

**WATERWAYS OMBUDSMAN COMMITTEE**  
**Minutes of the meeting held at**  
**Canal & River Trust, The Toll House, Delamere Terrace, Little Venice**  
**London, W2 6ND**  
**on Wednesday 8 April 2015 at 10.00 a.m.**

**Present:**

Steve Harriott	Chairman (Independent)
Tom Franklin	CRT Trustee
Jackie Lewis	CRT General Counsel
Kevin Fitzgerald	Independent Member
Jenny Murley	Independent Member

**In attendance:**

Andrew Walker	Ombudsman
Yetunde Salami	Assistant Company Secretary (minutes)

**Action**

**1. Welcome & Apologies**

The Chair welcomed all to the meeting, especially Tom Franklin to his first meeting. It was noted that Tom Franklin has replaced Lynne Berry as the Trustee representative on the Committee.

**2. Minutes of the Meeting held on 16 February 2015**

2.1 The minutes of the meeting held on 16 February 2015 were adopted.

**3. Matters Arising**

3.1 It was noted that most of the matters arising items are on the agenda.

3.2 *Minute 3.2* – it was noted that the Ombudsman has the right to cover all cases which have gone through the Trust's internal complaints process except those exempted in the Waterways Ombudsman Scheme Rules. The Ombudsman would deal with all eligible cases in accordance with these Rules. Any challenging case will be reported to the Committee.

**4 Report of the Waterways Ombudsman to the Committee**

4.1 Andrew Walker (AW) outlined highlights of his report explaining that the caseload had been consistent in the last two years. During the year, 66 enquiries and complaints which covered a wide spectrum of areas were received. A number of the cases had been time consuming, and currently there are 7 cases open from last year, 3 of which will be closed within the next two weeks.

4.2 AW gave various examples of the complaints received and stated that he had received very good cooperation from the Trust during the year.

In discussion members noted

- that although the Trust makes it clear that the internal complaint process must be followed before going to the Ombudsman, some people still complain directly to the Ombudsman.
- that some cases take longer, not due to inadequate resources, but because of the complexity of the cases as well as the time it takes to receive necessary information to finalise the report. AW stated that he would generally have no problem meeting the 90 day deadline as set in the Alternative Dispute Resolution (ADR) Directive.

AW informed members that the new website was almost ready and it is expected that it will go live on 1 May 2015. AW will send a link to the draft site to members for their comments.

AW

## 5. Draft Rules

5.1 JL explained that the amendments recommended at the last meeting had been adopted however she had made further amendments in line with the new Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

5.2 Members discussed the draft and some further amendments were suggested. It was agreed that JL would prepare a further draft incorporating these amendments and the redrafted Rules could be agreed by email.

JL

## 6. The impact of the new ADR for Consumer Disputes (Competent Authorities and Information) Regulations 2015

6.1 AW summarised the current position of the Ombudsman vis a vis the impact of the new ADR regulations. Members discussed and agreed that the Committee's focus for the next few months will be to achieve TSI certification if it is deemed to apply to this Scheme. It was noted that the TSI has not released any guidelines of the certification process. Andrew Walker will discuss the issues around certification at the next private ombudsman meeting.

AW

## 7. Report on Continuous Cruising – legal issues

7.1 JL presented a report to explain the concept of "continuous cruising". JL explained that the Ombudsman already deals with a number of complaints which deal with various issues around continuous cruising and there are likely to be more in the future.

- |          |  | <b>Action</b> |
|----------|--|---------------|
| <b>8</b> | <b>ANY OTHER BUSINESS</b>  |               |
| 8.1      | The Chairman agreed to write a thank you letter to Sir Jeffrey Jowell the former chair of the Committee.   | <b>SH</b>     |
| 8.2      | The draft Annual report will be presented at the next Committee meeting  | <b>AW</b>     |
| 8.3      | Date of Next meetings: It was agreed that Yetunde Salami should circulate possible dates for Committee meetings for the rest of year in July, September and late November. | <b>YS</b>     |
| <b>9</b> | <b>CLOSE OF MEETING</b>  |               |
|          | There being no further business, the Chair closed the meeting at 12.20p.m.   |               |

**Chairman**