

Minutes of the One Hundred and Sixth Meeting of the Office for Legal Complaints (OLC)

Monday 27 July 2020: 10:40 – 16:00, by video call

Present:

Elisabeth Davies, Chair
Lis Bellamy
Rod Bulmer
Rebecca Hilsenrath
Shrinivas Honap (items 1 to 13)
Annette Lovell
Jane Martin

Board Secretary

Kay Kershaw

Apologies

Michael Letters, Head of Finance

In attendance:

Rebecca Marsh, Chief Ombudsman
Siobhan Fennell, Head Ombudsman
Steve Brooker, Legal Services Board
Alison Wedge, Ministry of Justice (items 1 to 7)
Mariette Hughes, Head of Impact / Interim Director of Operations (items 5 to 17)
Marcus Passant, Head of HR (items 6 to 17)
Melanie Whitfield, Strategic HR Support (item 6)
David Anderson, Head of IT (items 7 to 17)
Steve Pearson, Deputy Chief Ombudsman (items 7 to 17)
Mehmoona Nawaz, BAME Network (item 7)
Amarjit Saini, BAME Network (item 7)
Phylcia Jarrett, BAME Network (item 7)
Kemi Federlein, BAME Network (item 7)
Tessa Martin, Management Accountant (Item 8)
Laura Stroppolo, Business Planning Manager (item 9)
Alex Moore, External Affairs Team Leader (item 10)
Taran Hayre, Legal Manager (item 12)
Kerensa Scott, Executive Assistant

Preliminary issues:

The Board meeting was quorate.

Item 1 – Welcome, apologies and declarations of interest

1. The Chair welcomed attendees to the meeting.
2. There were no apologies.

3. There were no declarations of interest reported. The Chief Ombudsman reminded the Board of the family relationship between the Board Secretary and the Head of Impact / Interim Director of Operations.

Item 2 – Previous Minutes

4. The minutes of the OLC Board meeting held on 29 June 2020 were **approved** for accuracy and **approved** for publication.

ACTION: Board Secretary to publish the minutes of the OLC Board meeting 29 June 2020.

Item 3 – Matters arising and outstanding actions from previous meetings

5. The Board **ratified** a decision made out of committee and in line with the Scheme of Delegations by the Chair and Rebecca Hilsenrath to approve a purchase order for £405,862.43. This purchase order was for the renewal of LeO's annual Microsoft Enterprise Agreement to an approved MoJ supplier, in line with the MoJ's framework agreement. This followed multiple quotes where other suppliers were more expensive.
6. A Board to Board meeting with the Bar Standards Board is to take place on 26 November.
7. July's RemCo meeting has been re-scheduled for 7 September.
8. Consideration is being given to bring forward the October ARAC meeting to September.
9. Arrangements are being made for a Performance and Quality Task and Finish Group meeting in August.
10. Planning is underway for the 2021 cycle of Board and Committee meetings.
11. The Board **noted** the update on matters arising and the update on actions from previous meetings.

Item 4 – Executive Report

12. The Chief Ombudsman (CO) updated the Board on the progress that had been made on restructuring the senior team, advising that senior staff have successfully transitioned to their new roles and had gained a good understanding of their areas of the business and their key priorities.
13. The senior restructure has been the first step in addressing the business and strategic risks.
14. Significant risks remain in the intervening period between the CO's departure and the new CO and Chief Operating Officer (COO) joining the organisation and in the people space, particularly around delivery output, line management and the delivery of the People Plan.
15. Delivery output remains below incoming demand. The CO acknowledged the Board's concerns around the loss of productive time during the pandemic as a result of staff having caring responsibilities.
16. The HR function has been strengthened by the procurement of strategic HR support four days a month. This will address some of the people risks and risks to the of delivery of the

People Plan. Some additional short-term HR support may be required to lead on a cultural change programme.

