



House of Commons
Public Administration Select
Committee

**When Citizens
Complain**

Fifth Report of Session 2007–08

Report, together with formal minutes

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The Public Administration Select Committee

The Public Administration Select Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration, of the Health Service Commissioners for England, Scotland and Wales and of the Parliamentary Ombudsman for Northern Ireland, which are laid before this House, and matters in connection therewith, and to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service.

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Summary

This is the first of several Reports on our inquiry into Public Services: Putting People First. One of the key themes of this inquiry has been how government and the public services handle and learn from complaints.

In this Report, we consider how citizens know what they can complain about and who they can complain to (Chapter 2), what makes for best practice in handling complaints within government organisations (Chapter 3), how complaints should be used by public services to address problems and inform service design and delivery (Chapter 4), and the role of central government in issuing guidance and in holding departments to account for how they handle complaints (Chapter 5).

Complaints should be handled effectively at the earliest possible point. We are disturbed that there seems to be a systemic problem with first-tier complaint handling by government organisations. Complaints systems need to be accessible and easy to navigate. To assist in this, the Government should explore providing a single point of contact for impartial information on where to make a complaint or seek redress.

Although complaints systems should not be unnecessarily complex, public confidence demands robust and impartial processes for dealing with disputed complaints, including independent sector-specific complaint handlers where proportionate.

Public services need to adopt the perspective of citizens who use them. They should seek to discover what complainants hope to achieve from making their views known, and they should have a systematic and active strategy for monitoring and learning from complaints to inform service delivery.

While individual organisations need to take responsibility for the services they provide, we identify a need for a centrally co-ordinated official effort to champion good practice in complaints handling and to monitor how organisations across government handle and learn from complaints in practice. The Cabinet Office is best placed to take on this role.

These goals—not just to put things right for the citizen but also to get them right for the future—will only be achieved if the dominant culture across the public service invites and values complaints.

1 Introduction

Background

1. This is the first of a series of Reports on our inquiry into *Public Services: Putting People First*, which began in autumn 2006. Our inquiry follows up the work of our predecessor Committee on *Choice, Voice and Public Services*.¹ We wanted to consider the development of ‘voice’ in the design and delivery of public services more fully, and look at whether the systems in place were effective both in engaging users and in improving services.

2. The increasing emphasis on the ‘personalisation’ of services has made this inquiry particularly timely. We have been able to draw on much evidence to look at the benefits and, perhaps, the pitfalls of this approach. ‘Personalisation’ and responsiveness to the needs of users are welcome developments, but the state is not just a service provider. It defines both entitlements and obligations. It also interacts with the users of its services in very many different ways. The relationships between a taxpayer and HM Revenue & Customs (HMRC), or between a social worker and client, are very different from one another, and each also differs from normal customer-provider relationships. The ways in which user experience is monitored and used may vary widely between services. Although providers of public services need to respond to their users’ experience, at minimum to ensure that services are appropriate, they will also have to balance user responsiveness against cost and requirements for consistency and fairness.

3. At the outset of this inquiry we identified three key themes:

- How government and the public services handle and learn from complaints;
- How public service providers work together with service users in the design and delivery of services; and
- How standards of service are set in order to guarantee minimum levels of service.

This Report is the first in a series of linked reports on those topics.

4. During the course of this inquiry we took evidence on complaints from the Parliamentary and Health Service Ombudsman, HMRC, the Department for Work and Pensions and the Disability and Carers Service, the National Consumer Council and Professor Patrick Dunleavy of the London School of Economics. We also questioned the then Chancellor of the Duchy of Lancaster, the Rt Hon Hilary Armstrong MP, the then Cabinet Office Minister, Pat McFadden MP, and the then Head of the Prime Minister’s Delivery Unit, Ian Watmore, in the course of hearings on a range of other issues. We were able to draw on more than fifty memoranda submitted in response to our issues and questions paper as well as the National Audit Office (NAO) report *Citizen redress: what citizens can do when things go wrong with public services*,² and the annual reports of complaint handling bodies. Our individual experiences in conducting casework for our

1 Public Administration Select Committee, Fourth Report of Session 2004–05, *Choice, voice and public services*, HC 49–I

2 National Audit Office, *Citizen redress: what citizens can do if things go wrong with public services*, Session 2004–05, HC 21, 9 March 2005

constituents and the Committee's continuing relationship with the Ombudsman have also informed this Report.

Complaints systems: theory and practice

5. Where government provides services directly or commissions them from others, this tends to be because these services are too important to rely on provision from elsewhere. Citizens, voters, and taxpayers expect services to meet certain standards, and to have an opportunity for *redress* when things go wrong. This can only happen if there is a responsive and effective complaints system in place. Complaints also provide an opportunity for service *improvement*. For example, each valid complaint about the administration of tax credits gave the state the opportunity to put things right for the individuals concerned, while the volume of similar complaints pointed towards systemic problems. Feedback from complaints is particularly valuable in areas where service users have no option of 'exit', either through choosing a different provider or by abandoning the service altogether.

6. Although there is some good practice, it seems government frequently does not respond to complaints as well as it should. The 2005 NAO report, *Citizen redress*, was highly critical of complaint handling mechanisms within departments.³ Complainants often need time, persistence and stamina to pursue their complaint to a satisfactory conclusion and complaints processes can be difficult to access, understand and use. There have been calls to make information and advice about complaints systems much more readily available to citizens.

7. This is not to say the complainant is always right. Some people have unrealistic expectations of what the state can deliver. Some are unacceptably abusive, whatever the validity of their complaint. It is all too easy to understand why public servants on the receiving end of complaints can react defensively, and why passing a complainant swiftly on can seem a good idea. But most complainants are reasonable, and many complaints are well-founded. Complaints that have initially been rejected by service providers can ultimately lead to major improvements to the system, as the Ombudsman has reported, for example, about assessments of eligibility for NHS funding of long-term care in England.⁴

The cost of complaints

8. There are value for money arguments for improving how government bodies handle complaints. The NAO report on citizen redress attempted to quantify the cost of running complaints mechanisms for public services. Due to a lack of consistency in how departments record data about complaints, particularly cost data, their figures represent a 'best estimate' of the cost of dealing with complaints. However, the scale of the redress system is not in question: the NAO suggested it was nearly two per cent of overall central government administrative costs. In the year 2003–04:

- nearly 1.4 million cases were received through redress systems in central government annually;

3 *Ibid*

4 Ev 127

- these were processed by over 9,300 staff; and
- the annual cost of running redress mechanisms was at least £510 million. Of this total, £132 million was spent dealing with complaints; appeals and tribunal cases cost £366 million; and compensation payments came to £12 million.⁵

These figures cover all redress systems, complaints, appeals and tribunals, and Ombudsmen and independent complaints review bodies.

9. Systems that resolve complaints early on are relatively cheap. Expenditure on complaints comprises spending by departments and agencies on resolving complaints themselves, as well as the cost of Ombudsmen or complaint review bodies. In 2003–04, there were 543,000 new complaints made to central government bodies, which cost departments and agencies a total of £59 million to handle. In contrast, the various public sector Ombudsmen and independent review bodies cost a total of £73 million and received 42,000 new cases of complaints for review in that year. The NAO noted that:

...there are major savings to be made by departments and agencies if they can resolve more complaints and appeals at the lowest possible levels of the ‘ladder of redress’, rather than allowing complaints or appeal cases to progress up the system, involving extra bodies and accumulating extra costs and delays as they do so.⁶

10. Some complex complaints will inevitably require the involvement of the Ombudsman or other complaint review bodies. However, both the Ombudsman and the Healthcare Commission have observed that many of the complaints that came to them could have been dealt with effectively at an earlier stage. The Ombudsman has reported on complaints “that should never have got as far as [her]...because they were not handled properly at source”.⁷ The Healthcare Commission noted that in around a third of the cases it received, greater efforts could have been made by health care providers to resolve the complaints.⁸ **There are clear economic arguments for resolving complaints as quickly as possible. The earlier complaints are resolved, the cheaper it is for everyone.**

11. But handling complaints effectively is not just about value for money. Crucially, it is about establishing a responsive relationship between the apparatus of the state and the people who use this apparatus. In this Report we consider in turn:

- how citizens know what they can complain about and who they can complain to;
- arrangements for handling complaints within departments;
- how complaints are used by public services to address problems and inform service design and delivery; and

5 National Audit Office, *Citizen redress*, p 44 (note that the NAO figures are for central government bodies and do not include NHS complaints, which are handled locally rather than centrally)

6 *Ibid*

7 Parliamentary and Health Service Ombudsman, *Annual report 2005–06: making a difference*, Session 2005–06, HC 1363, p 11

8 Healthcare Commission, *Spotlight on complaints: a report on second-stage complaints about the NHS in England*, January 2007, p 35

- whether there is a role for a central government body to issue guidance and hold departments to account for how they handle complaints.

