

WATERWAYS OMBUDSMAN COMMITTEE
Meeting held at 10.00 a.m. on 16 February 2015 at
Canal & River Trust, The Toll House, Delamere Terrace, Little Venice
London, W2 6ND

Present:

Sir Jeffrey Jowell	Chairman
Lynne Berry	CRT Trustee
Jackie Lewis	CRT General Counsel
Steve Harriott	Independent Member
Kevin Fitzgerald	Independent Member
Jenny Murley	Independent Member

In attendance:

Andrew Walker	Ombudsman
Yetunde Salami	Assistant Company Secretary (minutes)

Action

1. Welcome & Apologies

Sir Jeffrey Jowell welcomed all members to the first meeting of the reconstituted Ombudsman Committee. All members present gave a short profile of themselves.

2. Alternative Dispute Resolution Directive

2.1 It was noted that Andrew Walker had commenced work on ensuring that the Scheme will qualify under the new Alternative Dispute Resolution (ADR) Directive although he expressed some concern about meeting the new 90 day limit for some of the more complex cases he deals with.

3. Report of the Waterways Ombudsman to the Committee

3.1 Andrew Walker presented the report for the two year period 1 April 2012 to 31 March 2014. AW stated that he dealt with six complex cases during the period adding that the legal requirement for continuous cruising has been a difficult area particularly on the Kennet and Avon.

3.2 Members discussed the format and contents of the report and felt that the format and design of future reports should be different and should include information on performance of the Ombudsman as well as information on fully, partially upheld and rejected cases. The report should also contain a statement on stakeholder involvement. It was noted that Andrew Walker was designing the Scheme's website which will go live on 1 April 2015. It is expected that the new site will allow for better user engagement and give a better clarity of the Scheme's activities.

Lynne Berry expressed the need for clarity around the type of cases that are eligible for consideration by the Ombudsman particularly as the Trust had other objectives that are not within its statutory functions. It was **agreed** that a report clarifying the position will be presented at the next Committee meeting.

JL

3.3 The Committee **approved** the Ombudsman Annual Report.

4 Draft Rules

4.1 Jackie Lewis presented the draft rules which members discussed and proposed amendments. JL to produce revised draft for the next Committee meeting.

4.2 It was noted that there was no need to give new members of the Committee a formal letter of appointment as there was no formal contract and that the engagement email sent to members by the Trust's Head of Governance was sufficient.

5. Composition of the Committee - User representatives

5.1 Jackie Lewis noted that the newly constituted Committee should consider whether user representatives should have a place on the Committee. She stated that members of the former British Waterways Advisory Forum had representatives on the old Committee, adding that the OA had raised the issue of non-membership of user representatives during the initial discussions on revalidation of the Scheme.

Members discussed and felt that a small Committee was preferred, and that other forms of engaging with users can be explored. However this point will be revisited if it became a requirement to include user representative in order to be a fully validated scheme.

6. Election of the Chairman

6.1 Jackie Lewis stated that in accordance with the Rules the current Chair is scheduled to step down by September 2015, thus there is the need to appoint a new Chair. It was felt that as this was the first meeting of the new independent members it was not appropriate to appoint a Chair at this meeting.

6.2 Members agreed that the candidates who want to stand for the election should send their CV and a short personal statement to Yetunde Salami by Friday for circulation to all members by email. Votes will be collated and results announced by email.

**ALL
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7 ANY OTHER BUSINESS

7.1 Jackie Lewis stated that the Trust had recently reviewed its continuous cruising enforcement procedure which may impact the work of the Ombudsman. Jackie Lewis stated that a report on the legal issues around continuous cruising this will be will be presented at the next Committee meeting.

JL

7.2 It was agreed that Andrew Walker will circulate useful information on the new ADR directive to members. The Chair stated that it will be helpful if new members are given information on policies or legislation that may impact on the work of the Ombudsman.

AW

7.3 *Date of Next meetings:*

Members agreed that the next meeting will be scheduled within a couple

of months after the new Chair is elected.

8 CLOSE OF MEETING

There being no further business, Sir Jeffrey Jowell closed the meeting at 12.15p.m

Chairman