

WG Call - MINUTE
Working Group for the Initial Complaint Review and Case Mediation Scheme
24 July 2014

Teleconference details:

Dial: **GRO**

Participant's code: **GRO**

FOR THE CHAIR ONLY: Dial: **GRO**
Code: **GRO**

Attendees

Sir Anthony Hooper (Chair)
Alan Bates (JFSA)
Ian Henderson (Second Sight)
Ron Warmington (Second Sight)
Chris Holyoak (Second Sight)
Belinda Crowe (Post Office)
Chris Aujard (Post Office)
Angela Van Den Bogerd (Post Office)
David Oliver (Post Office)
Andy Parsons (Bond Dickinson)

Apologies

Kay Linnell (JFSA)

Agenda

WG discussions

1. Second Sight productivity

Standing agenda items

2. Status of accepted applications awaiting a Case Questionnaire Response
3. New Questionnaire Responses
4. Priority cases
5. Bankruptcy cases
6. Post Office Investigation Progress
7. Cases with Second Sight to review PO investigation reports
8. Cases that Second Sight have reported on
9. Any other queries raised by Applicants / Advisors
10. Issues with resourcing / timings
11. AOB

WG discussions

1. SS productivity

The Working Group discussed SS's note on productivity. SS confirmed:

- producing three reports each week was achievable. Despite the fact that it had been less than three per week historically, they now have their processes in place and should speed up.
- completion of Part Two will free up capacity, and more time will be freed up when all CQRs have been submitted and assessed.
- that a projected end date of May 2015 was realistic provided PO reports continued to come through. PO confirmed that it would continue to keep the SS hopper topped up - there are currently 24 cases with Second Sight awaiting review.

JFSA expressed concern that the timescales suggested by SS would mean that the Scheme would not be completed by the election.

ACTION: SS to discuss how to speed up SS productivity with BC at the 'caseflow' meeting scheduled for 30 July. That discussion should cover possibilities of SS taking on additional resource. BC to report back to the WG on the next call.

Standing agenda items

2. Status of accepted applications awaiting a Case Questionnaire Response

Advisor	Number of cases with Advisor	Number of CQRs overdue	Status	Working Group Decision
Aver	16	0	Letter from Chair sent 20 June to set final deadlines – letter acknowledged by Bill Cleghorn.	Aver CQR submissions to be chased ahead of their deadline of 31 July.
Howe & Co	9	0	<ul style="list-style-type: none">• Letter from chair sent 18 July as agreed at last WG call.• M142 has changed advisor (to Howe & Co from James Cowper)	Howe & Co CQR submissions to be chased ahead of their deadline of 31 July.

ACTION: Secretariat to phone advisors to remind them of their upcoming deadlines and that Post Office will investigate on the information available if the deadlines are not met.

3. New Case Questionnaire Responses – none yet received from Second Sight

Case No.	Status
M004	Accepted by WG – deadline to be confirmed by AVDB.
M103	Accepted by WG (see below).
M138	Accepted by WG – deadline to be confirmed by AVDB.

M103 – this application appears to contain – on face value – an admission of theft. The WG agreed that PO should review the case and if produce a short, sharp report articulating that they have nothing further to add in light of the applicants admission, if this remains the case after review. Whilst not to be prioritised this case could possibly be cleared quickly.

4. Priority cases

Case No.	Status
M006	SS draft report completed 30 June, deadline for comments 25 July. Final CRR from SS due 1 August.
M052	SS due to produce draft CRR 25 July.
M073	CQR accepted by WG 26 June. Investigation on-going. PO Report due 24 July. AVDB to update.
M143	SS due to produce draft CRR 18 July. SS to update.

M073 – This case was accepted by the WG on 26 June. The case has progressed quickly and should be passed to Second Sight next week.

ACTION: AVDB to update on progress at the next WG call on 31 July.

M143 – SS confirmed that this report is nearly complete and will be uploaded to Huddle by 24/25 July.

5. Bankruptcy cases

Case No.	Status
M001	SS draft report completed 17 July.
M015	PO report passed to SS on 9 May. SS due to produce draft CRR 25 July.
M019	PO report passed to SS on 8 May. SS due to produce draft CRR 1 August.
M029	PO report passed to SS on 12 May. SS due to produce draft CRR 15 August.

Case No.	Status
M030	PO report passed to SS on 15 April. SS due to produce draft CRR 25 July.
M032	PO investigation on-going, report due on 7 August.
M036	PO investigation on-going, report due 7 August.
M069	PO investigation on-going, report due 25 September.
M081	CQR deadline 31 July. Applicant represented by Aver.
M089	PO investigation on-going, report due 21 August.
M100	PO investigation on-going, report due 23 July. Extension required please see agenda item 9.
M118	PO investigation on-going, report due 7 August.
M122	PO investigation on-going, report due 23 July. Extension required please see agenda item 9.
M128	CQR deadline 31 July. Applicant represented by Aver.
M150	CQR deadline 31 July. Applicant represented by Aver.

- **M015** – SS are working on the draft CRR. It appears that although the applicant applied for funding and the case appears on Aver's list as CQR received, Aver did not complete the CQR. When the draft CRR issues, if the applicant requires funding for an advisor to assist with commenting on the report, funding is already agreed.

6. Post Office Investigation Progress

Case No.	Status	Working Group Decision
M027	Investigation complete. Finalising report. Extension (1 st) to 21 August required.	Extension granted to 21 August.
M043	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M056	Investigation on-going. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M059	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M060	Investigation on-going. Extension (1 st) to 21 August required.	Extension granted to 21 August.

