

**MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY 8 JULY 2010
AT THE CHARTERED INSTITUTE OF PUBLIC RELATIONS
52-53 RUSSELL SQUARE, LONDON, WC1B 4HP.**

PRESENT: Miss Judith Gordon-Nichols (President), Mr David McGrady (Vice-President), Miss Susan Silver (Deputy Vice-President), Mr K Barrett, Miss G Birchnall, Mr M Bishop, Mr M Callan, Mr D Edwards, Mrs F Edwards, Mrs M French, Mr S Gowland, Mrs L Graham, Mr N Hanning, Mrs J Hughes, Mrs R Palmer, Mr R Ralph, Mr M Reeves and Mrs D Slow. **Action Points**

IN ATTENDANCE: Mrs D Burleigh (Chief Executive), Mrs S Bruty (Business Manager Journal), Mr J Burns (Head of Membership), Mr T Cole (Director of Group Finance & Resources (Retiring)), Mr K Cerski (Director of Group Finance & Resources), Mr N Inge (Managing Director of ILEX Tutorial College (ITC)), Mrs D McDonald (Head of Communications & Marketing), Mr A Middleton (ILEX Professional Standards Limited), Mrs J Pelling (Business Director of ILEX Tutorial College (ITC)), Miss H Simpson (Head of Corporate Affairs), Mr I Watson (Chief Executive of ILEX Professional Standards Limited) and Miss D Harris.

1 The President welcomed Mr Karl Cerski, Mr Andrew Middleton (on behalf of IPS) and Mrs Jenny Pelling to the meeting.

ITEM 1 APOLOGIES FOR ABSENCE

2 The following apologies were received:

Mr K McCarthy – work commitments;
Mr L Shaw – daughter’s graduation ceremony;
Mrs A Hollyer – work commitments;
Mr J Westwood – overseas on business.

3 The President informed the meeting that Mr Ralph would be late arriving due to travel problems.

4 On a proposal from Mr McGrady, seconded by Mrs Edwards, with 17 for, 0 against and 0 abstentions, Council approved the apologies tendered.

ITEM 2 MINUTES OF THE COUNCIL MEETING HELD ON 14 MAY 2010

5 On a proposal from Mr Hanning, seconded by Mrs Graham, with 14 for, 0 against and 3 abstentions, Council approved the minutes of the Council meeting held on 14 May 2010.

ITEM 3 PRESIDENT’S ANNOUNCEMENTS

6 The President gave an oral update on her recent engagements. These included attending: the London Legal Support Trust Walk; Isle of Man Branch events; Lecture and Dinner at Oxford; Gibraltar Branch events; President’s Luncheon; Bristol Law Society – Civil

Litigation Seminar; Legal Charities Garden Party; Symposium to discuss 'The Future of the Bar'; Newcastle Branch Ball; LawWorks Awards Ball 2010; meeting with Baroness Prashar; Buckingham Palace Garden Party; Bristol, Bath Surrounds Ball; launch of the York and North Yorkshire Branch; Law Society Summer Reception and the Bar Council Garden Party.

- 7 The President informed the meeting that visits to the Isle of Man and Gibraltar had proved very useful and worthwhile. The speakers at the Symposium were very interesting although she noted that not many junior members of the Bar were in attendance.

ITEM 4 MATTERS ARISING FROM THE MINUTES OF THE COUNCIL MEETING HELD ON 14 MAY 2010

Page 2, Item 13, Fees for Non-Practising Members; Dual Qualified Members; and Those on Maternity/Paternity Leave

- 8 The Chief Executive informed Council that at the moment, not a large number of members were taking up the offer. To publicise it, Mr Burns would be producing an article for the September issue of the Journal.

JB

Page 2, Item 15, Chief Executive's Report

- 9 The Chief Executive informed Council that she had not heard from Mr DeFriend.

Page 3, Item 12, Report on Legal Services Reform – Update

- 10 The Chief Executive informed Council that the levy, received from the Legal Services Board, had been paid on time.

Page 3, Item 16, Proposed Alterations to the Council Chamber

- 11 The Chief Executive informed Council that the alterations to the Council Chamber would take place during August.

Page 3, Item 18, Proposal by the Council for Licensed Conveyancers on Approved Regulator to Regulate Litigation and Advocacy

- 12 The Chief Executive informed Council that she had now circulated her response to the Regulatory Committee.

Page 3, Item 29, Any Other Business – Civil Justice Council Appointments

- 13 The Chief Executive informed Council that Mr Musgrove would be leaving in October.

