

# ACL Council 25 January 2016



## Minutes

**Attending:** Sue Nash (SN) Chair, Iain Stark (IS) Chair Elect, Stephen Averill (SA) Treasurer, Jon Lord (JL – from item 7.3), David Cooper (DC), David Wright (DW), James Barrett (JB) Vice Chair, Robert Cook (RCK), Steve Davies

**Apologies:** Francis Kendall

**In Attendance:** Maurice Cheng (MC – from Item 7.3), Claire Green (CG), Diane Pattenden (DP), Kirsty Allison (KA)

Item	Action	By	When
1	<b>The meeting started at 0900</b> , with SN congratulating IS on his election, and welcoming him as Chair Elect to Council. SN also informed that Robert Connolly had stood down from Council, and thanked him on behalf of Council for his contribution over the past years.		
2	<b>Minutes of December 2015 Council</b> were accepted, with redactions of firms named. There was a discussion around the current form of the minutes, and agreement that these provided sufficient detail. It was agreed that a separate action list would be helpful. It was agreed that Council minutes should be approved by Council by email to speed up the process of posting these on the members' website.		
3	<b>Chair's report</b>		
3.1	SN expressed her approval that the recent election for Chair Elect had been competitive, as she was concerned that a single candidate election at present did not require a Personal Statement to be made to the members. She stated that she would have felt, in her personal experience of winning her Chairmanship as the sole candidate, there had been a requirement to make such a statement, and for a membership vote to have been taken. There were suggestions made around having a minimum positive response (eg 5% for a single candidate), or a process to nominate a second candidate if there were only one. IS advised that previous processes had included a vote for or against a single candidate. It was agreed that F&G Committee should review the election process and put their recommendations to Council.	IS	TBA
3.2	SN advised that the provisional launch date for the new website is 4 April. At a recent meeting with Kings Chambers it was agreed that DW will work with Kings on the knowledge hub part of the site. SD will work		

	on the member directory and with SN and DP on the rest of the site. SD/SN met recently to discuss other issues including user experience. SN also met with AH who will progress the Student page.	SN/DP/SD/DW/AH	Apr16
3.3	The website member directory is a key part of the site and members will be polled to define their areas of specialism. This information will feed into the directory of members. SN raised the question re offering an option to firms to have their logo against names to link to their company website. This was previously agreed as a chargeable option. If this goes ahead it is important to ensure that a disclaimer is put on each page of the directory to make it clear that the info has been provided by members.	SD	
3.4	Members need to be polled to sign up as mediators, arbitrators or assessors (SN had been asked to appoint costs assessors), and the current list of such members will be updated. There was a discussion around the criteria to be used, and the process for selection onto this panel. Policy Committee was asked to prepare a guidance paper on these issues.	DC	Mar16
3.5	Location of next meeting (March) will be in Manchester. SN may not be able to attend this, and JB will chair if this occurs.		
<b>4</b>	<b>Operations report</b>		
4.1	The London Conference programme is being progressed, and sponsors contacted shortly. The Manchester conference is confirmed for 28 October 2016.		
4.2	Membership renewals: A number of subscriptions are outstanding at this point, but DP expects the majority of these to be confirmed before end January. 23 members are not renewing, of which the majority are retiring, some are unwell or on maternity leave, and four are not renewing their practising certificate.		
4.3	A discussion was held around whether a condition of ACLT trainees entering the course is that they should be trainee members of the ACL, and agreement that this should be the case.		
4.4	There was a discussion around reinstating the Croner Business Advice line on a trial basis, which was agreed. DP to liaise with Neil Rose on relaunching the service through the journal.	DP	Mar16
<b>5</b>	<b>Student Council</b>		
5.1	It was confirmed by AH that the new Terms of Reference for Student Council had been approved in December Council, subject to the addition of the Nolan Principles. SN thanked AH for his work on shaping the new format for Student Council.		

