

**Minutes of the fourteenth meeting of the**

**Office for Legal Complaints (OLC)**

**Monday 6<sup>th</sup> September 2010**

**11.30am – 3.00pm**

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

**Present:**

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

**In attendance:**

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

**Board Secretary:**

Andy Taylor

**Preliminary issues:**

The quorum requirements for the Board meeting were met.  
There were no declarations of interest made.

**Item 1 – Welcome and apologies**

1. The Chair welcomed those in attendance.
2. There were no apologies received.

**Item 2 – Minutes of previous meeting**

3. The minutes of the meeting of 19 July 2010 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.

#### **Item 4 - Chair's update**

5. The Chair reported that only office meetings had taken place since the last meeting. She also congratulated members of the Executive team on the progress made following the recent move into the new office space.

#### **Item 5 - Chief Ombudsman's report**

##### Summary of the tabled report:

- Staffing; the paper updated Members on the progress towards staffing the new organisation, advising that approximately 65 new staff arrived at the organisation on 23rd August, joining the 50 existing staff. In order to respond to the risks this had created, considerable emphasis had been placed on seeking to cement the pre-existing culture within the 6 week training programme. The initial response of staff to this was very encouraging, with the new starters appearing to be at home with, and supportive of, the culture and style of the organisation.
- IT and Premises; the report advised that the organisation took full occupation of floors 5 and 6 as planned on 16th August and this was completed to budget. Feedback received from both staff and visitors has been positive, however a number of snagging items have been identified and are being investigated.

Following migration, the IT hardware is generally meeting staff needs, with the computers and AV systems working well. However, the IT system continues to be monitored, in particular where some levels of remedial activity are required. Finally, the case handling software requires further configuration, however none of these issues is intrinsically fatal and staff will continue to work hard over the next few weeks and months to further embed IT system.

- External Communications; the report advises that after an additional delay, the commencement orders have now been signed by the Minister and laid before Parliament. The delay poses no serious risk the planned start date of 6th October.

The report also explained that a campaign of communications towards the profession in relation to the organisation's launch had begun, with articles and interviews placed in all the major trade press outlets and a launch leaflet prepared for mailing to all individuals and firms regulated by the SRA. Additionally, the Law Society had agreed to hold a London launch event jointly with us and we were continuing to plan towards a launch event in Birmingham to coincide with the Minister's presence in the city at the beginning of October.

Finally, the report advised that the regular series of stakeholder meetings had continued, albeit at a lesser intensity than usual due to the recent summer break. The key meeting to report was with the Legal Services Board to discuss our plans for KPIs, a meeting which the Chief Ombudsman attended with David Thomas.

6. Questions were invited in response to the paper and the Chief Ombudsman explained that:
  - The staff training being delivered by Northumbria University was due to commence on 20 September;
  - A balance would be struck between internal and external communications as the "go-live" date approaches. Communications have already been published in the majority of

key legal publications and a separate mailing regarding “guidelines for first tier complaint handling” is due to be undertaken shortly to lawyers;

7. The Chief Ombudsman also updated the Board with developments in respect of key performance indicator (KPI) reporting. It was proposed that:
- A „pyramid“ approach to performance reporting would be adopted, with the LSB Board to receive, on a quarterly basis, a set of high-level KPIs and an accompanying commentary. This information would be drawn from a more detailed data set reviewed by the OLC Board on a monthly basis;
  - KPIs would focus on: (a) timeliness: the „end-to-end“ time period from LeO determining that a complaint was within jurisdiction to resolution; (b) cost efficiency: the total cost of considering a complaint to LeO, based on dividing total running costs across the volume of cases; and (c) quality – this indicator is being developed and will be separate from reports based on customer satisfaction;
  - The OLC would be accountable for performance against the proposed KPIs to the LSB Board;
  - The volume of complaints received by LeO might necessitate a review at an appropriate stage of KPI’s, subject at all times to maintaining the integrity of the data;

#### **ACTIONS**

- The Chair of the Board to update the LSB Board with the KPI proposals at the next LSB Board meeting on 7<sup>th</sup> September 2010.

### **Item 6 – Transition planning**

8. The Chief Ombudsman reported that the relationship with the LCS remained good and that information about LeO now featured on the LCS website. In addition, a number of key stakeholder events were being organised by External Affairs. Members were asked to confirm arrangements for their attendance with the Head of External Affairs.

#### **ACTIONS**

- Members to confirm arrangements for their attendance at key stakeholder events with the Head of External Affairs.

