

CLC Council Meeting

**Minutes of the Council Meeting held on Thursday 30th October 2014
At CLC Offices, Chelmsford at 1200hrs**

Council Present:

Ms A Bradley	Chair
Ms H Foster	
Mr J Jones	
Mr G Kidd	
Ms T Perchard	
Ms A Pierce	
Mr A Clark	
Ms J Smith	

CLC in Attendance:

Ms S Kumar	Chief Executive
Mr S Blandy	Director of Policy and Standards
Mr S Ward	Director of Communications
Mr S Faraway	Interim Director of Finance
Ms C Richardson	Education Project Manager (for item 6 only)
Ms V Swan	Policy Advisor (for items 7, 8)
Ms S Thomson	Head of Executive Office – minute taker

1. Apologies for Absence

There were apologies for absence from Mr R Gurney.

2. Minutes of the Meeting held on 24 July 2014

The Council **APPROVED** the minutes of the meeting held on the 24 July 2014 as being a true record.

3. Matters Arising including records of discussion from outside Council Meetings

The chair welcomed members to the board meeting and introduced Sue Thomson, the new Head of Executive Office.

The Executive to look at organising a staff event involving Council members around the next Council meeting.

Action 1: Head of Executive Office to take forward and report progress in CEO December Council Report.

The matters arising were noted and approved.

4. Progress report on action points

The Action points of the last meeting were noted and approved.

5. Declaration of Interest

There were no declarations of interest.

Strategy and Policy

6. Developing a new Qualification Framework

In July 2014 Council approved, in principle, the establishment of a Voluntary Register for conveyancing technicians. A task and finish group has started to think about how that registration process would work and timescales for implementation.

There was a brief discussion on the paper which set out initial thinking about what registration might look like and what the timescales were for implementation.

Decision: Council asked the Executive to take this issue forward as approval had already been given, and should include working up a Q&A paper, and work out operational details including a narrative about benefits of registering.

Action 2: Task and Finish group to discuss operational details for implementing the voluntary register for technicians once Executive have completed the actions required.

7. Publication of information regarding Scheduled Disciplinary Hearings

Council approved revisions to the CLC Publication Policy at a previous meeting and at its July 2014 meeting Council approved publication of Adjudication Panel formal determinations but asked for further consideration on whether to name the respondent and nature of the allegations made against them.

Council considered the different approaches and risks were considered.

Decision: The Council approved the recommendation that CLC names the individual or firms subject to disciplinary determinations, as a matter of course unless there is a compelling reason not to, prior to the actual disciplinary hearing. A communication and Q&A should be sent out to licensees informing them of the change in policy before the next adjudication panel takes place – setting timescales for implementation.

Action 3: Director of Communications to ensure appropriate communications are in place before web page goes live.

Regulatory

8. CLC Self-Assessment Update

LSB have requested a formal update to enable them to sign off Approved Regulators' (AR's) 2012 self-assessments and commitments and Council is asked to consider update and approve for submission and to consider whether to publish this update on our website.

Council discussed the options for publishing or not – LSB will publish a summary of update. CLC had not published previous versions of the document

Decision: Council took a decision not to publish this as we had not published the original assessment on which this was an update. The Director of External Relations should look at ways of getting the good news story included in the self-assessment across to licensees and stakeholders. Council approved the Self-Assessment submission to LSB. Agreed that we would publish the next full self assessment and any updates to it.

Action 4: Self-Assessment to be finalised and sent to LSB by VS - Director of External Relations to weave good news story into external communications.

9. CLC Interventions and Watch list

Council was asked to note the up-to-date position on which practices we have intervened in, and which are on the CLC watchlist.

Decision: Council confirmed that they were happy with the new format of the paper but asked that future paper flags up clearly any ticking bomb issues, and also asked that high risk cases, long standing cases and exceptions be flagged up clearly to show current status, including how long firms have been on the watchlist register.

Action 5: Simon Blandy to revise format of paper for next submission to Council.

10. Review of CLC Compensation Fund Arrangements

Exemptions E and F apply to this item

11. Review of CLC Regulatory Fee Structure

Council agreed at its June 2014 meeting to review the way CLC determined its fee charging structure.

The Council confirmed they would not apply a risk based approach to fee structure setting at this time and agreed the principles that would underpin the review process.