Case No.	Status	Working Group Decision
M063	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M071	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M073	Investigation complete. Finalising report. AVDB to update.	AVDB to update on 31 July.
M078	Investigation complete. Finalising report. Extension (1 st) to 21 August required.	Extension granted to 21 August.
M091	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M092	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M097	Investigation on-going. Extension (1 st) to 21 August required.	Extension granted to 21 August.
M100	Investigation on-going. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M101	Investigation on-going. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M108	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M115	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M122	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M133	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.
M135	Investigation complete. Finalising report. Extension (not 1 st) to 21 August required.	Extension granted to 21 August.

- The WG asked whether these cases would require further extensions past the 21 August. AVDB explained following the last face-to-face WG meeting she undertook a review of the pipeline and the way the investigation reports were being produced. She was now bringing in additional resource to draft reports.

- The WG agreed the extension requests and asked that cases are submitted ahead of the deadline where possible and that cases continue to be looked at on a first in, first out basis.
- **M130 and M131**- a father and son case, being investigated together - AVDB informed the WG that son had called yesterday and was very distressed. The father is suffering from health problems and AVDB suggested these cases were treated as priority.

ACTION: M130 and M130 to added to the 'priority' list.

7. Cases with SS to review PO Investigation Reports

i) Changes to SS scheduling

Case No.	Date passed to SS	SS planned scheduled delivery date	SS revised scheduled delivery date
M011	23 May	25 July	12 September

- SS explained that the applicant in M011 had asked for his case to be delayed whilst he was out of the country. The WG agreed the revised scheduled delivery date.
- SS confirmed that they would use the slot to produce a CRR for a different case.

ii) New scheduling to note

Case No.	Date passed to SS	SS planned scheduled delivery date
M005	16 July	5 September
M013	16 July	5 September
M042	16 July	5 September

iii) SS overdue cases – SS to update

Case No.	Date passed to SS	SS planned scheduled delivery date
M143	5 June	18 July - revised to 25 July (see item 4).

8. Cases that Second Sight have reported on

Case No.	SS Draft Report issued	Deadline for comments	SS Final Report completed/due	WG Decision	Sent to CEDR

M054	29 May	6 June	11 June	Not mediate	N/A
M076	6 June	17 June	20 June	To be discussed 31 July	-
M028	13 June	24 June	1 July	Mediate	15 July
M062	20 June	22 July	1 August	-	-
M006	30 June	25 July	1 August	-	-
M057	4 July	Extended to 22 July	1 August	-	-
M001	17 July				
M002	18 July				

Note from Secretariat - table added at request of WG to show cases mediated.

Cases mediated

Case No.	Date referred to CEDR	Date Mediated
M022	19 June	11 July
M127	19 June	10 July
M048	30 June	Resolved prior to mediation

- AP updated the WG that CEDR had consented to WG being informed of outcome (in terms of resolved/mot resolved). AP now awaiting consent of applicants/advisors. Mediation agreement being amended for future cases.

ACTION: AP to follow up with the applicants in M022 and M127.

- M0 57 - WG agreed Howe & Co extension request to 1 August (see doc. in Huddle) for response to Draft CRR

ACTION: Secretariat to notify Howe & Co.

9. Any other queries raised by Applicants / Advisors

- M142 has changed their advisor from James Cowper to Howe & Co. Howe & Co have now requested expenses. They have said:

'In view of the time constraints we have arranged to see Ms Latreille on Friday 25th July. As the post office in question is still run by Ms Latreille's partner it is not possible for them to travel to London for a meeting. I will have to travel to them, the cost of travelling to Taunton by train which is the nearest mainline station to them is £95.50. Please confirm that this travelling expense will be paid in addition to the fee of £1,500.00 + VAT'

The WG approved the request – but the WG expect Howe & Co to submit the CQR by deadline or this case will be passed to PO for investigation on the information available.

ACTION: Chair to write to Howe & Co as per above.

10. Issues with resourcing / timings

N/A

11. AOB

• Progress letters to applicants

A draft letter has been sent to the WG for comment. Comments required by CoP Friday.

ACTION: Secretariat to begin sending update letters to applicants, taking account of comments made by WG.

• Issue of Second Sight Part Two Briefing Report in relation to M001 and M002.

The WG discussed the next steps for Draft CRRs for M001 and M002. Both Draft CRRs reference Part Two, however it is not yet finalised. The question is whether to invite comments from the applicants before they receive Part Two (SS maintain the applicant does not need Part Two to comment on the Draft CRR but they will need it in advance of mediation).

The Chair asked PO to consider by next week whether the decision on whether to mediate either case is likely to be an issue and report back to the WG next week.

ACTION: PO to report on its view of mediation for M001 and M002 at the WG call on 31 July.

- SS raised concerns about delays if cases were held back pending Part Two as it may not be ready for a few weeks. The WG agreed that:
 - SS should produce Part Two as quickly as possible using the information it had available
 - If SS were awaiting information from PO it should say so in the report – not continue to delay
 - SS should circulate Part Two in draft even if some sections are not complete
 - SS and PO should meet next week to discuss the draft and any missing information.

**ACTIONS: SS to circulate Part Two in draft
SS and PO to meet to discuss the draft and outstanding information.**

- **Chair's Mediation Test** – PO received a copy of JFSA's submission overnight. PO will respond to JFSA and the Chair by CoP Tuesday 29 July. AB confirmed that his submission comprised two documents with comments embedded. The Chair will make his decision within a week.
- **Role of Working group in mediation decisions** – JFSA to submit this week (24 July) – PO then has two weeks to respond (by 7 August).

ACTION: PO to make its submissions to the Chair and JFSA by COP on 29 July.

- WG calls over the Summer – the WG agreed it would have a call next week (31 July) but as the Chair and CA are away there will then be no calls for three weeks unless there is a need. Otherwise matters will be dealt with by email and the Secretariat will continue to issue progress reports.