2 Access to complaints systems

12. Effective complaints systems will be those that are easy for people to identify, understand and use. The risk is that only those who have the time and confidence to complain will be able to pursue their cases. The Government acknowledged this during our predecessor Committee's inquiry into *Choice, Voice and Public Services*:

Individual voice mechanisms such as complaints procedures also have their problems. They require energy and commitment to activate; they take a good deal of time to operate; and they create defensiveness and distress among those complained against. They favour the educated and articulate. Users who complain are not necessarily those who have the most to complain about; and adversarial relations between professionals and users, especially tied to a threat of lawsuits as they often are, can lead to expensive and inefficient defensive reactions on behalf of providers.⁹

13. The Ombudsman echoed this, explaining that those who were put off complaining were:

...the ones that worry me, because quite often they are not getting the service they are entitled to, the benefits they are entitled to, the redress they are entitled to.¹⁰

14. **Complaints systems are always likely to be more accessible to the persistent and articulate. This makes it all the more important that complaints systems are clear and easy to navigate, so that they do not act as a barrier to the less articulate or less persistent (particularly disadvantaged groups).** In this chapter we now consider possible ways of making existing complaints systems clearer and more accessible.

The terminology of complaints

15. For people unhappy about their treatment by government bodies, the grounds for complaint will be pretty clear. What actually constitutes a 'complaint' is interpreted in different ways by different parts of government, however. It is nearly ten years since the Government produced central guidance about complaints in the 1998 Cabinet Office publication, *How to deal with complaints*. This provided a sensibly broad definition of the term:

A working definition of a complaint is 'any expression of dissatisfaction that needs a response'. But you should choose the most relevant and least restrictive definition to suit your circumstances. And you should then apply this definition consistently across all your services.

⁹ Public Administration Select Committee, *Choice, voice and public services*, HC 49-III, Ev 132

¹⁰ Q 24

If the person contacting you thinks it is a complaint, then it is, whatever you think. On the other hand, someone may make a comment that highlights a part of your service you could improve, and may not call it a complaint. The important thing is to record it, and take the opportunity to improve your service.

A complaint may be about service delivery or policy...you should be able to tell users who want to complain about policy how to go about it.¹¹

16. This definition has not, however, been accepted by all government organisations. The NAO found that only three fifths of departments and agencies had adopted this definition. One in five government departments required the complaint to be formalised, and one in eight had no agreed definition at all.¹² There can be drawbacks to using too concrete a definition of “complaint”, as Paul Gray, then Chairman of HM Revenue and Customs explained:

I think the risk is you can spend glorious days drafting these things and you then find you have excluded something...I would not want to do something where somebody had something they wanted us to look at and somehow we defined it out of bounds by saying, ‘It is not in our definition’.¹³

17. Yet it is important to have a commonly held definition in order to ensure complaints are effectively and consistently monitored and that systemic issues are identified from them. **We recommend that all government organisations use the widest possible definition of complaint—that of “any expression of dissatisfaction that needs a response, however communicated”—and treat all such expressions of dissatisfaction as complaints.**

18. The NAO also found that most departments excluded comments received by e-mail or telephone.¹⁴ There are legitimate arguments for this; it can screen out unconsidered responses, and focus on considered grievances. But it presents a significant barrier to complainants, particularly to those who are already most likely to have difficulty in complaining. **Insisting on complaints in writing can potentially deter valid complaints and prevent problems from being identified. People should not be disadvantaged if they have difficulty in making a formal written complaint. We trust that the practice of not processing complaints made by telephone or e-mail has already been reviewed by the government organisations concerned in the light of the requirements of the Disability Discrimination Act.**

11 Cabinet Office, *How to deal with complaints*, June 1998, p 8

12 National Audit Office, *Citizen redress*, p 30

13 Q 102

14 National Audit Office, *Citizen redress*, p 31

Complaints and appeals

19. One terminological issue that can create problems for people seeking redress from a government body is the distinction between complaints and appeals. According to the NAO:

Complaints concern processes and how issues have been handled. They have traditionally been considered as part of the internal business arrangements of departments and agencies. They are often thought about primarily in terms of customer responsiveness and business effectiveness.

Appeals systems and tribunals concern the accuracy or correctness of substantive departmental or agency decisions. They conventionally form part of the administrative justice sphere. They are often considered primarily in terms of citizens' legal rights, natural justice and a range of related quasi-judicial criteria.¹⁵

20. This distinction, however, is not always clear cut. As Professor Dunleavy of the London School of Economics (LSE) explained, this can be a source of confusion:

We [the LSE public policy group working for the NAO] did four focus groups and a big large scale national survey in 2003/04 and we could not find anybody amongst the populace at large who really understood the distinction. Most people when they complain are unhappy about a decision and are looking for a second look, looking for someone to check it. Most people when they appeal are doing the same thing.¹⁶

Likewise, the Ombudsman's recent report on *Tax credits: getting it wrong?* noted that "there is still some confusion (within the Tax Credits Office as well as on the part of customers) over what is a complaint, a dispute, or an appeal".¹⁷

21. We agree with Professor Dunleavy that the distinction between complaints and appeals is "not terribly easy to communicate" and that "when it is communicated in separate leaflets, on separate parts of websites and separate processes and systems, citizens find that a bit hard to cope with".¹⁸ We also agree with him that, from a citizen's point of view, the difference between complaints and appeals should not matter to getting a case heard or problem put right.

22. The distinction between an appeal and a complaint is real, but apparently little understood by the public. The requirement must be for government organisations to define their processes clearly and to treat any expression of dissatisfaction in the appropriate way. In some cases, the best course of action may be to combine complaint handling with appeal handling; where that is not possible, the distinction must be made as clear as possible to the user, and those complaining or appealing should be guided through the system.

15 National Audit Office, *Citizen redress*, p 7

16 Q 330

17 Parliamentary and Health Service Ombudsman, Fifth Report of Session 2006–07, *Tax credits: getting it wrong?*, HC 1010, para 2.22

18 Q 332

23. We now turn to consider how this guidance should be provided.

Navigation through the system

24. The distinction between complaints and appeals is by no means the only difficulty faced by a member of the public wondering how to raise a grievance. Public services are delivered by state, private and third sector organisations on a national, regional and local basis. The Government's recent policy review documents outlined a continuing trend towards a "smaller strategic centre" with "a greater diversity of providers".¹⁹ As the state commissions services from a wider array of organisations, it becomes more difficult to understand complaints systems. It can be a challenge simply to discover where first to complain, and who to contact if matters cannot be resolved. As the Ombudsman has reported:

Navigating through the system is not always easy for people who want to complain about a service. There is a plethora of complaints systems across public services and little in the way of consistent standards for handling complaints, even within some departments.²⁰

25. To give an example, the Healthcare Commission has informed us that "there are presently at least seven possible avenues down which [health service] complaints can be routed. Often it is only the most determined who have their case fully considered".²¹ The British Medical Association (BMA) Patient Liaison Group and Breakthrough Breast Cancer also raised concerns that "often the complaints system fails at the first hurdle because patients simply do not know where to turn, in particular where a patient journey spans a number of providers"²² and that "the number of routes available to raise a complaint may also lead to confusion for some service users who may not feel they know the most appropriate route".²³

26. In such a complex environment, if complaints systems are to be truly accessible, more is needed than the provision of information alone. As the British and Irish Ombudsman Association (BIOA) state in their *Guide to principles of good complaint handling*, "It is about proactively 'opening up'—widening access, literally and metaphorically—for all kinds of people who might not otherwise have the knowledge, confidence or ability to complain".²⁴

27. Lessons can be learnt from the private sector. The NAO has explained how Midland Bank plc, prior to its acquisition by HSBC in 1992:

19 Strategy Unit, *Building on progress: the role of the state* (HM Government policy review), Cabinet Office, May 2007, para 7.1 ff; Strategy Unit, *Building on progress: public services* (HM Government policy review), Cabinet Office, March 2007, para 6.4

20 Parliamentary and Health Service Ombudsman, *Annual report 2005–06*, p 4

21 Ev 252

22 Ev 295

23 Ev 291

24 British and Irish Ombudsman Association, *Guide to principles of good complaint handling*, April 2007, p 11

...brought in a new ethic to ‘compete on service’, in which complaints were seen as fundamental. At that time the bank had a more glossy brochure than they do now, entitled ‘We want you to complain’ as part of their campaign. The campaign involved writing to every customer asking them to complain, a process which engendered some 20,000 letters of complaint.²⁵

28. Although this particular approach might not be appropriate for public services, the principle holds good of making information on how to complain widely available in a variety of formats. These might include posters and comment cards in walk-in centres; comment cards also included with correspondence; clear guidance available by telephone; and easily accessible information on internet sites.

