

Report for the Board of Trust Alliance Group
Annual Report of the Independent Assessor for 2023

During 2023 the Independent Assessor role for the Trust Alliance Group (TAG, formally Ombudsman Services) was covered by Maurice Livesey (January-October), and Ian Brotherston (October-December). This report covers the findings of both parties during the period.

1. Independent Assessor Caseload.

Month	Reports 2023	Reports 2022	Reports 2021	Reports 2020
January	12	11	8	6
February	8	15	7	6
March	13	16	6	7
April	0	24	10	7
May	5	21	20	6
June	13	20	15	9
H1 Total Reports	51	107	66	40
July	6	12	12	6
August	2	14	16	10
September	6	8	9	6
October	6	17	16	12
November	5	15	16	11
December	5	15	20	13
H2 reports	30	81	89	58
Total Reports	81	188	155	98
First Cases	60	181	138	93

2023 showed a reduction of cases referred to the Independent Assessor to a level similar to that encountered in 2020.

Following the strengthening of how TAG reviews service complaints internally both the number and the percentage of cases reviewed by the Independent Assessor (IA) reduced significantly compared to the previous year. The total number of cases reviewed by the IA reduced by more than half, from 188 to 81, and as a percentage of total cases the received by TAG reduced by two-thirds, from 0.15% to 0.05%.

It is noticeable from the figures above that whilst the total cases have substantially reduced, those who have previously made a complaint to the IA (and thus those who have submitted more than one service complaint) has risen as a percentage of total cases reviewed by the IA, to 26% of total cases in the year.

Case Outcomes

The process of handling complaints about the service provided by Trust Alliance Group followed the established practice of:

- a. Consumers receiving an acknowledgement letter clarifying the role of the IA and the areas that it was appropriate for the IA to investigate. It is made clear that the IA's remit is not to address the specifics of complaints against the service provider, or the original decision, but rather to focus on complaints relating the handling of the case by TAG.
- b. A scoping letter referencing their case, detailing the specific complaint(s) that the IA would be investigating. This letter also explains the potential outcomes relating to each complaint, classified as follows:
 - i. Upheld – a complaint that has merit and has not yet been acknowledged until the IA review.
 - ii. Not Upheld – a complaint that the IA considers has no merit.
 - iii. Justified – a complaint that has merit but has already been acknowledged by TAG prior to the case going to the IA.
- c. A detailed written report is provided addressing each complaint and presenting findings according to the categories detailed in b above.

In certain circumstances a more simplified explanation of the report is presented to meet the requirements of the recipient. Where appropriate an audio file may also be sent to the recipient to reflect their needs.

Of the reports produced in 2023

- **26% had at least one element upheld.** This compares to 56%, 52% and 55% in the years 2022-2020 respectively, and is significantly below previous years. The Trust Alliance Group has made several significant process changes in how it deals with service complaints, with those cases in which the IA acknowledged a complaint which had not previously been acknowledged by TAG representing 26% of cases referred to the IA.
- **4% were not upheld.** This compares with 10%, 2% and 11% in the previous years 2022-2020 respectively. In these cases, neither the IA nor TAG found merit in the complaint.
- **70% were Justified.** This compares with 34%, 46% and 34% in the previous years 2022-2020 respectively. In these cases, the IA saw nothing further in the complaint that had not already been acknowledged by TAG.

The significant reduction in the cases upheld, and the corresponding increase in cases marked as Justified are best interpreted by combining the number of cases. The

percentage of service complaints that were upheld internally by TAG or by the IA shows 91% during 2023, which is consistent with previous years when the combined percentages showed 90%, 98% and 89% respectively.

In summary a significantly larger proportion of complaints are being identified and corrected within TAG's internal complaints procedure than in previous years, and hence the number of occasions when the IA identifies complaints that have not been previously acknowledged has been reduced. This is a positive reflection on the changes made within TAG to internally address service complaints with increased scrutiny.

2. What are consumers complaining about?

Although all complaints are unique to the individuals concerned, when reviewing the details of service complaints there are several consistent themes that occur. In some cases, these themes have been consistent over recent years.

Communication failures by TAG is the largest single cause of complaint received, this includes failure to respond to calls and emails from consumers within a reasonable timeframe, and failure to follow up with consumers in accordance with the timescales agreed. As mentioned in previous years this is often associated with individual cases being handled outside of normal processes.

The delays in implementing agreed remedies by the suppliers and service providers continues to be a reasonable cause of complaint for consumers.

The failure to make reasonable adjustments in handling cases for those consumers with additional support needs.

- **Communication Failures**

TAG handles a large number of cases each year, 149,085 in 2023, and relies heavily on automated systems and processes to maintain control of individual cases. However, ultimately the organisation relies upon its individual employees to accept, manage, evaluate, investigate, and adjudicate on individual cases.

In 2023 approximately 57% of the cases reviewed by the IA included elements of delayed communication that was avoidable. This remains the largest cause of service complaints.

Whilst the systems and processes are capable of ensuring consumer communication, there are occasions when the communication processes fail. These communication failures include.

- failure to inform the consumer of the progress of their case when due to do so,

- failure to review and respond to communication from the consumer in a timely manner (verbal or written),
- failure to return calls and messages left by consumers,
- Providing incorrect or insufficient information,
- failure to follow up with other areas of TAG when necessary.

