



Financial Services  
Ombudsman

Financial Services  
Ombudsman's Bureau

# Strategic Plan 2017

Presented to the Oireachtas under Section 57BU of the Central Bank and Financial Services Authority of Ireland Act, 2004

**Published by**

Financial Services Ombudsman  
Third Floor, Lincoln House, Lincoln Place, Dublin 2

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# 1

## Council's Approval and Chairperson's Foreword



Council has approved and presents here the current Strategic Plan of the Financial Services Ombudsman's Bureau. It reflects the highly focussed, internal ongoing process of change across the structures of delivery in complaint handling while, concurrently, an external environment of legislative change remains underway to bring finality to the integration of the Office of the Pensions Ombudsman and the Bureau.

Those who will have kept pace with our reporting will understand how these have been ongoing processes in a journey earnestly commenced last year and which continue to bring measured and managed reality to the three year Change Programme that the Council and Bureau outlined to you following the Independent Strategic Operational Review.

In my introduction to the Bureau's 2015 Annual Report I reflected how it is of the utmost importance that the integrated Office presents each consumer of the service with the most effective means of resolution for their dispute, in an independent, fair and transparent manner. It has been heartening and critical to the efforts of the Council, Ombudsman and Bureau that there is already a strong degree of positive response to the new mediation techniques adopted over this past year and which have brought such effective resolutions for both parties to the disputes taken through this process.

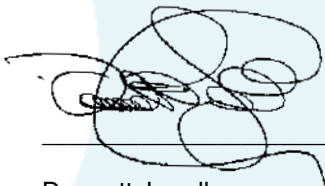
It will always remain important to note how resolution must be considered in the context of acknowledging the implications of the decision, and the manner in which it was achieved, upon those who must rely upon the Bureau's services.

The strategic approach is clear and transparent, but it remains to be within the reality that extensive powers remain available to the Ombudsman in the event that early-stage, direct interaction with minimum formality is not acknowledged to be the most suitable approach. I would consider that this ongoing pattern and programme of change is, in addition, facilitating a clearer understanding that such powers exist.

This strategy is concerned with building upon existing competencies and, where necessary and possible, enhancing and strengthening them to the benefit of those who must engage with the Bureau.

In that context, I should state again how the exceptional progress realised to date in reducing the number of complaints for investigation has been achieved through the determined, comprehensive and combined engagement of the Council, the Ombudsman, the Deputy Ombudsman and the entire Bureau staff.

It will be important that they, and all concerned in this strategic activity, are fully supported and facilitated in achieving their goal - the highest standards of dispute resolution possible.



**Dermott Jewell**

Chairperson - Financial Services Ombudsman Council

# 2

## Introduction by the Financial Services Ombudsman



The period covered by this Strategic Plan will be another exciting time of change and improved customer service as we move into year two of our ambitious three year Change Programme. During the implementation of this Strategy we will continue to place service users at the core of everything we do.

The Change Programme was devised following the completion of an independent Strategic and Operational Review into the operations of the Financial Services Ombudsman's Bureau and the Office of the Pensions Ombudsman. This Review was commissioned jointly by the Financial Services Ombudsman and the Pensions Ombudsman.

Arising out of the Recommendations of the Review, in February 2016 we introduced significant changes in how we manage complaints. As a result of these changes we now undertake considerably more direct interaction with both consumers and providers to deliver a faster, more efficient and effective service.

In 2017 we will continue to raise the bar on consumer protection and complaint handling through the use of mediation techniques and, where disputes are not resolved by agreement between the parties, through fair and impartial investigation and adjudication.

The key aim will be to continue to resolve disputes at an early stage and with the minimum necessary formality. When we introduced our new Dispute Resolution Service in February 2016 we set an ambitious target of resolving at least 60% of complaints using mediation techniques. I am very pleased to be able to report that within eight months of introducing the change we achieved this target. I am also happy to report high levels of satisfaction from those using this new service.

A structured survey of complainants who used the new Dispute Resolution Service has provided a positive endorsement of the effectiveness of the service. The results prove that the newly implemented processes are working well and that changes made have had a positive impact. The feedback shows us that we have built strong foundations on which we can continue to develop our service and improve how we interact with our stakeholders. Our strategy for 2017 seeks to build on that firm foundation as we continue to improve our service into the future.