17. A revised budget, underpinned by a revised performance forecast, is to be presented at the September Board. Costs incurred in the first half of 2020/21 need to be recovered in the second half of the year in order to balance the budget. Due to a range of factors, the Executive does not currently consider that LeO is able to submit a substantive in-year budget application.
18. The Board considered options set out by the CO for the designated delivery of the CO role in the intervening period between her departure and a new permanent CO starting in post. Following discussion, the Board **approved** option 2 to formally designate delivery of the Chief Ombudsman role to the permanent Head of Impact/ Acting Director of Operations.
19. The Board **noted** that the functional delivery of the Chief Ombudsman's role had been formally delegated to the Deputy Ombudsman on 1 July 2020. The Deputy Ombudsman was precluded from holding the CO designated delivery role because of their legal background.
20. The Board **noted** the solution recommended by the CO for the functional delivery of the Accounting Officer role and **noted** options set out by the CO for the designated delivery of the Accounting Officer (AO) in the intervening period between her departure and a new permanent CO and COO starting in post.
21. The MoJ, having considered the options presented, advised that there could be a conflict of interest if the OLC Chair or another OLC NED were to take on the role. Due to timing, it was not possible to consider the COO for the AO role.
22. The MoJ's preferred option was to take the AO role back within the MoJ until the new CO was in post; a formal decision on this is to be made in August.
23. Board Members were concerned about how a decision to take the AO role back into the MoJ would be perceived externally and what the impact such a decision would have on the speed of OLC / LeO decision making.
24. In response, the MoJ advised that any decision to take the AO role back within the MoJ should not be perceived as a crisis move; it would simply be the option that presented the least risk.
25. The Board questioned the extent to which there might also be a conflict of interest if the MoJ were to take on the AO role.
26. Board Members put forward the following alternative suggestions for consideration:
 - Appointing an external interim AO on a part time basis.
 - Appointing a secondee from another ALB or Ombudsman Scheme with relevant experience.
 - A combination of options 2 and 3, whereby combined responsibility for the AO role would be given to the Financial Controller and a Board Member.
27. The Executive reminded Board Members that the current budget would not support any additional appointments and that the MoJ may not be able to provide any additional funding.
28. Alison Wedge advised that the MoJ would give consideration to the points raised by Board Members and the alternative suggestions for the AO role that were put forward.

29. Following discussion, the Chair advised that she and the CO would also reflect on Board Members' comments and the alternative suggestions put forward for the AO role before she attends a follow up meeting with the MoJ.

ACTION: The Chair and CO to reflect further on the Board Members' comments and the alternative suggestions put forward for the AO role.

30. The Board **noted** the options for the delivery of the balance of Chief Operating Officer functions, of formal line management and for the Chair of the Executive Team and **agreed** to delegate the decision on the best option to the OLC Chair before the current CO's departure.

31. The Board **noted** the Executive Report.

Item 5 – Performance report and COVID-19 update

32. The Head of Impact / Interim Director of Operations reported that performance in June had shown tentative signs of recovery, but current levels of performance were still insufficient to keep pace with incoming demand.

33. Service providers were re-opening and cases that had been on hold due to the lockdown were being re-opened and prioritised for investigation. With some of these cases approaching the final stages of investigation, it was expected that case closures would increase in the short term.

34. When required, service providers were being given some leeway to respond to requests for evidence, but all firms that have re-opened were now expected to re-engage with LeO.

35. A delay will be seen in the number of new cases being taken from the pre-assessment pool (PAP) as a result of these re-opened cases being absorbed into investigators' case holdings. A short-term increase in PAP is therefore expected.

36. Ombudsman decision work in progress (WIP) had increased; action to address this was part of the immediate performance recovery plan. Case age at closure was increasing gradually which would impact on KPIs. Volumes and service levels in GET were stable but required improvement. LeO was monitoring the impact of recent changes to the way contacts were made to GET to understand the impact on performance.

37. The Board was advised that the number of high complexity cases in the PAP reflected a snapshot in time and there had been no changes in approach to dealing with them.

38. The MoJ sought clarity on when an accurate future performance forecast would be available to present to Lord Keen and was advised that this information would be available at the end of Q2. At that point, the Head of Impact / Interim Director of Operations would have a much clearer view of overall operational performance to enable her to forecast future performance more accurately based on what could realistically be achieved with the standstill budget. Until then, she could only provide tentative projections.

