**Appointment**

(i) Appointed by the TPO Board.

(ii) The term of appointment will be not less than three and not more than five years.

(iii) The TPO Board may re-appoint the Ombudsman at the expiry of their period of office, provided that they serve no more than nine years in total consecutively.

(iv) Appointment will be in accordance with the Nolan principles, the requirements of the Consumers, Estate Agents and Redress Act 2007 and open competition.

(v) The availability of the role will be advertised on the Ombudsman Association website.

(vi) If for any reason the Ombudsman is indisposed or prevented from carrying out their duties, a deputy or substitute will be appointed by the TPO Board. During any period of deputation, that person’s appointment will be on the same terms as the Ombudsman, without exception.

**Independence**

(i) The Ombudsman must be impartial, free from bias and independent from the industry and those subject to investigation by them.

(ii) The Ombudsman reports to the TPO Board.

(iii) In the three years immediately prior to their appointment, the Ombudsman must not have held an appointment in the sector subject to the Ombudsman’s jurisdiction.

**Termination of Appointment**

(i) On expiry of fixed term in accordance with employment law.

(ii) In accordance with Article 32.3 of the Company’s Articles of Association [a copy of which is available on the TPO website or from Companies House].

(iii) Under employment law and in accordance with their contract on the occurrence of any of the following:

- If the Ombudsman, in the opinion of the TPO Board is guilty of any dishonesty, gross misconduct or gross negligence or shall commit any material breach of our obligations or shall engage in conduct that was materially adverse to the interests of the Company or shall not obey any reasonable directions of the TPO Board or shall be guilty of conduct likely to bring them or the Company into disrepute;

- If the Ombudsman is convicted of any criminal offence in respect of which either they shall receive a prison sentence or it shall render them unable to properly discharge their duties;

- If the Ombudsman becomes bankrupt or has an interim order made against them under the Insolvency Act 1986 or makes any arrangement or composition with creditors generally or the equivalent under any other jurisdiction;

- If the Ombudsman becomes of unsound mind or a patient under the Mental Health Act 1983;

- If the Ombudsman is convicted of, or in the reasonable opinion of the TPO Board is liable to be convicted of an offence under any present or future statutory enactment or regulation relating to insider dealing;

- If the Ombudsman, other than at the request of the TPO Board, resigns from the Company;

- If the Ombudsman is required to vacate office by virtue of any provision of the Articles of Association of the Company.

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**The Property Ombudsman**

Milford House, 43-55 Milford Street, Salisbury, Wiltshire SP1 2BP

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