

<b>Meeting</b>	OLC Board	<b>Agenda Item No. Paper No.</b>	10 117.7
<b>Date of meeting</b>	14 December 2021	<b>Time required</b>	15 Minutes

<b>Title</b>	<b>Transparency and Reporting Impact: Publishing Decisions Business Case</b>
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<b>Status</b>	OFFICIAL
<b>To be communicated to:</b>	Members and those in attendance

<b>Summary</b>
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This paper outlines a Business Case for publishing full ombudsman decisions and makes recommendations for how this project is taken forward. Reviewing the transparency of our ombudsman decisions is a commitment under the 2021/22 Business Plan. This builds on a discussion paper published by the Legal Ombudsman in October 2019 seeking views from stakeholders about the transparency of our work and following a review of the legal services market by the Competition and Markets Authority (CMA) which focused on transparency of and availability of information that supports consumer choice in the sector.

The paper provides rationale for publishing ombudsman decisions and also considers wider areas of transparency work, including the publication of Category 1 decisions. It also explores the work that would need to be undertaken to ensure that we are in a position to publish decisions, recognising that this is not an insignificant or resource light activity. This includes considerations around drafting, quality assurance, technical solutions, training, and stakeholder engagement. It also includes high level calculations of the potential business impact on operations, including training, and considerations of additional resource.

The paper also considers the ongoing changes within the wider sector that supports consumer choice and improved standards, such as the work around quality indicators. Whilst the publishing decisions project is a long-term piece of work, we need to do more with our own data to show the impact that we have in the sector and highlight both service providers and trends which the sector needs to be aware of. With this in mind, the paper also considers the work that should be undertaken to review our publication policy to consider how we can make better use of Category 1 decisions, how we would do this and what impact it will have.

<b>Recommendation/action required</b>
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Recommendation to make a provisional decision that we commit to progressing towards publishing full ombudsman decisions but that further work is undertaken to consider the resourcing of this and the impact on operational performance. It is also recommended that we delay implementation of this decision until a point at which operational stability will allow for this work to take place to manage the potential impact on operational productivity.

# TRANSPARENCY AND REPORTING IMPACT

## Publishing Decisions: Business Case

### 1. Introduction

- 1.1. The main purpose of this paper is to look at whether there is a Business Case for publishing full ombudsman decisions and the recommendations for how this project is taken forward. We are committed to reviewing this under the Business Plan.
- 1.2. This project should also be considered in light of ongoing changes within the wider sector, including the work around quality indicators such as the LSB's Quality Indicators project<sup>1</sup> (of which our ombudsman data will be a key part) to support consumer choice and improved standards. We also need to do more with our own data to show the impact that we have in the sector and highlight both service providers and trends which the sector needs to be aware of. In order to do this, we will need to review our publication policy to consider how we can make better use of Category 1 decisions<sup>2</sup>, how we would do this and what impact it may have.

### 2. Recommendation

- 2.1. The recommendation is to make a provisional decision that we will publish full ombudsman decisions. However, given that implementing this project will bring resource requirements and have an impact on operational performance (including a direct impact on forecast case closure levels), we recommend delaying full implementation until a point at which case closures and business stability will allow this. The expectation is that we may be in a position to review whether we should start publishing our decisions during 2023/24. In the meantime, areas such as the quality framework review which are already scheduled to take place, should progress with a view to publishing decisions being the long-term goal.
- 2.2. Work on quality indicators with the SRA and others in the sector is already in progress. As a result of delaying the full publishing decisions work, we recommend bringing forward work to draw out the impact of our work and the process for publishing category one decisions. As a result of the need to focus resources on operational delivery and backlog recovery work, it is unlikely that sufficient levels of resource within the organisation can be redeployed to assist with the Publishing Decisions work during

<sup>1</sup> <https://legalservicesboard.org.uk/our-work/ongoing-work/consumer-empowerment/quality-indicators>

<sup>2</sup> Category 1 definition: Category 1 decisions identify service providers which have been involved in cases where there has been a pattern of complaints that have resulted in an ombudsman decision(s) or set of individual circumstances which indicate that it is in the public interest that we should publish a decision with a report and the service provider 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.

this financial year. The changes required to be in a position to publish our decisions cannot be conducted in isolation and requires an organisational approach which requires operational buy in at all levels.

