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# STATES OF JERSEY



## CHANNEL ISLANDS FINANCIAL SERVICES OMBUDSMAN: BOARD APPOINTMENTS

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Presented to the States on 19th January 2022  
by the Minister for Economic Development, Tourism, Sport and Culture

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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, Sports and Culture's intention to re-appoint David Thomas as Chairman of the Board of OFSO and John Mills as Board member of OFSO. This is in line with the Minister's responsibilities under the Financial Services Ombudsman (Jersey) Law 2014 (the "Law").

### Background

The Channel Islands Ombudsman (CIFO) comprises the OFSO in Jersey and an office in the Bailiwick of Guernsey. They operate together 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 Law.

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.

Pursuant to article 2(6) of the Law, the Minister has power to re-appoint the current serving chair of OFSO with the term of his appointment being determined in advance. Pursuant to article 8A of the Law, the Minister has power by an instrument to re-appoint a board member for an additional period of a year if the Minister has agreed with the Chair of OFSO that exceptional circumstances render it impracticable to make an appointment for 3 years and the board member being re-appointed has not previously been re-appointed for one year under article 8A.

The Minister has received a request for the re-appointment of the current Chairman, David Thomas and board member John Mills both for a further term of one year. It has been agreed it is not possible for John Mills to be appointed for an additional 3-year term as this would be in breach of the maximum period permitted by the Law and by the Jersey Appointment Commission guidelines. He has not previously been re-appointed under the Minister's powers under article 8A. The purpose of both extensions is to enable an orderly succession plan for the Board, ensuring continuity of expertise and a controlled handover of the Chair's office.

Guernsey has already approved the extensions of office for both candidates.

### Candidates

**David Thomas** has been chair of OFSO since 2015. He is chair of South West Mutual Ltd (UK) and an adviser for Citizen's Advice (UK). He was formerly: a lawyer in

private practice and a member of the Council of the Law Society (England and Wales); Banking Ombudsman (UK); principal ombudsman with the Financial Ombudsman Service (UK); and a director of the Legal Ombudsman (England and Wales). He has advised on financial consumer protection in more than 30 countries.

**John Mills CBE** was formerly a senior civil servant in the UK and Jersey. More recently, he has held a number of non-executive appointments in the public and statutory sectors, including as a board member of the Jersey Financial Services Commission, vice-chair of the Port of London Authority and deputy chair of Ports of Jersey Ltd. Since 2017, he has been Jersey's first Charity Commissioner. He is a member of the board of both public sector pension funds in Jersey and is also an independent trustee of one of the UK's largest private sector schemes.

#### **Financial and manpower implications**

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