

<b>Institution:</b> University of Glasgow (UofG)		
<b>Unit of Assessment:</b> UoA 18 Law		
<b>Title of case study:</b> Reforming public sector complaint processes to reduce harm to employees		
<b>Period when the underpinning research was undertaken:</b> 2017–2019		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b> Chris Gill	<b>Role(s) (e.g. job title):</b> Senior Lecturer in Public Law	<b>Period(s) employed by submitting HEI:</b> 2017–present
<b>Period when the claimed impact occurred:</b> 2017–2020		
<b>Is this case study continued from a case study submitted in 2014?</b> No		
<p><b>1. Summary of the impact</b></p> <p>Around 5 million complaints are made about UK public services annually. Gill's research has identified harms, such as reduced performance and wellbeing, caused to public sector employees through certain complaint processes, and recommended improved procedures. In collaboration with practitioners, Gill's research has informed ombudsman policy and complaint handling practice in Scotland, at UK-level, and internationally (e.g. through the introduction of new model complaints processes). Research-based guidance has been implemented by organisations that deal with complaints (e.g. Castle Rock Edinvar Housing Association) and underpinned practice change. The research has informed the practice of ombudsman organisations internationally (e.g. in Ireland, Canada and Australia) and been actively promoted by the International Ombudsman Institute.</p>		
<p><b>2. Underpinning research</b></p> <p>Government policy throughout the UK has encouraged the development of complaint systems to create more customer-focused public services. This has led to the growth of a “redress industry”, costing around GBP1.5 billion a year and employing approximately 9,390 staff in UK central government alone. However, there is widespread evidence that complaint systems are neither meeting citizens' expectations nor being used to improve public services. Evidence from healthcare also indicates that complaints can result in harmful effects on the health, wellbeing, and performance of staff.</p> <p>Gill led a project (in collaboration with colleagues from Queen Margaret University, the University of the West of Scotland and the Office of the Scottish Public Services Ombudsman) that addressed these issues by examining the effects of complaint systems on public sector employees. The research involved an online survey with 132 participants and 16 follow-up interviews with employees working in Scottish housing associations and local authority planning departments who had been subject to a complaint [O1][O2]. Gill's unique contribution to this work included the research design, the supervision of data collection and qualitative data analysis. He was also lead author of the resultant outputs.</p> <p>The research found that complaints have a significant effect on employees' wellbeing and work practice. 14.5% of respondents reported being affected “a great deal” by a complaint, while 56.5% reported being “somewhat” affected. Most respondents (75.2%) reported at least some negative effects on work practice, such as wariness in dealing with service users (66.1%) and frequently double-checking work (31.5%). 84.4% of respondents reported their health and wellbeing being affected, including feeling stressed, anxious, unwell, and undermined.</p> <p>The research revealed that the operation of complaint processes was important in terms of ensuring that positive effects of being subject to a complaint were maximised. It found that negative effects could be minimised by providing opportunities for employees' views to be heard, being kept informed of progress, being involved in the investigation, and being given clear and timely information about outcomes. Following this research, Gill and Hirst (an independent researcher who was engaged by the Unit of Assessment as a consultant) developed guidelines to disseminate the findings to organisations dealing with complaints [O3]. The guidelines set out research-based principles regarding how staff subject to a complaint should be dealt with by their employer organisation, including fairness, transparency, confidentiality, and efficiency. The guidelines explain how organisations can amend their complaint procedures to make sure</p>		

employees are given an opportunity to be heard, are informed of outcomes, and are provided with timely information.

### 3. References to the research

**[O1]** C Gill, C Hirst, M Sapouna and J Williams, [The Effects of Complaints on Public Service Employees](https://esrcjustenergy.files.wordpress.com/2018/01/how-do-complaints-affect-those-complained-about.pdf) (2017) Project Report, University of Glasgow/Queen Margaret University. Publisher's URL: <https://esrcjustenergy.files.wordpress.com/2018/01/how-do-complaints-affect-those-complained-about.pdf>.