29. The information on redress accessible on government departments’ and agencies’ websites is variable in its standard, according to the NAO. Although some websites were found to be very good, there were “many sites where either no information is available or it is stored in obscure PDF pages not accessible via searching and often containing very formal and unwelcoming text”.²⁶

30. Information on redress is also available through the Government’s online portal to its services—Directgov.²⁷ However, the information it provides covers only high-level complaint handlers, such as the Ombudsman. It provides no guidance on how to pursue a complaint directly with a government department or public service provider, simply noting that complaints should first be made to the service provider directly.

31. Two other websites, one government-funded and one independently run, show how more effective guidance might be provided:

- consumerdirect.gov.uk is a government-funded telephone and online service offering information and advice on consumer issues. It is funded by the Office of Fair Trading and delivered in partnership with Local Authority Trading Standards Services.
- howtocomplain.co.uk is an independently run website which provides information on how to complain not only to private companies, but also to government departments and agencies. It provides information about the various steps and levels of complaint handling and gives contact details. It provides links to relevant websites including that of the Ombudsman. It also includes a facility to fill in a form that is sent directly to the appropriate organisation.

32. Both of these websites guide the user more effectively through the actual step-by-step process of making a complaint. **As the internet becomes an increasingly important means for communicating with government departments and agencies, it is all the more important that Directgov, the Government’s online portal, should set out complaints processes in a clear, accessible and comprehensive manner.**

25 National Audit Office, *Citizen redress*, p 95

26 National Audit Office, *Citizen redress*, p 52

27 www.direct.gov.uk/en/RightsAndResponsibilities/Yourrights/DG_10013518

33. Access to the internet is not universal, however, and, as Professor Dunleavy told us, those without access to online services can struggle to register a complaint:

...40 per cent of people still do not have internet access and those people are particularly concentrated in groups who are vulnerable or in some way disadvantaged—low-income people, people on benefits and elderly people. They often find it extremely difficult just to kick off a complaint or a request for an appeal because they ring up numbers that they get from the telephone book or the Citizens' Advice Bureau or some other sort of line and then they get referred from pillar to post, 'That's not us, we don't do that. We do complaints and you want an appeal', all that kind of stuff. We did some mystery shopping for this report with 20 departments and you had to be a pretty confident and persistent person to get from a general enquiry point to being able to make a complaint. Then, when we discussed that experience with focus groups, there was considerable evidence that this was quite a general experience, that, unless you had a piece of paper with a specific number on it, it was very difficult to initiate a complaint.²⁸

34. The standard of service offered by government call centres and the confusing array of telephone numbers listed for government organisations is also well-documented.²⁹ The Chairman of the Committee commissioned a small research project on call centres within government, which is published with the evidence to this Report.³⁰ This demonstrated the plethora of ways in which service users could contact HMRC, the Department for Work and Pensions (DWP) and the then Home Office. The DWP offered 41 different numbers to call, and HMRC provided at least 54 national helplines. Having such a variety of numbers to call can increase people's confusion and make it difficult for them to navigate through the system if it is not clear which one corresponds to their concern or complaint. Furthermore, the research found that some helplines were distinctly unhelpful: not one of the 30 calls made to the DWP's Crisis Loans Direct number in March 2007, for instance, was answered.³¹

35. The recent report from Sir David Varney on *Service transformation* recognises that:

...many calls by citizens or businesses originate from a confused understanding of a government service or not knowing which of the tens of thousands of published telephone numbers can provide them with what they need. The issue becomes more acute when the information spans the remit of several organisations and when certain types of information can only be provided by a specific department or agency. Analysis for this review by BT Directory Enquiries found over 4,000 published numbers for HMRC, DWP and Home Office alone and over 50,000 published numbers in the public sector.³²

28 Q 333

29 Committee of Public Accounts, Fifty-third Report of Session 2005–06, *Department for Work and Pensions: delivering effective services through contact centres*, HC 1034

30 Ev 352 ff

31 Ev 357

32 Sir David Varney, *Service transformation: A better service for citizens and businesses, a better deal for the taxpayer*, HM Treasury, December 2006, p 60

36. Sir David recommended that “the public sector should explore the scope for a single access number nationwide for all non-emergency public services”.³³ This would, he claims, have benefits for both the citizen and efficiency. The NAO report on redress similarly recommended that the Government should consider “whether there is a value for money case to provide citizens with a single point of contact for impartial information on where to make a complaint or seek redress, and if so, explore cost-effective options for doing so”.³⁴

37. The Government told us that they had not accepted the NAO recommendation because they did not want to “create another central point in addition to the Ombudsman because we think that most of these things should be sorted out by the organisation doing them”.³⁵ The Ombudsman was also not convinced, telling us that “the last thing we need is to set up another huge organisation to deal with complaints”. She told us that “I suppose the slightly flippant answer...is I thought that was my job”, and she raised concerns about the “expertise” and the “time, money and energy” that would be needed to set up such an organisation.³⁶

38. We do not think that it is part of the Ombudsman’s job to act as a signposting service and to provide advice at the earliest stages of a complaint, and we doubt it is a task she would want. There remains a gap in the market.

39. The Government and Ombudsman are right that a new central body to deal directly with complaints would be unwieldy, ineffective and expensive. Individual organisations need to retain responsibility for handling complaints about the services they provide. We think, however, that there is a real need for a central source of information and advice to guide citizens in their interaction with government organisations. The system is too complex to expect people to manage without guidance. Citizens deserve advice and assistance in understanding where to turn to lodge an initial complaint and how to do so effectively. The aim would not be to replace or to compete with the Ombudsman, but would rather, in the words of the NAO:

...give citizens clear information at the earliest stage of launching a complaint, and direct them to the appropriate starting point for handling their case. This may build on the information that the Parliamentary Ombudsman’s staff and others already give to people who telephone their offices on how and to whom they should take their complaint...Any such point should not, however, become an extra step in the process that citizens are obliged to use.³⁷

40. A single information helpline would need to be accompanied by a fully comprehensive online portal. Our predecessor Committee called for a trial of such a service, which it suggested might be called ‘Public Services Direct’, in its report on *Choice, Voice and Public Services*.³⁸ The need for a single access and advice point has grown with the Government’s

33 *Ibid*, p 85

34 National Audit Office, *Citizen redress*, p 15

35 Q 474

36 Qq 32–33

37 National Audit Office, *Citizen redress*, p 15

38 Public Administration Select Committee, *Choice, voice and public services*, para 210

commitment to providing a greater number of public services through diverse providers. The existing Directgov website—which has the strapline “Public services all in one place”—is a good starting point, as it draws together information on many public and local government services. As we noted earlier, however, at present Directgov provides little practical guidance for those wishing to make a complaint. Moreover, it is only available as an online service; there is no telephone helpline, disadvantaging those without internet access.

41. To provide useful guidance to those wishing to make complaints about public services or government bodies, Public Services Direct would need to gather together disparate information on complaints processes across the public sector as a whole. People should be able to consult a comprehensive website or call an advisory phone line in order to get the help they need in making their complaint. Complaints about the inaccessibility of particular services, such as Crisis Loans Direct, could be recorded automatically—in turn prompting service improvement without the need for individuals to escalate their complaint proactively.