ITEM 5 CHIEF EXECUTIVE'S REPORT

- 14 Council reviewed the Chief Executive's report annexed to the Agenda. The report was for monitoring and updated Council on

issues that had been dealt with since the last Council meeting. These included a meeting of the sub-group on Regulation of Governance (Gateways to the Professional project); January examination results; staff requirements and other activities.

15 The Chief Executive informed Council that no further correspondence had been received from the Royal Mail resolving the issue of January's examination results.

16 A confidential item followed.

17 Mr Ralph entered the meeting.

ITEM 6 REPORT AND FINANCIAL STATEMENTS FOR ILEX

18 Council was referred to the report annexed to the Agenda. The report and financial statements covered the five month period to May 2010.

19 Mr Cole informed Council that the position had improved and he duly guided Council through May's accounts. He drew Council's attention to the variances in income for ILEX Awards and ILEX Membership. As noted in May's Council minutes, the variances have reduced and in fact, ILEX Awards is £120,465 above budget. ILEX Membership is slightly below budget but it is anticipated this will be met by the end of the year. Mr Cole added that due to the cold weather at the beginning of the year, heating and lighting was over budget.

20 Mr Cole also informed Council that the alterations to the Council Chamber would be capital expenditure of approximately £30,000.

21 On a proposal from Mr Hanning, seconded by Mrs Slow, Council unanimously approved Karl Cerski on all Group bank mandates.

KC

ITEM 7 REPORT AND FINANCIAL STATEMENTS FOR ITC

22 Council was referred to the report annexed to the Agenda. The report and financial statements covered the five month period to May 2010.

23 Mr Cole guided Council through May's accounts. He drew Council's attention to the variance in income for ILEX Courses; this was £102,623 above budget.

24 Mr Cole informed Council that employees have been encouraged to join the pension scheme and several employees have taken up this offer. This has resulted in Pensions being over budget.

25 Mr Inge commented that a few factors will affect ITC next year; the increase in VAT, the spending cuts at the CPS/CJA and the employment of three fixed contract law support tutors.

ITEM 8	FINANCIAL STATEMENT FOR THE BENEVOLENT FUND	Action Points
26	Council was referred to the report annexed to the Agenda. The income and expenditure account covered the five month period to May 2010.	
27	Mr Cole informed Council that everything was proceeding normally and there was nothing new to add to his report.	
28	Mrs Hughes mentioned that May's Council minutes indicated that bank charges would no longer be imposed but £52.00 still appeared on the income and expenditure account. Mr Cole confirmed that in future, no further bank charges would be imposed.	
ITEM 9	REPORT FROM FINANCE PORTFOLIO HOLDER	
29	Council was referred to the report annexed to the Agenda. The report provided Council with a review of the Auditor's report. Mr Hanning informed Council that it identified relatively minor issues that needed to be addressed and unless Council had any questions, he had nothing further to add. No questions were raised.	
30	A confidential item followed.	
ITEM 10	REPORT ON LEGAL SERVICES REGULATION – UPDATE	
31	Council was referred to a paper annexed to the Agenda. The paper updated Council on developments since the last Council meeting held on 14 May 2010.	
32	The Chief Executive thanked Miss Simpson and Mr Ghataura for their assistance in preparing the paper. The Chief Executive had nothing further to add. Miss Simpson informed Council that a meeting with the Ministry of Justice was due to be held in 10 days time with reference to the impending JAC review.	
ITEM 11	REPORT FROM JGN AND NH ON PROPOSED REALIGNMENT OF CONSTITUENCIES	
33	Council was referred to a paper annexed to the Agenda. The paper provided Council with a review of the current arrangements for constituencies and co-opted Council members and possible revisions to it.	
34	The President informed Council that with its permission, this item would be deferred until September's Council meeting. She asked that if Council members had any questions or comments to make could they e-mail them to Miss Simpson by 30 July. She added that as questions or comments may be raised, the paper may be amended for September. Council agreed to defer this item.	JGN/NH

