



BMG Research Report

Executive summary

Local Government Ombudsman - Customer satisfaction Study
Prepared for The Commission for Local Administration in England

September 2005

Prepared by:
Anna Sansom, Account Manager



Because people matter.

1 Executive Summary

Aims and Objectives of the 2005 study

The main objective of this study is to:

"undertake a qualitative study to identify key standards of customer satisfaction to inform the improvement of the quality of our services and to form the basis of continuous monitoring of complainant satisfaction. It also wishes to seek advice about establishing a robust and efficient system of continuous monitoring" (CLAE invitation to tender).

The project included 3 elements:

Stage 1: Identify the 'drivers' of customer satisfaction/dissatisfaction with the LGO service. Desk research was coupled with multivariate analysis of existing LGO customer satisfaction data (1999), which was used to identify key drivers of customer satisfaction in 1999. This work fed into the later stages of the research and is detailed fully in the main report.

Stage 2: Qualitative research - focus groups and depth telephone interviews were used to examine and refine the 'drivers' identified in stage one.

Stage 3: Advise on in-house continuous monitoring of customer satisfaction.

Customers of the Local Government Ombudsman (LGO) include members of the public - 'complainants' - who have used the LGO to complain about a local council or other authority within their jurisdiction. In addition, Local authorities are also customers of the LGO as they deal directly with the LGO as part of the complaints process.

Complainants

Forty-five complainants participated in this qualitative study. 38 took part in focus groups and 7 in one-to-one telephone depth interviews.

People who had recent experience of making a complaint to the LGO were identified and only those complainants who had received a decision in the 6 months prior to the research were eligible to take part.

Between 8th and 16th March 2005, 6 focus group discussions with complainants were convened across the country. They were all held at city centre locations in Newcastle-Upon-Tyne, Manchester, Leeds, Birmingham, Reading and London.

In addition a total of seven one to one depth telephone interviews were conducted. An independent qualitative researcher moderated all the complainants' focus groups and conducted the telephone interviews.

One part of the research was to find out if there were any differences in the opinions, experiences or satisfaction/dissatisfaction between groups of complainants. Five telephone depth interviews were specifically targeted at individuals from Black and Minority Ethnic backgrounds, the

purpose of which was to explore any particular issues in terms of accessibility. People from BME backgrounds also took part in the focus groups.

Local Government Ombudsman Staff

Telephone depth interviews were conducted with four LGO senior staff (Ombudsmen, Deputy Ombudsmen and Assistant Ombudsmen). Nine LGO staff, (Investigators and Support Staff) covering the London, Coventry and York offices attended a focus group meeting held in Birmingham. The focus group was moderated by an independent qualitative researcher.

Local authority Staff - Online Group & Telephone Depth Interviews

An online discussion group (similar to an online chat room) was convened and eight Local authority officers who deal directly with the LGO took part. Participants were from a mix of District, Borough (including London) City and County Councils covering the South, London, Midlands, East and North of England.

Furthermore six senior Local authority officers who deal with the LGO were interviewed over the phone. An independent qualitative researcher conducted all of the LGO and Local authority staff telephone interviews and moderated the LGO staff focus group. An independent qualitative researcher conducted the telephone interviews and BMG moderated the online group.

Summary of Findings – Key drivers of satisfaction/dissatisfaction with the Local Government Ombudsman service

Outcome of Complaint

Analysis of the 1999 LGO customer satisfaction data reveals that the overall outcome of the complaint is very strongly linked to overall satisfaction (at a level of statistical significance exceeding 99%).

Throughout the analysis, it is clear that those dissatisfied with their final outcome were more likely to be dissatisfied with elements of the process, and these were strongly linked with overall dissatisfaction. The converse was true of those satisfied with their final outcome.

Other drivers of satisfaction

The factor which most strongly drives satisfaction/dissatisfaction is satisfaction with letters and/or reports. However, based on the wording of the question in the 1999 survey it was not possible to tell how many respondents might have been referring to the LGO's decision or the way it had been explained.

Other factors which are strong drivers of overall satisfaction are also interlinked with satisfaction with outcome (e.g. satisfaction with comments being taken into account, perceptions that the investigation was fair, independent and efficient).

Other aspects of 'customer service' (e.g. speed with which the telephone was answered, whether staff were polite and helpful etc.) are not particularly strong drivers.

Key drivers amongst those satisfied with the decision

The strongest driver is satisfaction with comments being taken into account. This indicates that where respondents feel involved in the investigation and feel that their involvement is taken into account they are more likely to be satisfied.