39. The Board **noted** the immediate issues affecting performance and the action being taken to address them. The Board stressed that an accurate, confident performance forecast must be presented at the September Board meeting.

ACTION: The Head of Impact / Interim Director of Operations to present an accurate, confident performance forecast at the September Board meeting.

40. Board Members were interested to understand the impact of the pandemic across the ombudsman sector and any common issues experienced: The impact of disrupted working

hours as a result of caring responsibilities on those, such as ombudsmen, who were involved in work that required long hours of in-depth concentration, has been an issue across the sector; this was a significant factor underpinning the increase in LeO's ombudsman decision WIP. Other common issues included an increase in staff taking special leave due to caring responsibilities and heightened concerns about returning to the office environment.

41. The Board was pleased by the positive staff engagement and response to LeO's Covid pulse survey and, whilst recognising the Executive's concerns about the fragility of staff morale and engagement, felt that it was now time to re-engage with staff on performance and ensure that their performance was optimised.
42. Board Members raised concerns around the loss of productivity resulting from caring responsibilities during the pandemic and the implications of this on both performance and budget. Acknowledging that MoJ guidelines were being followed in regard to flexible working, the Board urged the Executive to take all reasonable steps to ensure that staff worked their full hours wherever possible and granted special leave only when all other alternative options had been considered.
43. The Board **noted** the Covid update, the actions being taken to prepare the re-opening of LeO's office and the Covid pulse survey results.
44. Having undertaken a more detailed review of the advantages and disadvantages of the performance recovery proposals presented at the June Board meeting, the Executive recommended a staged approach to performance recovery: Stage 1 priorities would focus on optimising output throughout Q2 and stage 2 priorities in Q3 would focus on the performance recovery proposals.
45. In discussion about recovery proposal 2 - narrowing the doors - Board Members stated that the illustrative default outcomes for reducing volumes in the PAP were not acceptable and should be reconsidered to find ways to reduce the PAP more quickly. The Head of Impact / Interim Director of Operations confirmed that one of her priorities was to look at streamlining the front end of the business to ensure that cases were handled with the maximum efficiency.

ACTION: The Head of Impact / Interim Director of Operations to reconsider recovery proposal 2 and identify ways to ensure that front end cases were handled with maximum efficiency.
46. Recognising that LeO must first ensure its leadership and line management capability, Board Members were keen for LeO to grasp opportunities arising from the pandemic to work in different ways and be more innovative. The Board was advised of the success of several remote courses to the profession that had taken place during lockdown and how working in this innovative way had enabled LeO to reach a far wider demographic than when delivering courses face to face..
47. Following a detailed discussion, the Board gave a clear message to the Executive that performance was not good enough and must improve.
48. The Board **noted** the performance and Covid update, the proposed strategy and recommendations for performance recovery through a staged approach and **approved** the priority actions.

Item 6 - Implementation of the People Plan and Delivery Plan and update on the Independent review

49. Melanie Whitfield, Strategic HR Support, introduced herself to the Board, explained her background and the support she would be giving to LeO in delivering its People agenda.
50. The Board was pleased with the progress that had made on the implementation of the People Plan and Delivery Plan and how the people related recommendations from the Independent Review had been incorporated. The Board was also pleased to see that the vital 10 key priority actions had been identified.
51. Recognising HR's key role in supporting the immediate business priorities and responding to the challenges arising from the pandemic, Board Members stressed that the delivery of the People Plan needed to be undertaken robustly and at pace in order to provide the ongoing assurance it required.
52. The Head of HR advised that further work would be undertaken to improve the alignment of the People Plan to corporate issues and to provide the Board with more clarity, detail and assurance on how the recommendations from the Independent Review were being addressed, particularly those that did not translate easily into the People Plan.
53. Concerns were raised about the risks associated with LeO's current appraisal process and the need to ensure that staff received regular, documented appraisals and development discussions; the Head of HR confirmed that this would be addressed as part of the vital 10 priority actions.
54. Recognising the fragility of staff engagement and the extent of change fatigue, the Board stressed that performance improvement post pandemic must be balanced with delivery of the People Plan objectives and the current business priorities. Any changes would need to be carefully managed and appropriate support would need to be offered to staff.
55. Following discussion, the Board **confirmed** that it felt adequately assured and sufficiently updated on the implementation and actions deriving from People Plan and Delivery Plan.
56. The Board took some assurance from the recommendations and actions deriving from the Independent Review but, following discussion, **agreed** to delegate authority to RemCo to undertake a more thorough review of the actions at its September meeting and for RemCo to report back to the September Board on the level of assurance taken.

