

**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 29 October 2018 at 10:00 a.m.**

**Present:**

Kevin Fitzgerald (KF)	Chair (Independent)
Steve Harriott (SH)	Independent Member
Janet Hogben (JH)	Canal & River Trust Representative
Tom Deards (TD)	Canal & River Trust Representative

**Apologies**

Jenny Murley (JM)	Independent Member
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**In attendance:**

Andrew Walker (AW)	Ombudsman
Yetunde Salami (YS)	Canal & River Trust, Assistant Company Secretary (minutes)
Redacted	
Redacted	
Kathy Morgan (KM)	HR Manager (present for Recruitment Process Session only)

**Action**

**1. Welcome & Apologies**

Apologies noted as above. It was noted that notice of the meeting had been given to all members entitled to receive it.

KF welcomed all redacted to the meeting. KF talked through the agenda adding redacted the Recruitment item would be held before the other items on the agenda are discussed.

**2. Declarations of interest**

The register of interest was noted, and no other interests were declared.

**REDACTED**

**RECRUITMENT**

(KM joined the meeting by Skype.)

Members present introduced themselves and welcomed KM to the meeting. In his remarks KF noted that over 50 applications received for the Ombudsman role adding that the basic criteria for shortlisting was that the potential candidates must have ombudsman experience and that their applications were well written and clearly laid out. Unclear, poorly laid out applications were reasons for rejection and due to the large number of

candidates with ombudsman experience, candidates with similar/transferable skills were rejected.

The shortlisted candidates for the roles are

REDACTED

Members agreed to include redacted in the Ombudsman shortlist.

Declaration of interests – AW and KF declared that they know redacted and redacted respectively.

SH was concerned that a few of the candidates did not acknowledge the role as being part time which might have affected their decision to apply. KM was happy to contact shortlisted candidates to clarify this. Members read through the job advert and agreed that the criteria to be used in today's final shortlist exercise would be: academic background, level and length of relevant experience, dispute resolution skills, outward communications skills and identification that it's a part time role.

KM

Following extensive discussion, the Committee agreed that having met all the criteria; redacted would be invited for the interview scheduled for 23 November with a 9:00 am start. KM would contact them to confirm that they are still interested in the role, agree timing and offer them the opportunity to contact AW. It was noted that most of the candidates considered at the meeting were good, but they did not meet all the criteria. KM would give feedback to any rejected candidates after 23 November.

KM

In discussions regarding the Committee member role, it was agreed that the applicants should be given a chance to talk to KF after which two of them would be offered interview dates. If this is not successful, the opportunity would be offered to the applicants identified as good who applied for the Ombudsman role.

KM

The interview panel would be independent members only KF and SH and the Ombudsman. TD, KM and YS would set up the inbox exercise for the interview. Final selection for the Ombudsman would be held on 10 December 2018.  
(KM left the meeting).

YS

### 3. Minutes of the Meeting held on 18 June 2018

- 3.1 Members present noted and adopted the minutes of the meeting held on 18 June 2018 as an accurate record of the meeting.

### 4. Matters Arising

- 4.1 The actions report was noted and all matters arising were in hand or on the agenda.

- 4.2
- redacted
  - TD would arrange for KF and the new Ombudsman to attend the Trust's Council meeting in September 2019

TD

TD

<ul style="list-style-type: none"> <li>• TD to arrange for KF to meet with the Trust’s Chief Executive and an induction for the new Ombudsman</li> </ul>	<b>Action</b> <b>TD</b>
<b>5. Report of the Waterways Ombudsman to the Committee</b>	
<p>5.1 AW presented his report and the case summary sheet which gave an update on his work since the last Committee meeting on 18 June 2018 which was taken as read. Highlights noted included that as at 14 October 2018, four investigations had been closed two of which were complex, there are two open investigation and two open enquiries.</p>	
<p>AW talked through the report and sought the Committee’s opinion about a case where he felt he had no jurisdiction to investigate as there is a court order. In discussion Committee members agreed with AW’s view and agreed that he should seek independent opinion on one of the facts in the matter. AW felt that the Trust’s late response in one of the cases was not good enough and TD agreed to investigate it.</p>	<b>TD</b>
<p>5.2 The rest of the report was noted.</p>	
<b>6 Complaint Process</b>	
<p>6.1 TD stated that the Trust is currently reviewing its internal complaints process adding that the Exec team is scheduled to discuss this at its next meeting. A report would be presented at the next Committee meeting.</p>	<b>TD</b>
<p>TD talked through the current procedure and explained that the review would look into the period of time for complaints to be made, the persons who carries out the review and separation of legal complaints and maladministration.</p>	
<p>6.2 In discussion it was agreed that a complaint about any of the Trust’s policies does not fall within the Ombudsman’s jurisdiction.</p>	
<b>7. Financial &amp; Constitutional Update</b>	
<p>7.1 The Committee noted the financial update.</p>	
<p>7.2 TD informed members that the Trust’s Exec team was looking in to taking steps that would emphasise the independence of the Ombudsman Scheme. The proposal is to reconstitute the Scheme to show that it is independent and for this Committee to be in the forefront of activities e.g. the contract of services with the Ombudsman should be with the Committee and not the Trust. TD would bring a report to the next Committee meeting after the Trust’s Board is expected to have agreed the recommendations.</p>	<b>TD</b>
<p>7.3 Committee members welcomed this development as it would further demonstrate the independence of the Scheme.</p>	

**Action**

**8. Any Other Business**

- 8.1 JH suggested that the title of the Ombudsman should be gender neutral and KF agreed to discuss this with the new appointee. It was agreed that diversity and inclusivity data would be included in the new Ombudsman appointment announcement.

**KF**

**9. Close of Meeting**

- 9.1 There being no further business, the Chair closed the meeting at 1:25 pm.

**12. Date of Next Meeting**

- 12.1 25 March 2019

**Chairman**