

Minutes of the fifty-fourth meeting of the

Office for Legal complaints (OLC)

Monday 14 April 2014

12.00am – 15:30pm

Baskerville House, Birmingham

Present:

Steve Green, Chair
Tony Foster, member
David Thomas, member
Rosemary Carter, member
Karen Silcock, member
Maureen Vevers, member
Professor Philip Plowden, member
Stella Manzie, member

In attendance:

Adam Sampson, Chief Ombudsman
Alison Robinson, Head of Policy and Communications
Freda Sharkey, General Counsel

Apologies:

Rob Hezel, Chief Operating Officer

Board Secretary:

Holly Richardson, Assistant to the Chief Operating Officer

Preliminary issues:

The quorum requirements for the board meeting were met. There were no declarations of interest. The Chair reminded the board to send their expenses in.

Item 1 - Welcome and apologies

1. The Chair welcomed and thanked those in attendance, including Professor Philip Plowden and Stella Manzie to their first meeting as new board members. The Chair noted apologies from the Chief Operating Officer.

Item 2 - Minutes of the previous meeting

2. The minutes of the meeting held on 24 March 2014 were approved.

ACTION:

- The Board Secretary to publish the approved minutes of the meeting held on 24 March 2014.

Item 3 - Matters arising and outstanding action points

3. The outstanding action points were discussed; everything due to be completed by today has been completed or is on the agenda for discussion. It was requested that in future a note of the agenda item be made against the actions required for easy reference. A revised version is to be circulated by the Board Secretary.

ACTION:

- The Board Secretary to re-circulate the outstanding action points with the minutes, including agenda item numbers.

Item 4 - Comments received regarding items presented for information

4. The items presented for information were noted. No comments had been received in advance of the meeting for circulation.

Chief Ombudsman's Report

5. The Chief Ombudsman will draft a detailed paper for RemCo on the replacement of the lead ombudsman position. Once RemCo has discussed the matter, the position will be reviewed again once CMC requirements are clearer.

Chief Operating Officer's report

6. No comments received

Register of interests

7. Some amendments were missed from the last update, a revised version is now available and the Board agreed these could be published.

ACTION:

- The Board Secretary to publish register of interests

Hospitality register

8. The Board agreed these could be published

ACTION:

- Board Secretary to publish the hospitality register

Board member expenses

9. Rosemary Carter to discuss board member expenses with the Head of Finance offline. The Board agreed these could be published.

ACTION:

- The Board Secretary to publish the Board Member Expenses.

Finance report

10. No comments received.

KPI Dashboard

11. The Head of Finance gave an end of year reflection on performance, reporting that overall, the position was positive. However, there were some areas where reported performance could be improved and there were areas of pressure in the business because of low staffing levels, which would continue until new recruits joined in the early summer. There is a need to balance quality with timeliness.
12. Members discussed the KPI report and the optimum timing for discussion. The Chair confirmed that the KPI report would be submitted monthly and discussed in detail at the end of each quarter.

Item 5 – Kevin Rousell, Claims Management Regulator (CMR)

13. The Chair welcomed Kevin Rousell, Head of Claims Management Regulation (CMR) to give an overview of CMCs.
14. There was discussion around the level of likely volume. The Chief Ombudsman explained he expected this would be influenced by the level of publicity attached to the launch and our willingness to look at historic complaints. Decisions on jurisdiction are still to be made.
15. The Head of CMR noted that he was pleased with the level of communication with LeO and that he had no concerns with the relationship so far.
16. General Counsel requested some information on intelligence gathering around enforcing decisions on firms that close down, and information on mergers. Kevin Rousell will look into this in more detail.

ACTION:

- The Board Secretary to share the slides with OLC members.

Item 6 – Audit and risk update

The Chair of the Audit and Risk Committee provided members with an oral update. The risk framework had been reviewed and discussed. The risk presented by over reliance on a single outsourced provider was discussed, and also the proposed update of disaster recovery facilities.

National Audit Office had completed interim audit with no issues. The NAO are in discussion with the Head of Finance concerning some issues in relation to accounting treatment of the Levy. Discussions will be continued with input additionally from the MoJ and LSB as required.

