

**NORTHERN IRELAND LEGAL SERVICES COMMISSION
BOARD MEETING THURSDAY 23 MARCH 2006
AT 9.15AM – BOARD ROOM, WATERFRONT PLAZA**

MINUTES

Present:	Sir Anthony Holland Les Allamby Jeremy Harbison Frank Hewitt Miceal McCoy Peter Osborne Ronnie Spence	Chairman
NILSC:	Gerry Crossan Geoff Brooks Theresa Donaldson Ian Hearst Rose Jellie Sheila McPhillips	Chief Executive Director of Corporate Services Director of Policy & Service Development Director of Service Delivery Personal Secretary to Chairman and Chief Executive Secretary to the Commission
In attendance:	Linda Devlin	NICtS

OPEN SESSION

06/30 Apologies

Maeve Bell Breidge Gadd Brian Fee

06/31 Minutes of the February Board Meeting

Subject to minor amendments, the Minutes were agreed.

06/32 Matters arising from the Minutes of 9 February 2006

- 32.1 Evaluation of Senior Posts – It was reported that a meeting was scheduled to take place on 10 April 2006 to score the senior posts.
- 32.2 Parents Separating Conference – The Board noted that the Conference held on 1 March 2006 had been highly successful with 220 plus attendees and that the feedback had been very positive. The Board thanked Commission staff who had been involved in organising the event.
- 32.3 Voluntary Forum – The Chair of the Reform Committee provided an update on the further Voluntary Sector Forum meeting which had taken place on 14 March 2006. Among the key issues discussed were the DSD Strategy, for Information and Advice Centres and the new Corporate Governance arrangements for the Commission and how the Commission intended to take forward work in Civil Legal Services.

- 32.4 Funding Code – Comments had been received from NICtS and a second proof was due back from the printers on 24 March 2006 and the target date for issue of the consultation document was 31 March 2006.

06/33 Declaration of Board Members Interests and Forthcoming Engagements

- 33.1 Dr Jeremy Harbison had met with DSD and discussed the draft strategy. There had been fruitful discussions and the way ahead had been agreed. A draft response to the consultation document had been prepared on behalf of the Commission. The closing date for a response was 7 April 2006.

ACTION: Board Members comments on the proposed draft to be sent to the Director of Policy and Service Development before 31 March 2006.

Dr Jeremy Harbison reported that he and the Director of Policy & Service Development had met with Atlantic Philanthropies an American foundation who had funded many projects in the areas of Social Justice and Human Rights and that there was a possibility that the organisation would be prepared to work in partnership with the Commission on future projects .

Mr Les Allamby reported that the Legal Services Review Group had arranged a series of meetings across Northern Ireland to collect views on Clementi in light of the Bain Committee. The Chairman asked to be included on the invitee list.

The Chairman provided a report on a meeting which he and the Chief Executive had attended at the request of the Fermanagh Solicitors Association. It was noted a further meeting of the Stakeholder Group had taken place chaired by Mr Brian Fee.

06/34 Chairman's Report

- 34.1 Ministerial Visit – NICtS confirmed the Minister visit to the Commission on 9 March 2006 had been positive.
- 34.2 Complaints Management Working Group – The Group had not yet held its first meeting.
- 34.3 Next Away Day – The next Away Day would be scheduled for 6 September 2006 and would be preceded by a handover dinner on 5 September 2006.

06/35 Registration Exposure Document – Quality in Publicly Funded Legal Services

- 35.1 The Chairman stressed the importance of the Registration Scheme. The Board agreed that the requirement to demonstrate value for money was directly linked to introduction of fixed fees, measuring quality and the establishment of a Registration Scheme.

ACTION: The Board agreed changes to the draft document and asked the Working Group to produce the final draft of the Exposure Document.

06/36 Delegated Authority for Granting of Civil Legal Aid

- 36.1 Advance Draft Circular - The Chairman read the Principal Legal Advisor's letter to Counsel. Under paragraph 22, it was explained that the Commission was not obliged to continue with parallel running of the arrangements. The Chief Executive outlined the role of the Advisory, Appeal and Review Panels the required levels of expertise members appointed to the panels would need.

The Board recommended that the positions should be advertised. A person specification would be required and it was suggested that the Commission should liaise with the Scottish Legal Aid Board. The Chairman asked NICtS if there was any impediment and their representative confirmed that off hand she knew of no impediment.

The Chief Executive drew the Board's attention to the cost outturn of operating the current Appeals Committees.

- ACTION:**
- 1. The Board agreed that if responses awaited from Counsel and NICtS were favourable, the Advance Draft Circular should issue as soon as possible. The matter was urgent, however, and the matter could not be left indefinitely.**
 - 2. Appointments to the Civil Advisory Panels to be publicly advertised**

06/37 Business Plan 2006/07

Subject to a letter being prepared, the Plan was ready. The Chief Executive thanked NICtS, the drafting team and the Board for their engagement in the process of preparing the Plan. He confirmed that the budgetary control and business planning process were now tied together. NICtS confirmed that they were content with the process which had been followed to deliver the Business Plan and Budget to schedule.

06/38 Corporate Governance

- 38.1 New Committee Structure – The Board discussed proposals on two new Committee structures which were now needed to incorporate the areas of policy and service development and service delivery under one umbrella i.e. an Access to Justice Committee and a General Purpose and Finance Committee.