42. We agree with Sir David Varney and the National Audit Office that the Government should explore the scope for a common access point nationwide for all non-emergency public services. This would provide a single point of contact for impartial information on where to make a complaint or seek redress. We restate our predecessor Committee’s recommendation in favour of just such a service—‘Public Services Direct’—which would offer an easy access, one-stop-shop approach to a complex web of public services. Public Services Direct should be both a gateway to government organisations and services, and a source of basic advice to public service users. It would act as the starting point for people unsure of how or where to lodge their initial complaint, and would provide them with the appropriate information and guidance.

3 How to handle complaints—best practice

43. The set of issues we now consider relate to how complaints are handled once they have been successfully lodged with the relevant service provider.

44. An efficient and effective government organisation will seek to resolve as many complaints as possible at local level. This benefits complainants, and saves time and money. If a complaint is not resolved satisfactorily at source, a complainant needs yet more stamina and persistence to go back for a second opinion. And second opinions, as we noted earlier in our discussion of the cost of complaints, are expensive.³⁹

45. We are concerned that independent complaint bodies have reported that they see too many cases which have not been handled properly at the outset. The Parliamentary Ombudsman’s 2006–07 annual report noted:

39 See para 9

Public bodies should handle complaints well at source and put things right promptly. A straightforward explanation of what went wrong can often prevent a complaint escalating beyond the point of local resolution. But, as one complainant remarked about a department, “No one had the humanity to come out from behind the shield of bureaucratic doublespeak.” Many complaints I receive could, and should, have been resolved much earlier by the body concerned.⁴⁰

46. The former Independent Case Examiner (ICE) for the Child Support Agency has similarly stated her concern that:

Often a complainant’s journey through the Agency can be extremely lengthy and frustrating. Many parents who complain to this office relay their experiences of being passed from pillar to post, and describe their anger and distress because the Agency has not acknowledged their complaint or taken their concerns seriously. Even when a complaint is recognised, the Agency often fails to offer appropriate redress when things go wrong.

...In many cases people report that they have to refer their complaints to their MP or to ICE in order to receive fair treatment. But this needs determination and energy that not everyone is capable of, but without which their complaints may fall by the wayside.⁴¹

47. And the Healthcare Commission writes that, despite there being many examples of good practice in complaint handling within the health sector:

...in 33% of cases, we have found that the healthcare provider could have done more to resolve the complaint. Very often, relatively straightforward measures would resolve these complaints and, in 85% of cases, referring back to the provider for further action appears to have been successful in resolving the complaint.⁴²

48. We do not wish to be prescriptive about the way government organisations handle complaints. Different organisations often establish different procedures for valid reasons. However, we are disturbed that a poor standard of complaint handling is raised by so many complaint reviewers. This suggests a systemic problem with first-tier complaint handling by government organisations.

49. We welcome the valuable work which the Ombudsman has conducted with government departments and agencies to improve their effectiveness at handling complaints. We suggest in the following paragraphs some key features which, in our view, constitute best practice: good communication, including use of a caseworker approach where possible; a focus on putting things right for the complainant rather than on the bureaucracy of the complaints procedure; and, where appropriate, the use of independent intermediate review bodies, particularly where a relatively large number of complaints are upheld when taken further.

40 Parliamentary and Health Service Ombudsman, *Annual report 2006–07: putting principles into practice*, Session 2006–07, HC 838, p 3

41 Independent Case Examiner for the Child Support Agency, *Annual report 2005/2006*, June 2006, p 37

42 Healthcare Commission, *Spotlight on complaints*, p 35

Communication

50. Regular communication is a key aspect of good customer service, even if it is simply to inform a complainant how long they might have to wait to receive a substantive reply. The length of time between an individual making a complaint and a response being received can itself cause immense dissatisfaction. Delays in dealing with correspondence and other paperwork are among the most common failings encountered by the Ombudsman.⁴³ According to the Metropolitan Police Authority, providing feedback at regular intervals is “the golden rule”.⁴⁴ It was also a key lesson learnt by HMRC from the tax credits experience:

Particularly once a significant backlog of complaints starts building up, something I would have done better [in relation to tax credits]...even if we are not in a position to resolve complaints as quickly as possible, [is to ensure] that there is a system for immediately acknowledging a complaint and making a contact with the person complaining, giving them a point of contact for the future...We are aiming now, within 48 hours of every complaint that comes in, to make sure there is an interim response, so that the complainant knows their complaint has been logged and received and they have a contact point if they want to come back again.⁴⁵

51. Early contact can also increase the complainant’s confidence and so increase the likelihood that a mutually satisfactory outcome can be reached at local level. **Government organisations must keep citizens informed on progress in dealing with their complaints, especially if delays are likely.**

52. It is also important that complainants are told where to turn if they are not satisfied with the initial response from the local office. Financial service providers are required by law to give complainants the Financial Ombudsman’s consumer leaflet at the relevant point in the complaint process.⁴⁶ **Public service providers should be required to provide information on the next steps in the complaints process automatically whenever acknowledging a complaint, in line with the processes followed by financial service providers.**

The caseworker approach

53. The Local Government Ombudsman has informed us of research showing that, along with clear and accessible information, “complainants also value and expect the opportunity to discuss the complaint with a knowledgeable person who is able to give them accurate and detailed information about their particular case”.⁴⁷ This contrasts with the experience of “being passed from pillar to post” noted above.

54. HMRC introduced a caseworker system for tax credit complaints following the Ombudsman’s report and her subsequent work with them to improve their internal

43 Parliamentary and Health Service Ombudsman, *Annual report 2006–07*, p 15

44 Ev 262

45 Q 57

46 See, for example, <http://www.financial-ombudsman.org.uk/publications/guidance/telling-your-customers.htm>

47 Ev 305

complaint handling. Each complaint is now allocated to a dedicated caseworker whose name and contact details are given to the customer. Caseworkers are responsible for responding to ‘their’ customers and keeping them updated about the progress of their complaints. The then Chairman of HMRC told us that this approach was being adopted elsewhere in the organisation and that he considered it “a transferable lesson elsewhere”.⁴⁸

We recommend that, where practical, government organisations adopt a caseworker approach to complaint handling so that complainants have an identifiable person to deal with.

Putting things right

55. The purpose of a complaints system is not to handle complaints effectively as an end in itself, but to put things right for the complainant in their particular set of circumstances. As the then Chairman of HMRC put it to us:

Maybe the phrase ‘customer focus’ does not quite capture it there but the underlying sentiment that we seek to understand the motivation of all the people we are dealing with and where they are coming from will enable us to do our job better.⁴⁹

56. Complaints systems should always seek to discover what it is the person complaining wishes to achieve from registering their dissatisfaction. The Parliamentary Ombudsman has recently set out principles for remedy. She explains that her own office tries “to ensure that the service provider restores the complainant to the position they would have been in if the maladministration or poor service had not occurred”. Where this is not possible the principles state that government organisations should consider “fully and seriously all forms of remedy (such as an apology, an explanation, remedial action or financial compensation)”.⁵⁰

57. Public services should seek to discover what complainants hope to achieve from making their views known. Some may look for financial compensation; others may want no more than a sincere apology, and an explanation of the steps being taken to ensure that mistakes are not repeated.

Independent review

58. Complaints systems in most public services allow complainants to appeal internally at least once, before involving an external body in the review of a decision. Effective internal review increases the likelihood of local-level resolution of a complaint—which, as we have observed, is more convenient and cost-effective for all parties concerned.⁵¹ Where a complaint cannot be resolved by the organisation concerned, however, it is important that complainants have recourse to independent review of their concerns.