Informal methods including mediation, by telephone, email and through meetings, have now been established as the first and preferred options for resolving complaints. This Strategic Plan builds on what has been achieved

and sets out our ambition of further consolidating and developing mediation and informal methods as the main method of resolving disputes.

Where these early interventions do not resolve disputes we will continue to use the extensive powers available to us, as they were intended, to redress the balance between consumers and financial service providers by investigating and adjudicating complaints in a fair, thorough and impartial manner.

Raising awareness of the services we provide is also a key element of this strategy. This will involve providing consumers and providers with the information that they need to resolve disputes at source.

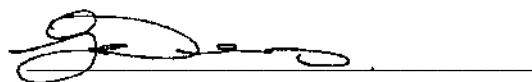
An on-going Staff Development Programme will ensure that our staff have the skills and competencies necessary to deliver the service in fast-changing consumer and financial services environments.

Strong progress has been made in 2016 on the transformation of our services. I want to thank the Financial Services Ombudsman Council for their support of this process. I also want to thank the Deputy Ombudsman, the Management Team and all the staff for their commitment and resilience in embracing and delivering the Change Management Programme with enthusiasm and professionalism.

I would also like to thank my staff in the Office of the Pensions Ombudsman for their support in my role as Pensions Ombudsman and their co-operation in preparation for the proposed merger of the Offices of the Financial Services Ombudsman and the Pensions Ombudsman which will be effected on enactment of the necessary legislation. This Strategy will be updated to support the merger as soon as the legislation is enacted.

Finally, I would like to thank all our stakeholders for their co-operation, support and assistance in the process.

I look forward to continuing to work with all concerned as we maintain the momentum and progress the implementation of this Strategy for the benefit of consumers generally and the users of our service in particular throughout 2017 and beyond.



**Ger Deering**  
Financial Services Ombudsman

# 3

## Overview of the Financial Services Ombudsman structure





### The Council

The Financial Services Ombudsman Council (the “Council”) is appointed by the Minister for Finance. The main functions of the Council as laid down in the Act are:

- To appoint the Ombudsman and Deputy Ombudsman;
- To prescribe guidelines under which the Ombudsman is to operate;
- To determine the levies and charges payable by financial service providers;
- To keep under review the efficiency and effectiveness of the Bureau and to advise the Minister on any matter relevant to the operation of the Bureau;
- To advise the Ombudsman on any matter on which the Ombudsman seeks advice;
- To approve the annual budgets and annual financial statements.

The Council has no role with respect to how the Financial Services Ombudsman deals with a particular complaint.

### The Ombudsman

The function of the Financial Services Ombudsman (the “Ombudsman”) is to deal with complaints made under the Central Bank and Financial Services Authority of Ireland Act, 2004 (the Act) by mediation, investigation, and adjudication.

The Ombudsman prepares the annual estimate of income for approval by the Council, the annual statement of accounts, the statement of internal financial control and the annual report. The Ombudsman prepares and publishes a summary of all complaints made and a review of trends and patterns for each year. The Ombudsman is responsible for the day-to-day management of the Bureau and the staff.

### The Bureau

The Bureau was established under the 2004 Act which provides for the independent and impartial resolution of disputes between consumers and financial service providers.

The Bureau is funded by levies on the financial service providers as prescribed by Council.

The Act sets out the scope and functions of the Bureau in the investigation of complaints by consumers and the accountability of the Bureau, both financial and administrative.

The Bureau also exercises functions arising out of Ireland’s obligations under EU legislation. The Bureau has an obligation under the co-operation network FIN-NET (the Cross-Border Out-of-Court Complaints Network for Financial Services) to ensure efficient exchange of information between European Ombudsmen and other comparable schemes. The Bureau is also a member of the INFO Network (International Network of Financial Services Ombudsmans’ Schemes).



# 4

## Our Mission Statement

## Our Mission Statement

To resolve disputes between consumers and financial service providers in a fair, timely and impartial manner and to contribute to enhancing the financial service environment for all consumers.

## Our Values

We will:

- Be fair to consumers and financial service providers;
- Be accessible and approachable;
- Be proportionate and consistent in our findings;
- Be open and communicative with all stakeholders;
- Value and develop our staff;
- Support the work of the Council.

## Our Environment

### We are demand-led

Since its formation, the FSOB has experienced significant organisational challenges driven primarily by changing consumer behaviours, fluctuating demand and resource requirements.