Key drivers amongst those dissatisfied with the decision

The position concerning those dissatisfied with the decision is more complex, including a larger number of factors in comparison with those satisfied with the decision. This means that improving levels of customer satisfaction for those who do not get the decision they want is more complex.

The strongest driver of satisfaction or dissatisfaction amongst this group is satisfaction with letters or reports. As mentioned earlier, this may not only be describing satisfaction with the way that the letters or reports were written, but also satisfaction with the content – that is the decision. Other strong drivers include satisfaction with comments being taken into account, perceptions that the complaint was investigated fairly and how well the reasons for the decision were explained.

These themes are all explored in great depth in the qualitative research.

Complainants Focus Groups & Depth Telephone Interviews

Note on Qualitative Research

In this type of environment, respondents tend to be considerably more negative and critical than might be the case in a normal conversation or depth interview.

Moreover, it must be remembered when interpreting these results that they are not based on quantitative statistical evidence. The findings are based on a small sample, which is designed to cover a cross-section of residents, but this should not be confused with statistical representativeness.

Summary of Findings

Expectations

Some participants in the research ('respondents') had unrealistically high expectations of the LGO;

- The Ombudsman will 'put things right'
- That the process will be simple and straightforward
- Images of an arbitration process or court of law

Respondents believe that LGO needs to clarify, at the start, and in very plain terms, what it can and cannot do. Respondents would rather have

known the limitations than, as they see it, waste time and energy in making a vain complaint.

Images of the LGO

Respondents' impressions include the perception that the LGO is not truly independent, that they are impotent (especially c.f. court action) and that they are part of 'government'. These images of the LGO are in part a reflection of current dissatisfaction with/malaise about local and national government. Independence is covered later in this summary.

Customer Service

In terms of customer service respondents feel that LGO staff are excellent communicators. In particular that they are polite and courteous and follow efficient administrative procedures. However performance in the substantive work of investigating and interrogating local authorities is perceived to be poorer.

There is a widely held view among respondents that the complaint system favours middle classes i.e. those who are educated, experienced in arguing a written case and dealing with authority and decoding terms of reference, and there are calls for help to be made available to those who need it.

Communication

There is an overall preference for more verbal/face-to-face contact with LGO staff. For some, the initial letter is hard to compose (especially in complicated cases) and many would prefer a 'start up' meeting or at least see a greater role of verbal contact, preferably face-to-face. Some respondents suggested the introduction of more 'branches' around the country which would help make staff feel less 'distant'.

Respondents feel that the LGO excel at regular communication in particular at keeping them informed. The postcards sent to acknowledge receipt of the complaint are appreciated by respondents.

Overall respondents feel that the time frame for decision making is generally fine, as long as any delays continue to be explained.

Booklets and Leaflets

Where most respondents are aware of booklets and leaflets produced by the LGO, very few read the information or appear to digest it fully. Some respondents admitted that they read the information after making the complaint and others that they read into it what they want to believe.

There is a general feeling that the information contained within the booklets and leaflets produced is quite generic which makes it hard to assess accurately its precise relevance to an individual complaint.

Respondents would like to see detailed examples or case studies that highlight what the LGO can and cannot do.

Involvement in the investigation process

Respondents expect a thorough, hands-on investigation, with them actively involved in all stages of the investigation process. However some respondents admitted that they only had limited awareness of what actually happened and many complainants feel distanced from the process. Generally there is a higher level of satisfaction amongst those who were actively involved in the investigation than those who were less involved.

Respondents would welcome the opportunity to see all the evidence and comment, although some complainants feel that the process is already tiring, time-consuming and can be relatively costly.

Some respondents commented that LGO staff seem rushed (esp face to face) which makes them wonder is the complaint being taken seriously. In addition, they ask, do staff (especially in cases without face-to face contact) appreciate the 'injustice' that the complainant feels?

Fairness and Independence of the Investigation

Respondents whose complaints were not upheld, tend to be most critical of LGO's impartiality and procedures. Many respondents are convinced that the investigation lacked independence and rigour and is weighted towards the educated and exceptionally persistent. In particular some respondents believe that the investigation appears to give more weight to Local authority evidence, taking it at face value, without 'digging and delving'. Many respondents would like to see the LGO put the complainant's specific questions to the Local authority, and they want to see detailed evidence including what the LGO asked the Local authority and their responses.