ITEM 12	'PARALEGALISM' REPORT	Action Points
35	Council was referred to a report annexed to the Agenda. The report informed Council of the continuing work on this issue, following the debate in Council on 14 May 2010.	
36	The Chief Executive said that the report was to provide Council with an update and to inform them of the current activities that were being undertaken. She added that on speaking with Skills for Justice, a pot of money was available for the legal sector. The Chief Executive referred the remainder of the item to Mrs McDonald.	
37	Mrs McDonald informed Council that she was taking forward the project to allow City & Guilds/ILEX students to access the 'MyILEX' part of the website. She informed Council that there was 1,300 students taking the paralegal courses and a further 2,470 students taking the legal secretaries courses however, City & Guilds felt that this project would be best suited to the paralegal students. Mrs McDonald felt 10-20% would take up the offer. It would be an added benefit to their course and it would provide a route for progression.	
38	Mrs McDonald informed Council that we would be able to use existing resources and it would not require any high-tech input. As the students would be on low incomes, the service would be free for a year and there was a possibility, as suggested by City & Guilds, that a reduced fee would apply for the second year.	
39	Mr Callan asked if it would attract 10-20% annually and whether it would be beneficial to our Charter application. Mrs McDonald replied that it would be unlikely to benefit the Charter application as it only relates to Fellows. Mr Ralph was concerned by the lack of direct contact between ILEX and City & Guilds students. The President replied that students register through their centres and therefore no student details are available. Mr Middleton commented that although there were benefits to paralegal students joining ILEX they would need to be aware that they would be subject to the IPS Code of Conduct. Mrs Edwards asked if it would be feasible to go to the City & Guilds trainers' event. Mrs McDonald replied it would.	
40	On a proposal from Mr Callan, seconded by Miss Silver, Council unanimously approved a one-year limited pilot amongst a selection of City & Guilds/ILEX centres.	DMcD
ITEM 13	PROPOSED GUIDELINES FOR THE USAGE OF BLOGS TO SUPPORT ILEX WORKING PARTIES, COMMITTEES AND FORUMS	
41	Council was referred to a paper annexed to the Agenda. The paper sought Council's approval for a set of Guidelines governing the use of private blogs, in support of any ILEX Working Party, Committee or Forum.	

- 42 Miss Simpson thanked Mr Hanning for producing the Appendices attached to the paper. She informed Council that three blogs had been set up for the Pro Bono Forum, Equality & Diversity Working Party and the Wales Forum; all were working well. Administrators were appointed to look after the blogs and they were Miss Robertson, Miss Simpson and Mrs Squires respectively. Both the Chief Executive and Mr Hanning suggested formal arrangements needed to be put in place. **Action Points**
- 43 Mrs Palmer asked whether a disclaimer was used. Miss Simpson replied it could be added. Mr Callan asked if the Administrator could tell someone that a particular item should not be there. Miss Simpson replied that the Administrator has the final say.
- 44 On a proposal from Miss Silver, seconded by Mrs Slow, with 17 for, 0 against and 1 abstention, Council reviewed and approved the Proposed Guidelines for the usage of Blogs at Appendix B.

ITEM 14 OUTSTANDING SUBSCRIPTIONS

- 45 Council was referred to a report annexed to the Agenda. The report provided Council with the number of members whose subscriptions are unpaid for the years 2009 and/or 2010 and to make resolutions required under the Articles to strike-off members or to suspend their rights and privileges. Figures for the members whose subscriptions are in arrears, as at 30 May 2010 are attached.
- 46 Mr Burns informed Council that the Articles require Council to strike-off members who have not paid their subscriptions. He added that the members in question do not receive any benefits. Mr Barrett asked if we were looking at the two year strike-off figures. Mr Burns replied we were looking at the 2009/2010 column. Mr Barrett asked if reminders were sent out to members. Mr Burns replied that three reminders are sent.

Resolution 1

- 47 On a proposal from Mr Hanning, seconded by Mrs Graham, Council unanimously approved that with effect from 30 May 2010 all Fellows whose fees are wholly or partly in arrears, and who have not made arrangements to pay the whole of their fees, shall not be entitled to receive notice of, or to attend or vote at, any general meeting, or to exercise or enjoy any other rights of membership or privileges accorded to them; and all Registered Persons whose fees are unpaid, and who have not made arrangements to pay them, shall cease to enjoy any rights or privileges accorded to them. **JB**

Resolution 2

- 48 On a proposal from Mrs French, seconded by Mr Callan, Council unanimously approved that subject to Resolution 3 below, all Fellows and Registered Persons who have failed to pay the whole or any part of any fee or other sum payable to ILEX, for a period of **JB**

12 months from the date on which it became due for payment, and who have not made arrangements to pay those fees shall cease to be Fellows or Registered Persons with effect from 30 May 2010.

Action Points

Resolution 3

JB

- 49 On a proposal from Mr Hanning, seconded by Mr Edwards, Council unanimously approved that Resolution 2 above shall not have effect in respect of any Fellow or Registered Person against whom a complaint or an allegation of misconduct has been made to the Institute or IPS, or against whom any proceedings have been begun by any disciplinary body established under Article 19.