As the FSOB is part of a services industry, complaint volumes and demands on the service may fluctuate over time and can be strongly influenced by surges in contact as a result of systemic industry issues in the Banking and Insurance sectors or by changes in the economic environment.

### We are merging with the Office of the Pensions Ombudsman

Following a Government decision, it was announced in 2013 that the offices of the Pensions Ombudsman and the Financial Services Ombudsman would be amalgamated as part of a number of modifications aimed at strengthening the governance and regulation of the country's occupational pensions and to give consumers greater input into pension policy. Legislation will be required to give effect to this decision and this is likely to occur in 2017. In the meantime, our Ombudsman, Ger Deering, occupies both the role of Financial Services Ombudsman and Pensions Ombudsman with a separate staff in each office.

### We are re-focussing on dispute resolution

The planned amalgamation prompted a strategic and operational review of the two organisations, with a view to identifying and executing wide-ranging changes to both organisations before the merger.

Following this review, a high level implementation plan was prepared to outline the change programme over the course of the next three years. It is envisaged that the offices of the Financial Services Ombudsman and the Pension Ombudsman will undergo significant transformation and operational improvement as a result of this initiative. A key change will be to continue to focus the efforts of the FSO team towards dispute resolution using mediation techniques. It is planned that in 2017 the majority of cases will be closed by mediation and a minority will be closed by way of legally binding findings.

### We are aligning internal change with central policies and guidance

2017 anticipates a number of emerging codes of practice and guidance for state bodies such as the FSOB in the areas of business and financial reporting, customer service standards and risk management etc.. We will continue to adopt such guidance and any new policies as part of our wider change programme, as well as liaising with the Department of Finance as our parent department in matters of policy and governance.



# 5

## Strategic Objectives

## Strategic Objectives

In line with our mission statement, the core objectives of the FSOB are:

1. To operate an efficient, effective and fair dispute resolution process that mediates, investigates and adjudicates on consumer complaints.
2. To provide excellent customer service.
3. To raise awareness of our work among the public and our stakeholders and promote compliance by financial service providers with best practice in the provision of products and services.
4. To support and develop the skills and competencies of our staff in order to offer the best service to our users.
5. To support the Council in its work and liaise with the Central Bank of Ireland, the Department of Finance, Oireachtas Committees and other relevant bodies in order to improve the financial services market for consumers.

## Nature and Scope of Specific Initiatives for 2017

The decision to amalgamate the FSOB with the Office of the Pensions Ombudsman (the “OPO”) will require primary legislation, but in advance of this, the FSOB is committed to doing everything it can to make the amalgamation successful and has sought expert advice on how to handle the future transition. We are actively working with the Pensions Ombudsman’s office and the Department of Finance to ensure a smooth amalgamation and a successful change programme. As part of the strategic and operational review, four core work-streams of activities were identified as being influential to the successful implementation of the organisational change. The nature and scope of the four elements to our change plan are:

- **Change the way we work** – The activities involved in implementing best practice and setting up the structures that are needed to support the efficient operation of FSO and the delivery of quality services to service users.
- **Develop our people** – The resources and training needs required to develop a skilled and motivated workforce.
- **Improve awareness of what we do** – Supporting the needs of consumers and providers by increasing their understanding of consumers’ rights and good practices in complaints management and the role that the Ombudsman plays in resolving complaints. Also, raising the profile of the FSO with the public and key stakeholders.
- **Increase our strategic influence** – Leveraging our insights into consumer and provider behaviour to support other stakeholders to deliver their agendas and, where necessary, to drive strategic change in the financial services sector.

To effectively manage the required strategic, operational and procedural transformation and introduce an effective new service model for the FSOB and OPO, the change programme will be carried out on a phased basis over the course of three years.

The proposed changes give the FSOB and OPO an opportunity to change the way we deliver our services, while also supporting the needs of our people and responding to the rapidly changing financial services marketplace. The new service delivery model is designed to meet the needs of the diverse range of service users and to build an organisation fit to handle future challenges.

This strategic plan has been developed by focusing on the coming 12 months, but also bearing future years in mind. It will be reviewed regularly by the FSO management team to ensure its objectives and targets are met and that it is flexible and adaptable to emerging events. Where appropriate, modifications will be made. The implementation of the strategy will be formally reviewed by the Ombudsman and the Council.