48 Q 57

49 Q 41

50 Parliamentary and Health Service Ombudsman, *Principles for remedy*, October 2007, pp 3, 7

51 See para 44

59. Across the whole of government, it is the function of the Ombudsman to act as the ultimate independent arbiter of complaints about government administration and public services. There are also an increasing number of independent, or quasi-independent, complaint review bodies to which complainants can turn before raising matters with the Ombudsman. These intermediate or second-tier complaint handlers exist particularly where the Ombudsman receives a large number of complaints about an organisation. They include:

- **The Adjudicator's Office**, which investigates complaints about HMRC, the Valuation Office Agency, the Public Guardianship Office and the Insolvency Service.
- **The Healthcare Commission**, which at present is responsible for reviewing complaints about the National Health Service (NHS) or independent healthcare services that have not been resolved at local level. From April 2009, however, the Healthcare Commission will no longer have a role in complaints handling, as complaints processes for health and social care will be brought together and the system streamlined to emphasise local resolution of complaints.⁵²
- **The Independent Case Examiner**, who reviews complaints about DWP bodies including the Child Support Agency, the Pension Service and Jobcentre Plus.
- **The Independent Complaints Reviewer**, who investigates complaints about a range of organisations including the Audit Commission, the Charity Commission, the Housing Corporation, the National Archives and the Land Registry.

60. Independent complaint handling bodies operate by receiving complaints directly from complainants and then seeking a response from the organisation complained about. They try to resolve complaints as quickly as possible, often using informal mediation, and can carry out some form of investigation to identify the merits of any case before arriving at a conclusion. They then have the ability to feed the outcomes of broader findings back to the organisations involved, and often work with an organisation on systemic problems which they are well-placed to discover.⁵³

61. Intermediate complaint review bodies tend to be appropriate in certain circumstances: where there are large numbers of individuals that would otherwise take cases all the way to the Ombudsman service, and where there are high uphold rates for such cases. In other situations, having a separate complaint review body would not be proportionate. There would be little point in a complaint handling body that dealt with just one or two complaints a year.

62. In some cases, the existence of intermediate complaint reviewers can actually preclude public service providers from resolving complaints effectively at the local level. In relation to health complaints, the Department of Health has observed: "It is arguable that providing an independent stage through a separate organisation has worked against effective

52 "New streamlined health and social care complaints system", Department of Health press release, 7 February 2008

53 British and Irish Ombudsman Association, *Guide to principles of good complaint handling*, p 4

resolution of complaints at local level because NHS organisations are aware that the Healthcare Commission will undertake the work”.⁵⁴

63. Equally, however, complaint resolution processes must be credible and have the confidence of the people using them. This often requires that those reviewing complaints be independent from the organisation that is being complained about. The Ombudsman, in evidence provided to our predecessor Committee about NHS complaints, noted that there needed to be “a *credible* system that has the confidence of service users and of NHS staff that it can assess each case independently and impartially” [her emphasis].⁵⁵ Second-tier complaint review bodies can serve an important function in providing this assurance that people’s complaints will be treated independently as well as expertly.

64. For the public to have confidence in systems for complaint resolution, there must be robust and independent processes for dealing with complaints. We believe that for areas where large numbers of complaints are made and upheld, the existence of independent intermediate complaint handlers is crucial to ensuring the credibility of complaint resolution systems in government.

65. Intermediate complaint review bodies are, as the name suggests, not the end of the story. If complainants are still not happy with the outcome, or where an intermediate tier does not exist, they can ask the Parliamentary Ombudsman to review their case. The continued existence of the ‘MP filter’ means that there is no direct access to the Ombudsman service—complainants must ask their MP to forward their complaint.

66. Clearly, the ‘ladder of complaints’ for some organisations can be fairly complex. To take HMRC as an example:

- HMRC recommends as a first step “a phone call to the person or office you have been dealing with”.⁵⁶
- If this does not produce a satisfactory result, the complainant can contact the complaints manager in the office that they have been dealing with.
- If the complainant is unhappy with this review of the matter, they can ask for it to be reviewed by a senior officer not involved in the case up to that point.
- If the complainant is still unhappy they can contact the Adjudicator to review the case.
- They can also, at any time, ask their Member of Parliament to take up their case, or refer the complaint to the Parliamentary Ombudsman. The Ombudsman, however, will normally expect a complaint to have been considered already by HMRC internally and by the Adjudicator before she will take it up.

54 Department of Health, *Making experiences count: the proposed new arrangements for handling health and social care complaints. Detailed policy background*, June 2007

55 Written evidence from the Parliamentary Commissioner for Administration to accompany oral evidence taken before the Public Administration Select Committee on 29 January 2004, Session 2003–04, HC 41–iii, OW 08

56 HM Revenue & Customs, *Complaints and putting things right*, April 2007

67. Likewise, for agencies of the Department for Work and Pensions complaints are dealt with initially by staff at local level. Complainants can then escalate a complaint to line management as necessary. If they are still unsatisfied they can raise the case directly with the Business Chief Executive, and then appeal to the Independent Case Examiner.⁵⁷ Finally, the Ombudsman can consider the case if it is referred to her by a Member of Parliament.

68. Although necessary in some circumstances, the existence of multi-tiered complaint processes does increase the complexity of the system—potentially adding to the confusion of prospective complainants. This reinforces our earlier point that clear information and guidance need to be made available from a central point to assist people through the complaints process.

4 Using complaints to improve services

69. Like other forms of customer feedback, such as customer surveys and focus groups, complaints allow organisations to gain ‘customer insight’—knowledge and understanding of those that use the service. Individual complaints can indicate more widespread issues, giving organisations the opportunity to put things right not only for the individual concerned, but for other citizens too. Complaints can also reveal what is important to users.

70. The insight gained from complaints can then go on to inform future policy design and delivery—to *get* things right rather than just to *put* them right.⁵⁸ Two small examples we discovered during our inquiry were as follows:

- HM Revenue & Customs had received many complaints that a 40-page version of the tax credit award notice was unnecessarily long and complicated. In response, they introduced a much simplified two-page version of the tax credit award notice which received a 95 per cent positive rating in their research.⁵⁹
- The Criminal Records Bureau revised guidance and improved the quality of information it provides as a result of complaints about clarity and completeness. This included “improving standard letters issued by the Dispute and Production areas, improving the quality of Capita correspondence and improving the CRB website and guidance material for customers”.⁶⁰

71. The Ombudsman has a crucial role to play in drawing out the wider lessons to be learnt from complaints she receives about departments and agencies. Given that her remit covers the whole range of government activity, this provides her with a unique perspective on improving administration and service delivery across the board. The Ombudsman told us that, in her view, the onus was first on departments and agencies to identify and apply lessons from the complaints they receive:

57 See, for example, Q 207

58 Q 358 [Mr Philip Cullum]

59 Q 67

60 Ev 329

If you are not learning lessons from complaints corporately, if you do not have a corporate record, if you do not have a corporate performance report, if you do not pull out of that not just how many, what about and what were the outcomes but actually what do we learn from this and what are we going to do, then it comes back to the Citizen's Charter again. There are so many missed opportunities.⁶¹

72. In order to use the potential offered by complaints to drive service improvements the complaints must, as the Henley Centre for Customer Management explained, "...be collected, collated and actioned in the most effective and appropriate way".⁶² In this part of the Report, we look at how well information about complaints is gathered and used in practice.

Monitoring complaints

73. There is evidence that government organisations often lack even the most basic complaint monitoring processes. In 2005 the NAO found that "around half of central government organisations, including departments operating in areas of major interest to many citizens, cannot effectively answer how many complaints they have received in either of the last two years".⁶³ As Professor Dunleavy told us, "issues on which departments have no data are almost invariably issues that are not being actively managed".⁶⁴

74. The situation is improving. Some major departments and agencies do monitor complaints, and others are taking steps to improve their monitoring systems. The Disability and Carers Service told us that they track their complaints against their "customer promise" so they can see which aspects of their service are most in need of improvement.⁶⁵ The Driving Standards Agency has a "correspondence monitoring system" which analyses all letters received and identifies the areas receiving the highest levels of complaints.⁶⁶

75. Detailed tracking of this kind is commonplace in parts of the private sector. For example, supermarkets keep data on purchases of store card users to inform future service delivery and to increase profits. HSBC has a Customer Management Service IT system which records and tracks complaints through the system. It is noteworthy that this was designed to meet the reporting requirements of the Financial Services Authority, which requires financial services to provide them with structured information on the complaints they receive.⁶⁷ **Regulators can require private sector organisations to monitor complaints. Government organisations should also be obliged to ensure that they systematically monitor the complaints they receive in order to inform service delivery.**

