft of the business process review would be completed by the end of the year.
38. The Chief Legal Ombudsman reported that the team were working towards incremental and sustainable improvements in performance.
39. Board Members noted and approved the Terms of Reference for the Category 1 Publication Committee together with the minutes of the Category 1 Publications Committee meeting held 28 July 2016.

Finance Report

40. Members noted the Finance Report.
41. Jane McCall requested that the Head of Finance provide an update out of committee to the OLC Chair and herself on the approval process for the translation services contract.

ACTION:

- **The Head of Finance to provide an update out of committee to the OLC Chair and Jane McCall on the approval process for the translation services contract.**

42. The Head of Finance updated Members on the work being undertaken to update the corporate risk register to make it a more strategic document. It was noted the reformat of the CRR had been discussed at the Audit and Risk Assurance (ARAC) Committee. The updated document would be represented to the October ARAC and OLC Boards.
43. Discussion took place on the finalisation of the Annual Report and Accounts. It was noted that the external audit process had not yet been completed. The ARAC Chair requested that the Head of Finance follow this up with the external auditor and update him as required.

ACTION:

- **The Head of Finance to follow up the finalisation of the external audit for the Annual Report and Accounts and update the ARAC Chair.**

44. The Head of Finance reported that the aim was to present the draft Annual Report and Accounts to the October ARAC and OLC Boards. It would then be presented to the October LSB Board.

Item 14 – Any Other Business

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

Next meeting

46. The next OLC meeting would be held on 18 October in Birmingham.