# 6

## Targets and Criteria

## OBJECTIVE 1: To operate an efficient, effective and fair dispute resolution process that mediates, investigates and adjudicates on consumer complaints

Our core business is to deal with complaints from members of the public against regulated financial service providers. Complaints will be treated with the highest standard of customer service including courtesy, timeliness, confidentiality and impartiality and will be resolved fairly. We will seek to mediate, investigate and, where necessary, adjudicate all complaints equitably, with consistency and without delay.

### Key performance indicator 1.1 — Timeliness

To address complaints as promptly as possible to facilitate their effective resolution, having regard to the varying complexity of individual cases, which can have implications for individual timescales.

#### Critical Success Factors

##### *Initial Contact*

- A written response to explain our service will be issued to all submitted complaints within 3 working days and this will be followed by a telephone call to the complainant by a dedicated Dispute Resolution Services (DRS) team member.

##### *Mediation, Investigation and Adjudication*

The work rate for the processing of cases will aim to deal with all complaints in a timely manner and prevent the accumulation of a backlog of cases. The targets outlined below are based on our experience to date and are set against a backdrop of the FSOB acting in a period of transforming work practices and adapting to a changing environment.

- Following the first letter to the Complainant, the DRS team member will call the complainant within one week to explain the dispute resolution and mediation approach. DRS will liaise between both parties to the dispute in order to secure as early a resolution as possible;
- We will stay in close contact with all complainants to ensure they are kept updated on the progress of their complaint;
- Where it is deemed appropriate, parties to the dispute will be invited to engage in a face-to-face mediation meeting which will be held as soon as practicable for both parties, with a view to the meeting being held no later than 30 days from receipt of agreement from both parties;
- Where our attempts at early dispute resolution are unsuccessful, the complaint will be directed to formal investigation and adjudication, which we will endeavour to complete within 20 weeks of commencement of formal investigation;

### Key performance indicator 1.2 — Effective management of complaints

To maintain and develop an effective case management system.

#### Critical Success Factors

- Our electronic Case Management System is subject to continuous review and improvement to enable us track and monitor progress in dealing with complaints;
- We will endeavour to ensure adherence to time specifications for submissions by both complainants and financial service providers;
- We will communicate progress to complainants throughout the dispute resolution process, both by telephone, email and letter exchanges;
- We will review complaints targets/progress monthly in management meetings and on a 1-1 basis with staff members;
- We will review our processes regularly to increase efficiency and create extra capacity;
- We aim to resolve a minimum of 75% of complaints at an early stage using mediation techniques, with the minority (less than 25%) requiring a formal legally binding finding.

### Key performance indicator 1.3 — Make sound decisions

Make sound decisions on complaints that are consistent with the FSOB legislation and are regarded as appropriate and fair by complainants and financial service providers.

#### *Critical Success Factors*

- Issue findings based on thorough analysis of facts and which are consistent with the legislation and the spirit of the Ombudsman scheme;
- Aim to resolve complaints through mediation prior to Adjudication. Where possible, encourage informal settlement at all stages, without regard to technicality or legal form;
- Ensure Adjudication Officers receive ongoing training to promote consistency and high standards of decision making;
- Constant quality review by management to ensure consistency in decision-making;
- Introduce a system of Preliminary Findings on a trial basis to give both parties a final opportunity to review the law and facts prior to the issue of the legally binding decision by the Ombudsman.

## OBJECTIVE 2: To Provide Excellent Customer Service

We aim to provide an excellent service for our stakeholders, incorporating in particular the principles of Quality Customer Service for Customers and Clients of the Public Service.

### Key performance indicator 2.1 — Customer service

We will monitor the standards of the service that we provide through user feedback received from online surveys. We will review any complaints about customer service and endeavour to take the necessary remedial action in order to resolve the complaint in a timely manner.

#### *Critical Success Factors*

- The Bureau will ensure that physical access to its public offices are to the forefront of planned office refurbishment in 2017. This refurbishment will seek to ensure accessible offices that ensure privacy, comply with occupational and safety standards, and as part of this, facilitate access for people with disabilities and others with specific needs;
- The Management team will review on a monthly basis the online survey feedback received from users in order to monitor the performance of the service and ensure an acceptable quality of the service;
- Maintain a well-publicised, accessible, transparent and simple-to-use system of dealing with complaints about the quality of the services we provide.