5.2	SN asked that PR&M engage more with the Student Council PR&M members, and to copy PR&M minutes to AH	FK	Feb16
5.3	There was a Student Council budget now included within the main ACL group budget. AH to forward this to ACL Council for note	AH	Feb16
5.4	It had been previously suggested that Student Council should have a regular page in Cost Lawyer magazine. AH/KA to work with Neil Rose on this.	AH/KA	Mar16
<b>6</b>	<b>PR &amp; Membership report</b>		
6.1	SD gave a verbal report to Council.		
6.2	PR activity over 2015 shows the strongest year of coverage yet – 81 pieces of coverage (67 in 2014). SD to circulate Blackletter report to Council, and PR&M to publicise to membership.	SD/PR&M	Mar16
6.3	Conference questionnaire response rate low, Blackletter to explore methods to improve this, including use of app	PR&M	Apr16
6.4	The Round Table event over the last two years will have a format change, this year into an annual ACL Lecture. Format could include a Future Leaders' Conference with an ACL Lecture in the evening, provisionally timed June/July.	JB/SN	Mar16
6.5	Special Interest Groups: SN asked for ideas for further SIGs as well as the LAG. Something to be circulated thereafter to members	All	Mar16
6.6	Paul Seddon (Chair of LAG) is currently considering making a Freedom of Information (FOI) request to the LAA and has sought Council support. Council approved of supporting the FOI but considered this should be done as the LAG, with support from other liaison bodies. CG to discuss this with PS	CG	Feb16
<b>7</b>	<b>Policy</b>		
7.1	DC introduced the Policy Committee report.	CG	Mar16
7.2	Policy Committee to prepare a brief on the reform of the Civil Courts structure. (Briggs)	CG	Feb16
7.3	There was a lengthy discussion about the extension to the ProBono pilot that has been running for some time. There were concerns raised around the exposure that the ACL would have if the scheme was fully launched as an ACL programme, and it was pointed out that the Bar Council and Law Society supported probono through separate charitable organisations. While Council were in principle supportive of extending the probono offering, CG was tasked with exploring a range of models for doing so to minimise ACL exposure.	CG	Mar16

<b>8</b>	<b>Finance &amp; Governance</b>		
8.1	SA to review investment options for reserves and report back in March.	SA	Mar16
8.2	Delegated financial authorities: a paper on financial authority limits was discussed and approved, with the amendment that the limit for CEO approval of unbudgeted expenditure was to be set at £2,000.		
<b>9</b>	<b>Education</b>		
9.1	KA advised that the new ACLT Board structure has been rolled out. The Board is currently reviewing the skills set to see if there is a need for any other board members. Currently members are – Andrew McAulay (Chair), Master Jenny James, Phil Robotham and Matthew Smith. They are responsible for the operational oversight of ACLT. ACLT Board is responsible for delivering objectives as set by Council.		
9.2	ACLT are working on a CPD survey to go out to members, to help define CPD requirements for the future. KA advised that they are discussing with the VLE platform provider Micky and Mallory, the building of a payment gateway on the VLE. KA/DP to review issues around this as the main ACL site also has a payment gateway.	KA/DP	Feb16
9.3	KA advised that ACLT are in discussions with the CLSB around the issue of length of time taken for qualification as a costs lawyer.		
<b>10</b>	<b>CEO report</b>		
10.1	MC advised Council that the Executive have started to meet regularly to address improvements in admin protocols and review infrastructure issues.		
<b>11</b>	<b>Council transition</b>		
	Council debated the paper on an approach to smooth out the number of Council member positions open for election in any single year, and decided not to accept the proposed approach. A revised paper will be prepared for March Council; this would include consideration of whether the role of Treasurer should be a paid appointment, or even a lay appointment.  Additional consideration was given to the roles of Honorary President and Vice Presidents.	MC	Mar16
<b>12</b>	<b>Business Plan and Budget 2016</b>		
	MC introduced the proposed business plan and budget for 2016, for ACL and ACLT. He reminded Council that the business model that ACL Group has followed for the past few years has involved the running of ACL at a loss, while utilising the profits from ACLT to support the organisation and membership. The Group was also in the third year of planned investment in the new		

	<p>qualification and educational delivery platform (VLE), with breakeven being achieved in the fourth year.</p> <p>He referenced the draft financial results for 2015 as being a trading deficit of some £113k, which was some £28k loss more than budget, but this was accounted for by the Council decision to intervene in the Coventry case.</p> <p>Two key initiatives this year would be a members' Census, and a focus on closer ties with the Bar Council, Law Society and CILEx. IS also suggested that we try for inclusion in Chambers 500 to build access to CLs, which will be looked into.</p> <p>The business plan and budget were approved.</p>	PR&M	Mar16
<b>13</b>	<b>AOB</b>		
	<p>IS asked for clarification as to whether the Chair Elect was as yet a member of Council. While on the current byelaws the Vice Chair and Chair Elect were regarded as one and the same, the byelaws as they stand had not been updated since the reversal caused by the GM vote in October of the process of electing a Vice Chair as Chair Elect. It was agreed that the byelaws required revision as part of a future governance review.</p> <p>DC proposed that, for role clarification in the meantime, that IS was formally co-opted as a member of Council. This was agreed unanimously.</p>	F&G	TBA
<b>14</b>	<b>Date of next meeting: 1030, 11 March 2016 @ Hilton Manchester Deansgate</b>		