ACTION: The Chair of RemCo to report back to the September Board on the level of assurance RemCo has taken from the actions deriving from the recommendations from the Independent Review.

57. Some of the actions arising from the Independent Review related to Board effectiveness and governance and it was **agreed** that those actions would be further considered as part of the review of Board effectiveness at the September Board meeting.

ACTION: Board Secretary to ensure that the recommendations arising from the Independent Review relating to Board effectiveness and governance are reviewed as part of the Board effectiveness agenda item at the September Board meeting.

58. The Board **noted** the update on the Implementation of the People Plan and Delivery Plan and update on the Independent review.

Item 7 – Black Lives Matter

59. Representatives of the LEO’s BAME Network joined the Board meeting and shared their experiences of Equality, Diversity and Inclusion (EDI) and Black Lives Matter (BLM). They reported that over the last two years there had been insufficient commitment to race equality at LeO and an overall lack of progress and pace on delivering EDI and the priorities of the Race Action Plan.
60. Board Members commented on the importance of actively integrating EDI into good practice across LeO, acknowledged that EDI should be led by a senior member of staff with appropriate experience and that appropriate training should be provided to managers to enable them to have proper EDI conversations with staff.
61. The Board acknowledged the lack of diversity in senior management roles at LeO, the concerns raised about the lack of applications from BAME colleagues for internal vacancies and the need for improvement in recruitment processes in order to ensure more equality of opportunity across the organisation.
62. Board Members expressed their support for publishing EDI data, such as the ethnicity pay gap, stating that in doing so it would raise awareness and ensure a focus on delivering change.
63. The Chair reported that diversity was a fundamental part of the recruitment discussions for the Chief Ombudsman and Chief Operating Officer roles. The Board’s lead on ED&I suggested that the recruitment panel was reminded of the tie break provision which allowed the appointment of someone from an under-represented group over another person with equal merit.
64. The Executive formally apologised to BAME colleagues for the lack of progress on EDI and for the recent experiences they have had. The Executive gave assurance that that this would be actively addressed to ensure that equality was embedded in the heart of LeO’s culture, and that additional resource may be required to help the organisation to drive this forward.
65. The LSB reported on work being undertaken on a state of the nation report which would include diversity in legal services and the MoJ reported on their ‘Let’s Talk About Race’ pack that had been shared with Arms Length Bodies.
66. The Board **noted** the feedback provided by the representatives of the BAME Network and **agreed** that further discussions would take place in August between the Chair, the Board Lead on EDI and the BAME Network in order to identify specific actions to progress the EDI agenda.
- ACTION: The Chair, Board Lead on EDI and BAME Network to identify actions to progress the EDI agenda.**
67. The Board thanked the representatives from the BAME Network for their candid feedback and acknowledged the commitment of the BAME Network to supporting the organisation and getting the EDI agenda back on track.

Item 8 – Finance report

68. The CO updated the Board on the financial position at the end of Month 3; reporting a year to date underspend of £50,000 against the revenue budget, that a review of the full year budget forecast had commenced, that improvements had been made on aged debt collection and that a review of the debt collection process was being undertaken.

69. The Chair of ARAC raised concerns about the over-optimism of the budget forecasting and questioned the accuracy of the projected year end deficit, which he expected to increase further considering current performance levels and lower case fee income. He welcomed the reforecasting exercise and further clarity on case fee income and the budgetary challenges for the remainder of the year.