## OBJECTIVE 3: To raise awareness of our work among the public and our stakeholders and promote compliance by financial service providers with best practice in the provision of products and services

### Key performance indicator 3.1 — Website

To maintain and update our website to maximise access to the Bureau and the dissemination of information on complaints procedures.

#### *Critical Success Factors*

- Website constantly reviewed to ensure that it is current;
- Promote and encourage the use of the online Complaint Form, online Guide for Complainants and online Information Leaflets;
- Publish case studies and complaint trends on a regular basis;
- Publish news updates and press releases promptly.

### Key performance indicator 3.2 — Consumer groups

To identify interested consumer groups nationwide for presentations and information programmes.

#### *Critical Success Factors*

- Maintain a network of consumer organisation contacts nationwide;
- Create and circulate presentation material to maximise information output to consumer and industry groups as requested.

### Key performance indicator 3.3 — Educate Financial Service Providers

To inform financial service providers of their roles and responsibilities within the financial services industry.

#### *Critical Success Factors*

- Meet with and make presentations to financial service providers on request;
- Arrange sector appropriate presentations for financial service providers;
- Staff to be available to meet financial service providers that wish to arrange a meeting;
- Meet with selective individual financial service providers to promote better complaint handling and early resolution of complaints.

### Key performance indicator 3.4 — Accessible service

To make the FSO approachable and easily accessible to all consumers, including the development in 2017 of braille, large font and audio materials of key information assets.

#### *Critical Success Factors*

- Take a proactive approach in providing information that is clear, timely and accurate, is available at all points of contact and meets the requirements of people with specific needs;
- Update and simplify our Complaint Form where appropriate and ensure online access;
- Consider every request in a flexible and individual way to enable the greatest number of consumers to access our services;
- Identify community groups and representative bodies with specific needs in the areas of financial and general literacy for information programmes and service supports in accessing our dispute resolution services;
- Allow the acceptance of oral submissions and recorded complaints from consumers where appropriate;
- Make available Audio Visual Guide and Information Leaflet and explanation of the Complaint Form;
- Produce in large font print, our Complaint Form, Guide for Complainants and information leaflets.

## OBJECTIVE 4: To support and develop the skills and competencies of our staff in order to offer the best service to our users

The quality of our service is crucially dependent on the capacity, skills, performance and motivation of our staff. Staff will have opportunities to participate in appropriate on- and off-the-job training and development.

### Key performance indicator 4.1 — Human resource management

To manage the human resource functions of the Bureau in a fair and professional manner, and to promote open and authentic internal communications between management and staff.

#### *Critical Success Factors*

- Fill both new and promotional posts by competitive interview;
- Brief all new or seconded staff on our Staff Handbook, Customer Service Charter, and key policies such as internet and email policy, and Health and Safety Statement;
- All staff to have monthly 1-1 meetings with line manager, monthly team meetings with business unit and bi-monthly all-employee meetings with senior management, to ensure that all employees are briefed and that their individual and team performance is monitored and communicated.

### Key performance indicator 4.2 — Training, development and performance management

To support and encourage continued staff training and development, and to implement best practice in performance management within the Bureau.

#### *Critical Success Factors*

- Induction and support programmes in place, including access to external training programmes;
- Identify gaps in key skills and knowledge and provide appropriate training;
- Individual training needs identified in our performance management development system (PMDS) are included in training programmes for coming year;
- Ensure PMDS is a positive and fruitful engagement between management and staff members;
- Use PMDS as an enabler for the enhancement of employee competencies through learning and development and training plans;
- Review PMDS on a regular basis to ensure that it remains relevant and of ongoing value;
- Monitor output and ensure individual caseload targets are included in PMDS reviews.

### Key performance indicator 4.3 — Finance & risk management

To adhere to best practice financial and risk management and ensure transparency and openness.

#### *Critical Success Factors*

- Capture organisational risks in a Risk Management framework and monitor / review risks on a regular basis;
- Budget estimates to be prepared mid-September, to allow time for consideration by the Finance Committee, and subsequent adoption by the Council before end-September;
- Budget to be allocated and monthly expenditure projections produced by December each year;
- Management accounts prepared and submitted to the Ombudsman and Council monthly;
- Draft annual financial statements submitted to Council by end January each year;
- Financial statements submitted to the Comptroller & Auditor General within two months of the end of each financial year;
- All invoices processed in line with public service obligations for prompt payments;
- Risk analysis carried out annually with internal audit assistance;
- All internal audit and risk recommendations to be implemented without delay.