Decision: Council agreed that principles including rationale for not using risk based approach should be built into narrative that will accompany consultation document.

Action 7: Director of External Relations to build risk issue into narrative that will accompany consultation documents.

Business Planning

12. Chief Executive's Report

The CEO report was noted by Council.

The CEO updated the Board on live issues since report was finalised:

CRM

No resale arrangements from bankrupt company – another company have been temporarily commissioned to ensure licence renewals are kept on track. Bulk of licences will be issued by end of next week. Weekly webinars were being held to help licensees through the new renewal process.

Apprenticeships

SK updated on CLC work undertaken with Universities and training providers. Employers are supportive of CLC route generally.

Council noted that Executive should monitor timeline closely going forward as it is apparent from the CEO report that the timelines for delivery are tight.

Archiving

SK confirmed project on track, and random sampling was proving effective and successful.

The project is now half way through and on budget target, which includes provision for 4 temporary staff to carry out archiving.

Action 8: The business case for the project as a whole is due to come back to Council on 4 December.

13. Business Plan Objectives, supporting activities, measures and Resourcing 2015

A draft business plan for 15/16 setting out BP objectives and supporting activities was submitted to Council for review and comment – which could be used in preparing next version of the document for the December meeting.

Although the risk register was not for primary review at this meeting, it was submitted as part of the background information to the business plan. Council

would like to see a simplified but targeted more accessible risk reporting going forward clearly identifying trends and movements as well as any particular issues.

Decision: Specific areas to be considered for revised paper for December meeting:

- Council acknowledged the good work done so far on the proposals but clearer financial papers were required to make informed decisions;
- Highlight workstreams that would be done within existing resources for 2015, and what additional expenditure will be required for workstreams that are not business as usual – better story to be told on additional work
- Include list of workstreams that could legitimately come out of current reserves
- Proposals light on business as usual regulatory activity
- Vfm/cost benefits realisation to be built in
- Marketing and Communication Plan to be prepared to tie into business planning

Action 9: Executive to build in Council comments into next version of plan.

Action 9 revised risk report to be provided for next submission of the risk register

Financial Business

14. Executive report

A financial report, accounts and analysis of key measures for the period of 8 months to August 2014 were presented to Council to note the current position.

Council acknowledged the significant work that had been done to improve financial reporting. On the basis of those improvements this was now the time to look at how clearer financial reporting at the point of when Council make final decisions can be incorporated into the papers.

Decision: Council noted paper content and asked for some specific modifications. A Finance Task and Finish Group to be established to take this forward.

Action 10:

Follow up work to including:

- **Clarification of special projects and up to date reporting position – are we on target and budget**
- **Top line headlines to be worked into paper**

Task and Finish Group to meet to help shape revised reporting style which will

include preparing a performance pack of papers for reporting on:

- ***Finance***
- ***Risk***
- ***Operational performance***
- ***External relations update***

15. Forecast 2014 and Budget 2015

Q2 Forecast for 2014 was re-submitted to Council, which set out the special projects items which were agreed to go through P&L and come out of reserves at year end.

Decision: Council agreed the re-submitted forecast.

Action 11: Director of Finance to take into account for year-end:

- ***Show operation P&L account figures and separate out special projects***
- ***Executive to look into year-end special project figures and highlight intentional spends.***

Governance

16. Audit committee terms of reference

The revised Audit Committee Terms of Reference were submitted for approval.

Decision: Council approved revised terms of reference.

17. Application for Grants out of the Compensation Fund

The Council were asked to approve 3 separate grant claims on the CLC compensation fund monies.

Council discussed in detail the 3 separate grant applications.

Decision: Council approved each of the recommendations set out in the annexed papers.

Items for Noting

18. Audit Committee Chair Report and Minutes – 16th October

The Council noted the contents of the Audit Committee Chair's report to Council.

19. Remuneration Committee minutes of 21st August

The Remuneration Committee minutes of 21 August 2014 were noted.

20. Business Continuity Plan

A revised version of the CLC's Business Continuity Plan was presented to Council for noting. Further work was required on the Plan to make role specific and inclusion of deputies. Council members noted they were pleased to see an updated, near final, version of the plan.

Action 12: Plan to be finalised and operational by end November 2014.

The next Council meeting will be held on 4 December in London.

Signed by Chair Date: