

Minutes of the nineteenth meeting of the

Office for Legal Complaints (OLC)

Monday 17 January 2011

11.00am – 2.00pm

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

Present:

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

In attendance:

Adam Sampson, Chief Ombudsman
Liz Shepherd, Operations Director
Rob Hezel, Director of Finance and Business Services
Gary Garland, Deputy Chief Ombudsman

Apologies:

Alison Robinson, Head of External Affairs

Board Secretary:

Andy Taylor

Preliminary issues:

The quorum requirements for the Board meeting were met.

Item 1 – Welcome and apologies

1. The Chair welcomed those in attendance.
2. Apologies were received as noted above.
3. The Chair advised members that correspondence had recently been exchanged with the LSB confirming that there was no conflict of interest regarding her role as the Independent Chairman of the UK Public Affairs Council (UK PAC) or Brian Woods-Scawen's role as a Board member for the Department for Business, Innovation & Skills. The OLC Secretary confirmed that both roles had already been declared and were reported on the OLC Board member declarations of interest document. There were no other declarations of conflict of interest made.

Item 2 – Minutes of previous meeting

4. The minutes of the meeting of 13 December 2010 were approved for publication.

Item 3 – Matters arising & action points

5. Members noted those items where action had been completed and that others were included as agenda items.
6. The Chair of the Audit and Risk Committee confirmed that following the joint meeting with the LSB in December, a meeting with the Chair of the LSB Audit and Risk Committee and both LSB and LeO Chief Executives had been arranged to take place on 24 January 2011. Additionally, the Chief Executive advised members that the LSB had responded to the paper about LeO's performance measures in respect of quality; this would be circulated to members.

ACTIONS

- The Chief Executive to share with OLC members the response received from the LSB in respect of LeO's quality KPI.

Item 4 – Comments received regarding items presented for information.

7. Members noted the items presented for information and comments received in advance of the meeting were circulated to members and those in attendance.
8. The chief ombudsman referred to the comment in his monthly report about his request for internal audit to look at the efficiency and effectiveness of the HR function. Their report, and proposed management actions, would be considered by the audit and risk committee at its meeting on 24 January. The report had been seen by the chair of the remuneration committee, whose members will also consider the report and the management response as soon as possible. An action plan would be reported to a future OLC meeting.

9. The Chief Ombudsman advised members that an assessment of the current telephony provision might require significant change if an number of technical difficulties could not be overcome. The Executive had reviewed the risks involved in implementing such a change and concluded there was limited risk to the organisation should this decision be taken.
10. Members were advised that the LSB Consumer Panel had made further comment in respect of the organisation's Scheme Rules and also about the publication of narrative findings. It was suggested that further discussions should be undertaken with the Consumer Panel in order to identify and clarify any areas of confusion.
11. The Chair updated members with developments in respect of OLSO and advised that the transfer of responsibilities had been an issue raised during the meeting she and the Chief Ombudsman had with the Minister on 13 January. Two key points had been made: the risk of consumer detriment if there were a backlog of work inherited from the OLSO; concern that there would be a risk to the reputation of LeO if there was public confusion as to where the problems lay. Members were assured that the implementation team and the Ombudsman nominated to take the OLSO role for the transition period, from 2 March 2011, were doing all they could to ensure a smooth transfer of work. It was however agreed that the position should be explained on the LeO website and in public communication. It should also be fully reflected within the LeO corporate risk register.
12. Following the recent consultation exercise relating to publishing ombudsman decisions, Members agreed that the next stage should include a challenging look at the issues raised and also include appropriate information obtained from external research. The Executive were asked to collate the external research and forward this to Members as soon as possible; a discussion at a later OLC meeting should then be arranged.

ACTIONS

- The Director of Finance and Business Services to submit an executive report in response to the HR audit to OLC members and to update Audit and Risk and RemCo Committee members with developments as soon as possible.
- The Head of External Affairs to arrange a meeting with the Consumer Panel to identify and clarify any remaining areas of confusion in respect of the Scheme Rules and narrative findings.
- The Chief Ombudsman to ensure a suitable public statement about the transfer of OLSO work was issued as soon as possible.
- The Head of Change to include the OLSO transition arrangements within the LeO corporate risk register.

- The Executive to provide details of external research relating to publishing Ombudsman decisions to OLC members as soon as possible. Members are to forward any comments to the Head of External Affairs to allow a discussion paper to be developed and tabled for discussion.
- The OLC Secretary to allocate appropriate discussion time relating to Ombudsman decisions during the March meeting.

Item 5 – OLC/MoJ framework agreement.

13. Members were advised that the MoJ had been asked to consider a number of drafting issues. The Executive expected that the document would be signed and returned by the MoJ within the next two weeks.
14. Members requested that an annual report relating to compliance with the framework agreement be presented annually to the Audit and Risk Committee.

ACTIONS

- The OLC Secretary to include an annual report on the OLC/MoJ framework agreement within the Audit and Risk Committee agenda planner.

Item 6 – Case content, themes and trends

Summary of the tabled paper

The paper provided details of the organisation's contact and case activity levels, including weekly volume patterns since go live on 6 October 2010.

15. Questions were invited and Members were advised that;
 - Signposting data required further evaluation and auditing; however cases relating to conduct matters were also being assessed for possible service issues.
 - Administrative closure was a significant proportion of closed case data. These included enquiries that had been resolved but had been wrongly recorded as cases because of issues with the IT system.
 - The pattern of complaints received was broadly in line with that experienced by the Legal Complaints Service.

Item 7 –Any other business

16. The Chief Ombudsman advised that equality and diversity training for OLC members and the Executive had been discussed with the Ombudsman responsible for this topic. The proposal was for a joint approach for training to take place and that a session should be arranged linked to an OLC meeting, subject to reasonable use of time and taking account of travel arrangements. Members asked for details of the proposal, including training details to be circulated by e-mail as soon as possible.
17. The next OLC meeting will be held on 21 February 2011 at Baskerville House in Birmingham.

ACTIONS

- The Chief Ombudsman to circulate details of the date and content of the proposed equality and diversity training to OLC members as soon as possible.

Andy Taylor
Board Secretary
31 January 2011