## OBJECTIVE 5: To support the Council in its work and liaise with the Central Bank of Ireland, the Department of Finance, Oireachtas Committees and other relevant bodies in order to improve the financial services market for consumers

### Key performance indicator 5.1 — To support the Council to carry out its work.

#### *Critical Success Factors*

- Proactive and positive engagement with the Council;
- Facilitate and accommodate all Council meetings;
- Be available to discuss queries from Council members and committees;
- Respond to requests from Council members and committees promptly and no later than 5 working days.

### Key performance indicator 5.2—To support the Houses of the Oireachtas.

#### *Critical Success Factors*

- Respond to queries from public representatives, members of the Houses of the Oireachtas and Oireachtas Committees within 5 working days.

### Key performance indicator 5.3 — Reporting protocols

To develop the reporting protocols in compliance with the Act.

#### *Critical Success Factors*

- Maintain and update the existing Memorandum of Understanding with the Central Bank of Ireland and the Pensions Ombudsman;
- Process complaints accepted from and referred to EEA Ombudsman Schemes when appropriate and in compliance with the Bureau's obligations under the FIN-NET agreement.

### Key performance indicator 5.4 — Liaison protocols

Liaise with the relevant bodies.

#### *Critical Success Factors*

- Meet regularly with the Department of Finance, Central Bank, Pensions Ombudsman and other appropriate bodies;
- Report to the Central Bank of Ireland on any matters arising which may be of regulatory concern.

### Accounting for our Performance

We will account for our performance in an open, transparent and public way. In particular, we will carry out the following activities:

- Council: We will provide progress reports on the implementation of our strategic plan to the Council;
- Minister for Finance: we will notify the Minister for Finance in our Annual Reports on progress made in achieving the targets in this strategic plan;
- Independent external audit: The Comptroller & Auditor General (C&AG) conducts annual audits of our receipts and expenditures, our systems, procedures and practices, together with periodic value for money reviews. The outcomes of these audits and reviews are published in the C&AG's Annual Report;
- Houses of the Oireachtas: In accordance with legislation, the Ombudsman is required to attend a meeting of a joint committee of the Houses of the Oireachtas whenever required to do so by the committee;
- Management team: a key task for the management team will be setting performance standards for complaints handling, administration and financial activities, together with monitoring progress against those standards.

# 7

# Resources



## Resourcing our strategic plan

A key feature of the 2016-2018 Change Programme that is underway is the re-orientation of disputes away from formal legal outcomes and towards informal dispute resolutions using mediation. These changes see the Office undertaking considerably more direct interaction with both consumers and providers to deliver a faster, more efficient and effective service.

As a result, the resources, both staffing and financial, of the Bureau are being re-organised on an on-going basis.

A sizeable majority of complaints are now resolved through mediation with a comparable reduction in complaints requiring investigation and adjudication. This has led to a corresponding change in the profile of the Bureau's staffing and spending.

To fund the activities of the Office in 2017 the Financial Services Ombudsman prepared a statement, setting out the Estimate of the Income and Expenditure relating to the Bureau, as provided for in S.57BT of the Central Bank and Financial Services Authority of Ireland Act 2004. This Estimate of Income and Expenditure was initially considered by the Finance Sub-Committee of Council and subsequently approved by the Council on the recommendation of the Sub-Committee.

This Estimate of Income and Expenditure provides for a sum of €5,932,136 to deliver the services of the Financial Services Ombudsman for 2017, and to support the delivery of the change programme set out in this Strategic Plan. This comprises staff costs of €2.9M and just over €3M in non-staff costs.



## Members of the Council

The Financial Services Ombudsman Council was appointed by the Minister for Finance. The members of the Council as of October 2016, were:

- Mr. Dermott Jewell (Chairperson);
- Mr. Michael Connolly;
- Mr. Anthony Kerr;
- Mr. Paddy Leydon;
- Ms. Caitriona Ni Charra;
- Ms. Elizabeth Walsh;
- Mr. Frank Wynn;
- Ms. Deborah Reidy;
- Ms. Valerie Bowens;
- Mr. Ken Murnaghan.

Mr. Jim Bardon was Secretary to the Council.





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