

**Waterways Ombudsman:
Quality Assurance Peer Review 2021/22
Observations and Potential Learning Points**

Waterways Ombudsman Committee Meeting – 12 September 2022

Summary:

The Waterways Ombudsman seeks to operate a transparent and fair process, investigating complaints and providing a formal Alternative Dispute Resolution Service for customers and citizens unhappy at the way the Canal & River Trust and the Avon Navigation Trust dealt with their complaint

The Waterways Ombudsman Committee commissioned a quality assurance peer review of the Ombudsman's decisions completed 2021/22. Committee members Lisa Stallwood and Jane Brothwood were appointed to undertake the review

The remit for the review:

- ensure complaints met the Ombudsman Quality Standards
- identify potential learning points and further best practice
- provide assurance for the Ombudsman – in the context that the Ombudsman role is a singleton and operates independently

Overall, there was clear evidence of effective investigation and resolution of complaints. The review was not intended to, and did not extend to, re-consider the outcome of decisions but the evidence reviewed indicated that all the outcomes were reasonable and soundly based.

Insight and learning from complaints can provide opportunities to improve complaint handling and services for customers more broadly. In this context we identified possible learning points and potential opportunities for further improvement, while recognising the size of the organisation and overall number of complaints

Process:

The Ombudsman completed 13 investigations since the peer review completed in autumn 2020.

3 investigated complaints were selected for peer review, representing 25% of decisions.

Selection included:

- One not upheld complaint
- Two partially upheld

The reviewers selected the complaints at random. All three complaints related to the Canal & River Trust.

A paper review of each complaint was completed independently by the two reviewers in August 2022. Observations and feedback were captured and collated on a template. Areas considered included:

- Defining the complaint
- Making enquiries
- Assessing the evidence
- Reaching a decision
- Quality of communications

Overall findings and observations:

The Ombudsman met all objectives (100%) outlined in the peer review quality assurance document.

Complaints were defined in an accurate, clear, concise and, when required, sensitive manner. A range of evidence was reviewed, including customer correspondence, evidence from the Trust and third-party information (e.g., from Environment Agency). Further enquiries were made of the Trust and with customers as necessary. All relevant evidence was appropriately considered.

All investigations were within remit. One complaint was accepted for investigation before the Trust had issued a second response. In the circumstances, this appeared appropriate and customer focused, and the Trust was in agreement. None of the complaints reviewed involved complex technical issues.

Decisions were set out in professional manner, using clear and empathetic language, appropriate to the audience. The decision letter included both customer view of the issue and a summary of the Trust's account. Relevant statute was referenced to support the decision where appropriate. All Ombudsman investigations reviewed were completed within the Ombudsman's SLA.

Suggestions and recommendations:

Document naming convention:

- We recommend trialling the use of Diligent for sharing documents in future. This may help facilitate a common naming convention and would also reduce the risk of a data protection breach.

Ombudsman Recommendations:

- It may be useful to confirm in the final report if complaints are fully/partially upheld or not upheld for all investigations. This could provide greater clarity for complainants and Trusts. It would link to the Ombudsman's annual report.
- It was good to see a copy of the apology from CRT, but it is not clear how CRT inform the Ombudsman where they have taken other recommended action or how that is reported. It may be helpful to include timescales for the Trust to respond to the complainant or provide updates – for example, to complete a further investigation, introduce new processes, or install signage. This would provide assurance to and manage customer expectation. Additionally, for transparency, we suggest the

Ombudsman reports the outcome/completion of recommendations by the Trusts in the annual report.

Data Protection:

- We suggest the Ombudsman considers if it is appropriate to include third-party information in the context of GDPR

We would like to thank the Ombudsman for her co-operation, openness, and willingness to seek opportunities for improvement. Once again, demonstrating best practice through her approach. Previous recommendations had been implemented where possible.

Lisa Stallwood & Jane Brothwood

26th August 2022