- ACTION:**
- 1. The Board agreed there should be a general agenda item for issues that would go to the Board meeting.**
 - 2. External communications issues would go to the Access to Justice Committee and Internal communications issues to the Finance and Human Resources Committee.**

The Board formally adopted the document as part of the quality management framework, subject to a

periodic review. Subsequent changes to the document would be part of the continuing improvement.

06/39 Internal Audit Fieldwork Report 2005/06 – Training and Development

39.1 The Chair of the Audit Committee reported that the Committee had considered 4 reports where the internal auditors had again provided a limited assurance assessment. He was particularly concerned that, after 3 years in existence, such an assessment was being made in respect of basic areas like training and development and procurement. He felt that the auditors' assessment may even have erred on the generous side. It was recognised that the Commission had inherited many problems and was engaged on major reforms and that strenuous efforts were being made to address the inherited weaknesses confirmed by the auditors. There would always be debate about what to fix first, but he believed that it was essential to get right basic things like procurement and human resource issues.

The Chairman said he would be surprised if the Commission had achieved anything other than limited assurance, bearing in mind the low base point that the organisation was starting from. The Chairman said he had had a discussion about the PR situation and the HR situation with the Top Management Team. The Chairman said it would be wrong for the Board to intervene in the running of the organisation. Its primary concern at this point had to be the overall strategy and consultation process to achieve the Delivery Plan for 2007. That was his and, he hoped, the Board's primary purpose.

The Chief Executive said there was no doubt that the main work in delivering reform to legal aid was organisational and part of this was to restructure the organisation. Internal Audit had done its job and pointed out the weaknesses and the action that management took had to be recorded as part of the review.

- ACTION:**
- 1. A progress report to be brought to the Board in September.**
 - 2. The Chief Executive to provide a report on the recommendations in relation to Procurement for the next Board meeting.**

06/40 Chief Executive's Report

40.1 Update on Delivery Plan – An update would be a standard item on every Board agenda.

40.2 Development of Delivery Programme – The Commission was in the process of recruiting a Programme Co-ordinator.

40.3 Organisational Development – The Chief Executive reported on the Organisational Development proposals and that the target date was June 2006 and that Team Leader posts had now been identified. From a management point of view, there would be a range of posts that would be project based. The document would be updated every three months and communicated to staff. He provided an overview of the proposed changes for

Service Delivery to include the roles of the Business Mangers and the development of the Policy and Service Development Directorate.

- 40.10 Freedom of Information Decision Report – The Chairman talked to the paper and in relation to the issues raised in the Belfast Telegraph. Because there was a security issue, the Secretary to the Commission had requested advice from the PSNI which was taking longer than the 20 days. The Commission had no control over when the information would be received. The Board stressed that timetables must be adhered to and a holding letter to issue if information was not available in time.

The Chief Executive confirmed that the Commission was not within the remit of the FOI Act until March 2006.

ACTION: The most recent information on FOI was to be sent to Board Members.

The Secretary to the Commission to write to the Bar and the Law Society.

- 40.11 IT Support Contract – The Board asked Frank Hewitt, Peter Osborne and Breidge Gadd to engage in the procurement process for the new IT Support Contract.

- 40.12 Staff Conference - The Chief Executive informed the Board that the 2006 Staff Conference would take place in early May 2006 and that the main item on the agenda would be the Value for Money challenge.

- 40.13 Strike Action – The Chief Executive reported that the Commission had been formally notified by NIPSA that members would be participating in a one day strike on 28 March 2006 in relation to pensions and that appropriate arrangements would be put in place.

04/41 Audit Committee Report

The Board noted the report.

06/42 General Purposes Committee

The Board noted the report.

06/43 Reform Committee

The Board noted the tabled report. The Chair of the Committee reported that a proposal on fixed fees in relation to Children Order cases to the Law Society was imminent.

06/44 Service Delivery Committee

The Chair of the Committee gave a verbal report on the meeting which had taken place on Wednesday 15 March 2006 and noted that the Director of Corporate Services had moved across to the post of Director of Service Delivery post with effect from 1 March 2006. He provided a high level overview on the activities and developments within the Directorate to include the Civil Backlogs Project. The Board noted the continued improvements across operational areas and ratified the recommendation of the Service Delivery Committee to delegate to the Trainee Legal Officers the delegated authority levels which had been agreed in Children Order and Criminal Negligence up to the threshold of £2000.

ACTION: The Board ratified the delegated authority

06/45 Finance Report

- Counter Fraud Report

The Board noted the contents of the reports.

06/46 Service Delivery Reports

The Board noted the content of the reports.

06/47 Judicial Review

- Update on current JRs against the Commission
- Law Society v. NILSC

The Board noted the content of the papers.

06/48 Staff Briefing

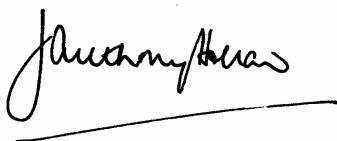
The Board noted the content of the paper.

06/49 Board Diary

The Board noted the dates

06/50 Date of Next Meeting – Thursday 4 May 2006 at 9.15am

Meeting ended at 12.30pm



SIGNED:

DATED: 15 June 2006