

Minutes of the fifty-eighth meeting of the

Office for Legal complaints (OLC)

Monday 20 October 2014

12.30pm – 15.15pm

Baskerville House, Birmingham

Present:

Steve Green, Chair
Rosemary Carter, member
Professor Philip Plowden, member
Karen Silcock, member
David Thomas, member
Maureen Vevers, member
Stella Manzie, member (joined meeting at 13.30 pm)

In attendance:

Adam Sampson, Chief Ombudsman
Rob Hezel, Chief Operating Officer
Freda Sharkey, General Counsel
Ken Young, Interim Head of Policy and Communications

Apologies:

Tony Foster

Board Secretary:

Helen White

Preliminary issues:

The quorum requirements for the Board meeting were not met. The Chair confirmed that any decisions reached before quoracy, will be ratified once a quorum is reached.

There were no declarations of interest.

Item 1 - Welcome and apologies

1. The Chair welcomed and thanked those in attendance. He reported that he had received apologies from Tony Foster

Item 2 - Minutes of the previous meeting

2. The minutes of the meeting held on 21 July 2014 were approved.

ACTION:

- The Board Secretary to publish the approved minutes of the meeting held on 21 July 2014.

Item 3 - Matters arising and outstanding action points

3. Prof Plowden enquired about progress on the work being done to examine the reasons behind recent customer satisfaction survey statistics. The Chief Ombudsman reported that he had agreed that this paper be deferred to the November meeting to enable further work to be undertaken. The Chief Ombudsman will ensure that Prof Plowden is given oversight of the paper before the next OLC Board.

ACTION:

- The Head of Customer Experience to ensure Prof Plowden is given oversight of the satisfaction paper in advance of it being presented to the November OLC Board.

Chief Ombudsman's Report

4. The Chair requested that Appendix A (Analysis and Insight Capabilities) be discussed at the next Remuneration Committee on 11 November. It will then come back to a future OLC Board.

ACTION:

- The Board Secretary to add this item to the agenda for the forthcoming Remuneration Committee Meeting on 11 November.

5. The Chief Ombudsman reported that discussions are ongoing with ICAEW to clarify our jurisdiction over legal service complaints about accountants.
6. The Chair of the Remuneration Committee reported that due to a prior commitment, the E&D Manager was unable to attend the next RemCo meeting. She requested that the Chief Operating Officer ensure a briefing is obtained on E&D issues before the RemCo meeting.

ACTION:

- The Chief Operating Officer to ensure a briefing is obtained on E&D issues before the RemCo meeting.

Chief Operating Officer's report

7. Discussion took place on the recruitment of a CRM Specialist and how this would affect realising the benefits of the new case management system. The COO assured members that in the short term, the absence of this role would not adversely affect services. However, he is committed to ensuring a recruitment campaign is run at a future stage.
8. The COO reported that a contractor had been appointed to fit out the new office building with work due to commence imminently. He reported that during the office move, the IT system will work at both buildings.

Finance Report

9. The members noted the Finance report. There were no questions.

Gifts and Hospitality Register

10. The Chair of Audit and Risk to circulate a copy of the revised Gifts and Hospitality Policy to members.

ACTION:

- The Chair of Audit and Risk to circulate a copy of the revised Gifts and Hospitality Policy to members.

11. The Register was approved for publication with one minor amendment.

ACTION:

- The Board Secretary to publish the Gifts and Hospitality Register for the second quarter of the 2014/15 financial year.

Board Member Expenses

12. The Register of Interests were approved for publication and no comments were received from members.

ACTION:

- The Board Secretary to publish the OLC Members and Ombudsmen register of interests.

Board Member Expenses

13. The paper was approved for publication and no comments were received from members.

ACTION:

- The Board Secretary to publish the Board Member Expenses for the quarter Q2 2014/15.

Item 5 – Audit and Risk Assurance Committee Update

14. The Chair of Audit and Risk reported that the Audit and Risk Assurance Committee meeting had been postponed due to Tony Foster’s absence. She reported that she had spent time with the Executive receiving an update on the policy and governance review and discussing next steps which will include bringing papers to both Committees and the Board. The Chief Operating Officer has agreed to take on the project management role for this important project.

15. The Chair of Audit and Risk updated members on two internal audit reports received from KPMG for the Finance Budgetary Process and the Business Transformation Governance Process. She reported that Maureen Vevers would check implementation of the points highlighted in the Business Transformation Governance Process audit at the next Programme Board meeting.

ACTION:

- Maureen Vevers to check implementation of the points highlighted in the Business Transformation Governance Process audit at the next Programme Board meeting, and will update Chair of Audit and Risk Assurance Committee.

