

LEGAL SERVICES COMMISSION BOARD

MINUTES OF THE MEETING HELD ON 29 SEPTEMBER 2010

[Note: These minutes are subject to be reviewed and the information that is exempt from disclosure under the Freedom of Information Act will be deleted and replaced by an explanation of the exemption that applies.]

Present: Sir Bill Callaghan, Chair
Barry Elliott
Tom Jones OBE
Julian Lee
Beryl Seaman CBE
Dr David Wolfe
Carolyn Downs, Chief Executive
Andrew Emmett, Finance Director

Apologies: Professor Carolyn Hamilton
Helen Riley

Attendees: Hugh Barrett, Executive Director for Commissioning
Hazel Parker-Brown, Executive Director for Corporate Services
Ruth Wayte, Director of Legal, Commissioning and Operational Policy
Holly Perry, Head of CEO's Office and Governance
Nicola Cragg, Corporate Governance Adviser (minutes)
Hannah Stephenson, Corporate Governance Officer (observer)

For particular items: LSC10/69-71 Cate Jolley, Corporate Governance Policy
Manager

Announcements: The Chair welcomed Hannah Stephenson, who was joining the Governance team as a Corporate Governance Officer on 5 October and who was observing as part of her training.

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The minutes of the meeting held on 21 July were approved without any amendments.

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Matters Arising

To avoid staff conflicts of interest, the Chair and Commissioners would discuss the actions from the Pay Committee held on 21 September at the end of the meeting.

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Agenda

LSC10/67 Provision of debt recovery services (circulated out of committee on 4 August)

The board had approved the recommendation that Michelmores LLP be awarded a three-year contract for the provision of debt recovery services out of committee.

LSC10/68 Update on Framework Document (circulated out of committee on 3 September)

The Committee had approved the changes made to the previous draft out of committee. The final draft was subsequently submitted to Ministers, with final approval anticipated in early October.

LSC10/69 Commission feedback session

The board was updated on key issues not covered elsewhere on the agenda, including on actions arising from the Audit Committee meeting held on 9 September.

A meeting had taken place with the Bar Council on 28 September in relation to the ProcureCo model. In order to update Commissioners on the model, further information would be circulated to them out of committee **(HB)**.

A copy of the presentation was circulated electronically on 5 October 2010.

The planned ministerial visit had been postponed in light of the imminent announcement on the spending review. The Lord Chancellor and Secretary of State for Justice, Legal Aid Minister and Director General, Justice Policy, were due to attend the meeting at a later date following the review.

The ministerial visit is due to take place on 24 November at 10.30am.

The Commission noted the updates.

LSC10/70 Finance update

[Freedom of Information Act 2000 Exemption: s36 – the free and frank exchange of views for the purpose of deliberations]

The NAO had now completed their field work. Current figures were far more robust than previously and improved processes were in place, although there was still more work to do.



The next finance update is on the October agenda at LSC10/77.



The Chair is to raise with the Legal Aid Minister at their trilateral on 11 October.

In relation to the Public Accounts Committee (PAC) actions report, it was reported that most actions were on track to be completed by the dates specified, but not all. It was agreed that the actions would be updated to clarify what remained outstanding and by when these outstanding actions should be completed **(AE)**.

The latest report is on the October agenda at LSC10/77.

The Chief Executive advised that testing would take place at the end of quarter two of 2010/11 in order to more accurately reflect the impact of financial controls implemented following the qualification of the 2008/09 accounts and the PAC hearing. Many such controls were not put in place in time to impact on the 2009/10 accounts. The findings, which would include a breakdown of resource input versus results, would be shared with the board **(AE)**.

In hand.



LSC10/77 refers.



In hand/ongoing.



LSC10/71 Risk update

[Freedom of Information Act 2000 Exemption: s36 – the free and frank exchange of views for the purpose of deliberations]



In hand/ongoing.

The Executive Director for Corporate Services noted that the board that had previously expressed concern about this report appearing to duplicate other agenda items. The board concluded that they did still find it helpful to have a report on the total picture. A revised report would be developed in time for the November meeting, with any interim updates – including on employment related risks - to be covered via the corporate services metrics at the October meeting (**HPB/RB**).

Key metrics are on the agenda at LSC10/82. A revised report is in the process of being developed for the November meeting. Employment risks will be covered under the HR update at LSC10/81.

Subject to the agreed actions, the Commission noted the update.

LSC10/72 Family tender – judicial review update

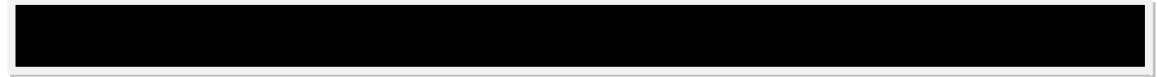
[Freedom of Information Act 2000 Exemption: s36 – the free and frank exchange of views for the purpose of deliberations]

Owing to a previously declared conflict of interest due to her role as a family practitioner, Carolyn Hamilton had neither attended the meeting referred to in the paper circulated nor been issued with a copy of the paper itself.

The Chair recorded his thanks to all staff involved in this area of work.



The meeting took place on 1 October and a note of the meeting circulated on 4 October.



The Commission noted the update, pending the judgment.

LSC10/73 CLA grants funding and specialist support

David Wolfe declared a conflict of interest over the elements of the paper relating to the CLS grants budget on account of him being a barrister at Matrix Chambers who currently hold one of the CLS grants. As a result he absented himself from these parts of the discussion.

[Freedom of Information Act 2000 Exemption: s36 – the free and frank exchange of views for the purpose of deliberations]



LSC10/74 LSC staff pension and assurance scheme no 4 – changes to the Trust deed and rules

The board approved the Deed subject to a final approval letter from the Lord Chancellor and Secretary of State for Justice, expected within the month.

LSC10/75 Single Equality Scheme Annual Report 2009/10

The board approved the report for publication, subject to the following amendments:

- Further clarification should be added in relation to pay bands, to better identify senior and junior
- The percentages for ethnicity and disability in relation to senior pay bands should be double checked before publication.

Next meeting

The next Commission meeting would take place on 20 October 2010.