

Local Government Ombudsman (LGO) Advisory Forum

Notes from meeting held on 30 June 2016

Attendees

Name	Representing
CB	LGO Service User
JM	LGO Service User
VH	LGO Service User
NC	LGO Service User
KB	LGO Service User
ER	LGO Service User
DM	National Complaints Managers' Group
MW	Coventry Law Centre
C Brady	Advisory Member, Commission for Local Administration
J Martin	Local Government Ombudsman
M King	Chief Executive, LGO (Chair)
TM	Head of Policy and Communications, LGO
JB	Customer Service Manager, LGO
MB	Policy and Research Manager, LGO (secretariat)

Apologies – RH, LW, SP

1) Welcome

Members of the Advisory Forum were welcomed to the LGO by Jane Martin (JM) and thanked for attending the meeting. JM updated the Forum on the Government's plans for reforming the LGO and the Parliamentary and Health Service Ombudsman (PHSO) and creating a single body. It is expected that a draft bill will be published very soon, however, lots of unknowns still remain, including whether the bill will receive parliamentary time. A recent meeting with the PHSO Board reaffirmed the commitment from both organisations to continue to take opportunities to harmonise the work of both offices.

JM confirmed that her seven year term as Ombudsman comes to an end in January 2017. The Department for Communities and Local Government is currently advertising for a new Ombudsman.

JM highlighted a successful year for the LGO and that the [Annual Report and Accounts](#) will be laid in Parliament and published soon. The National Audit Office approved the accounts without qualification or recommendations. The report shows an improvement on our performance targets, and while the number of public reports published has gone down, high compliance with our recommendations continues.

A recent report detailing a complaint about an [Oxfordshire Care Home and Oxfordshire County Council](#) was the first to involve both our jurisdiction over local authorities and over independent care providers, as it involved issues around safeguarding and the quality of provision in the care home.

JM invited members of the Forum to join her for one further meeting in the Autumn to coincide with the end of her term.

2) Introduction and updates

Mick King (MK) provided feedback on the suggestions made at the previous meeting about the newly launched website. Suggestions are either in progress or have been completed.

MK stated that it is still the intention to video members of the forum describing their experience of using the LGO's service. The Communications Team will be in touch with those who kindly volunteered to be filmed. It is intended to show the recordings at a meeting of our management team and Board in November.

[Annual letters to councils](#) and the [Annual Review of Local Government Complaints](#) are due to be published in the coming weeks. Reporting on the volume of complaints only tells part of the story and we are increasingly moving to reporting on how good local authorities are at putting things right.

3) Discussion 1: Resolving complaints using the telephone – key principles and skills

JB introduced the discussion about telephone skills. JB explained that LGO introduced a new telephone system in October 2015 that we are keen to make the most of. The Intake team receives around 40,000 calls a year, with around 6,000 of those intended for other parts of the organisation. Our customer satisfaction results show that telephone communication is very important to our customers – customers are understandably dissatisfied when their calls and messages are not returned and some comment that they have never been spoken to throughout the course of their complaint. Customers who are having difficulty contacting their Investigator may call the Intake team to get an update on their case. Intake staff aren't able to provide an update as they are not working on the case, which can be unhelpful for the customer and can cause conflict.

To understand how staff felt about using the telephone to resolve casework, we spoke to staff members who were particularly confident using the telephone and those who were less so and who struggled to control calls and their length.

This work developed into an item on this year's Business Plan to:

- help improve performance and reduce decision times by enabling more staff to proactively take control of their casework by phone.
- ensure that staff have the skills and confidence to negotiate, investigate and manage complex casework by phone.
- be clearer with staff and the public about our standards and expectations for phone contact with customers.
- improve customer satisfaction and co-operation by bodies in jurisdiction by ensuring that we are accessible, proactive and responsive at all stages of the complaints handling process.

To achieve these objectives we will be procuring external training. The draft specification for the training was shared with the Forum prior to the meeting. JB asked members for their view of the specification and to share their experiences of contacting the LGO.

Feedback included:

- Investigators should use neutral language. For example, starting with, "...according to the information from the local council..." can put customers on the back foot before they have had chance to explain the complaint from their point of view.
- The LGO's impartiality should be emphasised. It is important to create the environment on the 'phone that a person is being listened to.
- Booking time slots for a telephone call allows a customer to prepare for a call, rather than feeling they are being put on the spot by a spontaneous call.
- Emailing a customer a list of questions in advance of a planned call allows them to prepare.
- Ask the caller what they need, e.g. a translator, a representative etc.
- Some people may struggle with using the telephone and will want to use other methods. For example, using Skype.
- Use or offer a recapping technique, e.g., "...would you like a letter or email to confirm what we have discussed...."
- A toolbox of useful phrases could be created to support investigators with challenging calls. This could be assembled from pooling their existing expertise.
- The first call an Investigator makes to the customer is their chance to tell their story, not discuss what the council has said at this stage.
- Ensure that a call is made before the decision letter is sent out to discuss the decision and how it was made. This approach reduced the number of

complaints escalated from stage 2 to stage 3 of a local authority's complaints process.