- 2.3. Considering the organisational focus around reducing the backlog and increasing productivity and performance through 2022/23, the recommendation for the publishing decisions project is therefore to do a comprehensive assessment of the quality and consistency of our decision making during 2022/23, which will include the development of a revised quality framework and the roll out of a standardised template for writing decisions.
- 2.4. The quality review is a piece of work which will be done both to improve quality and consistency of our decision making as a whole but will also be done with a view to publishing decisions at some point in the future.
- 2.5. In the meantime, we will continue working on the quality indicators work with the SRA and the wider sector and explore better use of category 1 decisions, which will improve the transparency of our decision making and support improved consumer choice. An overview of the projects that we will undertake in the short, medium, and long terms to improve transparency of our data and decision making are outlined below:

Project	Time frame	Detail	Impact
Data	Short term	<ul style="list-style-type: none"> <li>- Working with the SRA and wider sector to understand how our data can be used as an indicator of quality.</li> <li>- Working with the Digital Comparison Tool provider community to understand what we could do differently to ensure we are supporting consumer choice- including looking at whether we should publish 3 years' worth of data, as opposed to 12 months (which most DCTs use).</li> </ul>	<ul style="list-style-type: none"> <li>- Supporting consumer choice.</li> </ul>
Category 1 / Impact of our decisions	Short - medium term	<ul style="list-style-type: none"> <li>- Review how our data and decisions can be used to show impact, hold providers to account, share learning and improve standards in the sector.</li> <li>- This will include:</li> <li>- Establishing processes for identifying trends/issues that need to be shared with the sector.</li> </ul>	<ul style="list-style-type: none"> <li>- Communicating impact of ombudsman scheme.</li> <li>- Raising standards by highlighting key trends and issues.</li> <li>- Consumer protection by</li> </ul>

		<ul style="list-style-type: none"> <li>- Reviewing the test for publishing Category 1 decisions.</li> <li>- Look at use of category 1 process as a way of increasing impact of reporting, increasing awareness of significant service failings and promoting better service and/or complaints handling.</li> </ul>	<p>alerting consumers to high-risk service providers.</p>
Publishing decisions	Long term	<ul style="list-style-type: none"> <li>- Full publication of our ombudsman decisions</li> <li>- Project around the detailed considerations for delivery</li> </ul>	<ul style="list-style-type: none"> <li>- Raising standards through transparency and awareness by providing a volume of casework on customer service and complaints handling that providers and the sector can use.</li> </ul>

### 3. Background and Rationale for Publishing Ombudsman Decisions

- 3.1. In October 2019, the Legal Ombudsman published a discussion paper seeking views from stakeholders about the ways the transparency of our work could be improved, and how the impact of our work could be reported to best serve the needs of consumers, the profession, and the wider sector. This looked at the data we publish, the idea of annual reviews for firms and the publication of our full ombudsman decisions.
- 3.2. This work was initiated following a review of the legal services market in 2016 by the Competition and Markets Authority (CMA) which focused on transparency of and availability of information that supports consumer choice in the sector. The report focused primarily on the degree of transparency offered by both firms and regulatory bodies and centred on pricing structures and service provision. Our initial review decided to gather views on a wider range of ways in which we could be more transparent with our data and decision making and sought initial views from the sector on how we should proceed. The question as to whether we should publish full ombudsman decisions is a longstanding one, and the report (and this year's business plan) committed to a publishing decisions project to determine whether as an organisation, we should start publishing our full ombudsman decisions.