ACTION: Head of Finance to report on the re-forecasted budget and provide more clarity on case fee income and the budgetary challenges at the September Board meeting.

70. Concerns were raised about the implications of any potential increase in unit cost resulting from lower case fee income. Following discussion, it was **agreed** that consideration would be given to external communications about this as part of a review of the 2019/20 Annual Report and Accounts process.

ACTION: External Affairs Team Leader to consider external communications about any potential increase in unit cost as part of a review of the 2019/20 Annual Report and Accounts process.

71. The OLC Chair welcomed the ongoing discussions with the LSB about the appropriateness of the unit cost measure.

72. Clarity was sought on why £15m was being held in cash reserves and whether these funds could be used more effectively. The CO advised that the purpose of the cash reserves was to fund the liquidation of LeO should it become necessary to do so as a result of any changes to the Legal Services Act. In recent discussions with Lord Keen it had been recognised that these reserves had not been reviewed or altered for some time. The Head of Finance was considering whether the cash reserves were still accurate for their intended purpose and looking into whether the Treasury would be willing to release any of the funds to enable LeO to repurpose them.

ACTION: Head of Finance to report back to the Board on whether LeO's cash reserves were still accurate for their intended purpose and whether the Treasury would be willing to release any of the funds to enable LeO to repurpose them.

73. Board **noted** the report on the financial position at the end of month 3.

Item 9 – Budget Learning Review and Update on the Business Planning Programme

74. The Business Planning Manager updated the Board on the progress made on developing a project and programme management approach for the 2021/22 budget and business planning process.

75. The programme plan ensures that LeO has clear oversight of what needs to be done and when, and will assist with internal planning to ensure that key staff are available at critical points in the process. A full RACI will be produced to sit alongside the programme plan, embedding the responsibility and accountability of everyone involved in the process.

76. A phased approach will be adopted, with phase one focussing on preparation and engagement, phase two focussing on internal review and sign off and phase 3 focussing on Board, LSB and MoJ approvals.

77. The senior restructure has created an opportunity for more internal challenge through separate Executive and Management Teams; these layers of challenge and approval have been built into the programme plan.
78. Meetings with the Management Team will ensure engagement with the budget learning review and the programme plan. Discussions have taken place with the LSB to determine key dates for consultations and budget acceptance criteria. Regular progress meetings will take place between the Business Planning Manager and Head of Governance and Strategy and monthly highlight reports will be produced for review by the Management Team and Executive Team.
79. Some of the activities currently set out in the plan may need to be adjusted to account for 2021 Board meeting dates, submission dates for papers and any input the new CO and COO may wish to have once they join the organisation.
80. In discussion, Board Members recognised that the project timeline was tight and that there was a potential for slippage around key dates. It was recommended that a critical path, as defined by the key dates, was identified to assist with planning and that a programme risk register was produced, setting out the risks and mitigations.
81. The Business Programme Manager **agreed** to produce this information once key dates had been finalised and work had been undertaken with the Management Team to identify the risks and mitigations.
- ACTION: Business Planning Manager to identify the critical path as defined by the key dates set out in the project timeline and to produce a programme risk register, setting out risks and mitigations.**
82. Undertaking a significant amount of the preparatory work on the 2021/22 budget over the next few weeks would enable more detailed budgetary discussions at the next ARAC meeting and ensure that ARAC was assured that LeO has a grip of this work.
83. The Board **noted** the update on the Budget Learning Review and budget and business planning programme and was assured by the work that had been undertaken to date.
84. Recognising the organisation's current priorities, workloads and the timescales available, the Board reflected on whether it would be a realistic option to submit an in-year budget submission to the LSB.
85. In discussion, the LSB suggested that the Board might wish to consider making an in-year budget submission for a specific purpose, rather than applying for a more substantive budget increase. As set out in the Tripartite Protocol, this would do not require public consultation and the submission process would be much shorter.
86. The CO **agreed** to consider the feasibility of this option and report back to the Board accordingly.
- ACTION: The Executive to consider the feasibility of submitting an in-year budget application to the LSB for a specific purpose and advise the Board accordingly.**

