

MINUTES OF A MEETING OF THE BOARD OF THE ISLE OF MAN OFFICE OF FAIR TRADING HELD ON 15TH AUGUST 2023 AT 9.30 AM IN THE REGULATION DIRECTORATE ROOM, THIE SLIEAU WHALLIAN, ST JOHNS		
	TO PUBLISH	ACTION
PRESENT	Mr J C Wannenburg MHK, Chairman Mr S G Peters, MHK, Vice-Chairman Mr M J Bathgate, Member Mr L Wong, Member Mr B Murphy, Member	
SUPPORTED BY	Ms V McLauchlan, Director of OFT Mr J R Peet, Head of OFT Mr N R Taylor, Secretary to the Board	
2023/07/01	NEW BOARD MEMBER AND DIRECTOR Mr Murphy was welcomed as a Lay Member and Ms McLauchlan welcomed as Director.	-
2023/07/02	CONFLICTS OF INTERESTS Members and officers considered agenda items in which they had interests or may have been conflicted. None were identified.	-
2023/07/03	MINUTES OF PREVIOUS MEETING HELD ON 30TH JUNE 2023 The Minutes of the meeting of 30 th June 2023 were reviewed, agreed, and signed by the Chairman as a true record of proceedings.	-
2023/07/04	MATTERS ARISING The Board Actions Update and Agenda Planner dated 8 th August 2023 was noted. <u>HOME IMPROVEMENT COMPLAINTS - 2023/06/10</u> The Head of OFT had made contact with the IOM Courts. The Board gave approval for the paper 2023/06/10 to be passed to the First Deemster for his consideration of an increase to the Small Claims upper limit.	JRP

	<p><u>RISK REGISTER - CONTINUITY PLAN - 2023/02/06</u></p> <p>DEFA was still reviewing its Plan. The proposed office move would impact an OFT plan.</p>	-
2023/07/05	<p>ISLE OF MAN ENERGY BILLING ISSUES</p> <p>There had been ongoing communication with the legal officer at the Attorney General's Chambers. Evidence was to continue to be collated in order for this to be reviewed.</p> <p>The Head of OFT was to speak to the CEO of the Communications and Utilities Regulatory Authority for an update on the Gas Regulation Bill. The CEO was to be invited to the next meeting to discuss this.</p> <p>The Head of OFT was to meet with Island Energy Managing Director.</p> <p>A further media release was to be drafted.</p>	JRP
2023/07/06	<p>OFT INDEPENDENCE</p> <p>The paper dated 8th August 2023 was considered. The letter from the DEFA Chief Officer dated 30th June 2023, which outlined proposals for actions to demonstrate independence of the OFT, was discussed. The principles of the proposals, which included budgetary, political, management, and administrative autonomy seemed reasonable. Whilst details would need to be discussed, at this stage issues identified to discuss and clarify included accommodation and support resources:</p> <ul style="list-style-type: none"> • The Old Foresty Office/Former Training Room provided adequate office space and storage was available. However a meeting room was required. • Adequate funding/provision of admin support and office expenses. <p>Members were to view the proposed accommodation following the meeting and the Secretary was to draft a response to DEFA for Board approval.</p>	NRT
2023/07/07	<p>OFT DELEGATIONS</p> <p>As the previous Interim Chief Officer had left, Members had agreed by email between meetings that the Board should use powers under 3(1) of the Statutory Boards Act 1987 to delegate functions to the Acting DEFA Chief Officer (Chief Executive), Jennifer Wheeler, in her role as Chief Officer and Accounting Officer of the OFT. This was as described in 5.4 of the DEFA/OFT Service Level Agreement dated 14th January 2019.</p>	-

2023/07/08	STAFFING AND SUCCESSION PLANNING The Assistant Trading Standards Officer had passed her exams and was now qualified. Congratulations were to be passed-on. The Senior Trading Standards Officer vacancy had been advertised. Whilst there were two vacancies represented on the staff chart, there was only sufficient funding to fill one of these. Consideration was being given as to how best to use the resource in terms of need for Competition and Markets Executive and Trainee Trading Standards Officer. Other considerations included potential support to DEFA in relation to animal feeds. The Head of the OFT was to produce a paper in due course on the ideal structure of the OFT, vacancies, succession planning and related issues.	JRP
2023/07/09	BUSINESS PLAN COMMITMENTS AND TARGETS UPDATE The paper dated 9th August 2023 comprising an update on targets was noted. It was noted that weights and measures equipment and standards required re-validation in October 2023.	-
2023/07/10	RISK REGISTER The paper dated 9th August 2023 was noted.	-
2023/07/11	FINANCIAL SUMMARY The paper dated 8th August 2023 was noted. Year-end figures were anticipated to be under budget. Financial independence from DEFA would impact budget.	-
2023/07/12	TRADING STANDARDS ENFORCEMENT UPDATE The paper dated 9th August 2023 was noted. The following was discussed: <ul style="list-style-type: none"> • Payment of Non Resident Traders Licences made by 3 traders initially operating at TT 2023 without licences. • Manx Grand Prix arrangements and changed timetable. 	-
2023/07/13	CONSUMER ADVICE & DEBT STATISTICS The papers dated 8th August 2023 was noted. A significant proportion of consumer advice contacts had been in connection with Isle of Man Energy billing.	

	<p>Debt client contacts continued to decrease. Considerable work had been done to promote the service through a variety of means.</p> <p>Consideration was to be given to a further media release, possibly in tandem with an Isle of Man Energy billing problems one. It was important to promote the value of the Debt Counselling Service and the OFT.</p>	JRP
2023/07/14	<p>FSOS STATISTICS</p> <p>The paper dated 19th July 2023 was noted. This showed a steady increase in numbers of new complaints received over the previous two years. A breakdown of complaint outcomes was discussed. This would be provided in the FSOS Annual Report, a draft of which was to be circulated in the near future.</p>	-
2023/07/15	<p>EQUALITY STATISTICS</p> <p>The paper dated 19th July 2023 was noted.</p>	-
2023/07/16	<p>ACCESS TO CASH SURVEY</p> <p>The consultation on Access to Cash was discussed. It was not deemed necessary to make a submission from the OFT.</p>	-
2023/07/18	<p>LAY MEMBERS' CORPORATE GOVERNANCE TRAINING</p> <p>Corporate Governance training for lay members was scheduled for 4th October 2023. These were to be held periodically for those who could not attend. Content should broadly duplicate the content of the Board Guidance Document.</p>	-
2023/07/18	<p>ANY OTHER URGENT BUSINESS</p> <p>There was no other business</p>	-
2023/07/19	<p>The meeting closed at 12:00</p> <p>Signed _____ J C Wannenburg MHK _____</p> <p>Dated _____ 20th September 2023 _____</p> <p>Chairman</p>	