

Board Meeting 39

9.00am – 12pm Thursday 26 January 2023

**Boardroom, Bucktrout House, Gletegny Esplanade
St Peter Port, Guernsey**

Minutes

Board of Jersey OFSO

Board of Guernsey OFSO

Present:

David Thomas (DT) in the chair
Antony Townsend (AT)
Debbie Guillou (DG)
John Mills (JM)
Rob Girard (RG)

In attendance:

Douglas Melville (DM), Principal Ombudsman and Chief Executive
Alison Finn (AF), Manager, Finance and Administration (by videoconference)
Ross Symes (RS), Manager, Complaints Resolution (by videoconference)
Jennifer Carnegie (JC), Strategic Consultant
Hayley North (HN), Board Member Designate

Apologies:

1

Approval of the Agenda

Approved

2

Declaration of interests or potential conflict with respect to the agenda

No interests or potential conflict with items on the agenda were declared.

3

Minutes of the last meeting

The board approved the minutes of the last meeting.

4

Previous board decisions by email to note

The board noted the following decisions made via email:

- Adoption of 2023 CIFO operating budget
- Approval of feedback on CP20 on case fee increases and consultation paper CP21 on quarterly case fee collection
- Approval of feedback on CP21 and publication of 2023 case fee schemes
- Approval of 2023 levy scheme consultation paper CP22

5	<p>Board to note</p> <p>The board noted:</p> <ul style="list-style-type: none"> • Publication of Q3 2022 complaint statistics (8 November 2022) • CIFO board calendar of activities – DT noted the scheduled meeting dates for 2023, there were no reported schedule conflicts.
6.1	<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 effort and preparation undertaken by RG and DM to support the budget approval by Guernsey CfED. • The issue of Channel Islands residents being unable to obtain credit cards. This had been reported by the Jersey Consumer Council as due to the fact there is no central electoral roll to enable credit checking agencies to verify applicant identities and check credit histories. RG advised it is also down to the providers’ uncertainty whether the UK CCA regulations can be enforced under Guernsey and Jersey law. • DG pointed out that the CEO report was very Jersey centric. DM advised there was no action on any Guernsey issues in the quarter. but the board recommended it be noted in future that there was nothing to report from a Guernsey standpoint. • The JFSC are issuing a “Dear CEO letter” to Jersey FSPs on market conduct issues including internal complaint handling. RG reports this has already been done in Guernsey, mainly around market conduct issues.
6.2	<p>Briefing on readiness plan for occupational pensions mandate</p> <p>The board commented on the recently issued Jersey Government consultation on the DRAFT FINANCIAL SERVICES OMBUDSMAN (AMENDMENT) (JERSEY) LAW.</p> <ul style="list-style-type: none"> • The proposed legislation would narrow the existing mandate for the current schemes in CIFO’s remit as non-Jersey tax exempt pension plans would be excluded. <p>DM and RS presented their readiness plan and timetable. Complaints are expected to be of a mainly administrative nature and, as the legislation is not retrospective, case inventory will gradually build up.</p> <p>Until CIFO have the numbers on providers it is difficult to finalise a funding model. The sum required and the levies to be set is to be determined by the board.</p> <p>The board indicated it was satisfied with the report and concluded that CIFO is well advanced in its preparations to implement the proposed mandate changes.</p>
6.3	<p>Stakeholder and hospitality registers</p> <p>The board noted the various registers presented to the meeting.</p>
7.	<p>Operations and case-related reports</p>
7.1	<p>Complaints resolution report</p> <p>The board noted that while the inventory was in a good place on total numbers, the age of some cases was not falling within the desired ranges set out in CIFO’s published Process Stages and Timeliness.</p>

