

MINUTES

BOARD MEETING 29 SEPTEMBER 2021

Board: Sir Nicholas Green, Chair
Professor Nicholas Hopkins, Commissioner for Property, Family and Trust Law
Professor Sarah Green, Commissioner for Commercial and Common Law
Professor Penney Lewis, Commissioner for Criminal Law
Nicholas Paines QC, Commissioner for Public and Welsh Law
Phil Golding, Chief Executive
Matthew Jolley, Head of Legal Services
Joshua Rozenberg QC, Non-Executive Board Member
Baroness Deech, Non-Executive Board Member
Bronwen Maddox, Non-Executive Board Member

Attendees: Douglas Hall, Parliamentary Counsel
David Connolly, Team Manager
Laura Burgoyne, Team Manager
Henni Ouahes, Team Manager
Charmaine Hunte, Executive Assistant to the Chairman
Lucy Boughton, D&I Coordinator and Comms Assistant

Apologies: Manesh Mistry, Head of Corporate Services

Item 1: Approval of Board Meeting Minutes 28 July 2021

1.1 The minutes were approved.

Item 2: Matters Arising

1.2 None.

Item 3: Board engagement – appetite for a “meet the Board“

1.3 The Board agreed that it would welcome an opportunity to meet with all staff from the Law Commission. The idea would be for the three Non-Exec Board Members to talk about their role and interest in the Law Commission. A date is to be agreed.

Item 4: 14th Programme update

1.4 The Board was informed that the consultation has closed. There have been about 500 responses, with 200 unique responses, comparing favourably to the 13th programme. Increased engagement with large organisations has resulted in high quality submissions. As such, the process of analysing submissions and refining ideas will involve a significant amount of work over the coming months.

- 1.5 It was brought to the Board's attention that the deadline for the teams to conduct the analysis is 10 December, with Commissioners considering the Teams' recommendations on 12th January. The intention is still to seek the Lord Chancellor's approval for the Programme by the Summer of 2022.

Item 5: Pay deal

- 1.6 The Board was informed that the Union ballots voted in favour of the pay deal.
- 1.7 The impression from most staff is that the deal is, financially speaking, better than expected and has not adversely affected morale. However, it was questioned whether the lower starting salary will have an impact on the Law Commission's competitiveness in attracting talent. The gap between existing starting salary and the new pay deal is £1500. It is possible to offer high starting salaries in some circumstances, so it may be that the impact is minimal.
- 1.8 This led to a discussion on specialist pay. It was noted that there had been no discussion with the Commission about the removal of specialist pay. The MoJ has committed to a review of Specialist Grades and the Law Commission will have a chance to try to influence the future approach. The CEO would be talking to other ALBs who are also affected with a view to identifying common ground.

Item 6: Research Assistant recruitment – Situational Judgement Test

- 1.9 The Board was given an update on work to use a situational judgement test for the research assistant campaign. Interviews have been conducted with current research assistants. Work is now being taken on externally to create the tests.
- 1.10 It was explained that the hope is that the situational judgement test results will be used alongside sift results, although this may not be possible for the first year. It is hoped that combined approach of a new test, together with our current processes, will have a positive impact on the diversity of candidates who get through to interview stage.

Item 7: Law Commission Framework Document

- 1.11 The Board was asked for observations on the draft framework document. It was noted that the draft document is designed as a standard template for all ALBs, however, as a result it was not always suitable for the Commission. This was especially so because the previous Framework was a bespoke document produced for the Commission. The CEO had identified sections from the original Framework which he thought ought to be retained. He would feed this back to the MoJ. The Board approved this approach.

Item 8: Return to the office - verbal update

- 1.12 The Board was informed that an order has been placed for two meeting booths, which will provide extra meeting space in the office. The booths will be placed back-to-back so the doors can be kept open when not in use, to improve air quality.
- 1.13 There is pressure on meeting-room space for those who are going into the office. It was highlighted that the meeting room situation is a challenge – teams are in the office but cannot go into a meeting room together. However, this is not under our control, but that of the MoJ.
- 1.14 It was noted that there is no rush to implement the long-term future operating model. The CEO's view is that the current approach should be maintained until the New Year.

Thereafter, it may be that the Commission is in a position to move to a longer term approach.

Item 9: Bridging the Bar Internship feedback

- 1.15 The feedback from the Bridging the Bar internship was presented to the board. Board members approved of the internship and its success. The board did not object to running the internship annually. The issues of candidate selection were discussed. We will hold discussions with Bridging the Bar to find out more about their candidate selection criteria and how to move forward with this. We would prefer a focus on candidates from a lower socio-economic background.
- 1.16 The Board agreed that the Commission should also try to identify other groups to work with such as the Sutton trust, Crankstart, etc. Further discussions will be held on this.

Item 10: SMT Decisions

- 1.17 The Board noted SMT decisions made since the last Board meeting.
- 1.18 The Instagram takeover project was discussed. The Board was very supportive and the Chair asked whether there are other opportunities to engage more widely. A meeting with Commissioners would be arranged to discuss further.

Item 11: Board Report and Forward Look

- 1.19 Commissioners highlighted issues relevant to their individual projects.

Item 12: AOB

- 1.1 No items were raised under AOB.