

Minutes of the twenty fourth meeting of the

Office for Legal Complaints (OLC)

Monday 20 June 2011

11.30am – 4.00pm

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

Present:

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

In attendance:

Adam Sampson, Chief Ombudsman
Rob Hezel, Director of Finance and Business Services
Alison Robinson, Head of Policy and Communications
Liz Shepherd, Director of Operations

Board Secretary:

Andy Taylor

Apologies:

Brian Woods-Scawen

Joint meeting with the LSB Consumer Panel

The meeting had been preceded by a meeting with the LSB Consumer Panel with Julie Myers of LSB in attendance. This had provided a valuable opportunity to discuss: forthcoming changes in jurisdiction; communication with consumers and the proposals on which OLC is consulting, on the naming of legal professionals against whom complaints have been made. Opportunities for possible future combined research were identified and arrangements to ensure ongoing communication at Executive and Board level confirmed.

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 those in attendance.
2. Apologies were received from Brian Woods-Scawen. Members and those in attendance wished Brian Woods-Scawen a full and quick recovery from his illness.

Item 2 – Minutes of previous meeting

3. The minutes of the meeting of 16 May 2011 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.
5. The Director of Finance and Business Services explained that:
 - progress had been made regarding the MoJ Framework agreement and that a formal agreement was expected in the next few weeks;
 - meetings had taken place with the existing telephony provider and improvements to the telephony service were now evident;
 - the flexible benefits scheme was on schedule for launch in September 2011.
6. The Head of Policy and Communications reported that the MoJ were considering the answer to our question whether the Legal Ombudsman jurisdiction covered lawyers registered only in the Isle of Man.

ACTIONS

- The Head of Policy and Communications to update members once the MoJ have communicated further whether the Legal Ombudsman jurisdiction covered lawyers registered only in the Isle of Man.

Item 4 – Comments received regarding items presented for information.

7. Members noted the items presented for information. No comments were received in advance of the meeting for circulation.
8. An update on the Cabinet Secretary's visit to the Legal Ombudsman on 17 June was provided by the Chief Ombudsman and Tony Foster, who represented the OLC.
9. Members noted the paper detailing forthcoming consultations and the recommended approach to providing responses.

10. The Chief Ombudsman updated members with details of recent communications between the LSB and the Legal Ombudsman. Good communications between the two organisations remain a high priority and the Chair confirmed that this would remain on the agenda for quarterly meetings with the LSB.
11. There was extensive discussion on a revised suite of internal KPI data presented by the Director of Operations. It was recognised that the data were still in their infancy and as such, confidence in reporting was still being established. The revised format was approved subject to additional information being included in future, for example including specific capacity data for Ombudsmen, agreed tolerance levels and clarity on data definitions. Members noted that a separate headline data set would be issued on a quarterly basis to the LSB. The Director of Operations also outlined that a paper would be presented at the next meeting in respect of how the executive and senior management team would respond to demand backlogs.

ACTIONS

- The Director of Operations to present a paper to the next meeting recommending how the executive and senior management team will respond to demand backlogs.
- The Executive to present the agreed KPI data set to be issued to the LSB on a quarterly basis, prior to the next meeting.

Item 5 – Positive action in recruitment and promotion.

Summary of the tabled paper

The tabled paper provided members with details of the new 'positive action' provisions introduced on the 6 April 2011 by the Equality Act 2010.

12. Members were sympathetic to the approach set out in the paper but considered it premature to decide what action should be taken. At a time when the policy on progression had still to be finalised it would not be possible to determine whether the questions prior to 'positive action' could be appropriately answered. Members agreed that further information was required and this should be considered by RemCo in the first instance before being represented to the OLC.

ACTIONS

- The Executive to ensure progress of this matter through RemCo.

Item 6 – OLC member IT access

Summary of the tabled paper

The tabled paper provided members with details of four options and a recommended approach to providing remote IT access to OLC members to items such as OLC papers and the LeO intranet.

13. Members noted the options available for external access to the Legal Ombudsman IT system and agreed to the recommendation made by the Director of Finance and

Business Services. However, before implementation of the recommendation, members wished to have reassurance that any existing software on members PC's would be unaffected by LeO software being introduced.

ACTIONS

- The Director of Finance and Business Services to clarify that external access to LeO IT systems by OLC members will not affect their existing software arrangements.

Item 7 – Draft response to the LSB consultation “developing regulatory standards”.

14. Members noted the paper and were asked to provide comments to the Head of Policy and Communications.

ACTIONS

- Members to provide comments to the draft consultation response to the Head of Policy and Communications.

Item 8 – Audit and Risk Committee annual report

Summary of the tabled paper

The tabled paper provided members with the final version of the Audit and Risk Committee annual report for the period April 2010 to March 2011 for approval.

15. Members were provided with an oral update following the recent Audit and Risk Committee meeting and advised that the internal auditors had been complimentary in respect of the management's response to audits and that the NAO had also completed their work in respect of the audited accounts and these were included in the final draft annual report for approval by the OLC. Members were advised that the NAO had raised a concern regarding a single transaction where supporting evidence had not been located. The Chair and Accounting Officer agreed to provide written information in respect of the item and it was understood the NAO would be satisfied by this approach.
16. Members noted and approved the 2010/11 Audit and Risk Committee annual report.

Item 9 – Remuneration and Nomination Committee (RemCo) annual report

Summary of the tabled paper

The tabled paper provided members with the final version of the RemCo annual report for the period April 2010 to March 2011 for approval.

17. Members noted and approved the 2010/11 RemCo annual report.

Item 10 –2010/11 OLC annual report.

Summary of the tabled paper

The tabled paper provided members with the final draft of the 2010/11 OLC annual report and accounts for approval.

- 18.** A number of minor amendments to the text were suggested. Subject to the amendments being made, the 2010/11 OLC audited accounts and annual report were approved for submission to the LSB in time for their next Board meeting (where they would be presented by the Chair and Chief Ombudsman) and authorised for laying before Parliament on 18 July 2011.

ACTIONS

- The Head of Policy and Communications to update the 2010/11 OLC annual report as requested and liaise with the Head of Compliance in order to meet the statutory requirements and to provide a copy to the LSB prior to laying before Parliament on 18 July 2011.

Item 10 – Any other business.

- 19.** The Annual Report event is to be held on 18 July 2011 at Portcullis House, London at 3.00pm.
- 20.** Antony Townsend, Chief Executive of the SRA, has agreed to speak at a session of the strategy day event being at the Burlington Hotel, Birmingham on the 5 September 2011.
- 21.** Abigail Plenty has been appointed on promotion from within the Department as Dr Elizabeth Gibby's successor at the Ministry of Justice.
- 22.** The next OLC meeting will be held on 18 July 2011 at 11.00am in Room 8, Lower Ground Floor, 102 Petty France, London SW1H 9AJ.

Andy Taylor
Board Secretary
22 June 2011