61 Q 13

62 Ev 324

63 National Audit Office, *Citizen redress*, p 11

64 Ev 219

65 Q 232 [Mr Terry Moran]

66 Ev 315

67 For more details see National Audit Office, *Citizen redress*, pp 94–95

76. Once reliable data exists on the number and content of complaints, it must then be regularly presented to management to feed back into policy making and to ensure improvements are made to service delivery. The 1998 Cabinet Office guide *How to deal with complaints* spelt this out: “The information that you get from complaints should be part of your approach of listening to users, so that their views are at the heart of management policy”. It went on to specify:

Information about complaints should be passed regularly to senior managers and policy-makers. Complaints reports should:

- Set out clearly the number of complaints, broken down into different categories;
- Include achievement against published standards and comparison with previous periods;
- Include a quality analysis of the main subjects of the complaints, to explain the basic figures and highlight problem areas; and
- Suggest action for improvement.⁶⁸

77. Yet seven years later the NAO found significant variation between different government organisations:

We asked departments and agencies in our survey how often trends in complaints are now reported to their management board or senior management...amongst ministerial departments the practice is clearly rare, with three fifths responding ‘rarely or never’ to this question. By contrast in all other types of agencies at least seventy per cent of organisations reported results annually to senior managers...⁶⁹

78. The Ombudsman likewise reiterated to us the absence of visible processes within government for learning from complaints. She posed a series of rhetorical questions that underline this fundamental point:

Where are [complaints] being discussed? Does the departmental board of DWP get this information? How often does it look at it? What does it learn from it? What changes has it made from it? I have not seen the Jobcentre Plus board looking at those things. They may do it. I do not know what the DWP board does and I do not know what the Cabinet Office does in terms of monitoring complaint handling performance across the piece or customer satisfaction across the piece.⁷⁰

79. There is some good practice and it is clear that in some organisations, executive agencies in particular, information of this sort is used effectively. The Disability and Carers Service told us that it:

68 Cabinet Office, *How to deal with complaints*, p 51

69 National Audit Office, *Citizen redress*, p 56

70 Q 4

...routinely analyses complaints data to identify opportunities for business improvements. This data is a standing item at quarterly DCS Executive Management Team meetings chaired by the Chief Executive. The top 6 most serious complaints where, for example, customers have felt sufficiently strongly about an issue to pursue the matter with their MP are tracked against measures that will address the issue that has given rise to the complaint.⁷¹

However, although individual agencies may learn from complaints, opportunities will be lost if central departments do not also use this information.

80. Some progress is being made, with different models of good practice being developed. The Department for Work and Pensions is creating “a dedicated customer insight function as a key element of [its] future business strategy”.⁷² It also has a “consumer champion” on its board. HMRC has decided against this approach and instead has “...sought to take a number of steps to ensure that looking at things from the customer perspective is embedded in all parts of the organisation”.⁷³ The Varney report suggested that “every department be required to appoint a Contact Director to carry overall responsibility within that organisation for creating and exploiting insight”.⁷⁴ **Different organisations may wish to take different approaches to considering the views of service users in general, and complaints in particular. However, all government organisations should have an active strategy for monitoring and learning from complaints, and central departments should use such information to monitor the performance of their agencies. We recommend that the management boards of all departments and agencies with a customer-facing role should consider trends in complaints annually as an absolute minimum.**

Complaints as an indicator of performance

81. It would be easy to suggest that departments should set targets to aim to drive the number of complaints down. Once the number of complaints was known, organisations could aim to decrease the number of complaints year on year as an indicator of improved service. Professor Dunleavy urged us to encourage:

...the government to commit to achieving and maintaining a ‘zero complaints’ regime over large policy areas, a goal already feasible in many agencies, and to phasing down complaints and appeals in the remaining other areas over a realistic timescale.⁷⁵

82. We do not agree. Such targets would be easy to manipulate, and the temptation to do so difficult to resist, especially if the targets were related to Public Service Agreements and financial rewards. Small numbers of complaints might indicate that a government organisation was performing so well that no-one was complaining. However, it might also indicate that the organisation provided little or no information on how to complain, and

71 Ev 148

72 Ev 142

73 Q 53

74 Sir David Varney, *Service transformation*, p 83

75 Ev 221

that its complaints system was particularly impenetrable. Given the difficulties in defining a complaint, it would be easy to decide not to record large numbers of expressions of dissatisfaction.

83. Organisations should include targets for effective resolution of complaints at a local level as part of their customer service targets. As already stated above,⁷⁶ resolving complaints locally is cheaper and easier for both complainer and complainant. However, these targets are also potentially open to manipulation.

84. Statistics on complaints dealt with by independent bodies such as the Ombudsman's office are likely to be more useful and less open to bias (although they need to be interpreted with due care, given that some types of service will inevitably see greater numbers of complaints than others—perhaps because of the extent of people affected, or because of the nature of the service). HMRC and DWP and its agencies have the highest number of complaints reviewed by the Ombudsman. Of the 1,363 cases which the Ombudsman investigated and reported on in 2006–07, 499 related to HMRC (393 of these to do with tax credits).⁷⁷ This, however, needs to be seen in the context of the 99,139 complaints that HMRC received in total in the same year;⁷⁸ and, further, in the light of the overall number of people with whom HMRC has contact—there are 36.9 million taxpayers on Pay As You Earn, 9.2 million that use self-assessment, and six million families receiving tax credits.

85. The most reliable indicator of an organisation's ability to handle complaints effectively is likely to be the proportion of complaints upheld by the Ombudsman. The Ombudsman upheld 74 per cent of complaints about tax credits in 2006–07, for instance, in contrast to an uphold rate for other HMRC complaints of 33 per cent.⁷⁹ This points to failures both in the administration of tax credits and in HMRC's internal processes for dealing with complaints about tax credits. In evidence to us, HMRC's then Chairman told us that he was aiming for an uphold rate of 20–30 per cent across the board.⁸⁰ **We recommend that government organisations should use as a performance indicator the proportion of complaints upheld by independent bodies such as the Ombudsman's office.**

Other feedback systems

86. Complaints are of course just one part of the feedback machinery through which customer dissatisfaction can be identified and recorded. As well as standard surveys, innovative approaches can also help organisations to gain insight into service users' views. Our predecessor Committee heard from Sir Ian Kennedy, Chairman of the Healthcare Commission, that NHS organisations should seek to learn from comments and compliments as well as complaints—for example, through patient comment cards. In Sir Ian's view:

76 See para 44

77 Parliamentary and Health Service Ombudsman, *Annual report 2006–07*, pp 7–8

78 HM Revenue & Customs, *Departmental Report 2007*, Cm 7107, May 2007, p 76

79 Parliamentary and Health Service Ombudsman, *Annual report 2006–07*, p 8

80 Q 44

...in concentrating on complaints, we forget that there are perhaps other interactions. I often talk about, if I may say so, the three Cs: compliments, comments and complaints—this is terribly rudimentary—and they are all part of one big C, which is communication.⁸¹

87. We received the following examples in our evidence of innovative ways to capture the views of service users:

- Many public service organisations conduct regular surveys of service users. The Henley Centre for Customer Management described one company it worked with that carries out “customer dissatisfaction surveys”, which ask questions such as “Did you have any problems?”, “What type of problems?”, “Which were the most serious?” and “Did you complain?”.⁸²
- One local health organisation worked with a group of service users to discuss the elements of the service that they liked least: “participants were asked to work with staff to think about how each of these elements might be improved; in the following months, some of the ideas generated are tested and monitored, before the group reconvenes for feedback and reflection”.⁸³
- The patientopinion.org.uk website invites those that have been to hospital recently (as patient, relative or carer) to share their views of the service they received. It allows users to compare hospitals in their area, and full access to the information on the site is sold on to Primary Care Trusts. This website was set up by Paul Hodgkin, a practising GP, in 2005. Sophia Parker of Demos described it to us as “a powerful example of how service innovators are creating new channels at the interface that bring together feedback, service measurement and user information simultaneously”.⁸⁴
- Some organisations have developed ways of capturing the perspectives that customer service staff gain through their day-to-day contact with the public. Sophia Parker explained how “for organisations like John Lewis Partnership, insights about people’s experiences and frustrations are a valuable by-product of the interactions between staff and customers. JLP see their staff as the ‘eyes and ears’ of their organisation”.⁸⁵

88. Complaints are only one source of information on dissatisfaction among public service users. Organisations should seek to gather as comprehensive and accurate an overview as possible, and be innovative about how they do this in whatever ways are most relevant to the services they provide.