- 3.3. The Legal Ombudsman has been publishing data on final ombudsman decisions since April 2012, as a way of holding service providers to account for complaints that have been all the way through the investigation process. We attach considerable importance to being an open and transparent organisation and recognise there is a real drive across the sector to further improve the transparency of information available to consumers. This does not just focus on cost but places real emphasis on the importance of information around the quality of service provided.
- 3.4. The Legal Ombudsman remains the only large ombudsman scheme that does not publish full decisions on their website, a policy that is seen as best practice within the industry. This paper will outline the evidence collated in understanding the work that needs to be undertaken as part of a publication project.

## **4. Section 1: The business case for publishing decisions**

- 4.1. Publishing full decisions is common practice within the ombudsman sector. Many different schemes have already done this for some years (including the Financial Ombudsman Service (FOS) and the Local Government and Social Care Ombudsman (LGO) and some have recently started publishing, such as the Parliamentary and Social Housing Ombudsman (PHSO). It is widely acknowledged as best practice and useful for consumers and service providers across a range of markets. There are several identifiable benefits to publishing our decisions, including:
- I. It will provide a fairer picture of complaints that have made it all the way to an ombudsman's final decision;*
  - II. It will give consumers richer data to make judgements about quality when choosing a service provider;*
  - III. It will give service providers a range of information to understand the standards we hold the sector to; and*
  - IV. It will offer a more comprehensive picture of the work we do and allow for better reporting across media platforms.*
- 4.2. We are fully engaged with the wider sector on its aims to increase transparency across the legal services market. As an organisation we should consider how we can add to the content on our website to achieve these aims. The data and insights we already provide are valuable to consumers and service providers alike and making our full decisions available and accessible to a range of stakeholders can only be a positive step.
- 4.3. Whilst there are benefits of publishing our decision, there are several areas we would need to address before this could begin:
- 4.3.1. Quality of decision making

As part of our research into how we would publish decisions, we have spoken to three organisations who have all taken a different approach to preparing their organisation

for publication. In all discussions, however, improving and developing the quality of decisions has been the biggest and most time-consuming piece of work. (*Appendix 1 details the of approaches from the Ombudsman Schemes we have met with*).

Our current quality framework suggests that the quality of our decision making is of a good standard however we are aware that the framework is limited in what it currently reviews and there is minimal dip sampling taking place. To address this, we would need to develop a more structured framework to gain an understanding of any issues with our current decision making and then identify how to address them. This can only be achieved once a Quality Manager is in place. Attempts to recruit a Quality Manager are ongoing and once in post the Quality Manager will be responsible for reviewing and updating the quality framework. This review will look at the framework across all of operations, not just for Ombudsman. The expectation is that the review will be completed by the end of this financial year, therefore we should expect an assessment of quality to be undertaken in 2022/23.

As this work is taken forward, we would also need to assess our risk appetite for publishing. From our discussions with other Ombudsman, there were a spectrum of approaches to assessing and ensuring quality before publication of decisions went live. PHSO took an approach which involved a detailed sign-off for decisions and a high-level of pre-publication checks. FOS implemented a process with less stringent sign-off and checks given the very high volume nature of the organisation which turns over a high number of quick, low value decisions. The LGO approach of implementing a check and sign off regime into their pre-publication training appeared to be fairly balanced and is the basis of the approach we recommend that we aim for. Once a quality framework is in place, we will be in a better position to understand our risk appetite and the level of work required to ensure written decisions are of the right standard.

At a time where operational resource is at a premium, aiming for this in the short term is not a realistic goal. We know that a focus on quality could in the short-term lead to a dip in Ombudsman performance and case closures. With the pressures of the backlog a primary focus, should we take this work forward, a decision will need to be taken as to when this work can be scheduled in.

#### 4.3.2. Style and structure

As an organisation, we recognise that there is work to do to develop a consistent brand or recognised house style for our decisions. LeO has a history of investigators and ombudsman having the autonomy to write their decisions which has resulted in variation.

Experience from other schemes suggests that having a recognisable house style not only creates a brand identity for the organisation but also helps with the longer-term considerations of the publication project, specifically around the technical solution and the uploading of decisions to our website.