7.2	<p>Quarterly complaint statistics</p> <p>DM explained the reason for the new statistics in 7.2b, which gave greater visibility of delays at earlier stages. He explained why there were some complaints over 250 days at the intake and assessment stage.</p>
7.3	<p>Timeliness Metrics</p> <p>The board noted the reports, there were no comments.</p>
7.4	<p>Update on 10 oldest case files</p> <p>The board noted the reports and commented that it was positive to see that 5 of the 10 oldest cases from the previous board meeting had closed and that closure of the remaining cases was moving forward.</p>
8.	<p>Finance</p>
8.1	<p>Q4 2022 Financial Accounts</p> <p>It was noted that an error in the formula was incorrectly calculating the total deficit in the board paper. management will amend and send the revised accounts to the board after the meeting.</p>
8.2	<p>Cashflow analysis Q4 2022</p> <p>It was noted that while the year-end cash balance was lower than forecast, CIFO had ended the year in a similar cash position to the beginning of the year. DG commented it would be useful to have the 2023 cashflow analysis presented at this meeting. AF agreed and advised that in future the January board packs would include the forecast for the coming year.</p>
8.3	<p>Draft 2022 Financial Statements</p> <p>The board complimented management on the timeliness of the preparation and highlighted some typos which had also been picked up by the auditor on their first review.</p>
8.4	<p>Levy collection update</p> <p>There remains one 2022 levy outstanding as mentioned at the previous meeting. Management is confident the funds will be received though it may take some time for the administrators to obtain the various permissions.</p> <p>The 2023 levy consultation is ongoing. The data has been received by the commissions with more non-bank licences than estimated when the levy was calculated. The board agreed that when the consultation is closed and the 2023 levy schemes are approved, the non-bank individual levy be reduced in line with the increase in numbers.</p> <p>AF advised that to aid with cashflow in February, it had been decided to raise the 2022 cash fees at the end of January, this would also avoid confusion as the first quarter of 2023 fees will be raised in April.</p>
8.5	<p>Audit update</p> <p>The audit final visit was undertaken the week commencing 16 January. No issues had come to light. A meeting is arranged with the audit manager and RG and AF on Monday 30 January for the audit manager to report on the audit so far and any other queries or findings. The file will then be passed for partner review.</p>

9	Governance and Policy
9.1	<p>Update on board appointments and induction</p> <p>The statutory one month allowed in Guernsey to recall the Board appointments has now passed so all appointments are now complete.</p>
9.2	<p>General update – quality metrics</p> <p>No service complaints to the Chairman or the Principal Ombudsman were received during Q4 2022.</p>
9.3	<p>Non-casework policies</p> <p>At the previous board meeting it was agreed that the various policies would be provided to the board to give them sufficient time to read and comment on them prior to this meeting so that they could be approved. The policies were circulated in advance of the meeting.</p> <p>In discussion it was felt the policies should be in the “voice” of the board to management rather in their current format which is management to staff. Board members were invited to send any further comments. The policies will re-revised and brought back to the board in April for approval.</p>
9.3a	<p>Revision to the staff leave policy</p> <p>A discussion took place around CIFO staff holiday leave entitlements. It was noted they were in line with market as shown in the benchmarking exercises undertaken mid-way through 2022. The board approved changes to be implemented by management as part of a broader revision to staff benefit entitlements.</p>
9.4	<p>Risk Management</p> <p>Various comments were received on the risk register and a revised version will be brought to the board at the April meeting.</p>
9.5	<p>2022 Annual Report</p> <p>Board members have been asked to send their comments on the proposed format and themes to AT.</p> <p>Suggested themes included:</p> <ul style="list-style-type: none"> • SARS issue • Future Focus <p>General comment was the report is overly long and as the website provides a lot of the information, the statistics and data tables could either be removed with a reference to the website or a separate data report be provided. JC commented the website was fantastic and also that an annual report could not be all things to all stakeholders.</p>
10	<p>Administration</p> <p>Nothing to discuss</p>
11	<p>AOB – Thanks were given to the outgoing board for their service, assistance to the new board members and to DT for his lead role in establishing CIFO.</p>

12	In Camera – Nothing to discuss
	Approved at board meeting 40 on 20 April 2023 Chair