Item 10 – Transparency Agenda: Post Consultation

87. The Head of Impact / Interim Director of Operations presented a paper updating the Board on the work completed so far to improve the transparency of LeO's data following the recommendations made by the Competitions and Markets Authority (CMA) in 2016. The paper included a draft response to stakeholder feedback on LeO's 2019 discussion paper, along with proposals for further improvements and constraints that might delay their implementation.
88. The Board expressed its strong commitment to the transparency agenda. In recognising the importance of this work, Board Members also acknowledged that the work was sensitive, contentious and challenging, but felt that the overall benefits in terms of raising standards across legal services outweighed any reasons not to proceed. Risks would need to be considered and mitigations put in place to address them.
89. In response to the proposals put forward for further improvements, Board Members commented that:
- The publication of all ombudsman decisions would be most valuable, recognising that this work would be difficult.
 - It would be helpful to have more information on the proposed pilot project to assess the viability of annual service provider reviews and determine the overall value of this work.
 - External websites could be set up to provide links to LeO's website so that members of the public could access information to assist them in making decisions about choosing a service provider.
 - It would be important to ensure that all published data was contextualised and presented in a way that would be easily understood.
 - It would be useful to consider implementing the proposals on a phased approach in order to put less pressure on resources.
90. The Head of Impact / Interim Director of Operations advised that further consideration could be given to the possibility of implementing the work on annual service provider reviews in the current financial year, but any other in-year improvements could only be implemented if additional budget was made available to procure more resources.
- ACTION: The Head of Impact / Interim Director of Operations to consider the possibility of implementing the annual service provider reviews in 2020/21.**
91. Overall, Board Members were concerned by the limited extent of the proposals set out in the paper. The Board acknowledged LeO's intent to improve the range of data it published but recognised that it had to be realistic about what it was able to deliver considering its current budget and levels of resource.
92. Following discussion, the Board **confirmed** that it was comfortable with the proposals set out in the paper, but asked for the paper to be redrafted to:
- include a clearer and more positive narrative about the transparency improvements that had been made so far,
 - draw on messages from the original consultation, and

- reflect the positive intentions of LeO to implement further improvements to transparency.

93. The Board discussed the scope for an in-year budget submission to specifically support the implementation of the proposals set out in the paper and asked the Executive to consider the feasibility of this and report back at the end of August out of committee.

ACTION: The Executive to consider the feasibility of an in-year budget submission for this specific area of work and report back to the Board at the end of August out of committee.

94. The CO asked the Board to consider LeO's current capacity to manage any additional work arising from these proposals.

Following discussion, it was **agreed** that the external paper would be redrafted in line with the Board requests outlined in paragraph 92 and to reflect the possible budgetary implications from a delivery perspective. The redrafted paper is to be submitted to the Board for approval out of committee by the end of August.

ACTION: The Head of Impact / Interim Director of Operations to redraft the response to the transparency consultation paper and submit to the Board for approval out of committee by the end of August.

95. Subject to the Board's approval, the response to LeO's 2019 discussion paper is to be published in early September.

Item 11 – Update on the Performance and Quality Task and Finish Group

96. Rod Bulmer updated the Board on the progress made by the Performance and Quality Task and Finish Group (P&Q Group) so far.

97. The P&Q Group has determined that the current performance forecasting model is limited in what it can forecast. Improvements are currently being made to the model ensure that all underpinning assumptions are robust and produce sensible outcomes. The group expects that the model will confirm that, with the current level of productive capability, LeO is unable to meet its current KPIs. If this is correct, consideration would have to be given to changing targets or seeking an increased budget to fund additional resource.

98. It is unlikely that the current static model could be used in a dynamic way; this is to be confirmed at the P&Q Group's next meeting in August where a decision will be made on whether it would be necessary to build a new dynamic model and if so, whether this could be done internally or whether external support would be required.

99. The Board was advised that, as a result of the current standstill budget, it may not be possible to procure external support for developing a dynamic forecasting model.

100. The Head of Governance and Strategy gave assurance that improved data would be made available to the Board for consideration as part of the 2021/22 budget proposals.

