
STATES OF JERSEY



OFFICE OF THE FINANCIAL OMBUDSMAN: APPOINTMENT OF BOARD MEMBER

Presented to the States on 11th January 2021
by the Minister for Economic Development, Tourism, Sport and Culture

STATES GREFFE

REPORT

Summary

The Office of the Financial Services Ombudsman (OFSO) provides an independent dispute resolution service for unresolved complaints involving financial services. This report notifies the States of the Minister for Economic Development, Tourism, Sport and Culture's intention to reappoint John Curran as a Board member of the OFSO. This is in line with the Minister's responsibilities under the Financial Services Ombudsman (Jersey) Law 2014 and subject to the States Assembly's approval of P.162/2020 [Draft Financial Services Ombudsman \(Board – Amendment\) \(Jersey\) Regulations 202-](#) .

Background

The Channel Islands Financial Ombudsman (CIFO) comprises the Office of the Financial Services Ombudsman (OFSO) in Jersey and in the Bailiwick of Guernsey. They operate as CIFO under an arrangement entered into by the Minister for Economic Development, Tourism, Sport and Culture (EDTSC) with the States of Guernsey under Article 6(1) of the Financial Services Ombudsman (Jersey) Law 2014 (the "2014 Law").

The CIFO's operation is overseen by the OFSO boards, appointed jointly by the Minister for EDTSC and the Guernsey Committee for Economic Development. CIFO acts as one entity, effectively with a single combined board of directors (the "Board") empowered through legislation in both Jersey and Guernsey. CIFO's operation is funded by industry through levies and case fees so that no taxpayer funding is required. CIFO's legislation in Jersey and Guernsey establishes the independence of the Financial Ombudsman and sets out the various requirements it must fulfil.

P.162/2020 proposes the draft Financial Services Ombudsman (Board – Amendment) (Jersey) Regulations 202- (the "draft Regulations"). The draft regulations make provision to allow, in exceptional circumstances, the re-appointment of a Board member for a period shorter than three years, subject to the agreement of the Chair of CIFO. This follows a request by the Chair of CIFO to extend the term of existing Board members by one year in order to ensure board continuity and appropriate succession planning.

The first such proposed re-appointment is John Curran, whose background is outlined below. This request has been supported by the Guernsey Committee for Economic Development, and Guernsey legislation being amended accordingly. This re-appointment would only be made should the States Assembly approve p.162/2020, failing which an alternative approach would be explored with the CIFO Board and States of Guernsey.

The CIFO Board operate a staggered approach to the appointment of new Board members, ensuring a degree of continuity of expertise. This seeks to ensure that only one Board member will be re-appointed or replaced each year. This re-appointment is a continuation of this approach, and the reason the re-appointment is only proposed for one year. This also ensures that the candidate would not exceed 9 years as a member of the board, in line with Appointments Commission guidelines.

Candidate

John Curran has been a member of the CIFO board since 2014. He is a member of the board of the Guernsey Competition & Regulatory Authority and of the Guernsey Data Protection Authority. He is also a non-voting member of the States of Guernsey Transport Licensing Authority. He was formerly: the chief executive of the Channel Islands Competition & Regulatory Authorities; Director General of the Office of Utility Regulation (Guernsey); and manager of the Operations Division of the Commission for Communications Regulation (Ireland). He previously held roles in the Irish Civil Service.

Financial and manpower implications

There are no financial and manpower implications for the States arising from the appointment.