**[O2]** C Gill, M Sapouna, C Hirst and J Williams, [“Dysfunctional accountability in complaint systems: the effects of complaints on public service employees”](#) (2019) Public Law 644-665.

**[O3]** C Gill and C Hirst, [Being Complained About: Good Practice Principles and Guidelines](#) (2019), Project Report, University of Glasgow/HirstWorks.

### Evidence of quality of research

Output 2 was published in one of the world’s leading double-blind peer-reviewed legal journals.

### 4. Details of the impact

#### 4.1. Shaping ombudsman policy in the UK and internationally

Gill’s research has informed the policy development of the Scottish Public Services Ombudsman (SPSO), the body that provides final determinations of complaints about devolved public services (e.g. healthcare, housing, and education). The research was designed in consultation with the SPSO and one of its key objectives was to provide evidence to allow them to revise guidance for Scottish public service providers. In 2017, the SPSO published a thematic report **[E1]**, designed to draw attention to the fact that complaints systems had to work “for everyone”, including those complained about, a perspective which was often overlooked by governments pursuing a customer-focused approach to public services. The report drew directly on the interim findings of the project **[O1]**. A key message was that organisations need to actively support their staff through complaints processes and engage staff in positive and purposeful activities to manage and learn from complaints. The thematic report and the report of interim research findings were jointly launched at a conference co-organised by Gill and the SPSO in December 2017, attended by 91 public sector practitioners. The research was further disseminated through a series of posts on the UK Administrative Justice blog and the Ombudsman Association blog (sent to over 100 complaint handling organisations) **[E2]**.

The research has also had a significant impact on the processes, training, policy development, awareness raising, and strategy of the Scottish Legal Complaints Commission (SLCC). The SLCC is the ombudsman for complaints about legal services providers in Scotland and oversees approximately 11,000 Scottish solicitors. It has used the research as part of its work raising awareness of complaints, referring to the research in its newsletter and in a *Scotsman* article **[E3a][E4]**. The research has also been used to amend the SLCC’s processes, taking more immediate triage decisions on some cases to reduce the burden on lawyers and attempting earlier telephone contact with lawyers to offer a more empathetic approach. The SLCC used the research to amend its staff training, with updated training on the referral service available to lawyers facing stress due to a complaint, and amended its ‘reasonable adjustment’ training to ensure it reflected adjustments for lawyers, as well as the complainer. Finally, the research has influenced the SLCC’s strategy and its attempts to influence the Scottish Government’s legislative reform, by emphasising that the complaints system had to work for practitioners as well as consumers, with the SLCC’s CEO commenting that Gill’s research “has fed into most of our major work streams, and has influenced both policy and practice” **[E3b]**.

In addition to shaping ombudsman policy in Scotland, the research has shaped debate and policy in the UK and international ombudsman community. Gill has actively collaborated with practitioners to implement the research findings. For example, 13 UK ombudsman offices took part in a consultation on the research-based guidance **[O3]**. Consultation responses revealed consensus among respondents about the importance of the research and the value of

supporting those complained about. The research has informed an increased emphasis in the ombudsman community on the emotional and wellbeing costs of complaint systems: the CEO of the Ombudsman Association noted that members have “been actively involved in the process of developing guidance for practitioners based on [Gill’s] research” [E5]. More widely, the International Ombudsman Institute (IOI) has promoted the research to its 198 members, with the IOI’s President describing Gill’s research as “fill[ing] an important gap in relation to current complaint handling practice” [E6]. The research has helped shape policy debates within the IOI, as well as being used directly to inform guidance provided by ombudsman offices in Ireland, Australia, and Canada (as outlined in section 4.2 below).

#### 4.2. Shaping ombudsman and complaint handling practice

Gill’s research is being used by ombudsman organisations in the UK and internationally to provide guidance to public service providers in relation to complaint handling.

