

### **Formal Note of Grant Review Meeting**

April 2014

RP explained that in the process of establishing appropriate governance for their ombudsman [redacted].

### **Informal notes from Grant Review Meetings**

April meeting:

Richard Parry- considering what needs to be put in place to support the waterways ombudsman. [redacted].

August meeting:

Richard Parry – [redacted]. Will put in place governance [redacted].

### **Email correspondence**

**From:** [Defra]

**Sent:** 30 March 2012 12:00

**To:** [DCLG]

**Cc:** [Defra]

**Subject:** RE: Ombudsman under CRT

[Name redacted]

I have checked with BW on the arrangements. The Canal & River Trust Board of Trustees has agreed in principle that there will continue to be an independent Ombudsman Scheme that largely reflects the existing scheme. The one change is that rather than the awards being accepting as binding outright, CRT will (in common with all other non-statutory Ombudsman Schemes) have a right to refuse to accept the award. This is necessary as under charity law as the Trustees have the ultimate duty to expend the resources of the charity in accordance with the requirements of charity law. In the very rare occasions (if any) where the Trustees are of the view that an award by the Ombudsman is wrong and would result in an inappropriate use of charitable funds they will be able refuse to accept the award. There is likely to be publicity sanctions in that event and the complainant will still have the right to revert to the courts.

I hope this helps.

[Name redacted]

**From:** [British Waterways]

**Sent:** 30 March 2012 11:23

**To:** [Defra]

**Cc:** [Defra, British Waterways]

**Subject:** RE:

[Name redacted]

The position is essentially the still the same as described in the public consultation 'New Era for the Waterways' (page 62). The CRT Board has agreed in principle that there will continue to be an independent Ombudsman Scheme that largely reflects the existing scheme. The one change is that rather than the awards being accepting as binding outright, CRT will (in common with all other non-statutory Ombudsman Schemes) have a right to refuse to accept the award.

This is necessary as under charity law as the Trustees have the ultimate duty to expend the resources of the charity in accordance with the requirements of charity law. In the very rare occasions (if any) where the Trustees are of the view that an award by the Ombudsman is wrong and would result in an inappropriate use of charitable funds they will be able refuse to accept the award. There is likely to be publicity sanctions in that event and the complainant will still have the right to revert to the courts.

Regards,

[Name redacted]

**From:** [British Waterways]  
**Sent:** 30 March 2012 09:21  
**To:** [Defra, British Waterways]  
**Cc:** [Defra]  
**Subject:** Re:

Hi [Name redacted]

Good question. And probably one for [Name redacted] (cc'd)

[Redacted]

British Waterways  
[contact details redacted]

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**From:** [Defra]  
**Sent:** Friday, March 30, 2012 09:14 AM  
**To:** [British Waterways]  
**Cc:** [Defra]  
**Subject:** FW:

[Name redacted]

Can you give us the latest line on how the Ombudsman will deal with complaints about CRT post vesting please.

Thanks.

[Name redacted]

**From:** [DCLG]

**Sent:** 29 March 2012 16:43

**To:** [Defra]

**Subject:**

[Name redacted]

We haven't spoken for a while so I hope you are still dealing with the waterways. I attach a ministerial correspondence case, which is primarily for us to respond too. However, I wonder if you can give me a line or two on the ombudsman. It's not clear what the MP is actually asking because the question is incomplete. I assume, however, she is asking whether the ombudsman will have jurisdiction when the transfer is complete. Happy to include anything you can provide in our response.

[Name redacted]

[attachment not saved in our records]

**From:** [British Waterways]

**Sent:** 05 August 2010 08:56

**To:** [Defra]

**Cc:** [Defra]

**Subject:** RE: BW move to the civil society - Waterways ombudsman

[Name redacted]

The existing scheme is contractual (there is no statutory requirement for BW to have an ombudsman and it is specifically excluded from the remit of the Parliamentary Ombudsman) and the new organisation can relatively easily set up a scheme in the shape of the current scheme.

[Redacted]

The view of current management and Board is that such a scheme is of benefit to BW and would be to the new organisation.

Regards,

[Name and contact details redacted]

**From:** [Defra]

**Sent:** 02 August 2010 16:04

**To:** [British Waterways]

**Cc:** [Defra]

**Subject:** BW move to the civil society - Waterways ombudsman

[Name redacted]

What will happen to the Waterways Ombudsman once BW move to the civil society?

[Name redacted]

*Head of Inland Waterways Sponsorship and Legislation*

[Contact details redacted]