

WATERWAYS OMBUDSMAN COMMITTEE
Minutes of the meeting held at
Canal & River Trust (the Trust) Office, The Toll House, Delamere Terrace, Little Venice
London, W2 6ND
on Monday 18 June 2018 at 10.00a.m.

Present:

Kevin Fitzgerald (KF)	Chair (Independent)
Steve Harriott (SH)	Independent Member
Jenny Murley (JM)	Independent Member
Janet Hogben (JH)	Canal & River Trust Representative (present by telephone)
Gill Eastwood (GE)	Canal & River Trust Representative

In attendance:

Andrew Walker (AW)	Ombudsman
Tom Deards (TD)	Canal & River Trust, Head of Legal & Governance Services
Yetunde Salami (YS)	Canal & River Trust, Assistant Company Secretary (minutes)
Redacted	Redacted

Action

1. Welcome & Apologies

There were no apologies. It was noted that notice of the meeting had been given to all members entitled to receive it.

KF welcomed TD and noted that in due course TD would replace GE as the Trust's representative on the Committee.

Declarations of interest

Gill Eastwood's interest as the Trust's Senior Governance Manager was noted.

Janet Hogben's interest was noted as a Canal & River Trust Representative and as a resident of a flat in a block of flats by Regent's Canal at Kings Cross.

No other interests were declared.

2. Minutes of the Meeting held on 26 March 2018

- 2.1 Members present noted and adopted the minutes of the meeting held on 26 March 2018 as an accurate record of the meeting.

3. Matters Arising

- 3.1 All matters arising were in hand or on the agenda.

- 3.2 *Redacted*

4. Recruitment Process and Timetable

- 4.1 JM informed members that she had decided to step down as a member of the Committee from February/March 2019. In view of this, members agreed that the recruitment advert should be amended to reflect the recruitment of two additional independent Committee members for 2019.

GE

GE talked through the report which asked the Committee to agree the process, job adverts and timetable for the upcoming recruitment of a Waterway Ombudsman and four Waterway Ombudsman Committee members in 2019 and 2020. GE highlighted in particular the proposed timetable for the recruitment exercise.

Members thanked GE for the extensive work carried out in the report.

- 4.2 In discussion members noted

- that there is a 3 month overlap between AW's departure and the start date of new Ombudsman to be recruited
- The interview dates had been agreed
- There is a partial plan in place for the next recruitment exercise in 2020

It was agreed that

- The advertisement for the recruitment should start a month earlier and go live first week in September 2018 to allow for the receipt of as many applications as possible.
- An individual person is preferred as the Ombudsman and not a company
- Draft Advert,
 - Page 3 – change “who is capable of working on a self-sufficient basis” to “who is capable of working on an autonomous or self-directed basis”.
 - Page 4 –
 - the word ‘against’ should be included between “complaints ... the Canal & River Trust”
 - the exact daily rate to be paid to the Ombudsman should be included in the advert, at £600 per day
 - reference to the need for the Ombudsman to be located in England and Wales should be deleted
 - delete reference to **redacted** and replace with ‘Canal & River Trust and member organisations’
 - Essential characteristic - the Ombudsman should be IT literate and able to maintain the Ombudsman website
- A candidate's guide to the inbox exercise should be included in the recruitment pack

TD

The Committee endorsed the overall approach and agreed the recruitment documents subject to the above amendments. GE would progress the amendments to the documents and TD would progress the recruitment with the Trust's HR department.

GE/TD

5. Revision of the Scheme Rules

- 5.1 GE presented the report which requested that Committee members discuss and agree amendments to the Scheme Rules, prompted by:
- Redacted adopting the scheme; and
 - The increase in the number of members of the Committee (from 5 to 6) planned from April 2019; and
 - A general tidy up of the Rules as it is around 3 years since they were last updated and approved.

- 5.2 Following an extensive discussion, members agreed the following amendments:
- All reference to Chairman should be changed to Chair
 - Paragraph 4 - quorum for meetings should be 4 except at meetings where decisions on appointing or removal of an Ombudsman or the amendment of the Rules of the Scheme when such quorum must include at least one member appointed by the Board of the Trust
 - Paragraph 8 – ‘of the Trust’s Group’ should be added to complete the last sentence
 - Paragraph 25 – ‘reference to the financial resources’ should be amended to read ‘reference to the turnover’
 - References to subsidiaries and redacted should be replaced with member organisations
 - The paragraph references should be amended to reflect the correct numbering of the Rules

- 5.3 It was noted that Paragraph 27 is in line with the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

TD informed members that the Trust is in the process of reviewing its Complaints Process and he agreed to present a report on this at the next meeting.

TD

The Committee agreed the revised Rules subject to amendments agreed at this meeting. GE to progress.

GE

Redacted

6 Report of the Waterways Ombudsman to the Committee

- 6.1 AW presented his report since the last Committee meeting on 26 March 2018 which was taken as read. Highlights noted included that as at 12 June 2018, two investigations had been closed, there is one open investigation and two open enquiries.

It was noted that AW would circulate drafts of both the Committee’s and his annual reports by email to all members by mid July 2018.

AW

- 6.2 *GDPR*: Members noted that GDPR applies to the Scheme. AW stated that the data protection area on the Ombudsman’s website had been updated with a short version of the Scheme’s policy statement on GDPR and compliance.

	Action
Following discussion, members confirmed their agreement to the GDPR statement as presented. It was agreed that	
• AW would check that there is no personal data on the Scheme's website or processed out the EEA	AW
• AW would post the comprehensive GDPR statement on the Ombudsman's website	AW
6.3 The rest of the report was noted.	
7. Update on Customer Service Tracking	
7.1 The report was noted.	
8. Financial Update	
8.1 The Committee noted the financial update.	
9. Redacted	
9.1 Redacted	
10. Any Other Business	
10.1 Committee members noted that this was GE's last meeting and thanked her for all the work done whilst she was on the Committee.	
11. Close of Meeting	
11.1 There being no further business, the Chair closed the meeting at 11:21 am	
12. Date of Next Meeting	
12.1 29 October 2018	

Chairman