- Plan a call, research the subject and don't bluff when you don't know something.
- Scripts and stock phrases can provide a useful framework for a conversation but it's important not to sound robotic and that the customer feels valued and listened to.
- Having no 'phone contact at all makes the customer feel cheated of their opportunity to explain their complaint and its impact.
- Investigators should use mediation skills to acknowledge feelings and to diffuse situations.
- A telephone call should be for the customer to opt out of, rather than having to opt in and request.
- Provide customers with a route of escalation if they are not able to contact their Investigator.
- Use champions to support and challenge others' practice.
- A telephone call may take more time than email exchange, but sometimes the emotional impact of a situation has to be understood.
- Find out how the customer wants to be communicated with.
- Adapting the approach and having the confidence to do so is important.
- Ensure that Investigators are able to manage their own emotions and to discuss and download their emotions appropriately to others. This could be done outside of the line management relationship.
- Ensure Investigators have the skills to tell customers when their behaviour is not acceptable.

Members also discussed the format of the training and how the outcomes would be evidenced and embedded. In response, JB stated that some existing measures, such as timescales to make decisions, the number of review requests, and the number of calls taken by Intake from customers trying to reach their Investigators, will demonstrate the success of the training.

4) Discussion 2: Review of online complaint web-form

JB introduced the second discussion about reviewing the current complaint web-form in order to improve online interaction and increase the number of customers who choose to submit their complaint to us online, rather than using other channels.

Comments from the Forum included:

- The ability to upload more than one document would be beneficial.
- There is no security capture to ensure that the form is being filled out by a real person.

- Are final letters from bodies in jurisdiction the most helpful document to provide – they often have very little detail in them. If it is particularly important, clearly explain why on the web-form.
- Provide guidance about what kinds of documents/evidence to send in, to prevent customers from sending ‘too much’ in at the start of the process.
- Once the initial information about a complaint is submitted, Investigators should first seek additional information from the customer, rather than the body in jurisdiction. Customers will feel more listened to if they are able to present their complaint in detail before the body complained about is asked to respond.
- A ‘Help’ page with detailed guidance or a short video explaining how to upload a file would encourage people who are less confident using the web/computers.
- A drop-down menu of bodies in jurisdiction might help to re-direct customers who are contacting the wrong ombudsman service. In response, JB outlined that while this may be possible for our jurisdiction over local authorities, the providers and bodies within our social care jurisdiction change almost daily so it would be very difficult to keep it up to date.
- If the form asked a person if they wanted to complain about a local authority, care provider, or both at the outset, the rest of the form could be tailored accordingly.
- The web-form does state that if a person needs help completing the form they can get in touch, however, it needs to be much more prominent.
- If the web-form is presented as the person’s only chance to get all their information and evidence across, people will want to include everything. It should be made clear there will be other opportunities to speak about their complaint and provide additional evidence. Including the question, “Have you got additional information to share with us?” would give people confidence that they will have future opportunities.
- Young people can make a complaint to the LGO, but the form is not young person friendly.
- The web-form should capture information about the customer’s preferred contact method and the best time to contact them.
- A representative can’t fill in the form on behalf of someone else, as the questions are directed to the person affected. A new page needs adding to include a representative’s details and a third party declaration.
- The web-form starts with, “Please do not complete this form if...” It’s an off-putting start and directs people away from the form. The wording should be changed.

Members also discussed the LGO’s role in training councils and care providers in effective complaint handling and how, without careful presentation, it could challenge the LGO’s impartiality. It was suggested that if training is provided to councils, training should be provided to people wanting to make a complaint, too. As face to face

training would probably not be practical, this could take the form of YouTube videos on how to complain to a council or care provider and how to use the LGO's service. Alternatively, it was suggested that the LGO could work in partnership with Citizens Advice, Advice UK or Age UK to give people the resources they need to make complaints effectively.

The Forum were asked to send any further comments on either discussion topic to Marie Bench.

5) Closing remarks

Carol Brady (CB), representing the Commission, reflected on the meeting, stating that it was hugely valuable to be able to hear directly from people who had used the service.

JM stated that the discussions from the meeting had emphasised the importance of a current project focussing on the LGO's values. The project will culminate in an all staff event in October where our values and behaviours will be re-focused and reinforced.

Members were thanked for giving up their time to attend the meeting and for their contributions.

A date for a further meeting in the Autumn is to be arranged.

June 2016