Item 7 – OLC Annual report

17. The Head of Policy and Communications shared the first full version of the annual report for comment, noting that the figures are not yet finalised but will be by May. There is currently no laying date, and we are continuing to press the MoJ about this.

Detailed comments were asked from all OLC members by the end of April so a final version can be ready for sign-off at the next meeting.

ACTION:

- All OLC members to send comments to the Head of Policy and Communications by 30 April 2014.

Item 8 – Customer Satisfaction Survey Results

18. The Head of Policy and Communications shared the customer satisfaction survey results with the OLC and informed the group that the format has changed since the last report. Going forward this report will be presented alongside quality.

- She noted in particular that the trend from the annual survey continues. This shows that without adjusting for the effect of the outcome of cases, complainants are less satisfied than lawyers. However, complainant satisfaction levels are strongly linked to outcomes. This had been analysed by the Policy and Communications team which had revealed that the most significant change had occurred in cases closed within 90 days. There has been a significant shift in the balance between cases where a remedy is ordered and where no remedy is ordered over the three years of operation, particularly in relation to Ombudsman decisions. The Head of Finance is looking into how we can monitor this going forward.

19. Members expressed a desire to develop a deeper understanding of these trends and asked that further work be undertaken.

ACTION:

- The executive prepare an analysis of the reasons for the change in the proportion of complaints where redress is ordered and an account of any actions necessary, completing this work in time for the October Board Meeting. An update on progress to be given at the July Board Meeting. Any emerging findings to be fed into the Board Strategy session in September. Support/oversight to be provided by Philip Plowden.

Item 9 – KPI Reporting from Policy and Communications

20. The Head of Policy and Communications shared information on the 2013-14 results of the KPIs for reputation and impact which are reported on annually. This report is based on evidence from the customer satisfaction survey, awareness survey and stakeholder survey results. After OLC discussion, the Chair suggested that particular attention needed to be paid to ensuring that the way the data were published was consistent across the KPI reports, the Annual Report and the website.

Item 10 – Business Transformation Update

21. The Chair welcomed Allan Jones, Interim Head of IT, to discuss the transformation programme. Allan said that the drivers for the work were the need to replace the IT system and the new business strategy to widen and deepen our services.
22. This programme aims to support the change to the way we work by exploiting the abilities of the new case management system so we can work more efficiently. Alongside the introduction of CMCs and an office move, this programme pulls together all strands to deliver the strategy and objectives in a managed and coordinated way with the relevant governance in place.
23. The Chief Ombudsman informed the OLC that Maureen Vevers had agreed to be the board member appointed to this project to guide the project forward. Maureen is keen that the transformation board is innovative and encourages ideas from staff as well as OLC board members. Maureen Vevers will agree a programme plan to update the OLC board members going forward.

ACTION:

- Maureen Vevers to agree a programme plan of updating the board on progress against the business transformation programme.

Item 11 – General Counsel Quarterly Update

24. General Counsel updated that there were no significant changes but informed members of two new updates:
- On 11 April LeO lost a Judicial Review case which centred on poor service advice given. This will be reported in more detail in the next quarterly report. General Counsel will summarise lessons learned once a full report is issued.
 - On 11 April a Court Order for costs was made giving LeO permission to claim back all external and relevant internal costs in relation to a successful Judicial Review case decided in March.

Item 12 – Service Complaints Adjudicator Annual report

25. The Independent Service Complaints Adjudicator completed an analysis of stage two complaints. Summary of service complaints received:

- Stage 1 - 164
- Stage 2 - 36
- Stage 3 - 18

26. General Counsel updated the figures for year end for all complaints from stage 1 through to 3 and these all show a downward trend. The independent adjudicator also undertook an analysis of stage 2 complaints which did not progress to him at stage 3 and the stage 3 complaints he received and in his annual report he concluded “with confidence” that the quality of the handling of the even smaller number of service complaints had continued to improve. The thoroughness with which service complaints are reviewed and the seriousness with which they are taken indicated that the process is working well.

Item 13 – Any other business

27. No other business was raised. The Chair declared the meeting closed.

Next meeting

28. The next OLC meeting will be held at 11.30 am on 19 May 2014 at Baskerville House, Birmingham.