Looking at the cases in 2023, there are several different scenarios where communication failures occur:

- Human Error – where individual agents are aware that a call back to the consumer is due, but the call is not made. This could be as a consequence of staff absence, failure to check voicemails, or TAG staff not being adequately prepared for calls with customers.
- Process Errors – where individual cases are managed outside the normal processes, and hence the normal case handling protocols are avoided. This scenario can occur for different reasons:
 - Where a TAG employee has granted a consumer an exception to normal rules in order to be fair and reasonable. An example of this has been where the time allowed to appeal a decision has been exceeded, but the consumer has cited extenuating circumstances (illness, for instance) and an extension to the normal period has been granted.
 - Where out of process activity has taken place because of multiple submissions, failure to understand details of the complaint, or closing the case when it was not appropriate to do so.

It is inevitable that when handling almost 150,000 cases per year some human errors can occur. TAG has made significant steps in reducing these over the period, and appropriately apologising when these errors occur.

3.2 Remedy Delays

The timely implementation of agreed remedies pertaining to individual cases is the second largest cause of complaint and represents 19% of all cases reviewed by the Independent Assessor.

Upon the decision made by TAG (or the outcome of an appeal of the decision where appropriate), TAG liaises with the supplier, or service provider, to ensure actions are taken to correct the problems that occurred; the ‘remedies’.

These may be simple or complex remedies that can be implemented in a short period of time dependent upon the remedy. An apology or a credit to a customer account is

possible to be implemented within a short period of time. The replacement of a meter, or the fixing of a fibre connection may take significantly longer.

TAG has a duty and an obligation to work with the supplier, or service provider, to ensure that the remedy is implemented within a reasonable timeframe and to maintain contact with the consumer until the remedies are fully implemented. Whilst TAG has established contacts and regular meetings with service providers/suppliers, the remedy actions are taken by the relevant companies.

In reviewing cases during the period of 2023, it is clear that delays in having remedies implemented are of significant frustration to consumers, and the second largest cause of service complaints. TAG must continue to work closely with suppliers and providers to ensure that remedies are implemented efficiently and in a timely manner.

3.3 Making Reasonable Adjustments for Consumers.

Consumers with disabilities may have specific communication requirements when communicating with Trust Alliance group, and TAG are obligated under the Equality Act of 2010 to make reasonable adjustments to their processes to accommodate those needs.

These can be varied but may include communication only by telephone call or only by email, enlarged or specific colour of font in written communication, or the use of simplified language.

As the Independent Assessor I have seen the processes that TAG applies in ensuring that these adjustments are made. However, like the communication errors above, errors do occur. The failure to make reasonable adjustments for consumers constituted 10% of the complaints reviewed by TAG during 2023.

In reviewing the cases handled by the Independent Assessor during 2023, the majority of these errors include the accidental or inappropriate method of communicating with consumers. This could be emailing a consumer who has specifically stated the need for verbal communication, or vice versa.

Whilst I have no doubt of the commitment of TAG to meet its obligations in supporting consumers with additional support needs, errors do occur, and continued progress needs to be made to reduce these concerns for the most vulnerable consumers.

4.0 Recommendations by the IA

Each IA report with an upheld or justified element concludes with recommendations, intended as far as possible to restore complainants to the position that would have been in had there been no service shortfall. If a service complaint is found to be justified (in that TAG have already offered an appropriate remedy) the recommendation is usually that the previous offer remain available.

Recommendations during the 2023 period have included:

- An apology
- A goodwill payment
- Further explanation of the case findings
- Recommendations for the TAG staff to review aspects of its internal processes and procedures to avoid future errors.

Consumers are asked to inform TAG whether they accept or reject the recommendations, and then it is for TAG to implement the recommendations.

The award made by the IA is additional to goodwill payments already made by TAG as part of their thorough review of service complaints prior to referral to the Independent Assessor.

The total **additional sum** in goodwill payments awarded by the IA in 2023 was £3190 over the 81 cases compared to £5225 in the 2022. When considering the average award on those cases that were upheld the average amount was £102.90, compared to £52.57 in 2022. The increase in the average payment, where a payment was made, reflects that although the total number of cases reviewed by the Independent Assessor was reduced the severity of the complaint of was greater importance.

During 2023 TAG altered its approach to financial awards, only making payments where it is clear that the consumer has suffered demonstrable detrimental loss

The distribution of the additional IA awards is set out below:

Additional IA Goodwill	2023		2022		2021	
	# Reports	% of Reports	# Reports	% of Reports	# Reports	% of Reports
Zero	50	62%	84	47%	65	47%
£50 or less	7	9%	69	38%	48	35%
£51 - £100	12	15%	22	12%	5	18%
More than £100	12	15%	6	3%		

5.0 Final Observations

When reviewing 2023 it is clear that significant progress has been made within Trust Alliance Group in both reducing and managing service complaints compared to previous years. Although total cases managed by TAG has increased by 20% the complaints about the service received accounted for only 0.7%. Additionally, the volume of complaints referred to the IA was reduced by over 50%.

The IA upheld 26% of the complaints that were reviewed by them, which was substantially down from previous years and reflects how complaints had been dealt with internally with TAG prior to escalation to the IA.

Consumers who had previously made a complaint that escalated to the IA made up almost 26% of all cases reviewed, and this was a substantial increase over the previous year where it was 11%.

The subject of the service complaints remains consistent with previous years with 86% of complaints due to communication failures, remedy implementation delays or failures to make reasonable adjustments for consumers with additional support needs.

I would like to take this opportunity to thank the Independent Assessors who proceeded me in this role Joanna Wallace and Maurice Livesey, who reviewed cases during 2023. I would also like to thank the Customer Relations team at TAG for their support since I began this role.

IAN BROTHERSTON

INDEPENDENT ASSESSOR