101. At its next meeting, the P&Q Group would be considering a common data set and the end to end KPI for further discussion with the LSB and MoJ in September.

102. The LSB was advised that the common data would be agreed in time for the OLC's next budget submission.

103. Future meetings of the P&Q group would consider the governance and control around the forecasting model.
104. The Board **noted** the update on the Performance and Quality Task and Finish Group.

Item 12 – Annual Report on Enforcement

105. The Legal Manager presented the Annual Report on Enforcement, reporting on the rationale behind two decisions made by the Ombudsman not to enforce a remedy.
106. In discussion, the Board sought to understand the reasons for complainants not accepting remedies recommended by the Ombudsman and the options available to them to seek alternative redress. The Board was advised of the data that was recorded and reported on in respect of those service providers involved in cases where the complainant chose not to accept the remedy recommended by the Ombudsman. Board Members were advised that the number of complainants choosing not to accept remedies recommended by the Ombudsman had remained broadly consistent since the Legal Ombudsman Scheme began in 2010.
107. The Board was interested to understand whether there were any themes arising from the 43 referrals requesting enforcement of decisions. The Legal Manager reported that specific research had not been undertaken, but from experience the reasons for referral were mixed.
108. The Board **noted** the Annual Report on Enforcement and received assurance on LeO's enforcement process.

Item 13- Welsh Language Report

109. The Board reviewed the Welsh Language Report and **approved** it for translation into Welsh and **approved** it for publication.

ACTION: The External Affairs Team Leader to publish the Welsh Language Report.

Item 14 – Transparency Reports

110. The Board reviewed the quarter one transparency reports, which included the Gifts and Hospitality Register and the Board Member and Ombudsman Register of Interests and **approved** them for publication.

ACTION: Board Secretary to publish the Gifts and Hospitality Report and the Board Member and Ombudsman Register of Interests.

111. The Board noted that the Board and Senior Manager Expenses Reports were not available, due to the LeO office being closed as a result of the pandemic. This information would be presented to the Board for review at the earliest possible opportunity once staff returned to the office.

Item 15 – Board Paper Redactions and Non-Disclosure report

- 112. The Board reviewed a paper setting out the redactions and items for non-disclosure proposed in respect of the July Board papers.
- 113. The Board secretary advised the Board of two additional items that had been identified for redaction and non-disclosure since the report had been issued.
- 114. The Board **approved** the items identified for redaction and non-disclosure.

ACTION: Board Secretary to publish the July Board papers subject to the approved redactions and items for non-disclosure.

Item 16 – Board Effectiveness

- 115. In line with the Board's commitment to improving Board effectiveness, Rod Bulmer provided his reflections on the meeting:
- 116. The quality of the Board papers had had a direct impact on the quality of discussions at this meeting: The Executive Report and Performance Report had been well written; both clearly set out the issues for the Board to consider, the Executive's thinking behind the recommendations being made and the action required of the Board. In contrast, the Transparency Agenda: Post Consultation paper lacked this clarity. Consequently, the Board's discussions were hindered, and Board Members found themselves moving into the Executive space to help reshape the external paper which now required approval out of committee. Further work was required to improve the quality of cover sheets and Board papers and it was suggested that the Chair might consider providing authors with a steer when reviewing Board papers to assist with this.
- 117. It was highlighted that it hadn't been made clear either before the meeting or in the Board papers that there was a possibility that the LSB's offer of an interim budget might not be acted on, nor was it made clear that there was an option to submit an in-year budget variance for specific budgetary spend to the LSB.
- 118. It was recognised that this had been a full and substantive meeting with several significant agenda items.

Item 17 – Any other business

- 119. A request was made for Board training on using Microsoft Teams.
ACTION: Board Secretary to arrange Microsoft Teams training for Board Members.
- 120. The Board reflected on the discussion with the BAME Network and the Chair assured Members that she would follow up with the Network after today's meeting with a view to moving forward on the matters discussed.
- 121. The Board formally recognised that this was the CO's last Board meeting and offered their thanks for her commitment and hard work.