81 Oral evidence taken before the Public Administration Select Committee on 29 January 2004, Session 2003–04, HC 41–iii, Q 249

82 Ev 324

83 Ev 190

84 Ev 191

85 Ev 190

5 A role for the centre

89. Responsibility for handling and monitoring complaints currently belongs to individual departments. However, as we have shown in this Report, complaint handling across government is inconsistent. Our view is that it needs stronger central direction. Direction does not mean micro-management. It means taking measures to raise standards and deal with problems that recur throughout public services.

90. In the recent past, there has been some central direction to promote good practice in complaint handling. The Service First Unit in the Cabinet Office was created in 1998 to help achieve the new administration's ambition to modernise public services. It re-launched the Citizen's Charter as the Charter Mark, established the People's Panel, and introduced initiatives to increase cross-government working. The aim was to create:

...public services that respond to the needs and wishes of people who use them on a daily basis, which give public servants the chance to show their dedication, enthusiasm and initiative, and which work together to improve the communities they serve.⁸⁶

91. The Service First Unit had an emphasis on spreading best practice. It produced best practice guides including *How to deal with complaints*, which provided sensible and practical advice on complaint handling for government organisations. The best practice guidance was not intended to be prescriptive, as stated at the time:

As public services place increasing emphasis on quality, so we need to offer them practical help in achieving this. If every organisation is not to re-invent the wheel, it is important that knowledge of innovations and best practice should be communicated between service providers. The Cabinet Office has traditionally played an important role in acting as a focal point for spreading best practice. We intend to continue and strengthen this role.⁸⁷

92. Despite this promise, since the Service First Unit's demise in the early part of this decade it appears there has been no central government champion to encourage good complaint handling. The Cabinet Office publication that explains Ombudsman investigations into complaints, *The Ombudsman in your files*, has not been updated since January 1997. Some guidance on complaint handling is contained in the current Charter Mark criteria. However, take-up of the Charter Mark among departments and agencies is low. Consequently, there is a need for central guidance on good complaints handling practice that reaches all parts of government and the public services.

93. We are pleased that the Government has worked with the Ombudsman on her Principles of Good Administration and her Principles for Remedy, which set out the high-level precepts underpinning how departments ought to deal with complaints. However, the Ombudsman told us that in her view more needs to be done to regain the original momentum of the Charter initiative:

86 Cabinet Office, *Service First: the new charter programme*, June 1998, p 1

87 *Ibid*, p 33

...in a strange sort of way it seems as if it has all been downhill since the Citizen's Charter. That really is more me saying something positive about the Citizen's Charter than necessarily negative about the state of things now. It seemed there was so much of value in that which was built on and then seemed to wither on the vine a bit.⁸⁸

94. She went on to explain that her office had done some searching for Cabinet Office documents which had been part of the Service First programme, including *How to deal with complaints*:

We found it eventually in a bit of the website called 'This information is being maintained for archive/historical purposes. It will not be updated'. I thought that was hugely symbolic of where this sits.⁸⁹

95. We believe that the Government should show that it is serious about responsive, listening public services, and give complaints a higher profile and priority. Pat McFadden MP, then the Parliamentary Secretary to the Cabinet Office, suggested to us that, "where we can have a role is if we think there is particularly good practice in one area, encourage it in the other and set out central principles for this".⁹⁰ **There is clearly a need for a centrally co-ordinated official effort to champion good practice in complaints handling across government and the public services. We recommend that the Cabinet Office should take the lead within central government to produce effective guidance on how to deal with complaints. It should take account of key principles for handling complaints which reflect the recommendations in this report, as well as relevant existing guidance, and be drawn up in close consultation with the Parliamentary Ombudsman.** We are likely to come back to the role of the Cabinet Office when we consider other issues arising from our *Public Services: Putting People First* inquiry in the companion reports to this Report.

96. There also needs to be a stronger role for the centre in holding departments to account for the way they monitor complaints and use complaints data. It should be a requirement that departments and agencies include information in their annual reports on the number of complaints they receive (as HMRC currently does). This information should be comparable across government bodies. It would make it possible to see what proportion of complaints received by an organisation are reviewed and upheld by the Ombudsman, and provide a snapshot of where services are seriously falling below the expectations of citizens. Together with other forms of customer feedback, a real picture of citizens' views of the services they receive could be built up. Lessons could be learnt and shared across government. **We recommend that all government organisations be required to publish in their annual reports information on the number of complaints they receive, how many are reviewed by the Ombudsman, and the number that are upheld.**

97. There is scope for including a sharper focus on complaints handling in existing mechanisms for assessing government performance. The Parliamentary Ombudsman told

88 Q 2

89 Q 2

90 Q 475

us that in her view, inspection of complaint handling should form part of the Departmental Capability Reviews (DCRs) of central government departments.⁹¹ Although the questions set as part of the DCR on “Strategy” are intended to check for a “focus on outcomes” and to investigate how departments “understand and respond to what [their] customers want”, there is no specific focus on complaints.⁹²

98. Significant sums are spent on complaint handling. Handling individual complaints well is key to confidence in public services. But complaints, if systematically monitored, can also be a source of valuable information which can be used to improve these services. Ensuring consistency and best practice in these areas requires a lead from the centre which is currently lacking. We recommend that the Cabinet Office actively monitor how government organisations use information from complaints to improve administration and service delivery, and that it encourage the spread of good practice in this area.

6 Conclusion

99. When citizens complain, they want their concerns to be taken seriously and, where necessary, matters put right. We have looked in this Report at how the Government could improve how it deals with the complaints it receives about its operations. Complaints systems need to be accessible, understandable and easy for people to navigate. People should get the help they need to access complaints systems, and to take their complaints further if they are unhappy with how their case has been handled. Complainants also need to have confidence that their complaints will be dealt with in a fair and competent manner.

100. The onus is therefore on the Government to ensure that it responds to complaints effectively and appropriately. A key part of this is making sure that complaints processes meet the requirements outlined above. Equally, however, it is about learning from complaints received in order to improve how government and public services operate. There needs to be a culture that invites and values complaints for the insights they can provide on how to make government work better. This is a culture that all government organisations should be doing their utmost to foster—so that they not only put things right for the citizen, but also *get* things right for the future.

91 Q 11

92 Civil Service Model of Capability, www.civilservice.gov.uk (see also Public Administration Select Committee, Ninth Report of Session 2006–07, *Skills for Government*, HC 93–I, Appendix 1)

Conclusions and recommendations

1. There are clear economic arguments for resolving complaints as quickly as possible. The earlier complaints are resolved, the cheaper it is for everyone. (Paragraph 10)
2. Complaints systems are always likely to be more accessible to the persistent and articulate. This makes it all the more important that complaints systems are clear and easy to navigate, so that they do not act as a barrier to the less articulate or less persistent (particularly disadvantaged groups). (Paragraph 14)
3. We recommend that all government organisations use the widest possible definition of complaint—that of “any expression of dissatisfaction that needs a response, however communicated”—and treat all such expressions of dissatisfaction as complaints. (Paragraph 17)
4. Insisting on complaints in writing can potentially deter valid complaints and prevent problems from being identified. People should not be disadvantaged if they have difficulty in making a formal written complaint. We trust that the practice of not processing complaints made by telephone or e-mail has already been reviewed by the government organisations concerned in the light of the requirements of the Disability Discrimination Act. (Paragraph 18)
5. The distinction between an appeal and a complaint is real, but apparently little understood by the public. The requirement must be for government organisations to define their processes clearly and to treat any expression of dissatisfaction in the appropriate way. In some cases, the best course of action may be to combine complaint handling with appeal handling; where that is not possible, the distinction must be made as clear as possible to the user, and those complaining or appealing should be guided through the system (Paragraph 22)
6. As the internet becomes an increasingly important means for communicating with government departments and agencies, it is all the more important that Directgov, the Government’s online portal, should set out complaints processes in a clear, accessible and comprehensive manner. (Paragraph 32)
7. We agree with Sir David Varney and the National Audit Office that the Government should explore the scope for a common access point nationwide for all non-emergency public services. This would provide a single point of contact for impartial information on where to make a complaint or seek redress. We restate our predecessor Committee’s recommendation in favour of just such a service—‘Public Services Direct’—which would offer an easy access, one-stop-shop approach to a complex web of public services. Public Services Direct should be both a gateway to government organisations and services, and a source of basic advice to public service users. It would act as the starting point for people unsure of how or where to lodge their initial complaint, and would provide them with the appropriate information and guidance. (Paragraph 42)
8. We do not wish to be prescriptive about the way government organisations handle complaints. Different organisations often establish different procedures for valid

reasons. However, we are disturbed that a poor standard of complaint handling is raised by so many complaint reviewers. This suggests a systemic problem with first-tier complaint handling by government organisations. (Paragraph 48)

