

Minutes of the ACL Council Meeting
held on 7 May 2020
 by Conference Call



Council members present: Claire Green, Chairman (CG), Francis Kendall, Vice Chairman (FK), Stephen Averill (SA), Derek Boyd (DB), David Cooper (DC), Kris Kilsby (KK), Jack Ridgway (JR), Adam Grant (AG), Natalie Swales (NS),

Also present: Diane Pattenden (DP), Head of Operations

The meeting started at 11am

Item	
1	Welcome and apologies
	CG welcomed all to the meeting and thanked KK for nominating himself for the position of council member.
2	Minutes of the council meeting held on 30 March 2020
	The draft minutes of the council meeting held on 30 March 2020 were approved without amendment.
3	Actions arising from the council meeting held on 30 March 2020
3.1	The list of actions arising from the minutes was discussed and updated.
3.2	CG suggested it may be helpful to members to add information on the website regarding secure conference calls. DC agreed to consider whether ACL should put together a list of providers of conference call facilities for members to refer to.
3.3	DB confirmed that student exams have been postponed to August.
4	ACL/ACLT structure and relationship
4.1	CG reported that she had a conference call recently with FK/NS/DB to discuss the structure of ACL/ACLT and their relationship.
4.2	A full discussion took place regarding the extent of ACLT’s autonomy, the reporting line and role of the Executive. DB referred to a paper he had presented to council in November and said that he felt a review of the structure of both companies was required. He then referred to a discussion document which the Executive had prepared as a starting point for consideration of a number of issues and suggested that a working party was set up to review the operation of and relationship between ACL and ACLT and specifically to agree parameters for ACLT to function with a degree of independence. DB said that his goal was to create a lasting framework. AG reminded council members that the directors of ACLT are CG and FK.
4.3	CG asked all council members for their views on the relationship between ACL and ACLT and a full discussion followed. It was agreed that SA, JR and KK would form a working party and that they should liaise with AG from a regulatory viewpoint, DP on an operational level and KA. FK said that he had a number of thoughts he would like to share with the working party. AG referred to a report prepared by the ACL accountant a number of years ago and

	suggested that the working party revisited it as part of the review. The report with findings and recommendations should be available to council members a week prior to the next council meeting for review and discussion at the meeting.
5	ACLT CPD Strategy
	DB said that the executive have done as much work as they can regarding CPD and that the focus should be on the students. Plans for CPD will therefore be on hold, pending the outcome of the working party.
6	Policy Report
6.1	AG confirmed that the information requested by SM recently was provided . CG asked that a copy of SM's report be circulated to council members.
6.2	AG advised that the MOU/Operations protocol has been endorsed by the CLSB Board and said that an application needs to be made to the LSB for permission to alter the current regulatory arrangements. The first draft of the application has been sent to the LSB for discussion with their IGR Team.
6.3	AG advised that compliance certificates need to be drafted to send to the LSB. AG asked if the wording recently emailed to council members and shown below was acceptable. <i>"ACL notes its role as the Approved Regulator of the Costs Lawyers' profession under the Legal Services Act 2007 and the Internal Governance Rules 2019. It further notes that to comply with its obligations under these Rules, it must separate its regulatory functions from any representative functions it may have. ACL thus delegates all regulatory activities to the CLSB. ACL resolves to maintain a regulatory role only to the extent that is reasonably necessary to be assured that the CLSB is discharging the regulatory functions in compliance with section 28 of the Legal Services Act 2007 or as otherwise required by law. ACL will however continue to fully exercise its representative function in the promotion of the interests of Costs Lawyers"</i>
6.4	DC proposed that the wording was accepted. JR seconded the proposal. All council members agreed.
6.4	CG referred to a consultation paper on the impact of covid 19 measures on the civil justice system. The deadline for responses is 15 May. DC said he felt that the consultation was seeking examples of experiences where the measures were working/not working and asked if it was therefore a question for members. CG said she felt ACL should be asking the membership for feedback and that there should be a council response. FK agreed and said the information would be useful to ACL. It was agreed to send out an email to members, directing them to the link to the consultation and seeking feedback. Depending on the feedback received ACL will put together a response by the deadline of 15 May.
6.5	AG advised council members of a meeting with the LSB in January regarding a potential overhaul of CPD . The LSB has called for evidence on ongoing competence but the questions are still unknown. DC agreed to check the current position and confirmed that the deadline is 26 June.
7	Operations Report
7.1	DP said that the venue was still on hold for the Manchester Conference. This will be reviewed at the next council meeting.
7.2	DP said that she is currently working with the bookkeeper on revised financial projections for 2020 and these will be available at the next council meeting.
8	Date of next council meeting
	The next council meeting will be held by conference call on 18 June

9	Any other business
	There being no further business the meeting ended at 12.20pm