### **Item 7 – Finance report**

#### Summary of the tabled report:

- The paper gave details of the regular month end financial information as at 31 July 2010. The cumulative project costs to date were £7.54m with project spend in July £1.38m, this included staff costs of £0.239m, premises costs of £0.104m, IT costs of £0.155m and external support costs of £0.274m. Capital expenditure of £0.607m was incurred on IT and premises.
9. Members noted the report and also the spending authorisations contained within the report which had already been approved by MoJ.
10. The Director of Finance and Business Services also advised the Board that the first set of “steady state” operational cash flow reports would be presented at the November Board meeting.

### **Item 8 – Operational Rough Guide**

11. Members noted the updated version of the “Rough Guide” and identified a number of amendments to be made, for example defining the parameters for reviewing ombudsman decisions. The Chief Ombudsman invited further feedback and comment, and this is to be provided to the Deputy Chief Ombudsman following the Board meeting.
12. Questions were invited in response to the document and the Chief Ombudsman explained that:
  - A series of reviews had already been undertaken on the content and structure of the document, including for the use of “plain English”. Further development was expected following staff feedback from the first phase of training. It was confirmed that the “Rough Guide” will be considered as a “living document” and therefore refined on a frequent basis.
  - The “Rough Guide” was primarily intended for internal use however, may be required by third parties. It will be published internally in an electronic format to facilitate more effective navigation and ease of obtaining information, for example by Assessors and Investigators.

### **Item 9 – Progress update on the IT and premises workstream**

13. The Director of Finance and Business Services updated Members with developments following the move into the new premises and also in respect of IT migration onto the new 2e2 platform. Some minor snagging issues had been raised in respect of the new premises, these mainly related to noise levels within rooms and also a degree of glare on some AV screens. Both matters were currently being investigated.
14. The IT migration had been broadly successful; however the speed of progress of the IT workstream since moving into the new premises has caused a degree of frustration. Both Mouchel and 2e2 responded positively to this concern, with additional staff resource being provided and now in place.
15. A demonstration of the “Workpro” IT system was provided to those in attendance.
16. Members satisfied themselves that appropriate testing, particularly in relation to volumes, was in place and that disaster recovery plans were being developed. It was agreed that Audit and Risk Committee would keep these matters under review.

### **Item 10 – Draft Welsh Language Scheme**

17. Members noted the draft document and the Scheme was approved subject to the Board Secretary clarifying one item relating to approvals for later amendments to the Scheme.

#### **ACTIONS**

- The Board Secretary to clarify the issue relating to future amendments to the scheme, referring to the appropriate statute. Once confirmed the paper should progress to translation and external consultation as required by the Welsh Language Act.

### **Item 11 – Programme risk register**

#### Summary of the tabled report:

- The report provided Members with an updated version, dated 31<sup>st</sup> August 2010, of the programme risk register, incorporating amendments since the last OLC meeting. The register identified eight areas where risk had reduced and five areas of risk had been

closed. There were no areas of risk that were reported as increasing since the last meeting.

18. Members were advised that a Corporate Risk Register would be presented at the next meeting.

## **Item 12 – Draft Business Plan**

### Summary of the tabled report:

- The draft paper sets out the proposed approach to business planning and expectations for the first full year of operation and included details of the proposed strategic objectives, achieving organisational excellence, key performance indicators, the business process and key deliverables for 2011/12.

19. Feedback was invited in response to the document and the following was agreed:

20. In addition to the one year Business Plan, it was noted that the draft also included longer term strategic information. The LSB strategic plan and MoJ plans for “claims management” organisations might also have an external impact upon the Legal Ombudsman’s strategic plan. In view of this, it was suggested that the current document is divided into two separate papers, the first focusing upon the requirements for a 12 month business plan, the second focusing upon longer term strategic planning, with years 2 and 3 receiving a “light touch” at this stage.

### **ACTIONS**

- The Chief Ombudsman to represent a revised version of a separate business and strategic plan for Members to comment upon prior to the next meeting to be held on 27<sup>th</sup> September.

## **Item 13 – Oral report and minutes from committees**

21. It was noted that there had been no formal meetings of either committee since the last OLC meeting.

## **Item 17 – Future agendas and any other business**

22. Members received a discussion paper entitled “Publishing our Decisions” which provoked a wide ranging discussion. It was agreed that further drafting changes were needed before its issue as an informal consultation document. and feedback from Board members should be passed to the Head of External Affairs as soon as possible and a final revised document would be issued outside of the formal Board agenda.

Whatever the outcome of the consultation, complaint statistics would be published, on a quarterly basis, from the outset.

### **ACTIONS**

- The Board Secretary to ensure time for consideration of the feedback from the informal consultation at the [January] meeting.

23. The next meeting will be held on 27 September 2010 commencing at 11.30am at Baskerville House in Birmingham.

Andy Taylor  
Board Secretary  
13 September 2010