ITEM 15 GMT REPORT – CHIEF EXECUTIVE OF ILEX PROFESSIONAL STANDARDS

- 50 Council was referred to a report annexed to the Agenda.
- 51 Mr Watson informed Council that the bulk of the work had been completed for conveyancing rights and there was very little additional work to do for litigation rights. Mr Watson added that an external resource had been identified who could produce the application for ILEX to become a licensing body.
- 52 Mr Bishop asked about the current situation with regard to litigation rights. Mr Watson responded by saying that the LSB had raised a few queries and asked if we wished to address them before formally submitting the application. The President said the Chair of the Bar Council was very positive an agreement would be reached with regard to the Quality Assurance of Advocacy standards.

ITEM 16 GMT REPORT – HEAD OF COMMUNICATIONS AND MARKETING

- 53 Council was referred to a report annexed to the Agenda.
- 54 Mrs McDonald informed Council that along with the Chief Executive and Mr Burns, she had had a meeting with the Institute of Leadership and Management (ILM) and there were possible benefits for members for example, training and joining the ILM. She added that locations for the forthcoming JAC Roadshows were being finalised.
- 55 Mr Hanning queried why the PR Officer temp was only on a six week contract. Mrs McDonald replied that the person in post had not worked in a press office before so the situation would be reviewed after six weeks.

ITEM 17 GMT REPORT – HEAD OF MEMBERSHIP

- 56 Council was referred to a report annexed to the Agenda.
- 57 Mr Burns informed Council that members were being encouraged to complete their 2009 CPD online. As he commented in his report, new members will be able to register online but he stressed

that this would not disadvantage employers.

Action Points

- 58 Mr Bishop asked what information he could take from the item on FE Colleges. Mr Burns replied that we were looking at the whole package ie from recruiting students through to ensuring they are supported during their studies. Mr Middleton asked how successful it was. Mr Burns replied that centres need to make a profit and ILEX was trying to help them recruit students. Mr Middleton commented that if it worked at City of Bristol College, the concept could work at other centres. The Chief Executive replied that a Working Party had been set up and it would be reporting back in September.

JB

ITEM 18 GMT REPORT – HEAD OF AWARDS

- 59 Council was referred to a report annexed to the Agenda.
- 60 The Chief Executive informed Council that as Mrs Hollyer was not present she was quite happy to take any questions and refer them to her. The Chief Executive did make the comment that for the past three years, the Awards team has been stretched and during this time, they had done a magnificent job. She commended the Awards team to Council.
- 61 Mr Middleton commented that during this period they had had to cope with regulation and they were doing a sterling job. Mr Barrett wondered whether they were short staffed and needed some support.

ITEM 19 GMT REPORT – HEAD OF CORPORATE AFFAIRS

- 62 Council was referred to a report annexed to the Agenda.
- 63 Miss Simpson informed Council that she was in the process of producing draft Customer Care standards and she would endeavour to have this document ready for September's Council meeting.
- 64 Miss Simpson also informed Council that she was working with Miss Robertson to present to the trustees of the Benevolent Fund a business and communications plan; this would entail having a corporate brand and stipulating the objectives to be achieved. To make it easy to donate to the Benevolent Fund online, a JustGiving account is being set up.
- 65 Mr Barrett asked if any s194 costs had been paid in. Mr Hanning replied they had and last year it was £20,000.

ITEM 20 GMT REPORT – DIRECTOR OF INTERNATIONAL DEVELOPMENT

- 66 The Chief Executive informed Council that as Mr Westwood was overseas on business she was quite happy to take any questions and refer them to him. The Chief Executive was pleased with the interest shown by the UKTI and she would arrange to meet them to

find out where they think ILEX should focus its energies.

Action Points

ITEM 21 GMT REPORT – MANAGING DIRECTOR OF ITC

67 Council was referred to a report annexed to the Agenda.

68 Mr Inge informed Council that three law support tutor posts had been advertised on a two year fixed term contract. He added that following Mrs Pelling's presentation, the employer prospectus would be sent to all Council members and if they wished, they could also receive the responses to the questionnaire.

ITEM 22 ANY OTHER BUSINESS

69 Mr Ralph asked if it would be possible to discuss some items on a bi-monthly basis. The President replied that this idea could be looked into.

70 Miss Birchnall asked if an outline of costs had been produced for ILEX to become a licensing authority. Mr Watson replied it had not but it would be produced for September's Council meeting.

ITEM 23 DATE OF NEXT MEETING

71 The date of the next Council meeting is scheduled for 24 September 2010 at Kempston Manor.

**JUDITH GORDON-NICHOLS
PRESIDENT**

**Approved by
MR DAVID McGRADY
PRESIDENT
24 SEPTEMBER 2010**