Internally, a Case Decision and Endorsement projects have been undertaken to look at how decision making is presented. The endorsement project in particular has shown

that there is a big inconsistency in how Level 1, Level 2 and Pool ombudsman present an endorsement decision. The implementation of a house style and template for Ombudsman decisions could be taken forward out of these projects and would not be reliant on agreeing to take the publishing decisions work forwards.

The endorsement project also identified the complexities of how a decision could be endorsed. Whilst endorsing a decision supports a quicker and cheaper decision-making process, which is helpful for business recovery, publishing these decisions would make little sense to a reader as they would not have sight of the investigators case decision. Should we begin publishing our decisions, a change in how endorsements are made would need to be considered to ensure that the decision is meaningful to those reading it on our website.

#### 4.3.3. Training

All decisions would need to be anonymised. The anonymisation of decisions will require both a technical solution (software exists which can check documents for names) and a change in how decisions are written. Anonymisation also includes ensuring that data within a decision cannot be triangulated. Triangulation data is where multiple different data sources are put together to identify a person or subject matter. At the moment our decisions contain lots of details such as dates of hearings through to the times at which emails are sent. Changing this would need to be addressed through the style of our decisions and would also require training for staff. This will have an impact on performance including expected closure numbers in the short-term as this change beds in.

#### 4.3.4. Technical

We are currently working to understand the possibilities and requirements for a technical solution that will assist in the processing and uploading of complaints to our website. As it stands, we do not have the technology to support the publishing of full decisions so there would be a cost element to purchasing one that would need to be factored into budgets.

From our discussions with FOS, their technical solution stood out as the most logical and easily implementable. The technical costs at FOS in developing their technical solution were minimal as they were built against their legacy system, and they already had the skills in-house to write the windows services. We would need to factor in any costs for a technical solution where we could not automate in house. FOS's system is based on CRM and uses Microsoft Dynamics, which we already use. All decisions are written in CRM using a Word plug-in. This mitigates the need to transfer data into CRM for it to be processed. Once in the system, it is converted to PDF and put into SharePoint and sent over to a developer for the meta data to be extracted. All meta-data is non-identifiable data and therefore GDPR compliant. Once the data is returned, it is ready to be uploaded, a job which would require operational resource, most likely sitting within IT.

The system also alerts where names are included in documents, to ensure anonymisation before publication. There is also an option to redact decisions where identifiable data is flagged post-publication. Importantly, there is a statutory slip rule

which allows FOS to reissue a decision within the system which overwrites the existing one. This avoids duplication and time taken in reissuing a decision.

Other options include the manual uploading of each decision by copying and pasting the decision into a form that is then uploaded onto the website. This would be resource intensive and would have considerable operational impacts for ombudsman and would not be a recommended option.

#### 4.3.5. Consultation

As part of the consultation undertaken in 2019, we received several responses which included support for the proposal to publish full decisions but also highlighted some stakeholder concerns.

Comprehensive stakeholder engagement would need to take place to mitigate any concerns the regulators and professional bodies may have in relation to the impact on the sector. As this will be a change to our existing publication policy we will need to consult with the sector before making the change.

## 5. **Section 2: Overview of other areas of transparency work**

5.1. Whilst considering whether to take the publishing decisions work forwards, there are other areas of transparency work which we are involved in, or could explore, to help enhance the quality of data available to consumers.

#### 5.2. Data

As part of the sector wide work to improve market transparency for consumers, we are working with regulatory partners to help identify what information consumers would find useful in determining the quality of service offered by legal service providers. It is important that consumers have access to information on quality as well as price, so that they have the best tools to shop around and exercise effective choice. We are working alongside other regulatory stakeholders to help define and encourage the market to start publishing comparison data which includes complaints data as one of the core indicators of quality.

We need to work with the Digital Comparison Tool (DCT) providers to help identify whether the data we publish is suitable for use or whether there is more we could do to help support this agenda. We have already started conversations with some providers, and they have already raised the issue of us only publishing 12 months' worth of data. The industry standard is 3 years.

