

Board Meeting 35

9.30am – 3:30pm Wednesday 26 January 2022

By videoconference

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

Alison Finn (AF), Manager, Finance and Administration

Ross Symes (RS), Manager, Complaints Resolution

Apologies:

1	<p>Approval of the Agenda</p> <p>Approved</p>
2	<p>Declaration of interests or potential conflict with respect to the agenda</p> <p>None</p>
3	<p>Minutes of the last meeting</p> <p>The board approved the minutes of the last meeting.</p>
4	<p>Previous Board decision made by email to note</p> <ul style="list-style-type: none"> ▪ Adoption of 2022 CIFO budget as approved by Guernsey CfED and Jersey Minister. ▪ Approval of levy scheme consultation CP 19 for publication.
5	<p>Board to note</p> <ul style="list-style-type: none"> ▪ Publication of Q3 2021 complaint statistics (9 November 2021)

	<ul style="list-style-type: none"> The Board noted the Board Calendar and agreed the dates for the next two 2022 meetings as 21st April and 27th July. The April meeting will be held in Jersey. The July meeting will be held in Guernsey.
6	<p>Chief Executive's Report</p> <p>The board noted the Chief Executive's report and in particular:</p> <ul style="list-style-type: none"> The proposed regulation of lending and credit in Jersey anticipated in 2022. CIFO's existing mandate in this area of business activity is also proposed to be clarified. A consultation was issued on 14 January 2022 setting out proposals including the creation of a Jersey Public Appointments Commission to oversee all appointments made by public authorities and with the ability for the States to extend the functions and powers in the future, though the scope is unclear. In the past, CIFO has communicated its status as being independent of the States and the GoJ.
6.2	<p>Complaint statistics</p> <p>The Board reviewed the Q4 operating statistics and welcomed the further reduction in the number of case files in inventory. The board received an update from management on the reasons behind the oldest case files still under review.</p> <p>The board agreed that withdrawn cases should only be reported as such if they were withdrawn by the complainant because they believed CIFO was not the best route for them to resolve their complaint. Complaints withdrawn due to the FSP making an offer to settle once the complaint is referred to CIFO will be recorded in future as settled by the FSP. The Q4 operating statistics were approved for publication.</p>
7	<p>Finance</p>
7.1	<p>CIFO Q4 2021 Financial accounts</p> <p>The board noted the Q4 Financial accounts.</p>
7.2	<p>Cashflow analysis Q4 and 2021 year-end</p> <p>The board noted the updated cash-flow forecast for 2022.</p>
7.3	<p>Draft 2021 Financial statements</p> <p>The board noted the draft financial statements and noted required amendments.</p> <p>Levy collection update</p>
7.4	<p>One Jersey levy remains unpaid. The JFSC have advised the same FSP is also in default for non-payment of the JFSC levy. AF has enquired what the JFSC process is at this stage and when the FSP's licence be revoked for non-payment of the JFSC levy. Once a response is received from the JFSC, petty debts proceedings will commence to collect the CIFO levy payable.</p>
7.5	<p>Audit update</p> <p>The audit visit took place the week of 17 January. It went to plan and no issues of concern were raised.</p>

8	Governance and Policy Issues
8.1	Update on board recruitment The board noted the recruitment panel's (chaired by JAC) recommended appointments and dates for finalisation by the legislatures on each island.
8.2	Induction plan for new board members It was agreed, subject to Covid restrictions, that the planned board induction would take place in Jersey on 2 nd and 3 rd of March.
8.3	CIFO Timeliness metrics
8.3a	CIFO Process stages and timeliness The updated infographic was noted.
8.3b	Process Stages and Timeliness – Quarterly Comparison The board noted the Process Stages and Timeliness – Quarterly Comparison provided by management. Following discussion of the options for data presentation, management was instructed to continue with the quarterly presentation as currently generated until otherwise directed by the Board.
8.4	General update – quality metrics (DM) The board advised that the metrics were prepared for management and that a cumulative summary should be presented to the board which would assist in generating questions and help in forming useful quality metrics to enhance the customer experience.
8.4.b	<ul style="list-style-type: none"> • Q4 Index of service complaints to Principal Ombudsman – Noted by the Board. No quality or customer service issues were indicated in this period. • Q4 Index of service complaints to Chair – None received in the period.
8.5	List of non-casework policies The policies will be updated and presented separately showing those approved by the Board and those approved by management. A revised list will be presented to the April meeting for final agreement on whether board or management should set and authorise/make changes to each of the listed policies.
8.6	Updated CIFO expenses policy The Board approved the minor changes proposed to the CIFO travel expenses policy.
8.7	Process for oversight of external ombudsman The Board noted the contractual and procedural safeguards in place to ensure appropriate quality control and oversight of external ombudsman decisions.

8.8	<p>Funding principles for extended pensions mandate in Jersey</p> <p>Draft pension legislation will introduce regulation to the pensions sector in Jersey sometime in 2022 or 2023, including occupational pensions. The board discussed the implications for CIFO's case handling capacity and ability to fund the related costs, including extraordinary outside costs for legal, consulting or actuarial expertise.</p>
8.9	<p>CIFO risk register and data protection</p> <p>Directors discussed and agreed further modifications to CIFO's risk register.</p>
8.10	<p>CIFO business recovery (BRP)</p> <p>Directors discussed and agreed further modifications to CIFO's business recovery plan.</p>
8.11	<p>CIFO Annual Report gap analysis v. JAO guidance and recommendations</p> <p>The board considered the JAO (Jersey Audit Office) report and recommendations for annual reports and agreed the inclusions for the 2021 CIFO Annual Report.</p>
9	<p>CIFO Consultations</p> <p>Consultation Paper 19 – 2022 Levy Schemes issued on 10 January 2022 (closes 10 February 2022) – Publication was noted.</p>
10	<p>Administration</p> <p>AF confirmed she would proceed with organising the travel and accommodation for the board induction session in March.</p>
11	<p>AOB – Farewell to John Curran</p> <p>The Chairman led the thanks from the Board and CIFO staff for John Curran's valuable service over the past 7 years. DT also thanked him for his contribution and input in the setting up of CIFO which JC played a full part in. He was an invaluable resource in relation to the operation of a pan-island entity.</p>
12	<p>In Camera – Nothing to discuss</p>
	<p>Approved at board meeting 36 on 21 April 2022</p> <p>Chairman</p>