The SPSO issues mandatory guidance—model complaint handling procedures (CHPs)—to all Scottish public service providers. These are issued to over 976 organisations—such as local authorities, housing associations, universities, colleges, and the NHS—employing approximately 500,400 staff. Revised model CHPs [E7a] were published in January 2020 and were shaped by Gill’s research (confirmed in a letter from the SPSO’s Head of Improvement, Standards and Engagement [E7b]). They draw on the research [O1][O2] as evidence of the need for public service providers to do more to minimise the negative effects of complaints on employees and draw on the guidelines produced by Gill and Hirst [O3] (e.g. new requirements on public service providers in relation to supporting staff through the complaint process (at paras 48–49 of [E7a])).

Gill’s research has also been used by the UK’s public services ombudsman, the Parliamentary and Health Services Ombudsman (PHSO), which oversees the English NHS in its work developing the Complaints Standards Framework (a set of standards for complaint handling in the NHS in England). The NHS in England employs around 1.5 million people and is one of the world’s largest single employers. Gill met with staff leading the Framework’s development on 10 July 2019 and presented the research to the Framework’s working group on 16 January 2020. The Framework has been published in draft for consultation [E8a] and when published in early 2021 will be used as a standard by auditors/regulators and as authoritative guidance for the English NHS. The direct relevance of Gill’s work to the Ombudsman’s work on improving complaints handling is confirmed in a letter [E8b]. The Framework draws upon Gill’s research by explicitly referring to the need to provide support for staff who have been complained about, for example, through being signposted to sources of advice (p.9), making sure staff are given equal opportunities to contribute and information about processes and timescales (p.10), and supporting staff to learn when mistakes have been made (p.11) [E8c]. The Ombudsman’s report explaining the need for the Framework [E8d] directly cites Gill’s research (e.g. paragraphs 1.42, 1.45, and 1.46).

The research is being used in a similar way by international ombudsman offices. The Ombudsman for Ireland is using the research to provide advice to public service providers (confirmed in a letter from the Ombudsman and Information Commissioner for Ireland [E6]). In Canada, the British Columbian ombudsperson is using the guidance in its training workshops for public service staff and in webinars for public service complaint handlers (confirmed by the Office of the Ombudsperson’s webinar [E9a]) and has also made reference to the research in its complaint guide for public service providers (confirmed in a letter from the Office [E9b]). In Australia, the New South Wales Ombudsman has used the research to inform its approach to investigations, which were seen as not providing enough support for witnesses and those subject to investigation (confirmed in a letter from the Ombudsman’s Manager Investigations [E10]).

#### 4.3. Implementation case study and training for organisations that deal with complaints

From 2018 onwards, Castle Rock Edinvar Housing Association (one of the UK’s largest housing groups) agreed to act as a case study for implementing the research findings and research-based guidance. This has been incorporated through revised policies and training workshops delivered to staff. Follow-up individual and group discussions with staff found that the introduction of the research-based guidance resulted in staff having more say in how a complaint about them was dealt with and managers feeling more confident in what to do and say. Other

significant changes include reference to handling complaints being included in all job descriptions and the research-based guidance being referenced during induction training for all new staff (confirmed by Edinvar case study [E11a] and the letter from Edinvar [E11b]). The findings of this implementation case study were shared by Gill and Castlerock Edinvar at the SPSO's Complaint Improvement Conference in Edinburgh on 25 February 2020, attended by over 220 public service employees.

