

Company number: 04608905

Costs Lawyer Standards Board Ltd
Wednesday 21 October 2015 at 10.30 am
The Studio, 7 Cannon Street, Birmingham

Present: Steve Winfield (Chair)
Gillian Milburn (Vice Chair)
Richard Allen
David Gamble
Tracyanne Ayliffe

In attendance: Lynn Plumbley (Chief Executive)

1. Quorum, apologies & declarations of interest

The Chair declared the meeting quorate, there were no declarations of interest.

2. Minutes

The minutes dated 15 July 2015, 24 July 2015 and 14 September 2015 were approved as being a true record for signing, there were no matters arising.

3. Board matters

David Gamble was re-appointed as a lay NED for a period of 3 years from 4 November 2015.

Action: LP: Issue new letter of engagement.

4. Finance

(i) 2015 Q3 finance report

The board noted the end of quarter position as per the report.

Action: LP: Transfer £10k into the reserve account.

(ii) 2015 budget review

The 2015 budget against spend was reviewed and was not revised.

(iii) Policy on financial reserving

The policy was considered and agreed.

5. Risk management

New risks were considered and certain current risks were reviewed.

6. Education (ACLT)

(i) Part-time education manager

The board noted the ACLT had advertised for a part-time education manager.

(ii) MOU

The board noted that work on agreeing the MOU continued.

(iii) Increased number of Costs Lawyers

The board noted the current number of authorised and regulated Costs Lawyers and that the reason for the increase in 2015 had been due to the introduction of examination re-sits.

(iv) 2015 education audit brief

The board noted and agreed the proposed education audit brief based on matters that had arisen during the year.

Action: LP: Action Trainee Costs Lawyer feedback.

7. Regulatory matters

(i) Insured risks

The board noted the schedule of insured risks and agreed to extend its cover to include judicial review.

Action: LP: Arrange additional cover through insurance broker.

(ii) Self-assessment 2015

The board discussed, revised and then approved the self-assessment documents. The board noted the considerable amount of time that had gone into the new format and was of the view it was not proportionate based on the risk profile of the profession. As Gill had worked with the executive and Chair on the preparation of the assessment, Gill signed as lay NED on behalf of the board. It was agreed that the assessments would not be subjected to independent scrutiny for reasons set out in the response to the LSB.

Action: LP: File with LSB before 31 October 2105 deadline.

(iii) Costs Lawyer handbook/operations manual

The board noted the CLSB governance bible had now been separated into a Costs Lawyer Handbook and CLSB Operations Manual for clarity.

(iv) Mutual recognition of professional qualifications regulations

The board was advised work on these regulations had been initiated to ensure compliance by 18 January 2016.

(v) Guidance note: ADR

The board approved the guidance note.

Action: LP: Post guidance note on CLSB website

(vi) Innovation plan

The board noted our input had been requested by the MoJ to enable them to make one submission to BIS on behalf of the legal regulators. The Innovation Plan submissions of CLSB were noted and agreed.

Action: LP: Send Innovation Plan submission to the MoJ

8. Legal Services Board (LSB)

(i) Cost of regulation project

The board noted the LSB continues its work on this subject matter

(ii) Regulatory standards project outcome

The board noted that 100% of the consumers of CLSB services who had responded to the survey said they were satisfied with the outcome of their interaction with the CLSB.

(iii) Project: Unregulated legal practitioners

The board was disappointed to note that unregulated costs law professionals had not been shortlisted by the LSB on their project on unregulated legal practitioners.

(iv) Report: Unbundled legal services

The board was of the view the title given to parts/tasks of a legal case a consumer would undertake with agreement of a legal practitioner was not clear. The risk the CLSB identified with “unbundling” was that lines become blurred which may have implications for insurance and service complaints. Further, legal practitioner would likely have to notify insurers of any such arrangements, and they may not insure in such circumstances.

(v) Report: Cost of regulation

The board noted the LSB had published its report on a low key basis in September 2015.

9. Association of Costs Lawyers (ACL)

(i) Manchester conference feedback

Steve and Lynn advised their attendance at the event had gone well.

(ii) MOU & operational protocol

The board noted the ACL had still not responded to these revised documents despite having been chased by CLSB in September for a response.

10. Legal Ombudsman (LeO)

(i) Complaints update

The board noted there had been no new Costs Lawyer complaints to LeO since the last board meeting.

11. Any other business

- The board was advised the new chapter on Costs Lawyers had been completed and sent to Law Society Publishing for the Legal Training Handbook.
- The board noted the LSB had approved the 2016 PCF as being £250.00.
- The board was advised the MoJ had initiated a project on pro-bono work and was advised of the history of pro-bono work in the profession.
- The board noted the CLSB had hosted the October meeting of the Regulators Forum, and that the event had gone well.
- The board agreed to hold the board meeting on 13 April 2016 in Manchester.

12. Date & time of next meeting

Date & time: Wednesday 13 January 2016 @ 10.30am

Location: The Studio, 7 Cannon Street, Birmingham

There being no further business, the Chair declared the meeting closed.

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Chairman