By exploring possibilities for us to increase the amount of data we provide, we are not only seeking continuous improvement in our approach but also supporting the consumer choice agenda through wider market use of our data.

#### 5.3. Category 1 decisions

Across the organisation, category 1 decisions are rarely used<sup>3</sup>. We need to review the internal process to understand why there are so few decisions published in category. There could be several reasons for this:

- *Is the threshold for publication too high or unclear?*
- *Is the internal process not adequate?*
- *Are there a wider range of actions we could take to achieve the same aim i.e., annual reports to firms?*

Category 1 decisions are the only example of decisions which we already publish with the service providers name included. As it would be with publishing all decisions, publication of these cases includes a full summary of the case.

A benefit of increasing the number of Category 1 decisions we publish is that it is providing warnings to potential consumers about firms which have shown a pattern of complaints. By utilising Category 1 decisions more effectively, or pursuing alternatives such as annual reports to firms, we will be able to:

- *Better highlight service providers which pose a risk to consumers.*
- *Provide relevant and targeted learning and development to service providers around specific providers or issues.*
- *Issue briefing notes and case studies can be used internally to train staff on emerging issues.*

Considerations around data and how we utilise our data to enhance the quality indicators project is work that can be taken forward in this business year. A review of Category 1 decisions is also work that could be taken forward.

Working with the Ombudsman role currently seconded to the External Affairs team, it is proposed that we work with the wider ombudsman and investigator community to start identifying where cases could be considered for a Category 1 decision. This will allow work to progress in producing a mechanism which helps identify a pattern of complaints or cases which should be published in the public interest,

Whilst the work can be done to explore the changes we could make, any amendments what we publish or the way we publish will require consultation with the sector on our publication policy, therefore a full roll-out of any revised process would likely need to be in the next business year.

## **6. Costings**

- 6.1. Costs can be broken down into two main areas- technical costs and resource costs.
- 6.2. *Technical costs*- relate to the purchasing of systems which allow us to upload and publish our decisions to the website. We are in the process of exploring this with FOS and Version 1 and discussions so far indicate that software plug-ins are available which will support the process. Software which provides anonymisation checks would

<sup>3</sup> Only two category one decisions have been made since the policy was introduced in 2012.

also be beneficial but would depend on the overall price to purchase.

- 6.3. *Resource cost*- relate to the operational resource and time that would be required to publish a decision. There should be an expectation that publishing our decisions will have an impact on closures in the short-term, but the overall benefit will be that the quality of decision making will be increased. Until we have a quality framework in place, and we know what approach to quality assurance we are taking, we would not be able to accurately estimate the operational resource cost.
- 6.4. As part of the resource costs, we would need to factor in the number of staff it would require to manage the publication of decisions. Given the number of decisions that we would be required to publish and manage, it would be reasonable to estimate that this would require at least two additional officer level staff to manage the publication and communications process.
- 6.5. Other considerations would need to account for additional support required from IT, any ongoing quality assurance resource, and the queries that publication would generate, that would be managed by the External Affairs and FOI teams. This may equate to the time of at least one FTE post. As outlined in the summary document, should a provisional decision be made to progress towards publishing decisions in full, a full assessment of the resource requirements will be undertaken to carefully consider what permanent additional resource will be required within the organisation.

## **7. Business performance impacts**

- 7.1 One of the biggest considerations that need to be factored into the decision to publish is the impact implementing this project will have on performance. It is reasonable to assume that adapting the way we write decisions, including anonymisation and familiarisation with software, and the implementing of a quality assurance programme will mean that individual closure figures, and therefore any business plan assumptions, will be affected.
- 7.2 Other ombudsman schemes have identified that the biggest hurdle they faced in their journey to publication was getting staff to write decisions in a standard format and fully anonymised. As we do not currently write decisions anonymously or use a standardised template, we would need to engage staff in a period of training to write decisions in a particular way and training around anonymisation, whether that is by writing the decision anonymously or the removal of personal data.
- 7.3. We have attempted to calculate the business impact of this by demonstrating the impact training would have in terms days and closures lost over a 12-month period. Between November 2020 and October 2021, there were 1957 published decisions. We have used this figure to demonstrate the potential impact publishing full decisions could have on closure numbers.
- 7.4. At this stage we do not know how long training would take, so forecasting has been based on a one hour, two hour or three hour publishing check per decision. The

forecasting has also been done using a 100% utilisation of 7.5 hours work per day and an 80% utilisation of 6 hours work per day. The 80% figure is to account for breaks during the working day.

