

Quality Assurance casework quarterly review Q4 2016 – 2017

Assessment

39 cases were selected for Quality Assurance (QA) in quarter 4 and reviews on all of these cases were carried out in June 2017.

Some members of staff were also involved in the QA exercise by either shadowing the process or QA'ing their own file and discussing with the reviewer afterwards. This was found to be really beneficial for all involved, in order to gain more first-hand knowledge and understanding of the process itself and assessment criteria. It allowed for staff to be self-reflective, and also identify their own good practice. Finally, it allows for the reviewer to ensure the process is accessible, clear and useful for staff.

There were lots of examples of good practice picked up in this QA, particularly around managing challenging contact and reaching good resolution.

New Question

We are also adding a new question into the QA as a result of the service standards mapping exercise that was recently undertaken to ensure we are assessing all of the service standards within the Ombudsman Association's framework. It was identified that we do not currently assess for the following service standard:

“3.4 Fairness – Members should make clear to service users their approach to unacceptable behaviour.”

So the following will be added to the QA assessment form:

‘If unacceptable behaviour is displayed, is this dealt with in line with our Unacceptable Actions Policy?’

Process

All cases were assessed under four areas – process, decision-making, communication and delay, and areas of learning were identified. In addition, examples of best practice were recorded.

Key Findings –

RED – must do/remember; **AMBER** – to be aware of and **GREEN** – good/best practice.

RED

- In one case we did not contact the complainant or reply to their emails for a period of several months. They contacted us twice for an update and we did not respond. This is contrary to our customer service standard that we will update the customer and make our service easily available to them.
- In another case, which was about the death of the complainant's mother, we did not offer condolences when the case was transferred to new complaints reviewer. The complainant expressly asked for no update around Christmas, but this email went to complaint reviewer's junk mail folder and an update was sent just days before Christmas. Finally, the decision letter arrived with the complainant almost on the date of the anniversary of their mother's death. This is contrary to our customer service standard that we will communicate effectively. **Learning points:** check junk mail regularly; ensure

when a case transfers to you and it involves a death that you give the complainant your condolences if appropriate; take note of important anniversaries on the front of the file and avoid contact around those times if appropriate for the complainant. The complaints reviewer in this case also noted that they had carried out the following actions upon realising the errors made: apologised to the complainant for the first incident; discussed the situation with their manager to decide the best course of action given the complainant's expressed wish for no further contact.

AMBER

- **Time Bar**

The SPSO Act 2002 states (s.10(1)) *'the Ombudsman must not consider a complaint made more than 12 months after the date on which the person aggrieved first had notice of the matter complained of, unless the Ombudsman is satisfied that there are special circumstances which make it appropriate to consider a complaint made outwith that period'*. On this basis, the special circumstances could be that the complainant has been pursuing the matter through the organisation's own complaints procedure (a prerequisite for them coming to the SPSO). So even if the matter they are complaining about occurred more than a year ago, we should not automatically exclude on that basis, and should give consideration to whether they were not fully aware of their dissatisfaction until they had the organisation's final response to the matter, and/or whether special circumstances apply in that they were completing the internal complaints procedure.

- Remember to refer to the outcomes sought in the final decision letter (we agreed that in cases where the complaint is not upheld, you do not have to refer specifically to individual outcomes, but can refer generally to the fact that outcomes were agreed).
- In one case, the complaints reviewer recorded that they would need to check the organisation's complaints handling procedure regarding interviewing and seeking independent evidence. However, the case was closed seemingly without doing this and instead, in the closure letter, the onus was placed on the complainant to provide this. If deviating from steps outlined, the complaints reviewer should record a file note explaining why.
- In one case there was good use of the advice checklist, with a number of issues being picked up. However, there was no evidence these were then followed up or clarified with the adviser – make sure this is done/evidenced, particularly if may impact upon your decision.
- In 3 cases customer service issues were picked up and responded to but not logged as customer service complaints. Remember these should be logged as CSC Stage 1 where an expression of dissatisfaction with service is made, and complaints reviewers have discretion/authority to resolve these themselves where appropriate. If you are not sure if something is a customer service complaint, seek guidance from your team manager/the Head of Complaints Standards Authority or the Executive Casework Officers.

GREEN

Resolution examples

- In one case we found an example of resolution due to the diligence and pragmatic approach of complaints reviewer. The complaints reviewer provided the complainant with explanations based on relevant policies. The complainant did not wish to pursue the complaint once this explanation was provided. Nevertheless, could we have made a recommendation to the organisation being complained about that, in future, they provide this explanation themselves in

order to improve their service, benefit future customers, and prevent complaints on this issue to the SPSO?

- In one case we found a really good outcome when careful consideration led to the suggestion that 2 organisations under our jurisdiction come up with better joint working to address a problem. This led to the desired outcomes for the complainant and improvements for the future. We received nice comments from the complainant at the end of our investigation.
- We found an excellent example of resolution. It led to clarification of a policy belonging to the organisation being complained about. Previously, guidance had not been applied correctly and had led to the complainant incurring unnecessary costs. This was resolved and clarified.

Dealing with difficult communications

- In a case with a very challenging complaint for the complaints reviewer in terms of aggressive, repeated communications from the complainant, we found good examples of the complaints reviewer dealing with this effectively.
- In one case the customer was demanding in terms of expectations around timescales, and the complaints reviewer handled this demand on their time well, as well as dealing well with post-decision dissatisfaction

Investigation work and decision drafting

- In one case we found excellent analysis of evidence and further, proportionate yet detailed requests for information and clarification
- In a case we found a very well drafted decision letter – clearly set out with reference to relevant policies and correspondence
- A case had a very difficult complaint to establish. The Early Resolution team complaints reviewer did a good job of explaining SPSO's jurisdiction and trying to get the complainant to present the complaint in a form that we could take. Discussions continued with the Investigations team complaints reviewer, who also managed this well.
- We found a very well handled case about a sensitive, tragic subject matter. We found thorough analysis of evidence by the complaints reviewer and identification of where improvements could be made, although the complaint was not upheld.
- We saw a nice line used in a case: 'I have considered very carefully what we could do to help further'. Subsequently the SPSO Advice Team have noted this phrase and will apply it appropriately in responses to the correspondence.
- We saw a very well explained decision letter, explaining proportionality approach and why we would not be taking the complaint forwards. It was easy for member of public to understand and did not use jargon.
- In a very complex case we saw that evidence was carefully obtained and impartially analysed. A good decision letter was issued.

Conclusions

All comments and examples will be fed back to individuals by their line manager as part of the performance management process. This summary of key findings is made available to all teams, managers and the Senior Management team, and is also presented at the quarterly Service Improvement Group meeting.

Recommendations & actions

	Recommendation
1	Ensure complaints reviewers are aware of key summary findings and provide good practice feedback.
2	Ensure complaints reviewers receive individual feedback forms and have opportunity to discuss/comment with manager.