There are expectations that the LGO will act as the complainant's legal team against the Local authority. Respondents question why the LGO can't be more of an advocate for 'little person', to balance the situation? The desire of some respondents is for the LGO to have court-type powers: consider evidence and make a binding judgement. If this is not possible, they feel the LGO is 'pointless', 'toothless'. Many respondents would like the LGO to offer arbitration, consisting of face-to-face sessions with Local authority staff, with LGO staff overseeing proceedings.

The Decision

Respondents appear to have very limited awareness of the provisional decision and many are unaware that further evidence can be submitted for consideration.

Overall respondents want to be convinced that the Local authority has done nothing wrong. A key demand of respondents is for a more detailed explanation of the decision. In particular, addressing each of the complaint's points/pieces of evidence, especially where there is an apparent lack of continuity in interpretation of legislation e.g. where a complaint constitutes maladministration, but not injustice.

Some respondents, even where their complaint is upheld, are dissatisfied with the proposed resolution. Respondents want to be persuaded that a

particular outcome is sufficient. Some feel that the LGO has failed to take into account the time/cost/stress involved in making the complaint.

Submitting New Evidence

Most respondents believe the LGO's decision is final with no right to appeal. Only a minority of respondents know that they can submit further evidence/views after a decision is reached, but most assume that this will be a useless exercise. At this point many are already disheartened with the LGO and many believe they have already worked hard to marshal as much evidence as possible. Most believe the outcome of any appeal would be the same and that it would only be worthwhile if the evidence was re-examined by an outside body.

Key messages from Complainants Focus Groups and Telephone Interviews

- Responses point to the need for a clear and concise explanation of exactly what the LGO can and can't do including an outline of the powers the LGO has. The complaints process should be made very clear from the start of the investigation.
- Responses suggest the need to publicise the LGO telephone advice line so that complainants can call to discuss the details of their complaint before submitting.
- Administrative procedures and communication from the LGO are seen to be first rate and standards should be maintained.
- Some respondents would like to see all correspondence between the LGO and the Local authority.
- Some respondents think that it would be beneficial to provide more advice and guidance on how to write a complaint.
- Many respondents think that more face to face meetings and telephone contact would ease communication. Some respondents would like to see the LGO hold surgeries or establish branches around the country to help develop a more accessible and approachable service.
- Being kept informed during the investigation is a very important part of the process and sending a postcard is a simple and effective 'proof of receipt' which respondents like. Complainants appreciate being notified of any delays in the process.
- Email communication with complainants and authorities rather than post may help speed things up. However, overall respondents are happy with the time it takes the LGO to deal with complaints.
- Respondents find the information in booklets/leaflets too broad and generic. Too much information can be off putting but too little can cause people to overlook it.
- Respondents would welcome specific case studies on common topics, describing cases that have not been upheld as well as cases that have been upheld. This would help explain the process

and clearly illustrate the remit of the LGO. Focussing on a particular topic such as planning, housing or education will make it more relevant to the reader.

- Respondents want communication that is clear and accessible. While in the main this is the case, it should be recognised that different complainants will communicate in different ways.
- Some respondents would like to be copied into all correspondence with the Local authority and some would welcome the opportunity to put their own questions forward for the LGO to ask the Local authority to answer.
- Respondents would welcome the LGO improving its links with other statutory bodies e.g. Standards Board or Audit Commission so that if the LGO cannot investigate the complaint they can put them in touch with someone who can help them.
- Not all respondents fully understand what a provisional decision is.
- Respondents feel the LGO needs to be more explicit about the details of how the complaint was investigated. Respondents want the LGO to write more detailed decision letters that demonstrate a thorough, fair, independent and unbiased investigation has been undertaken. Decision letters which appear to be generic are not acceptable to complainants.
- Respondents want enough evidence included in a decision to demonstrate that the outcome represents an acceptable, sufficient and fair resolution.
- The experiences of and opinions expressed by BME respondents conformed very closely with those expressed by the majority in the focus groups, with those respondents whose cases were not upheld tending, predictably, to be most dissatisfied with the service received.

Summary of Findings - LGO Staff

Expectations and Images of the LGO

LGO staff feel that complainants expect the LGO can do more and that they will act on their behalf as a "Citizens' Champion". The need to address the expectations of the complainants early in the process and address any misunderstandings is recognised by senior staff as a critical activity of an investigation.

In the view of the members of the LGO staff focus group the main expectation of complainants is that the LGO Service will sort the problem out. It is felt that there is a lack of understanding of the Ombudsmen's role and many complainants have an expectation that the Ombudsmen will act on their behalf.

LGO Staff view the service as independent, fair, professional, reliable, high quality, high standards and traditional.

