

## **Board Meeting 17**

**9am Monday 3 July 2017**

**Guernsey Registry, Market Building, Fountain Street, St Peter Port, GY1 3GX**

## **Minutes**

**Board of Jersey OFSO**

**Board of Guernsey OFSO**

### **Present:**

David Thomas (DT) in the chair  
John Curran (JC)  
Debbie Guillou (DG)  
John Mills (JM)

### **In attendance:**

Douglas Melville (DM), Principal Ombudsman and Chief Executive  
Sophie Watkins (SW), Manager of Administration and Stakeholder Management  
George Butler (GB), Financial Accountant for item 7 by telephone


### **Apologies:**

None

<b>1</b>	<b>Minutes of the last meeting</b> The board approved the minutes of the last meeting.	<b>Action</b>
<b>2</b>	<b>Guernsey States actions</b> The board noted: <ul style="list-style-type: none"> <li>Recent developments in pension regulation in Guernsey;</li> <li>The status of chair and board member reappointments;</li> <li>The communications protocol with CED;</li> <li>The request from officers for a list of legislative issues to be considered for revision (see item 9, below);</li> <li>The CIFO annual report 2016 is on the agenda for 6 September 2017 States Meeting.</li> </ul>	
<b>3</b>	<b>Jersey States actions</b> The board noted: <ul style="list-style-type: none"> <li>The status of chair and board member reappointments;</li> <li>The request from officers for a list of legislative issues to be considered for revision (see item 9, below);</li> </ul>	

	<ul style="list-style-type: none"> <li>▪ The CIFO annual report 2016 was presented by the Minister for EDD on 6 June 2017.</li> </ul>	
4	<p><b>Chief Executive's Report</b></p> <p>The board noted the Chief Executive's report and in particular:</p> <ul style="list-style-type: none"> <li>▪ The update on issues relating to CIFO's mandate;</li> <li>▪ the status of the Code of Practice for consumer lending;</li> <li>▪ current issues arising from case work that could affect the broader remit of CIFO;</li> <li>▪ the measures on quality control and assessment;</li> <li>▪ the approach regarding information security;</li> <li>▪ staff training and development;</li> <li>▪ the stakeholder meetings schedule, including the recent visit to Sark and presentation to the Sark Chief Pleas;</li> <li>▪ the media coverage of CIFO activities; and,</li> <li>▪ the board calendar of activities.</li> </ul> <p>The board noted the interim version of the Q2 quarterly complaint statistics and the amended presentation of out-of-mandate complaint reasons. [Due to the timing of the board meeting, the statistical report was in draft, rather than final form]. The board noted the efforts being made to improve timeliness in complaints handling and asked for more background to be provided on the reasons for the time taken on the 'aged' complaints i.e. those taking longer than 90 days from receipt of the documentation from the respondent.</p>	DM
5	<p><b>Finance</b></p> <p><b>CIFO Q1 and Q2 financial accounts and cashflow update</b></p> <p>The board noted the financial reports and that the annual low point in the reserves has been passed.</p> <p>This has highlighted that the reserves are adequate but in any event, the board wished to confirm its view that concerns about budgetary impact should not be used as a reason for not defending a legal challenge.</p>	
6	<p><b>CIFO consultations</b></p> <p>The board discussed the content of CIFO Discussion Paper 01: Funding Review and approved it for publication with certain amendments.</p> <p>The discussion paper will be followed by a consultation paper on the proposed funding model(s) taking into account discussion paper responses. As the discussion paper's response deadline will be early September, the consultation paper will be considered at the October board meeting for approval for publication.</p>	DM / SW/ GB

7	<p><b>2016 annual report</b></p> <p>The board noted:</p> <ul style="list-style-type: none"> <li>▪ The public meetings at 3pm 3 July 2017 at St James Concert &amp; Assembly Hall and at 9am 4 July 2017 at St Helier Town Hall;</li> <li>▪ the response to the annual report to date; and,</li> <li>▪ the additional briefings planned for States Members in each island.</li> </ul>	
8	<p><b>Publication of complaints data on a named provider basis</b></p> <p>The board noted the board paper and discussed the impact of the restricted information and disclosure provisions in the primary legislation on the planned publication of complaints data on a named FSP basis from 2018.</p> <p>Both OFSO Jersey and OFSO Guernsey primary legislation (article / section 22 in both Acts) enable CIFO to publish Ombudsman determinations and data relating to Ombudsman determinations on a FSP-named basis. However, data relating to any complaints other than those closed by Ombudsman determination cannot be published on a FSP-named basis under the current legislation.</p> <p>The board approved option 2 in the board paper, for CIFO to seek legislative change to enable publication of complaint-related statistical information on a FSP-named basis, irrespective of the stage of the CIFO process at which the complaint was closed.</p>	DM
9	<p><b>CIFO list of potential legislative amendments for consideration</b></p> <p>The board considered a board paper setting out a list of issues that have been identified where CIFO's mandate differs between Jersey and Guernsey or where issues have been identified that cause operational difficulty for CIFO. The board approved CIFO management to develop the list further for sharing with relevant officers at CED and EDD at the next quarterly meeting on 18 September 2017.</p>	DM / SW
10	<p><b>CIFO resourcing against complaint volumes</b></p> <p>The board considered the paper and approved the proposals to address case handler capacity by:</p> <ul style="list-style-type: none"> <li>• engaging a second administration officer specifically for complaints, handling complaint intake through to the mandate screen and providing frontline customer service;</li> <li>• engaging interns for case support and legal research;</li> <li>• focusing case handlers on core tasks due to the support provided above and focusing on their further development and management.</li> </ul>	DM/SW  DM/SW DM

11	<p><b>Declaration of interest</b></p> <p>The board noted the disclosure from John Mills in respect of a recent appointment, from 1 April 2017, as Independent Trustee Director, Royal Bank of Scotland International Employees' Pension Trustees Ltd.</p>	
	<p>Approved at board meeting 18 on 08 November 2017</p> <p></p> <p>Chairman</p>	