#### Times taken

<b>Time taken per check</b>	<b>Total in hours (over 12 months)</b>	<b>Total in days at 100% utilisation (over 12 months)</b>	<b>Total in days at 80% utilisation (over 12 months)</b>
1 hour per publishing check	1957 hours	261 days	326 days
2 hours per publishing check	3914 hours	522 days	653 days
3 hours per publishing check	5871 hours	783 days	979 days

#### Impact on closures

<b>Time taken per check</b>	<b>No. of low complexity closures lost at 80% utilisation (over 12 months)</b>	<b>No. of medium complexity closures lost at 80% utilisation (over 12 months)</b>
1 hour per publishing check	544	392
2 hours per publishing check	1032	626
3 hours per publishing check	1631	1174

- 7.5. The calculations above demonstrate the scale of the impact that publishing decisions could have on the organisation certainly from an implementation perspective and possibly ongoing quality assurance perspective. It is envisaged that all operational staff would need to go through quality training and sign off, as well as being trained to write decisions anonymously. This is reflective of the way we operate a two tier decision making process and the potential for Ombudsman to endorse investigator decisions.
- 7.6. Given the organisational focus on recovery and reducing the backlog, these figures support the proposal that a decision on whether we are in a position to publish should not be taken until 2023/24 when we will know where we are as an organisation. We are currently out to consultation on the Business Plan 2022/23 and the trajectories included in the published document may therefore be impacted.

## **8. Time Frames**

- 8.1. Considering the information outlined in this paper, we estimate that we would not be able to start publishing decisions before the end of 2023/24. To be able to publish by this date, we would also need to be assured that we can achieve our existing

priorities alongside undertaking a comprehensive review of our decision making.

- 8.2. We would suggest that the project would need to consider the following time frames:
- 8.2.1. Quality work. It is not likely that the quality work could be undertaken this financial year. An initial assessment of quality and implementing revised quality standards would take approximately 12-18 months. We would need everybody to be signed off for publication prior to go live. Other organisations we have spoken to do not have the same need for everyone to be signed off and have implemented a gradual roll out as the organisations they investigate are not commercial profit-making businesses. We could not publish decisions against only some firms. It would need to be all or none.
- 8.2.2. Consultation. We would need to factor in a 12-week consultation and follow up response around our intention to publish decisions and revised publications policy.
- 8.2.3. Technical solution. Purchasing and implementing a technical solution could be undertaken at the same time as the quality assurance work was being undertaken. Training on the system and a period of testing and roll out would be required and would need to happen before publication began to ensure that Ombudsman are familiar with the systems. This is a change in our usual way of working will therefore require training to be rolled out to all staff to ensure as an organisation we are all able to utilize the same technology.
- 8.2.4. Training. Given that ombudsman and investigators do not currently write decisions in a particular format, this would require a change in the templates used, as well as rolling out a framework for how decisions should be written. We may need to consider Plain English training, alongside technical training, and guidance on publication criteria.

## Appendix 1

There are a number of other ombudsman schemes who already publish decisions on their websites. To better inform our understanding of the work that was undertaken to get to the point of publication we have spoken to three different schemes. All took a different journey and approach to publication, but all publish their decisions in full.

The table below outlines the detail around each organisations publications journey.