Item 6 – CMC Update

16. The Interim Head of Policy and Communications updated members on the CMC programme. Members noted the timings and actions in respect of the scheme rules work. The General Counsel was requested to report back on progress at the next meeting on retrospectivity.

ACTION:

- The General Counsel to report back at the November OLC Board meeting on retrospectivity.

17. Members approved the request to make a set of technical changes to the Scheme Rules and requested that these are first reviewed by David Thomas before being submitted to the Legal Services Board for approval.

ACTION:

- The Interim Head of Policy and Communications to ensure that the technical changes to the Scheme Rules are first reviewed by David Thomas before being submitted to the Legal Services Board for approval.

18. Members agreed with the recommendations presented for CMC branding.

ACTION:

- The Interim Head of Policy and Communications to proceed as agreed on the technical changes to the Scheme Rules and CMC branding.

19. The Chief Operating Officer was requested to circulate the Risk Register to members.

ACTION:

- The Chief Operating Officer to circulate the Risk Register to members.

Item 7 – Category One Decision for Publication

20. The Chief Ombudsman reported that recognising the serious reputational issues of this policy; the OLC Board had requested oversight prior to publication. He explained the background to the proposed candidate for publication.

21. Members approved moving to the next stage in the process with the notice period for any objections to be raised being extended beyond seven days.

ACTION:

- The Chief Ombudsman to proceed to the next stage in the process with the notice period for any objections to be raised extended beyond seven days.

22. Members noted that the Publication Policy is being tabled at the November OLC Board Meeting.

ACTION:

- The Board Secretary to add Publication Policy to the November OLC Board Agenda.

Item 8 – Quarterly Performance Report and KPI Paper

23. The Chief Operating Officer updated members on the quarterly performance of the organisation. He reported that individual performance in both the Assessment Centre and Resolution Centre has improved. However increased Ombudsman WIP and unallocated cases had impacted adversely on timeliness in September.

24. A Quality report will be presented at the November OLC Board Meeting and the Chief Operating Officer reported that work is being done in advance to align performance and quality to ensure they are more closely integrated.

25. Stella Manzie reported that she will be replacing Tony Foster in dealing with the LSB on KPIs. She reported she had met with the Chief Operating Officer and Head of Finance to discuss performance. She will continue to work with the Executive to develop a well rounded series of components for performance measurement which will better reflect the overall strategy process.

26. Members agreed that the report reflected some encouraging signs on performance whilst acknowledging the issues facing the executive. The challenge will be to continue this progress while implementing a new case management system and undertaking the office move.

ACTION:

- The Chief Operating Officer to present the Quarterly Performance Report to the January OLC Board Meeting.

Item 9 – General Counsel Quarterly Update

27. The General Counsel updated members on Judicial Review cases.

28. The General Counsel reported that a paper on Publishing Decisions will be tabled at the November OLC Board Meeting.

ACTION:

- The Board Secretary to add Publishing Decisions to the November OLC Board Agenda.

Item 10 – Service Complaint Adjudicator Role

29. The General Counsel confirmed that this role is an OLC Board appointment with the current term finishing at the end of March 2015.

30. The Chair reported that as an ombudsman scheme, it is important for the OLC to offer an independent adjudicator.

31. Members confirmed that the General Counsel proceed with the recruitment as agreed.

ACTION:

- The General Counsel to proceed with the recruitment for a Service Complaint Adjudicator as agreed.

Item 11 – LeO Draft Budget and Business Plan

32. The Chief Ombudsman stated that following the Strategy Day, the officers had worked to conceptualise the strategy and budget.

33. It was agreed that the performance indicators need to reflect the wider strategy and purpose but that there must remain some consistency for external stakeholders..

34. It was agreed to consider additional unit cost measures which pick up the breadth of the other activities undertaken.

35. The Chair requested more transparency on the unit cost and suggested there must be an estimate for efficiencies from the business transformation programme.
36. The Chair asked that reference be made to the work on the voluntary scheme and what this would look like.
37. It was agreed that Stella Manzie would be the member delegated to work with management on developing the KPI's.
38. It was agreed that the updated Budget and Business Plan would be recirculated for comment. It will then be tabled at the November OLC Board for approval after which it will be submitted for approval by the Legal Services Board. Once approved, a six week consultation process will then commence with stakeholders.

Item 12 – Any other business

39. The Chair tabled the proposed 2015 OLC Board Meeting dates. Members approved the dates and noted that the meetings would now be held every six weeks.
40. No other business was raised. The Chair declared the meeting closed.

Next meeting

41. The next OLC meeting will be held at 11.00 am on Monday 24th November 2014 at Baskerville House, Birmingham.