

First Report from Independent Compliance Panel Chairman Mr Jim Appleton

It is intended that the panel will consist initially of three members. Myself (a retired Senior Trading Standards Officer) as Chairman, Colin Parlett (Garage owner and Chairman of the Independent Garage Association) and Andrew Rees (a current Trading Standards Manager with Cheshire West Council). It may prove necessary to have a larger 'pool' of potential members to ensure that we always have a quorum of three people.

The panel has written terms of reference which are part of the NCS structure and governance policy.

The terms of reference for the panel are as follows:

- It ensures that the operation of the National Conciliation Service remains compliant with the scheme audited by CTSI.
- It reviews the processes and systems used by the National Conciliation Service and it carries out a spot audit of a sample of files settled by the National Conciliation Service since its last meeting
- It does not review live cases.
- It reviews the performance KPIs of the National Conciliation Service to ensure that these are in line with the requirements of the CTSI.
- The Service and Compliance Manager reports to the compliance panel.

Governance of the panel

In the event that the compliance panel has serious reservations about the resources being made available to the National Conciliation Service (whether financial or otherwise), the panel is empowered to report these facts to the chairman of the Audit Committee of the RMI board. Along with the committee chairman the Audit Committee comprises non-executive directors of the RMI board. To maintain the independence of the compliance panel, the Audit Committee does not have the power to subpoena the compliance panel for reports, nor to review the compliance panels' work nor to review or decide upon individual cases.

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Colin Parlett and I visited the NCS office in Rugby on 23 September 2016. We met Julian Mason who is the NCS Service and Compliance Manager, Madeleine Campbell - Barker who is the NCS Liaison Manager and Chris Thomas who is NCS Finance Director. This was by nature of an 'interim' meeting called at relatively short notice. Andrew Rees was unable to be present. The purpose of the meeting was for me to familiarise myself with the NCS systems in place in Rugby and these were very well explained by Julian Mason and Madeleine Campbell-Barker. In reality, Colin Parlett was already familiar with the process involved in handling ADR references made to the NCS. Chris Thomas pointed out that the RMI was committed to ensure that the NCS operated independently and to the highest standards and was prepared to provide the necessary resources to facilitate this.

I have examined in detail the case files of several closed disputes. There are identified as reference numbers 31964, 31992, 32066, 32110 and 32304. These were selected by me at random from the scheme control spreadsheet. I can confirm, that in all cases, I have formed the opinion that NCS has dealt with the disputes in an unbiased, fair, open and professional manner compliant with the requirements of the 2015 Regulations.

I found the process used to investigate and mediate between the trader and the consumer to be thorough and impartial and, although I found the NCS to be compliant with the regulatory requirements, I made a number of suggestions as to how the NCS may be able to further enhance the service they offer both traders and consumers.

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Jim Appleton

30 September 2016

A full copy of Mr Appleton's report is available on request