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| To: | Legal Services Board | |
| Date of Meeting: | 27 October 2014 | Item: Paper (14) 55 |

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| Title: | Office for Legal Complaints - appointments | |
| Workstream(s): | N/A | |
| Author / Introduced by: | Julie Myers, Corporate Director Julie.myers@legalservicesboard.org.uk / 020 7271 0059 | |
| Status: | Protect | |

Summary:

The Board discussed matters relating to re-appointments and appointments of members of the Office for Legal Complaints (OLC) at its July meeting (see Paper (14) 08 (RNC)). At that meeting the Board:

- a) Agreed to delegate authority to the LSB Chairman to approve re-appointments of Maureen Vevers and Karen Silcock pending formal recommendations from the OLC Chair
- b) Agreed to seek a formal recommendation from the OLC Chair as to the nature and number of new appointments from 1 April 2015 in light of the coming to an end of three members' second terms of office
- c) Agreed to tender for the appointment of recruitment consultants for the exercise at b).

This paper seeks to update the Board on the matters at a) and c) and to seek the Board's agreement to a recommendation from the OLC Chair of the need to appoint three lay members and one non-lay member from 1 April 2015.

Recommendation(s):

The Board is invited:

- (1) to discuss the OLC Chair's recommendation that the Board seek to appoint three lay and one non-lay member for the OLC Board with three-year terms of office to commence on 1 April 2015.
- (2) Pending the above discussion, to agree on the number and nature of new OLC appointments to be sought through an appointment exercise.

Risks and mitigations

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|----------------------|--|
| Financial: | Appointment costs are within budget. |
| Legal: | N/A |
| Reputational: | Reducing the OLC Board by one non-lay member may generate some negative comment but this should be seen in the context of an aspiration to ensure that the new non-lay member has a strong |

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| and recent background in practice. |
| Resource: N/A |

| Consultation | Yes | No | Who / why? |
|------------------------|--|-----------|----------------------------------|
| Board Members: | | X | Considered at July Board meeting |
| Consumer Panel: | | X | N/A |
| Others: | The OLC Chair has provided the recommendation within this paper. | | |

| Freedom of Information Act 2000 (Fol) | | |
|--|-----------------------------------|----------------|
| Para ref | Fol exemption and summary | Expires |
| 5 and 10(c) | Section 40 – personal information | |

LEGAL SERVICES BOARD

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Office for Legal Complaints - appointments Executive Summary

Background / context

1. The Board will recall that OLC members are appointed by the LSB¹, after consulting with the OLC Chair. The majority of OLC Members (and its Chair) must be lay. Members are appointed for a fixed term which must not exceed five years², and may be re-appointed once for a further period which may also not exceed five years³. There is no requirement to consult the Lord Chancellor on the appointment of OLC Members (unlike for the OLC Chair), although our convention has been to inform him once appointments are made.
2. The Board discussed matters relating to re-appointments and appointments of members of the Office for Legal Complaints (OLC) at its July meeting (see Paper (14) 08 (RNC)) where it agreed:
 - a. To tender for the appointment of recruitment consultants to support an OLC appointment campaign
 - b. To delegate authority to the LSB Chairman to approve any re-appointments sought by the OLC Chair pending appropriate performance assessments
 - c. To seek a formal recommendation from the OLC Chair as to the nature and number of new appointments from 1 April 2015 in light of the coming to an end of three members' second terms of office.
3. The following sections update and expand on these decisions.

Appointment of recruitment consultants

4. The executive invited eight potential suppliers to tender for search and selection services to support the campaign to identify new OLC members. All eight responded. All of the tenders were reviewed against agreed criteria. Harvey Nash were selected as the preferred bidder and they stand ready to support the forthcoming campaign once the Board has decided on the nature and number of members to seek. They remain confident that appointments can be made on the necessary timetable.

Re-appointments

5. [REDACTED]

¹ Schedule 15, para 1(1)(b)

² Para 6(1)

³ Para 6(3)

[REDACTED]

New OLC appointments

6. The OLC Board appointments schedule is as follows:

| Member | Appointments | |
|---------------------------|-----------------|---------------------------------------|
| | Appoint | Terminate |
| Steve Green, Chair (lay) | 1 April 2014 | 31 March 2017 |
| Stella Manzie (lay) | 1 April 2014 | 31 March 2017 |
| Philip Plowden (non-lay) | 1 April 2014 | 31 March 2017 |
| Karen Silcock (lay) | 1 February 2012 | 31 March 2015 (end of first term) |
| Maureen Vevers (lay) | 1 February 2012 | 31 March 2015 (end of first term) |
| Rosemary Carter (non lay) | 1 February 2012 | 31 March 2015 (end of second term) |
| Tony Foster (Lay) | 1 February 2012 | 31 March 2015 (end of second term) |
| David Thomas (non-lay) | 1 February 2012 | 31 March 2015 (end of second term) |

7. The OLC Chair advises the Board that, based on his assessment of the challenges facing the OLC and its administration of the Legal Ombudsman, the skills and experience of the Board members who will remain in post from 1 April 2015 and the need to ensure appropriate quorums and lay majorities on Committees, his recommendation is for the appointment of three lay members and one non-lay member.
8. If the Board agrees, this would keep the OLC Board at the current size of eight members but would change the mix from **five lay to three non-lay to six lay to two non-lay**. The OLC Chair notes that this remains in line with the requirements of the Act and would allow for greater flexibility and appropriate quorums and lay majorities to be found for Committees.
9. The OLC Chair has indicated that, in due course, he would intend to reduce the OLC Board from eight to its original size of seven members (by reducing a lay member) but that the time is not right to make that change now .
10. In terms of the skills required for lay members, the OLC Chair indicates that the Board requires:
- experience in Ombudsman services and alternative dispute resolution
 - Finance and
 - IS/IT ([REDACTED]).
11. For the non-lay member, the Board is asked to support the appointment of a 'high street lawyer' (ie one who deals with the class of clients who are eligible to

bring cases to the Legal Ombudsman). A degree of understanding of the representative bodies would also be useful.

12. For all of the appointments, as per previous rounds, the OLC Chair stresses that the calibre of individuals will be as important as the skills and experience they bring and I would have a preference for people with strong executive and non-executive experience.

Proposal

13. The Board is invited:

- (1) to discuss the OLC Chair's recommendation that the Board seek to appoint three lay and one non-lay member for the OLC Board with three-year terms of office to commence on 1 April 2015.
- (2) pending the above discussion, to agree on the number and nature of new OLC appointments to be sought through an appointment exercise.

22.10.14