

Meeting	OLC Board Meeting	Agenda Item No.	6
		Paper No.	140.4
Date of meeting	24 July 2025	Time required	10 Minutes

Title	PIDCo Update
Sponsor	Rachel Cerfontyne, PIDCo Chair
Status	OFFICIAL
To be communicated to:	Members and those in attendance

Executive summary	
<p>This paper provides OLC Board with an update on the actions and decisions reached at the May meeting of OLC Public Interest Decisions Committee (PIDCo).</p> <p>At the first meeting of the reconvened PIDCo, consideration was given to four complaints that had been identified by the Chief ombudsman as potentially being in the public interest.</p> <p>After due consideration of LeO's recommendations, comments from the interested parties and the regulators, PIDCo decided to approve the publication of three of the four proposed decisions.</p> <p>The first round of Public Interest Decisions were launched in early July.</p> <p>PIDCo will meet quarterly with the next meeting scheduled for August to enable publication to take place at the end of September.</p>	
Recommendation / action required	
Board is asked to note the contents of the report	
Equality Diversity and Inclusion	
EDI implications	No
Freedom of Information Act 2000 (Fol)	
Paragraph reference	Fol exemption and summary
n/a	n/a

Public Interest Decisions Committee - Update

1. Background

Under the powers conferred by s.150 LSA and Scheme Rule 5.56 the Legal Ombudsman may publish the details of an ombudsman final decision, in full, naming the service provider, where it is considered to be in the public interest to do so.

These powers have only been used by LeO on a very small number of occasions, for a wide range of reasons. However, as part of the wider commitment to enhanced transparency of its casework and Ombudsman decisions, outlined in the 2025/26 Business Plan, LeO has committed to make better use of the above statutory power to publish between 30-50 public interest decisions across 2025/26.

Although it is for the Chief Ombudsman to recommend decisions that he considers to be in the public interest, the decision to publish Public Interest Decisions is one that is currently reserved to the OLC and has been delegated to the Public Interest Decisions Committee (PIDCo).

The first meeting of PIDCo took place in May with a view to publication of the first Public Interest Decisions shortly after the end of Quarter 1.

2. PIDCO meeting

The role of PIDCo

As this was the first meeting of PIDCo, the committee members were provided with a full briefing on the role and remit of PIDCo which includes:

- Considering the Chief Ombudsman's recommendations for publication.
- Considering whether any comments received from the parties to the complaint or the relevant regulator(s) persuade against publication of the decision
- Assessing the level of risk to the parties to the complaint and to LeO / OLC
- Being assured that a fair selection process has been followed
- Deciding whether or not to approve publication of any / all of the proposed decisions.

When considering whether or not to publish the discretion conferred upon PIDCo and LeO is broad. Based on the OLC's historic consultation around decision transparency, indicative, but non-exhaustive criteria include:

- There has been either a pattern of poor behaviour / complaints, or a set of individual circumstances which demonstrates evidence of:
 - Systemic failures indicating a substantial number of consumers will be adversely affected
 - Exceptional or severe impact on an individual complainant (or group of complainants)
 - Very serious service failure on the provider's part

- Significant lack of co-operation with LeO which has delayed the resolution of the case

Discussion on proposed public interest decisions

The Chief Ombudsman brought four decisions to PIDCo for consideration, along with recommendations from the CO and Deputy CO, detailed assessments from LeO's legal team, and comments that had been received from the parties to the complaint and the relevant regulator.

There was extensive discussion between PIDCo members and LeO Executive around all four decisions with views shared and debated around the degree to which each decision demonstrated any of the above indicative criteria and reflected an issue that PIDCo considered to be in the public interest.

As a result, PIDCo approved the publication of three of the four proposed decisions:

1. Ansham White

This complaint arose out of a litigation matter against C's local council for damage caused to his property by large trees in the adjoining council-owned park. LeO investigated 25 issues of complaint, of which 19 were upheld including the firm's inadequate preparation for the trial, failure to seek permission to rely on an additional expert report, and failure to advise on obtaining appropriate medical evidence for C's personal injury claim. Additionally, the firm failed to obtain a transcript of the trial in a timely manner not submitting court documents on time. LeO directed a remedy of £25,473.10. This amount included a refund of 75% of the firm's costs for work regarding the trial (£5,265), most of the costs of the appeal (£19,208.10), and a sum for the emotional distress caused to Mr A by these service failings (£1,000).

2. Scornik Gerstein

The firm were instructed to assist with a claim against C's former employer which although initially funded privately was eventually subject to a damages-based agreement (DBA) which stipulated that the firm's fees would be 35% of any recovered damages. Once the case the firm recovered their fees from the other side and also took 35% of the damages. LeO found that the firm should refund the 35% deducted from the settlement (£36,225, including VAT), plus 3% interest on that amount (£2,391.53), and compensation of £600 for the inconvenience and upset caused. This resulted in a total remedy of £39,126.53

3. Underwood & Co

This complaint arose out of the firm's handling of the administration of an estate. LeO found that the firm had wrongly favoured four residuary beneficiaries (the deceased's children) over the fifth (the deceased's widow); failed to respond to numerous legitimate requests about the estate, the Will, the estate accounts, interim payments, and the legacy due to the deceased's widow (and eventually the widow's estate after she passed away). The firm did not provide updates on the sale of the deceased's house and did not address any of the complaints raised. LeO concluded that the firm had failed to administer the estate in

accordance with the Will, diverting £51,235 from a house sale to the other beneficiaries and depriving deceased's widow of her share. We directed the firm pay £60,962.99 (capped to £50,000 under SR 5.43) to the deceased's widow's estate.

These decisions were published on LeO's website early in quarter 2.

PIDCo will convene quarterly, with the next meeting scheduled for August in order to enable the next round of public interest decisions to be published at the end of September.