

Minutes of a meeting of Legal Services Board (LSB) on 7 September 2010

Date: 7 September 2010
Time: 9.30 am – 1.00 pm

Venue: Victoria House, Southampton Row, London WC1B 4AD

Present: David Edmonds Chairman
(Members) Chris Kenny Chief Executive
Terry Connor
Steve Green
Bill Moyes
Barbara Saunders (Items 1-3)
Nicole Smith (Items 1-3)
Andrew Whittaker
David Wolfe

Guests: Elizabeth France Chair, Office for Legal Complaints (OLC)
Dianne Hayter Chair, Legal Services Consumer Panel

In attendance: Fran Gillon Director of Regulatory Practice
Edwin Josephs Director of Finance and Services
Bruce Macmillan General Counsel
Karen Marchant Corporate Affairs Associate (Items 1-3)
Julie Myers Corporate Director
Crispin Passmore Strategy Director
Alex Roy Research Manager (Items 4-7)
Bryan Hislop Board Secretary (Minutes)

Item 1 – Welcome and apologies

1. The Chairman welcomed Elizabeth France (OLC Chair) and Dianne Hayter (Legal Services Consumer Panel Chair).
2. There were no apologies for absence from Board Members.

Item 2 – Declarations of interests etc.

3. There were no declarations of interests.
4. Board Members were reminded to notify the Board Secretary about hospitality extended / received in the course of their LSB work.

Item 3 – OLC performance reporting – update

5. The OLC Chair provided a 'work in progress' update about OLC performance reporting. The Board noted that:

- OLC would adopt a 'pyramid' approach to performance reporting, with the LSB Board receiving on a quarterly basis a set of high-level key performance indicators (KPI) and an accompanying commentary, drawn from a more detailed data set reviewed on a monthly basis by OLC;
- the KPIs would report on: (a) timeliness – i.e. the 'end-to-end' time period from Legal Ombudsman (LeO) determining that a complaint was within jurisdiction to resolution; (b) cost efficiency – i.e. the total cost of considering a complaint to LeO, based on dividing the total running costs across the volume of cases; and (c) quality – this KPI, which was being developed, would be in addition to customer satisfaction surveys;
- OLC would be accountable for LeO's performance against the KPIs to the LSB Board;
- the volume of complaints received might necessitate a review of the KPIs, subject at all times to maintaining the integrity of the data;
- LSB, LeO and the Approved Regulators would meet at Executive-level on 9 September to discuss a mutual taxonomy for complaints reporting; and
- a paper about OLC performance reporting – endorsed in correspondence by OLC and including current assumptions about case volumes – would be submitted by 23 September, prior to it being presented for formal endorsement to OLC on 27 September and to the LSB Board on 30 September. There would be discussions at Executive-level prior to the circulation of the paper to both Boards.

6. In the course of the discussion that followed, the Board noted that:

- as part of the 'pyramid' approach to performance reporting, any relevant assumptions would be reported in a complementary underlying narrative about performance to the LSB Board;
- OLC and LSB would agree the cost of complaints handling under the current system, to ensure a consistent response to future queries;
- surveys would be used to measure customers' satisfaction with the process;
- complainants' expectations – including in respect of timeliness between initial contact and determining that a complaint was within jurisdiction – would need to be managed through clear communications;
- Legal Services Act 2007 provided a range of data exchange mechanisms to ensure, for example, the proper flow of information to and from ARs;
- LeO would issue in the coming weeks a consultation about how and what (non-statistical) information about determinations would be published;
- the OLC Chair was satisfied that the programmes in place for training, for testing IT systems and for ensuring reliance were appropriate;
- the key uncertainty was the speed of build-up of LeO's work volumes following its launch on 6 October; and
- LSB would have a significant role in ensuring that the basis of the agreed KPIs was explained and that inappropriate comparisons with past processes was challenged. It would be important also to keep under review the interplay between first-tier complaints handling and LeO processes.

- 7. The Board expressed its gratitude to the OLC Chair.

Action

(10) 19 – OLC Chair to present a paper about OLC performance reporting – endorsed in correspondence by OLC and including current assumptions about case volumes – for formal endorsement to the LSB Board on 30 September.

The Board meeting was adjourned for an informal strategy session.

Item 4 – Minutes: 27 July 2010

- 8. **The Board resolved to agree the minutes of the meeting held on 27 July 2010 and to submit them for signing as an authorised record to the Chairman.**

Item 5 – Report of action points and informal update about summer developments

- 9. Chris Kenny (Chief Executive) provided an update about developments since the last meeting of the Board.
- 10. The Board noted, amongst other things, that the Master of the Faculties’ Notaries (Continuing Professional Education) Regulations 2010 had been approved, in accordance with the delegation agreed by the Board on 30 November 2009.
- 11. **The Board resolved to note the Report of action points.**

Item 6 – Any other business

- 12. There were no items of other business.

Item 7 – Date of next meeting

- 13. The Board would next meet on 30 September 2010, 9.30am – 1.30pm (timing to be confirmed). The venue would be LSB’s offices at Victoria House, Southampton Row, London WC1B 4AD.

BH 07.09.10

Signed as an accurate record of the meeting

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Date

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