Independence

Overall the investigation process is considered to be independent and fair by LGO staff. The terms independent and fair are embodied in the mission statement of the Service and respondents feel that they are at the heart of the work they do.

LGO staff believe that their independence is perhaps sometimes questioned due to perceptions of their close relations with Local Authorities. Also the name 'Local Government' Ombudsman.

LGO staff believe that failing to sufficiently involve complainants in the investigation may lead to some complainants feeling marginalised or not fully understanding the process.

Provisional Decision

LGO senior staff believe that the provisional decision approach is a good one and helps ensure complainants do not think a final decision has been reached. However, some LGO staff believe that problems occur when people do not read the provisional decision letter properly.

Advice and Guidance

LGO staff recognise that they can offer a great deal to help Local Authorities improve.

Key messages from LGO Staff telephone interviews and focus group

- LGO senior staff recognise the importance of managing complainants' expectations at the outset.
- Active listening, giving clear messages, being accessible, being responsive and getting things right as soon as possible are seen by LGO senior staff as key elements of good customer service.
- LGO senior staff identify their perceived close associations with local authorities as to why complainants may not feel they are completely independent.

Summary of findings - Local authority Staff

Customer Service

Local authorities generally expect the LGO will be professional and impartial whilst maintaining good working relationships. All Local authority Staff believe their experiences reflect their overall expectations of the LGO.

In addition to good working relationships, Local authority staff appreciate the ability to seek advice from the LGO. However they do not see themselves as 'customers' but more partners working together to achieve the same goal of resolving complaints. Overall a 'professional business relationship'.

Images of the LGO

Local authority officers' images of the LGO concur with those of LGO staff, that the LGO is independent, fair, professional, reliable, open, thorough, approachable, knowledgeable and helpful.

When asked what words they would use to describe the Ombudsmen, Local authority respondents are consistent in their descriptions of the LGO Service. Overall the Service is seen as 'open', 'independent', 'fair', 'thorough', 'insightful', 'knowledgeable', 'approachable', 'reliable', 'helpful', and 'professional'.

Involvement in the investigation process

Local authority Officers all feel fully involved in the investigation process. However some feel the time it takes the LGO to deal with complaints is sometimes too long. Some Local authority officers commented that although they have 21 days (now increased to 28 days) to respond, the LGO don't seem to have any deadlines. It was suggested that greater use of email may help speed things up.

Communication

Local authorities are generally happy with the current balance of both formal and informal communication. However the method of communication should match the circumstance and a combination of methods is desirable.

In particular written communication is considered to be very clear and respondents are pleased to see increasing use of email. But it was pointed out that this is difficult to manage with complex cases and there would still be the need to back things up with hard copies - 'keep things on the record'.

A few respondents reported face-to-face meetings, although they were thought to be necessary for the more complex cases. It was however pointed out that more face-to-face meetings would slow the process and for the majority of cases are not required.

Formal events or 'road shows' were suggested by respondents as being useful. Reference was made to the York and London events which were identified as good examples of helpful and informative face-to-face contact.

In the views of the Local authority respondents the leaflets and booklets produced for complainants contain the right level of information and are clear. A suggestion is made by one respondent that information could be produced to explain that in some circumstances such as an education appeal there is a statutory right of appeal.

Advice and Guidance

All Local authority staff said they find the Advice & Guidance, Digest of Cases & Remedies very helpful in helping deal with complaints.

In terms of advice and guidance Local authority staff make suggestions for further improvement, including; listing determinations by category

and providing more detail on cases to 'help learning'. Overall they are very satisfied with the work of the LGO Service and key to this are the excellent working relationships and approachability of the LGO.

Generally officers interviewed thought that the layout of publications was clear and logical. It was suggested that the digest of cases could be improved by making it available online with a key word search. In terms of the Annual Letter, including details of how long it has taken to conclude complaints not just Local authority's response times was suggested.

Key messages from Local authority Staff telephone interviews & online group

- Relationships appear to show the right balance of professionalism and friendliness. Some acknowledged that the relationship between the LGO and councils may be viewed as too close by some complainants.
- Some authorities raised concerns about inconsistencies between different offices and teams.
- Authorities would welcome efforts to speed up the investigation process and the use of electronic communication to do this. The LGO should continue to match the communication methods required to individual cases and tasks. There is unlikely to be a 'one size fits all' method.
- Authorities suggested that the website could be updated, and mentioned that the Audit Commission website was a good example.
- Continue to provide and update the advice and guidance and provide training and seminars, as these resources are very well received.
- There were some calls for specific information to be made available to complainants (e.g. the right of appeal for education decisions).