

Meeting	OLC Board	Agenda Item No.	6
		Paper No.	98.4
Date of meeting	26 September 2019	Time required	20 Minutes

Title	Mediated solutions update
Sponsor	Mariette Hughes, Head Ombudsman
Status	OFFICIAL

Executive summary
<p>The OLC Board has asked the Executive to provide a short update on the mediated solutions front end initiatives currently being trialled, in advance of a more detailed outcome paper in October. A short presentation will accompany the paper to allow Board the most update information.</p>
Recommendation/action required
Board is asked to NOTE the approach and the next steps.

Mediated solutions

1. The Executive has considered a number of approaches to mediated solutions, to enable the Legal Ombudsman to resolve cases without the need for a full investigation.

Mediated solutions initiatives adopted are:

- Mediation - as per proof of concept pilot presented in July
 - Nudge theory intervention
 - Shuttle negotiation
2. The mediation proof of concept pilot previously presented to the OLC Board is underway. Phase 1 (Design and Setup) is complete and the project is currently in Phase 2 (Implementation).
 3. Early indications at this stage are that the level of interest and take-up rate for this initiative are lower than experienced by the SLCC. A full analysis of the pilot will be presented to the OLC Board in October, setting out the results and findings, and any learning to be factored into future business planning.
 4. In addition to full mediation, Operational Transformation have, with the approval of the Executive, developed a number of supplementary initiatives which are running concurrently. These seek to achieve similar outcomes to the mediation pilot using a variety of different approaches.
 5. These initiatives focus on nudge theory and shuttle negotiation, and will be presented for discussion at the September Board meeting. A full report on the results will be presented to Board alongside the mediation report in October.
 6. The initiatives are undertaken on the files within the pre-assessment pool, which allows discrete tranches of files to be taken for each initiative and ensures a sufficient volume of files from which to draw inferences for future work.
 7. Care has been taken to ensure that people are not advantaged or disadvantaged in access to a full investigation by “bookmarking” their place in the pool, should the outcome from the initiative be unsuccessful.