

Company number: 04608905

Costs Lawyer Standards Board Ltd
Wednesday 15 July 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 14 April 2015 were approved as being a true record for signing, there were no matters arising.

3. Board matters

(i) Business plan 2016

The draft business plan 2016 was discussed and slightly amended before being approved.

Action: LP: Post business plan on CLSB website

(ii) Meeting on future of legal regulation

The board agreed to a strategy meeting to follow the October board meeting.

4. Finance

(i) 2015 Q2 finance report

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

(ii) 2015 budget review

The 2015 budget against spend was noted.

(iii) Budget 2016

The proposed budget for 2016 was considered and agreed.

Action: LP to identify potential calls on reserves and whether they are insurable risks.

5. Risk management

The board approved the revised format and undertook a full risk profile review.

6. Education (ACLT)

(i) MOU

It was noted that work was being undertaken on an MOU with ACLT which will set out expectations. The board agreed to delegate this to Gill, Lynn & Steve.

Action: GM/SW/LP: Work on this new document and agree with ACLT.

7. Regulatory matters

(i) Regulated numbers

The board noted that at 4 July 2015 there were 616 authorised and regulated Costs Lawyers.

(ii) Guidance note: Client care letters

The board considered and approved this new guidance note.

Action: LP: Post guidance note on CLSB website

(iii) CLSB consumer survey

The board was advised that since the client feedback option had been included on the CLSB website there had been no consumer input and further, that the feedback form was being abused by those seeking to sell products and services. It was agreed to monitor for a further 3 months. The board was also advised that the LSB had initiated its own survey of those using a regulator. Our concerns e.g. appropriateness of questions to CLSB, auditability (as anyone could complete it) went unheard. The board therefore agreed to its own consumer satisfaction questionnaire.

Action: LP: Implement new consumer satisfaction questionnaire.

(iv) Enterprise bill

Announcement of this bill in the Queens speech was noted.

(v) KPIs

The board was of the view certain KPIs were inherent under its processes and procedures e.g. disciplinary rules, practising certificate application rules, its S.51 timetable and the CLSB business plan. Further, other KPIs were set by external demands e.g. deadlines imposed on consultation responses and the date set by the LSB for return of our self-assessment. Based on the size of the CLSB operation and it having no sections/departments with reporting requirements it was not therefore considered a proportionate response to the potential risks involved to set further KPIs.

Action: LP: Establish approach of other ARs at next forum meeting.

(vi) Practising certificate fee 2016

The board approved the PCF 2016 at £250.00, the same cost for the fifth consecutive year.

Action: LP: Issue consultation paper to all Costs Lawyers.

(vii) Accredited Costs Lawyer rules

In the spirit of deregulation, reducing the cost and burden of regulation, the board agreed the need for ACL/ACLT to approve CPD by CLSB authorised Costs Lawyers was no longer appropriate.

Action: LP: Send revised rules to ACL and all Accredited Costs Lawyers.

(viii) Security clearance

After discussion, it was concluded this was not an area where CLSB needed to know or undertake any actions.

(ix) Random CPD audit on 2104 records

The outcome of the audit was noted.

8. Legal Services Board (LSB)

(i) Deregulation agenda status

The board was advised that the report on deregulation, quick win clausal changes, options beyond the LSA and alternatives to handling client monies had now been filed with the MOJ.

(ii) Transparency on costs

The outcome of the S.120 notice served on LeO was noted. It was also noted no costs transparency complaints had been made against Costs Lawyers. It was agreed the new guidance note on client care letters would assist on this issue.

(iii) Annual report & accounts (2014-2015)

Noted by the board.

Legal Services Consumer Panel (LSCP)

(i) Annual report 2015

Noted by the board

9. Association of Costs Lawyers (ACL)

(i) National conference & ACL AGM feedback

The board noted with concern that the accounts of ACLT (a CLSB Accredited Study Provider) had not been approved by ACL members at the AGM. It also noted that following members objections, ACL had withdrawn its ADR service.

(ii) Outcome of meeting on 12 June

Steve & Lynn advised the board of the outcome.

(iii) New rules on chair/vice chair

It was noted that the ACL had, without consultation, removed the right of its members to vote for the Associations Chair & Vice-Chair.

(iv) Recent concerns of ACL members

The board was advised ACL members had actioned their concerns about governance with the ACL.

(v) MOU & operational protocol

The board agreed to delegate the review of these document to Gill, Steve and Lynn.

Action: GM/SW/LP: Review and agree with ACL.

10. Legal Ombudsman (LeO)

(i) Complaints update

The board noted there had been one new complaint to LeO since the last board meeting.

11. Any other business

- It was noted that for the first time ever, the Costs Lawyer profession was to have its own chapter in the Legal Training handbook. Lynn had been requested to check the draft text received from the publisher.
- It was noted that the legal regulators had been captured under the BIS led deregulatory budgets project.
- The board noted the findings of a study on innovation in legal services.

12. Date & time of next meeting

Date & time: Wednesday 21 October 2015 @ 10.30am
Board meeting: 10.30am to 12 noon
Strategy meeting: 12.30pm to 3.30pm
Location: The Studio, 7 Cannon Street, Birmingham

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

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Chairman