

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF CILEx REGULATION LIMITED
HELD ON 20 NOVEMBER 2018**

Present:

Sam Younger (Chair), Andrew Donovan, Luisa Fulci, David Gilbertson,
Harvey Sandercock

In attendance (CILEx Regulation):

Stuart Dalton, Director of Policy and Enforcement
Victoria Purtill, Director of Authorisation and Supervision
Beccy Snape, Personal Assistant (minutes)
Helen Whiteman, Chief Executive Officer

In attendance (CILEx):

Karl Cerski, Director of Group Services and Chief Finance Officer (Item 7-15)
Kim Dowdeswell, Group Finance Manager (Item 10)
Michelle Drury, Management Accountant (Item 10)
Doris Olulode, CILEx Group Services Chair (Item 8 – 17)
Philip Sherwood, CILEx President (Item 8 – 17)

1 Apologies

None.

2 Declarations of Interest

No additional interests were declared.

3 Minutes of previous meetings

The Board considered minutes presented for approval.

DECISION:

To approve the following:

- confidential minutes of the Board meeting on 19 September 2018;
- minutes of the Board meeting on 19 September 2018;
- confidential minutes of the Board meeting on 17 October 2018.

4 Chair's Update

The Chairman gave an overview of his work since the last meeting.

5 Q3 Operational Performance

Director of Policy and Enforcement, Stuart Dalton reported progress against business plan activities and operational performance against targets, including updates on associated work plans.

CILEx Regulation Strategy: An alternative, more consumer-friendly mission statement was presented. Board members approved the strategy and mission statement subject to small wording and design changes.

Business Plan: The business plan had been updated, following a managers' away day in September, to fulfil the revised strategic objectives the Board approved at its September meeting. The Business as Usual list had also been updated and highlighted the volume of required business which must be delivered in addition to the transformative changes the Board were seeking through the Strategic Objectives.

The Board approved the template for a high-level strategic assurance report, going forward Board would receive this assurance document rather than the Business Plan, which Board could still review via SharePoint.

Entity/ABS Delivery Plan: The working group originally set up to have oversight of the application to become a licensing authority would continue to meet to discuss joint promotion and retaining engagement. CILEx had nominated two Council members for the working group.

The MoJ confirmed that it was still seeking to get the Designation Order through in time for the 1 April 2019 commencement date for ABS delivery. CILEx Regulation continued to explore options with the Legal Services Board (LSB) to identify an appropriate solution to the appeals requirement.

Conduct Complaints: The enforcement team had reviewed the increase in conduct complaints compared to previous years. This was thought to be a recording issue and there were no emerging trends or changes in the market. The team would continue to monitor the levels.

Operational performance July to September 2018: key performance indicators were reviewed and noted. Board members requested a quality check on the figures and a report on the quality assurance measures in place.

LSB Self-Assessment: Initial feedback from the self-assessment was positive. Formal feedback was expected by the end of the week and would be shared with Board members.

DECISION:

- To approve the change to the Mission Statement subject to small wording changes and changing the strategic wording to plain English;

- To note progress in Q3 against business plan objectives;
- To approve the strategic assurance report for review at meetings.

6 Quarterly Risk Review

The Board reviewed a risk update. The Board's discussion is minuted confidentially.

DECISIONS:

- To endorse the current risk assessment;
- To note the Group Board risk statement and operating company risk profiles.

7 Board Self-Evaluation 2018

A proposed format for self-evaluation was presented, identical to the format used the previous year to allow for direct comparisons.

The Board agreed that when completing the evaluation, it would be important to make use of the free text boxes to highlight anything that was not directly covered in the questions. The questionnaire would be issued before the Christmas break with a deadline for completion of 14 January. The survey results would be fed into the Board succession planning paper for its meeting in February.

Board members reviewed the action plan which had been produced following the survey results of the previous year. Actions included: increased communication with the executive team and staff, attendance at CILEx Regulation staff meetings, liaison with regulator stakeholders and attendance at events. The action plan would be adopted pending the 2018 survey outcome with support from the executive team.

DECISIONS:

- To agree the format and timeframe for 2018 self-evaluation;
- To adopt the Action Plan pending the 2018 survey.

8 Group Board Strategy

The Chair updated the Board that Group Board would meet on 4 December at which Apprenticeships and Regulatory Independence principles would be discussed.

9 Internal Governance Rules

Stuart Dalton updated the Board on the Internal Governance Rules (IGR). Board members considered the key issues and proposed key activities and timeline. Discussion is minuted confidentially.

DECISIONS:

- To agree the proposed key activities and timeline.

10 Education Standards Review Update

The Board received an update on the latest developments on the education standards review at CILEx Regulation and a report from CILEx the awarding organisation on proposed changes to the centre accreditation framework.

Discussion is minuted confidentially.

DECISIONS:

- To agree the approach to create a route to qualification for established Fellows that would enable them to become CILEx Practitioners without duplication of effort.
- To approve the proposed CILEx Accreditation Framework.

11 Finance and Group Services

The Board considered the following:

- September 2018 Management Accounts
- October 2018 Management Accounts (tabled)
- Q3 Outturn
- Q3 Unit Costs
- Practitioner Appeal Fees 2019
- CCF Dissolution
- September 2018 CILEx Group Results
- Finance Committee – Business Case Template
- Group Services
- CRM

Discussion is minuted confidentially.

DECISIONS:

- To receive Management Accounts to September 2018;
- To receive the Quarter Four Final Reforecast;
- To receive the third quarter 2018 unit costings;
- To approve the Practitioner Appeal fees for 2019;
- To note the CCF dissolution update;
- To receive the Group results to September 2018;
- To receive the Finance Committee Update;
- To receive the CRM update.

12 CEO Report

CEO, Helen Whiteman updated the Board on key work streams and stakeholder engagement.

Industrial Strategy Next Generation Services: The consortium bid with University of Birmingham for funds from the Industrial strategy fund had been

unsuccessful. However, CILEx Regulation had provided a letter of support for a further bidding opportunity through the same fund, although on a smaller scale. Further information on the outcome of the bid was awaited.

CILEx: CILEx Regulation had provided feedback to CILEx on their proposed changes to their Byelaws. These had now been submitted to Privy Council for approval.

Events: CILEx Regulation and CILEx were joint hosting a table at the Legal Diversity Awards on 21 November.

Staff Training: A staff workshop on the business plan and values would take place on 26 November.

DECISION:

- To receive the CEO's report.

13 Marketing Update

Vicky Purtill, Director of Authorisation and Supervision, updated Board members on progress in relation to applications for entity and practice rights, following the marketing analysis provided at the September Board meeting. Discussion is minuted confidentially.

DECISION:

- To receive the marketing update and endorse the approach.

14 Enforcement Handbook

The Board reviewed the proposed changes to the Investigation Disciplinary and Appeals Rules ("IDAR") Handbook, now called the Enforcement Handbook. The paper represented changes already approved by Board and the LSB on enforcement rules in October 2016.

The Enforcement Handbook and annexes would be published on the CILEx Regulation website.

DECISION:

- To approve the revised Enforcement Handbook and annexes.

15 Board Forward Plan

The Board considered its Forward Plan of items of business and 2019 meeting dates.

DECISION:

- To agree the Forward Plan.

16 AOB

Regulatory Framework Review: CILEx Regulation would be responding to the questions in Stephen Mayson's papers on the regulatory framework for legal services. The executive had met with Stephen Mayson and would be responding formally by the deadline. The Chair would meet with Stephen Mayson and the CILEx Group Board Chair in December and report back to the Board.

**SAM YOUNGER
CHAIRMAN**

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