9. Government organisations must keep citizens informed on progress in dealing with their complaints, especially if delays are likely. (Paragraph 51)
10. Public service providers should be required to provide information on the next steps in the complaints process automatically whenever acknowledging a complaint, in line with the processes followed by financial service providers. (Paragraph 52)
11. We recommend that, where practical, government organisations adopt a caseworker approach to complaint handling so that complainants have an identifiable person to deal with. (Paragraph 54)
12. Public services should seek to discover what complainants hope to achieve from making their views known. Some may look for financial compensation; others may want no more than a sincere apology, and an explanation of the steps being taken to ensure that mistakes are not repeated. (Paragraph 57)
13. For the public to have confidence in systems for complaint resolution, there must be robust and independent processes for dealing with complaints. We believe that for areas where large numbers of complaints are made and upheld, the existence of independent intermediate complaint handlers is crucial to ensuring the credibility of complaint resolution systems in government. (Paragraph 64)
14. Although necessary in some circumstances, the existence of multi-tiered complaint processes does increase the complexity of the system—potentially adding to the confusion of prospective complainants. This reinforces our earlier point that clear information and guidance need to be made available from a central point to assist people through the complaints process. (Paragraph 68)
15. Regulators can require private sector organisations to monitor complaints. Government organisations should also be obliged to ensure that they systematically monitor the complaints they receive in order to inform service delivery. (Paragraph 75)
16. Different organisations may wish to take different approaches to considering the views of service users in general, and complaints in particular. However, all government organisations should have an active strategy for monitoring and learning from complaints, and central departments should use such information to monitor the performance of their agencies. We recommend that the management boards of all departments and agencies with a customer-facing role should consider trends in complaints annually as an absolute minimum. (Paragraph 80)
17. We recommend that government organisations should use as a performance indicator the proportion of complaints upheld by independent bodies such as the Ombudsman’s office. (Paragraph 85)
18. Complaints are only one source of information on dissatisfaction among public service users. Organisations should seek to gather as comprehensive and accurate an

overview as possible, and be innovative about how they do this in whatever ways are most relevant to the services they provide. (Paragraph 88)

19. There is clearly a need for a centrally co-ordinated official effort to champion good practice in complaints handling across government and the public services. We recommend that the Cabinet Office should take the lead within central government to produce effective guidance on how to deal with complaints. It should take account of key principles for handling complaints which reflect the recommendations in this report, as well as relevant existing guidance, and be drawn up in close consultation with the Parliamentary Ombudsman. (Paragraph 95)
20. We recommend that all government organisations be required to publish in their annual reports information on the number of complaints they receive, how many are reviewed by the Ombudsman, and the number that are upheld. (Paragraph 96)
21. Significant sums are spent on complaint handling. Handling individual complaints well is key to confidence in public services. But complaints, if systematically monitored, can also be a source of valuable information which can be used to improve these services. Ensuring consistency and best practice in these areas requires a lead from the centre which is currently lacking. We recommend that the Cabinet Office actively monitor how government organisations use information from complaints to improve administration and service delivery, and that it encourage the spread of good practice in this area. (Paragraph 98)
22. When citizens complain, they want their concerns to be taken seriously and, where necessary, matters put right. We have looked in this Report at how the Government could improve how it deals with the complaints it receives about its operations. Complaints systems need to be accessible, understandable and easy for people to navigate. People should get the help they need to access complaints systems, and to take their complaints further if they are unhappy with how their case has been handled. Complainants also need to have confidence that their complaints will be dealt with in a fair and competent manner. (Paragraph 99)
23. The onus is therefore on the Government to ensure that it responds to complaints effectively and appropriately. A key part of this is making sure that complaints processes meet the requirements outlined above. Equally, however, it is about learning from complaints received in order to improve how government and public services operate. There needs to be a culture that invites and values complaints for the insights they can provide on how to make government work better. This is a culture that all government organisations should be doing their utmost to foster—so that they not only put things right for the citizen, but also get things right for the future. (Paragraph 100)

Formal minutes

Wednesday 12 March 2008

Members present:

Dr Tony Wright in the Chair

Paul Flynn
David Heyes
Julie Morgan

Mr Gordon Prentice
Paul Rowen
Mr Charles Walker

Draft Report (*When Citizens Complain*), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 100 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chairman make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence was ordered to be reported to the House for printing.

[Adjourned till 19 March at 2.00 p.m.]

Oral and written evidence are published in a separate volume as *Public Services: Putting People First, Session 2007–08, HC 408*.

Witnesses

Thursday 18 January 2007

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Ann Abraham, Parliamentary and Health Service Ombudsman

Ev 1

Thursday 1 March 2007

Paul Gray CB, Chief Executive, HM Revenue and Customs

Ev 10

Thursday 8 March 2007

Tom Steinberg, Director, mySociety website, **Ross Ferguson**, Director, eDemocracy programme, Hansard Society, **William Heath**, Director and **Ruth Kennedy**, Associate Director, Kable Ltd

Ev 22

Thursday 15 March 2007

Leigh Lewis CB, Permanent Secretary, Department for Work and Pensions and **Terry Moran**, Chief Executive, Disability and Carers Service

Ev 40

Thursday 22 March 2007

Bernard Herdan, Executive Director of Service Delivery, Identity and Passport Service

Ev 53

Professor Patrick Dunleavy, London School of Economics and Political Science and **Philip Cullum**, National Consumer Council

Ev 63

Thursday 26 April 2007

Professor Peter Beresford, Chairman, Shaping our Lives, **David Holmes**, Mind, **Andrew Harrop**, Age Concern and **Liz Stone**, Mencap

Ev 72

David Boyle, New Economics Foundation, **Matthew Taylor**, Royal Society of Arts and **Sophia Parker**, Demos

Ev 82

Thursday 10 May 2007

Pat McFadden MP, Parliamentary Secretary and **Ian Watmore**, Head of Delivery Unit, Cabinet Office

Ev 93

Tuesday 22 May 2007

Peter Wilkinson, Audit Commission and **David Bell**, Permanent Secretary, Department for Education and Skills

Ev107

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29	CBI	Ev 258
30	Metropolitan Police Authority	Ev 260
31	Trevor Gash	Ev 266
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49 Dr John Hyslop	Ev 329
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52 Immigration and Nationality Directorate	Ev 332
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54 ACEVO	Ev 338
55 Community Links	Ev 340
56 Department of Health	Ev 345
57 Catherine McGrath	Ev 352

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Sixth Report	The Business Appointment Rules	HC 651 (<i>HC 1087</i>)
Seventh Report	Machinery of Government Changes	HC 672 (<i>HC 90</i>)
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Ninth Report	Skills for Government	HC 93 (<i>HC 89</i>)
First Special Report	The Governance of Britain	HC 901

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First Report	A Debt of Honour	HC 735
Second Report	Tax Credits: putting things right	HC 577 (<i>HC 1076</i>)
Third Report	Legislative and Regulatory Reform Bill	HC 1033 (<i>HC 1205</i>)
Fourth Report	Propriety and Honours: Interim Findings	HC 1119
Fifth Report	Whitehall Confidential? The Publication of Political Memoirs	HC 689 (<i>HC 91, Session 2007–08</i>)
Sixth Report	The Ombudsman in Question: the Ombudsman's report on pensions and its constitutional implications	HC 1081 (<i>Cm 6961</i>)
Seventh Report	The Ministerial Code: the case for Independent Investigation	HC 1457 (<i>HC 1088, Session 2006–07</i>)
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