

**Minutes of the thirty ninth meeting of the**

**Office for Legal Complaints (OLC)**

**Monday 22 October 2012**

**11.30am – 16.00pm**

**Baskerville House, Birmingham**

**Present:**

Elizabeth France, Chair  
Tony Foster, member  
Professor Mary Seneviratne, member  
Margaret Doyle, member  
Maureen Vevers, member  
Rosemary Carter, member  
Karen Silcock, member (by conference call)

**In attendance:**

Adam Sampson, Chief Ombudsman  
Gary Garland, Deputy Chief Ombudsman  
Rob Hezel, Director of Finance and Business Services  
Liz Shepherd, Director of Operations  
Sam Berrisford, Interim Head of Policy and Communications  
Freda Sharkey, General Counsel (items 1 to 4)  
Allan Jones, Interim Head of IT and Telecoms (item 7)  
Baljit Kaur, Equality and Diversity Manager (item 9)  
Walter Merricks, Service Complaint Adjudicator (item 10)

**Apologies:**

David Thomas, member

**Board Secretary:**

Andy Taylor

**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.

## **Item 2 – Minutes of previous meeting**

2. The minutes of the meeting of 10 September 2012 were approved for publication.

### **ACTIONS**

- The Secretary to publish the approved minutes of the meeting held on 10 September 2012.

## **Item 3 – Matters arising & action points**

3. Members noted those items where action had been completed and that others were included as agenda items. No further comments were received.
4. The Director of Operations updated members in respect of inbound call handling information.
5. Tony Foster provided members with a summary of the Audit and Risk meeting held on 22 October 2012. Members requested that a copy of the internal audit report on quality be circulated for information.
6. In response to a recommendation from the recent triennial review, the Interim Head of Policy and Communications confirmed that a ticket-only public event will be held in conjunction with the forthcoming business plan consultation. The event will take place at a date and venue to be agreed between December 2012 and February 2013 and details will follow.
7. The Chair advised members she had written to the new junior minister and invited her to visit Baskerville House while she was at the Conservative Party conference in Birmingham. The offer was declined, since the minister was still very new in the job, but there were indications that she was intending to visit soon. The Chair advised members she had also written to the Lord Chancellor about the proposed Scheme Rules changes; a copy would be circulated following the meeting.

### **ACTIONS**

- The Secretary to circulate a copy of the internal audit report on quality to members for information.
- The PA to the Chair of the OLC to circulate to members a copy of the letter sent from the Chair to the Lord Chancellor.

## **Item 4 – Comments received regarding items presented for information.**

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

9. The Chief Ombudsman's report was tabled. In discussion, it was noted there had been a recent issue with the recruitment website. It was agreed this matter will be discussed further at the November RemCo meeting.
10. The Chief Ombudsman advised members of the possibility that there may be some reluctance for ombudsmen to volunteer for the specialist ombudsman secondments, partly because of an incorrect perception that they might then be disadvantaged if and when further structural changes were implemented. Members and the Executive agreed that it was important for the ombudsmen to be reassured that this would not be the case.
11. Members noted the recent YouGov research. Although the view was expressed that there were questions about the methodology, it was agreed it provided some useful information to stimulate a necessary debate. The Interim Head of Policy and Communications will meet with Mary Seneviratne and Margaret Doyle to discuss the research methodology and sampling.
12. The Chief Ombudsman updated members in respect of developments in respect of the proposed new Scheme Rules and CMCs. Substantial progress had been made on the former and work was continuing on the latter towards the agreed timetable. The Chief Ombudsman also advised members that the timing of the implementation of both projects was being monitored to ensure there was adequate time between each. Members asked that a paper outlining detailed projections is tabled at the November meeting to facilitate a wider discussion.
13. In response to questions about Scheme Rules and CMCs, members were advised that a paper would be tabled to the November meeting detailing proposed recruitment numbers in respect of the anticipated changes to casework volumes due to CMC and Scheme Rule changes.
14. Members noted the tabled human resources, expenses and hospitality reports. No questions were raised. The expenses and hospitality reports were approved for publication on the LeO website.
15. Members welcomed the new General Counsel to the Legal Ombudsman and noted the tabled paper. The General Counsel provided members with further information about current judicial review cases and in particular challenges to the publication of ombudsman decisions. The General Counsel was asked to keep OLC members up to date with key developments as they occur.

## **ACTIONS**

- The Interim Head of Policy and Communications to meet with Mary Seneviratne and Margaret Doyle to discuss the YouGov research methodology and sampling.
- The Secretary to publish the OLC member expenses report and hospitality report on the LeO website.

