

Minutes of the thirtieth meeting of the

Office for Legal Complaints (OLC)

Monday 12 December 2011

11.30am – 14.15pm

Baskerville House, Birmingham

Present:

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

In attendance:

Adam Sampson, Chief Ombudsman
Rob Hezel, Director of Finance and Business Services
Gary Garland, Deputy Chief Ombudsman
Liz Shepherd, Director of Operations
Sian Lewis, Policy Officer and June Wiseman, BMG Research, (item 7)
Baljit Kaur, Equality and Diversity Manager (item 8)

Board Secretary:

Andy Taylor

Preliminary issues:

While there was not a lay majority of members present, papers had been sent to Brian Woods Scawen for his consideration, in accordance with OLC procedures.

There were no declarations of interest.

Item 1 – Welcome and apologies

1. The Chair welcomed those in attendance.
2. Apologies were received from Brian Woods-Scawen

Item 2 – Minutes of previous meeting

3. The minutes of the meeting of 14 November 2011 were approved for publication.

Item 3 – Matters arising and action points

4. Members noted those items where action had been completed and that others were included as agenda items. No further comments were received.

Item 4 – Comments received regarding items presented for information

5. The items presented for information were noted. No comments were received in advance of the meeting for circulation.
6. The Chief Ombudsman reported that the recent consultation event held on 7 December to receive feedback on the draft business plan and strategy had been attended by the Law Society, Ministry of Justice, Legal Futures, Legal Services Commission and the Consumer Panel. He also reported on a recent meeting with Des Hudson, the Chief Executive of the Law Society. During the meeting, interest was expressed by the Law Society in LeO's resolution to publish decisions, the detail around voluntary jurisdictions and LeO's financial arrangements.
7. Members discussed the way forward in respect of voluntary jurisdictions and agreed that the views and support of stakeholders in support of the principle of LeO moving into this area would be helpful. It was also agreed that if the Ministry of Justice needed assistance in taking the enabling work forward this could be offered.
8. The Chief Ombudsman updated members on the forthcoming triennial review by the Ministry of Justice. Although staff there who had been expected to lead the review had moved on there was not likely to be any immediate impact on LeO. The transparency requirement placed on NDPBs was discussed. It was agreed that consideration should be given to building on the annual report launch event to provide an annual stakeholder meeting. Members also asked for confirmation that details of all contracts in excess of £500 were already being published.
9. A paper relating to European Union proposals relating to alternative dispute resolution and online dispute resolution was discussed. David Thomas advised members on the likely timetable and encouraged further consideration of the opportunities the proposed Directive might bring. LeO would respond to the expected BIS consultation but would seek to ensure that its line was consistent with that taken by other appropriate Ombudsman schemes.
10. Members noted with approval the new media monitoring service provided through the Policy and Communications Team.
11. The corporate risk register was considered and the Director of Finance and Business Services confirmed that a revised version, focusing on strategic corporate risks, would be made available at the next meeting.

12. The finance report was noted and the Director of Finance and Business Services explained that a detailed reforecast would be presented at the January meeting following the end of quarter three.

ACTIONS

- The Head of Policy and Communications to consider how the Annual Report launch might be used as an annual stakeholder meeting
- The Director of Finance and Business Services to present the new strategic corporate risk register to the OLC at the January meeting, with a fuller version to be presented to the Audit and Risk Committee immediately prior to the OLC meeting.
- Executive to submit a response to members regarding the BIS consultation regarding EU ADR/ODR proposals, ensuring its line was consistent with that taken by other appropriate Ombudsman schemes.

Item 5 – KPI report and external KPI proposals

13. The Chief Ombudsman presented the monthly KPI report and members noted the continued trend to close more cases each month than have been opened.
14. Members and the executive considered the paper outlining external KPI proposals for further discussion with the LSB in February for external KPI's. The proposal for the 'timeliness' KPI was agreed.
15. In respect of the quality KPI, it was noted that a pilot exercise was taking place relating to quality in the Ombudsman team and further information would be available to consider at the January meeting.
16. The executive updated members in respect of the calculation of the unit cost KPI. Members asked the executive to revisit the original working assumptions, for example the expected volume of cases and also to develop some 'scenarios' for publication to help prepare for the consultation on case fees.
17. Surveys and impact reports had been commissioned which would contribute to the reputation KPI and so the executive were not yet in a position to make a proposal in respect of this KPI.
18. Tony Foster advised members that the LSB had considered the LeO KPI report at a recent board meeting and were pleased with the LeO performance and internal monitoring that is taking place by both the executive and OLC.

ACTIONS

- The Secretary to include external KPI proposals on the January agenda to allow for further discussion to take place.

Item 6 – Ombudsman efficiency recommendations

- 19.** The Deputy Chief Ombudsman presented the EMT's recommendations for the management of work within the Ombudsman team. The short-term proposals were agreed on the understanding that any assistance to the Ombudsman team must be achieved in an open and transparent manner, meeting equality and diversity requirements.
- 20.** A review of the effectiveness of the short-term solution in combination with further consideration of expected workflow should then lead to longer-term proposals that should seek to ensure: the ability to ensure decisions are taken at an appropriate level; that Ombudsman expertise and knowledge is shared; and that career progression within LeO is clear.

ACTIONS

- The Deputy Chief Ombudsman to oversee the introduction of temporary measures to manage the Ombudsman work as soon as possible and in accordance with the equality and diversity framework.
- The EMT to consider a longer-term arrangement to assist Ombudsman workflow and to maintain a high degree of knowledge transfer within the organisation. Proposals are to be presented to members at a later meeting.

Item 7 – Customer satisfaction survey: interim results

- 21.** June Wiseman from BMG research presented an analysis of the data obtained from the first set of customer satisfaction survey data. Members noted the presentation and report and welcomed the findings. It was confirmed that customer satisfaction surveys would continue on a quarterly basis in order to provide robust trend analysis.

ACTIONS

- The Head of Policy and Communications to liaise with the Board Secretary to include further customer satisfaction survey results as a regular agenda item.

Item 8 – Equality priorities and objectives update

- 22.** Members noted the paper on the proposed equality priorities and objectives for 2012/13 and also the report on progress against the 2011 objectives. The Chief Ombudsman confirmed that the proposed objectives were intended to run alongside the business and strategic plan asked members to provide feedback to Margaret Doyle and the Equality and Diversity Manager as soon as possible.
- 23.** Some stakeholders had asked for analysed equality and diversity data to be published on the LeO website for transparency. It was acknowledged that the

organisation was not yet in a position to do this but it was a planned objective for 2012 – 13.

ACTIONS

- Members to provide Margaret Doyle and the Equality and Diversity Manager with feedback on the tabled papers as soon as possible.

Item 10 – Any other business

24. Members noted that a report had been issued separately by the Head of Compliance detailing service complaints received during the period December 2010 to October 2011.

25. The next OLC meeting will be held on 23 January 2012 in the Cullinan Suite at the Copthorne Hotel, Paradise Circus, Birmingham, commencing at 11.30am. This will be preceded by a meeting of the Audit and Risk Committee.

Andy Taylor
Board Secretary
13 December 2011