Source	Importance	Impact	Lesson or Recommendation	Details
Scheme 1	Medium	Anonymisation	Lesson	No anonymization software was able to be identified by Scheme 1. This averages 2 hours per standard 7-page decision and involves manual checking and removal of data.
	Medium	Anonymisation	Lesson	Anonymization can / does go beyond complainant name and service provider. Other may details need to be removed.
	High	Costs	Lesson	Anonymisation is biggest overhead, currently being rolled out on team-by-team basis
	Low	Morale	Lesson	Investigators did not react well to use of quality standard being used to measure against
	Low	Quality	Lesson	Quality standards were received well as they were done with investigators, involving them from the outset.
	High	Quality	Lesson	Improving quality has negative impact on productivity. May need to tweak to find balance but until then, needs to be acknowledged that productivity could likely be affected.
	High	Privacy Notices	Recommendation	Privacy notice must be in place at very beginning of the process to explain how we are going to use information and that we intend to publish / share details.
	Low	Anonymisation	Recommendation	It would be useful to be able to identify average lengths of decisions (and pages) to be able to quantify true cost of anonymization and how long the process takes per decision.

	Medium	Publication	Recommendation	Publishing criteria should be discussed and agreed by Exec team as early as possible. Is it going to be ALL decisions and be damned or is there going to be a threshold on what is published? This could in turn skew the decisions that are published. Threshold could also be based on quality, complaint type or area of law for example.
	High	Phases	Recommendation	Quality Framework needs to form initial part of project - Decided and Implemented quality standards - Introduced standards / measured for 3 months to get baseline (Identified what a statistically viable sample would need to be) - Turn quality information into statistic that's able to be shared
	Medium	Phases	Recommendation	Phase 2 involved developing ICT software and developing managers to improve quality of product leaving
	Low	Publication	Recommendation	Investigators to draft case summary which supports search function
	Medium	Publication	Recommendation	Review templates for decisions and make them as used friendly as possible for the platform. Liaise with stakeholders and then look to build platform
Scheme 2	Low	Timescales	Lesson	2010 - Moved to having a specific report with headings. 2013 - Started publishing. The new letter template took a long time to be picked up by staff as it required specific formatting in order to be picked up by the database. Took 1.5 - 2 years to begin publications and a further 1.5 years before everyone was signed off.
	Low	Quality	Lesson	Decision made that nobody could publish without manager checking quality. After 5 satisfactory checks, person would be signed off and be allowed to publish without being checked.
	Low	Publication	Recommendation	Moderation - Small cohort meet quarterly to review 15 decision statements and make sure they're happy with quality. This is done with following questions in mind: 1) Does it meet written standards? Does it meet with standards manual? 2) Is it publishable? 3) Is it reasonable and defendable?

	Low	Anonymisation	Lesson	Biggest risk was that complainant's were named in the decision. Scheme 2 has a technical solution that scans document and flags if name is present before it is published.
	Medium	Anonymisation	Lesson	Decision drafted with anonymity in place. Cover letter states 'I will refer to you as Mr X' etc. Once decision issued, no checking. Decision not allowed to contain sensitive information such as specifics that may identify the person. If the complaint is about delay, then will often refer to months (early September / late January etc) rather than give specific dates.
	Low	Complaints	Lesson	Problem which happens is that people will use published cases and say their cases are the same and therefore warrant same compensation or will challenge recommendations because another case received more.
Scheme 3	Low	Timescales	Lesson	Prep work done in 2011 / 2012. Started publishing in 2013 Scheme 3 has a legislative requirement to publish all final determinations in report or via an anonymised copy of decision. Opted for anonymised copies of decisions.
	Medium	Anonymisation	Recommendation	Issue of triangulation. Remove all locations, things specific to particular areas of the country or unique cases that may already be in public sphere
	Low	Publication	Lesson	Financial businesses weren't happy. Worried an informal league table would be created.
	Medium	Resource	Lesson	Published decisions result in additional work for other departments. Such as Press Office. Regardless of searchability of website / database, queries will still be sent into Press Office / External affairs and staff will need to search and provide response.
	Low	Publication	Recommendation	It's not unusual for final determination to say that complaints A, B, C have been dealt with and are considered resolved so therefore final determination will only look to deal with D, E F. Obligation on Scheme 3 is only to publish the final determination