Gill and Hirst have delivered an extensive series of training workshops to a wide variety of organisations during the REF period, for example, to: 40 Canadian public servants (September 2018); 20 education staff members, Colleges Development Network (October 2018); 30 public sector employees, Holyrood Complaints Handling Conference (February 2019); 80 public service complaint managers, Cross-Government Complaints Forum (March 2019); 15 senior managers, NHS Lothian Clinical Directors' Day (March 2019); 21 members of the Professional Association Research Network (April 2019); 100 healthcare staff at NHS Warwickshire and Coventry Trust (May 2019); 18 delegates, NHS Complaints Managers Conference (May 2019); 60 delegates, the College of Mediators Conference (June 2019); 13 members of the Local Authority National Complaint Managers Group (June 2019); 45 delegates, Scottish Federation of Housing Associations Housing Management Conference (September 2019); 16 delegates, Royal College of General Practitioners Wellbeing Conference (September 2019); 220 public service staff, SPSO Complaint Improvement Conference (February 2020).

Where practicable (in five workshops), feedback was collected from attendees [E12], which confirmed that the research would influence practice. For example, following workshops delivered to the Cross-Government Complaints Forum in March 2019, participants fed back that the research and guidance had been influential, as confirmed in a statement from the Forum's Chair [E13]. Examples of feedback from participants included: "Highlighted an area we need to do more about... already instigated a review of our guidance"; "I will propose that it [the research-based guidance] is adopted as policy". In addition, a follow-up email was sent to participants between 3 to 12 months after the training asking whether the research had changed their practice. Organisations who responded (including the Department for Work and Pensions, the Environment Agency, NHS Lanarkshire, and NHS Lothian) reported significant changes resulting from the research. These included: personal complaint practice changed, with increased sensitivity to the wellbeing of staff; complaint process reviewed and amended, and research and guidance shared with complaint handling practitioners to raise awareness (confirmed in collated emails from workshop participants [E14]). The National Complaint Managers' Group provided further evidence of changed practice, confirming that, "Social care complaint managers now have a greater awareness of the needs of those who have been complained about ... Dr Gill's research has provided an important evidence base for changes to practice" [E15].

## 5. Sources to corroborate the impact

[E1] SPSO evidence: [Making Complaints Work for Everyone](#) (2017) [PDF available].

[E2] Blogs: Ombudsman Association (a) [15 August 2018](#) and (b) [29 April 2019](#); UK Administrative Justice Institute (c) [18 December 2017](#), (d) [5 June 2018](#), (e) [13 February 2019](#), and (f) [16 April 2019](#) [PDFs available].

[E3] SLCC evidence: (a) [CRM Newsletter](#) (Winter 2018); (b) Letter from Chief Executive, SLCC (20 February 2020) [PDFs available].

[E4] Press article: [David Buchanan: Complaints can increase the stress that caused them in the first place](#) (Scotsman, 18 Dec 2018) [PDF available].

[E5] Ombudsman Association: Statement from the Chief Executive [PDF available].

[E6] Ombudsman and Information Commissioner for Ireland and President of the International Ombudsman Institute: Statement [PDF available].

[E7] SPSO evidence: (a) [Model Complaint Handling Procedures](#) (2020); (b) SPSO Statement [PDF available].

[E8] PHSO evidence: (a) [Complaints Standards Framework](#) (2020); (b) PHSO Letter 1; (c) PHSO Letter 2; (d) PHSO: [Making Complaints Count: Supporting complaints handling in the NHS and UK Government Departments](#) (2020) [PDFs available].

## Impact case study (REF3)

- [E9] BC Ombudsperson: (a) [Fairness in Practice: Why Relationships Matter in Public Service Delivery](#) (Webinar, 14 March 2018, from 43:50) **[MP4 available on request from the HEI]**; (b) BC Ombudsperson Letter **[PDF available]**.
- [E10] NSW Ombudsman Statement **[PDF available]**.
- [E11] Castle Rock Edinvar evidence: (a) [Implementation case study summary](#); (b) Castle Rock Edinvar Statement **[PDFs available]**.
- [E12] Collated feedback from training workshops **[PDF available]**.
- [E13] Cross-Government Complaints Forum: Statement **[PDF available]**.
- [E14] Collated emails from workshop participants confirming impact **[PDF available]**.
- [E15] Statement from the Chair of the National Complaint Managers' Group **[PDF available]**.