- The Chief Ombudsman to table a paper outlining detailed projections in respect of CMCs and Scheme Rules at the November meeting; this is to include recruitment information.
- General Counsel to keep members up to date with judicial review developments in respect of publishing decisions as they occur.

#### **Item 5 – KPI report and update on ombudsman casework**

16. Members discussed the KPI report, noting the fact that casework volumes continued to have an impact on the unit cost target. They were advised that the one-day drop in service level in the Assessment Centre was the result of an unexpected spike in calls because of the problem with the recruitment section of the main LeO website.

#### **Item 6 – Finance report**

17. Members discussed the finance report. No questions were raised.

#### **Item 7 – IT strategy update**

18. Members discussed the tabled paper and noted that a decision in respect of the current IT contract was to be made by the end of November. Members asked the Director of Finance and Business Services to provide Maureen Vevers with regular updates in respect of developments.

#### **ACTIONS**

- The Director of Finance and Business Services to provide Maureen Vevers with regular updates on any IT contract developments.

#### **Item 8 – Customer satisfaction update**

19. Representatives from BMG presented members with the first annual report of customer satisfaction data and analysis. Following discussion and questions, members asked the Executive to analyse the data further in respect of staff confidence and to consider ways to enhance future customer satisfaction scores.

#### **ACTIONS**

- The Executive to consider ways to enhance customer satisfaction scores in the future.

#### **Item 9 – Community engagement presentation**

20. The representative from CIE presented members with a report and recommendations following recent community engagement discussion. Members noted the report and in response to questions were told that the organisation had already done considerable work on mental health issues; however, further and more direct engagement work may be included in the future. Members were advised the recommendations outlined in the report would be considered and, where appropriate, implemented.

#### **ACTIONS**

- The Executive to consider the recommendations outlined in the CIE report and implement them where appropriate.

#### **Item 10 – Service complaint update**

21. Members noted the tabled service complaint report and received details of notable cases recently considered by the Service Complaint Adjudicator. Members also noted the revised service complaint procedure and following one minor amendment approved this for publication.

#### **ACTIONS**

- The Secretary to publish the revised service complaint procedure as soon as possible.

#### **Item 11 – 2013 – 16 Business and strategic plan**

22. Members noted the tabled paper and the Chief Ombudsman advised that a more substantial draft would be available for presentation to members electronically shortly. An updated version will also be made available for presentation by the Chair to the LSB at their November meeting. The expectation is for a final version and accompanying consultation paper to be tabled for approval by members at the November meeting. The three month consultation is due to commence in early December, closing in early March 2013.

#### **ACTIONS**

- The Executive to table a final pre-consultation version of the business and strategic plan at the November meeting

#### **Item 12 – Recommendations for further factual data to be published**

23. Members noted the tabled paper and following questions were advised by the Interim Head of Policy and Communications that further information to be published would only be factual and not performance related.

#### **Item 13 – Table of delegations**

24. Members received and approved the tabled amendment to the published scheme of delegations. The Deputy or Chief Ombudsman may authorise, on behalf of the OLC, the publication of data and/or a report of the investigation, consideration and determination of a complaint by an ombudsman received under the Scheme Rules (Category 2). However, where an objection to the publication is received and is of a significant nature, the decision will be escalated to the Chair of the OLC or, in their absence, an alternative member.
25. Any cases to be published in the public interest (Category 1) remain a matter for approval by the OLC, although this may be delegated to the Chair of the OLC, or in their absence, an alternative member.

### **ACTIONS**

The Secretary to update the current scheme of delegations to include matters relating to the publication of data, reports and ombudsman decisions

### **Item 14 – Any other business**

26. Members were advised the LSB consultation about will writing will close on 8 November. The Interim Head of Policy and Communications was asked to provide members with a draft response as soon as possible.
27. Members were made aware of a forthcoming change to the LeO contact with the Ministry regarding CMCs and Scheme Rules.
28. Members were reminded of the forthcoming memorial service to remember Brian Woods-Scawen at Warwick University on the afternoon of Thursday 8 November 2012.
29. Members were issued with a revised expenses claim form provided by the LSB and reminded of the LSB expenses policy. Concerns raised about this will be raised by the Chair at the next quarterly meeting with the LSB.
30. Members were advised the Stakeholder Advisory Panel will be revisited shortly and details will be provided at a later meeting

### **ACTIONS**

- The Interim Head of Policy and Communications to provide members with a draft response to the LSB consultation into will writing as soon as possible.
- The Chief Ombudsman to update members with developments in respect of the Stakeholder Advisory Panel at a subsequent meeting.

**Next meeting**

31. The next OLC meeting will be held on 19 November 2012 at Baskerville House.

Andy Taylor  
Board Secretary  
26 October 2012