

Meeting	OLC Board Meeting	Agenda Item No.	6
		Paper No.	92.6
Date of meeting	10 December 2018	Time required	15 Minutes

Title	Service Complaint Adjudicator's Interim Report
Sponsor	Board Secretary
Status	OFFICIAL
To be communicated to:	Members and those in attendance

Executive summary
<p>This paper provides the Board with the Service Complaint Adjudicator's interim report for 2018/19 and sets out the outcome of the complaints she has considered so far this business year.</p> <p>The report highlights a slight reduction in the number of service complaints seen by the Service Complaint Adjudicator and covers the findings and recommendations of the Adjudicator for the period.</p> <p>A summary of the complaint issues upheld can be found in Annex A. The Service Complaint Adjudicator reported that the organisation remained receptive to her recommendations. A summary of her service improvement recommendations can be found in Annex B</p> <p>Overall, the majority of service complaints continue to be resolved at the first two stages of the complaints process.</p>
Recommendation/action required
Board is asked to note the report.

SERVICE COMPLAINT ADJUDICATOR – REPORT OCTOBER 2018

1. This report sets out the outcome of the complaints I have considered in the first half of this business year.

2018-19 workload

2. I received eight Stage 3 complaints in this period, which is a slight reduction on the 10 I received in the same period last year. I also brought one open complaint into this business year. Of those nine complaints I closed five; one is on hold while the complaint about the legal firm is on-going; and three were open at the end of the period.

3. The five cases I considered raised 24 individual issues of complaint, which even allowing for the difference in the number of closed cases (eleven as opposed to five) represents a significant reduction in the issues I have been asked to consider previously. At this point last year I had considered 108 individual issues of complaint.

4. I supported four individual issues of complaint (16.5%) in three of the service complaints I looked at. That is on a par with the year-end uphold rate of 15%. An uphold rate of 16.5% is particularly pleasing given the significant reduction in the number of individual complaint issues I have looked at.

Service issues:

5. I attach at Annex A, a summary of the complaint issues I have upheld in this period, which is not significant in number.

6. I did want to stress, however, that some of the cases I have reviewed in this period have been hit by delays (sometimes quite significant ones) at Ombudsman decision stage. Of course I recognise that the cases I have seen this period mainly date from 2017 and to that extent are historic. Never the less delay has been an issue. What is pleasing to see is that for the main part those delays have already been accepted and apologised for before the cases come to me.

7. What has sometimes been disappointing is that customer's expectations have not always been managed well and they have not been updated. I hope that the reassurances I have received about the timescales being provided to staff for them to share with customers and manage their expectations, as well as the use of automated messaging will alleviate these problems going forward.

8. It is also worth noting that I have upheld a complaint in this period that an investigation had not included one of the complainant's complaints about the legal firm. Just as we moved into the second half of the year I upheld another complaint

that two investigators had not realised that the information they had requested from the complainant had already been submitted by him. The fact that they had both asked for that evidence again had delayed the progress of the case.

9. This might suggest that Investigators are not always able to give the attention to detail that they need to progress their cases effectively or it could be isolated incidences of human error. Again the incidences I have highlighted here are historic and date from last year, but it is an issue it will be worth keeping an eye out for going forward.

Redress:

10. During the first half of this business year I have made the following recommendations for redress: four Chief Ombudsman apologies; a compensation payment of £150; and for a complaint about a firm to be considered as it had been missed previously. Despite that, I have been generally content with LeO's approach to redress. It is only in one case that I reached a different view on whether a financial remedy would be appropriate. That was because I considered the cumulative impact of the four service issues on the complainant (including two that had occurred at Stage 2).

Service improvements:

11. I am pleased to report that LeO continue to be receptive to my suggestions for service improvements. I made three suggestions for service improvements this half of the business year and I attach at Annex B the improvements that have been put in place or have been considered this year so far.

12. During the course of the business year LeO have changed the way it manages Stage 1 and Stage 2 of the complaints process. Responses at Stage 1 are now provided by a dedicated customer experience resource and responses at Stage 2 are provided by one Operations Manager. I look forward to seeing how that works in practice as we move through the second half of the year.

Conclusion

13. It remains the case that the majority of complaints are resolved at the first two stages of the complaints process and do not come to me. While I have not upheld the full decision made in three of the cases I have seen (on four individual issues), overall the decisions and explanations provided at the first two stages of the complaints process are appropriate.

14. I am pleased that where I have had concerns about the service provided that LeO have apologised for that and have issued financial compensation. They have also taken on board the service improvements I have suggested.

Claire Evans
Service Complaint Adjudicator

Annex A

Service Complaints Upheld 2018/19

Attention to detail (1 upheld complaint issue):

- the Investigator did not consider one aspect of the complaint about the legal firm, when the complainant had provided information about it.

Handling of service complaints (2 upheld complaint issues):

- a delay in a service complaint being referred to me because the complaint correspondence was not appropriately addressed. LeO did not adequately investigate the purpose of the correspondence and once they had matters were then delayed further by delays at the General Enquiries Team; and
- it unnecessarily took five months to provide a stage 2 complaint response.

Failure to update (1 upheld complaint issue):

- LeO failed to manage a complainant's expectations about the timescale for receiving an Ombudsman's decision.

Annex B

LeO have either agreed to the following changes in service or reminded staff about policies and procedures already in place. The recommendations for service improvement do not necessarily link with complaints I have supported but are separate issues I have noted as part of my review.

Recommendations for service improvement	LeO's actions following recommendation
<p>To ensure that complainants who do not use a LeO complaint form are aware that their details will be passed to an external survey company. (That information is contained in the complaint form but is not readily available elsewhere.)</p>	<p>All complainants are now required to submit their complaint using LeO's complaint form. The online Customer Assessment Tool also requires completion of LeO's complaint form. Where complainants are identified as vulnerable and LeO provide assistance to present their complaint, LeO have updated the template letter sent at assessment to include details of the data privacy notice. And so, going forward all complainants should be aware of how their information will be handled.</p>
<p>To remind staff of the importance of confirming the scope of a complaint with the parties.</p>	<p>LeO reminded staff about this in a News in Brief Article. In addition the "Setting standards" training was delivered to all investigators in Q2, as was effective telephone skills training. Both of those pieces of training included scoping and agreeing the complaint</p> <p>Scoping and agreeing the complaint is also now a key milestone check in LeO's supervision model pilot and so is a 'safety net' to ensure that complaints of this kind do not happen going forward.</p>
<p>To ensure that Investigators let customers know the estimated timeframe to receive an Ombudsman's decision and whether they will be updated within that time.</p>	<p>The timescale for issuing all low and medium complexity final decisions is now very short. LeO are now centrally providing the timescales for high complexity final decisions to all staff and they are updated regularly. Automated messaging is also reviewed and used where appropriate.</p>