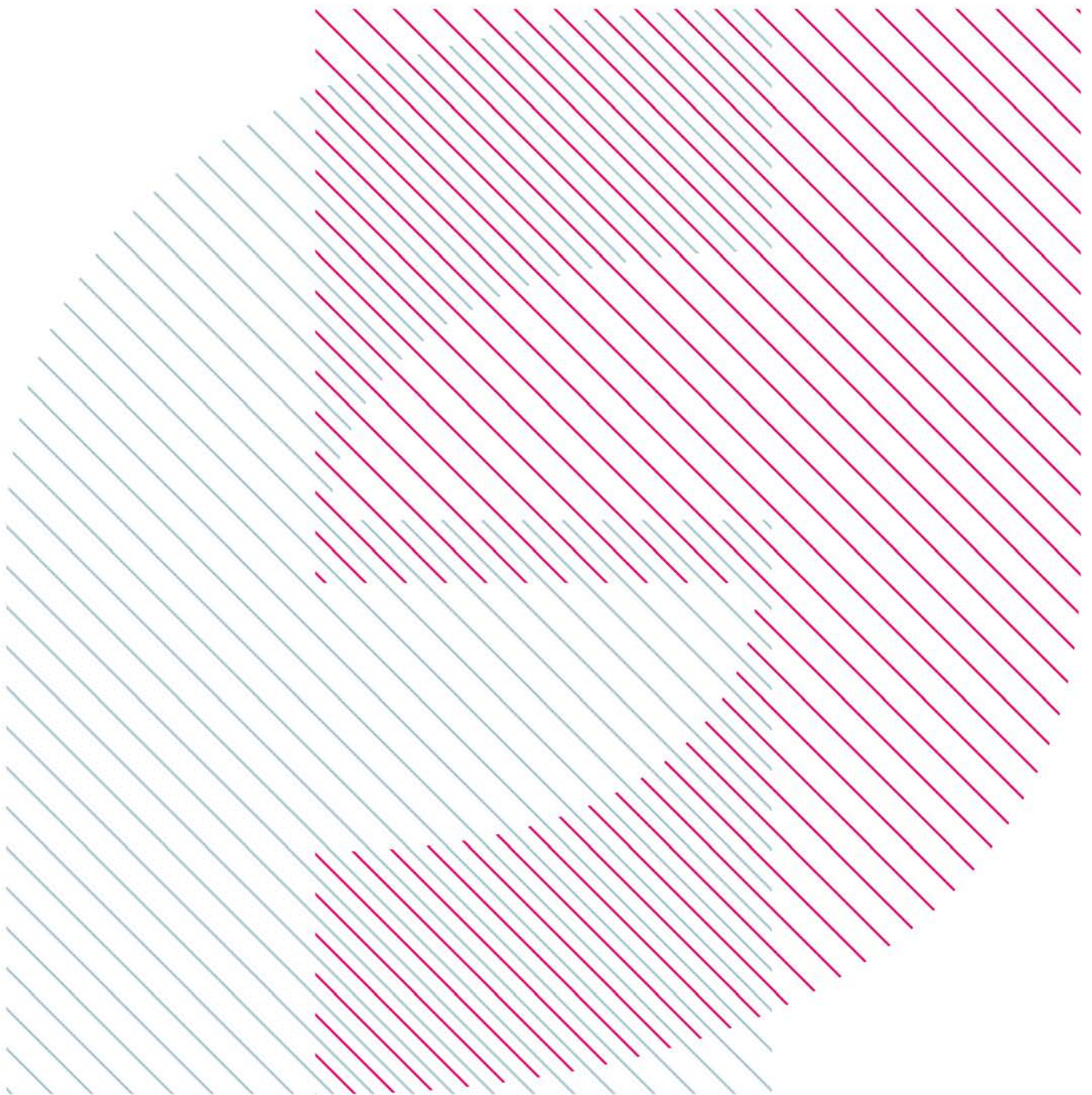


Legal
LEGAL
OMBUDSMAN

Policy Statement

Publishing our Decisions



Guiding principles

The Legal Services Act 2007 allows the OLC to publish reports of investigations or Ombudsman decisions if it considers it “appropriate to do so in any particular case”. In considering what the OLC considers to be “appropriate” for publication, it has been guided by the regulatory objectives of the Legal Services Act, which include:

- Protecting and promoting the public interest
- Protecting and promoting the interests of consumers; and
- Encouraging an independent, strong, diverse and effective legal profession

In reaching a decision about our approach to publication we have looked at evidence generated through research, extensive consultation and analysis of data generated by the Legal Ombudsman since the scheme started in 2010. We have aimed to strike a balance between being open and transparent without having a disproportionate impact on the profession.

We believe that it is in the public interest to provide information that includes the identity of individuals or service providers in certain circumstances. However, the basis for publication must be clearly defined and used for the purpose of promoting consumer protection.

Approach

This policy will apply to all service providers within our jurisdiction.

We will publish our decisions in two categories:

Category 1: Identifying service providers which have been involved in cases where there has been a pattern of complaints and decisions or set of individual circumstances which indicate that it is in the public interest that we should publish a decision with report and the firm or individual should be named. This information will be published immediately and included in quarterly information updates.

In these cases, a full summary of the case will be published.

Category 2: The names of all service providers which have been involved in complaints resolved by an ombudsman's final decision will be published on a rolling annual basis, updated quarterly.

The following information will be published:

- The name of each service provider where an ombudsman decision has been made
- The total number of decisions made in relation to each service provider
- The date of the ombudsman decision
- The area of law
- The ombudsman remedy required
- Information about each ombudsman remedy; including
- The upheld complaint type
- If evidence of poor service was found
- Whether the first-tier complaints handling was found to be reasonable

We will publish decisions on our website in a searchable and downloadable format. Decisions will stay on the website for **one year from the date they are published.**

We will never publish the name of a complainant or any information which, in the opinion of the OLC, is likely to identify them.

All firms or individuals due to have information about complaints received against them published, will be notified at least 14 days in advance.

Please note that information relating to decisions that were made more than 12 months ago can be requested under the Freedom of Information Act 2000. You can find out more about this process by contacting our Information Rights & Security Team at infosec@legalombudsman.org.uk.

Raising standards

In addition to publishing ombudsman decisions on the website, we will use some of the data to identify emerging trends and to feed back to the profession through professional learning courses and thematic reviews. All cases will be anonymised.

This work supports our aim of helping to drive up standards across the profession and our strategic priorities to:

- Improve complaints handling
- Disseminate what we have learned more widely

Monitoring and review

We will monitor the overall impact of this package in several ways:

- Monitoring the number of visits to the publishing decisions page on the website.
- Evaluating whether there has been an improvement in levels of complaints resolved at first tier.
- Reviewing feedback from stakeholder surveys.
- Comparing our approach to that of other ombudsman schemes and assessing where we can improve.
- Consider the potential for research with the profession to inform whether our approach to publishing decisions has had an impact on the way in which they handle their complaints.

As laid out in the Transparency and Reporting Impact response paper (September 2020) we will continue to review over the next year to identify if there are ways to further refine the data and the way it is published, as well as considering plans for making more of the data about ombudsman decisions available.