

HOUSE OF COMMONS
ORAL EVIDENCE
TAKEN BEFORE THE
PUBLIC ADMINISTRATION SELECT COMMITTEE

COMPLAINTS: DO THEY MAKE A DIFFERENCE?

TUESDAY 11 JUNE 2013

DAME JULIE MELLOR

ROBERT DEVEREUX, MARK GRIMSHAW AND SARAH RAPSON

Evidence heard in Public

Questions 95 - 167

USE OF THE TRANSCRIPT

1. This is an uncorrected transcript of evidence taken in public and reported to the House. The transcript has been placed on the internet on the authority of the Committee, and copies have been made available by the Vote Office for the use of Members and others.
2. Any public use of, or reference to, the contents should make clear that neither witnesses nor Members have had the opportunity to correct the record. The transcript is not yet an approved formal record of these proceedings.
3. *Members* who receive this for the purpose of correcting questions addressed by them to witnesses are asked to send corrections to the Committee Assistant.
4. *Prospective witnesses* may receive this in preparation for any written or oral evidence they may in due course give to the Committee.

Oral Evidence

Taken before the Public Administration Select Committee

on Tuesday 11 June 2013

Members present:

Mr Bernard Jenkin (Chair)

Alun Cairns

Charlie Elphicke

Greg Mulholland

Priti Patel

Mr Steve Reed

Examination of Witness

Witness: **Dame Julie Mellor**, Parliamentary and Health Service Ombudsman, gave evidence.

Q95 Chair: Can I welcome you to this second session on complaints handling, and could I ask our first witness today to identify herself for the record, please?

Dame Julie Mellor: Julie Mellor, Parliamentary and Health Service Ombudsman.

Q96 Chair: We are getting to know you well. You may want to make one or two comments on the progress of our inquiry so far and any thoughts you may have on it, but can I ask you to put it in this context? This Committee produced a report on complaints handling during the last Parliament, and we found that complaints processes were often complex and confusing, and that complaints were poorly handled. Has much changed?

Dame Julie Mellor: It is mixed. At its worst, we still have—someone else coined the phrase—a “toxic cocktail”, which is a combination of reluctance on the part of complainants to complain or not being able to navigate the system in order to complain, plus defensiveness on the part of organisations responding to complaints. That toxic cocktail leaves lost opportunity for organisations to learn and improve their services as a result. Unless that is tackled, we will not see a step change. The key is going to be leadership.

Q97 Chair: What is the step change you are looking for?

Dame Julie Mellor: In terms of measurement, in terms of what leaders do, or both?

Chair: The step change that we are interested in pursuing as well is the cultural change—the change from a fear of talking about failure to embracing lessons to be learned from failure, so every failure is a new piece of information that can be used to improve what people are doing. Do you sense that that culture exists anywhere in Whitehall?

Dame Julie Mellor: We have suggested some potential witnesses who I think are coming later this morning who are making efforts, so it would be good to ask them about culture, leadership and measurement, what they have learned, what they have changed, etc. Going back to the core question, there are probably three things I would want to say. One is: what is the step change, from where to where, and how might we measure success? The other is: what is required of leadership to deliver that culture change? In terms of the step change, we know from evidence we have published that, of the 18% of people who have had an

experience of a public service that they want to complain about, a full 40% do not. That goes up to 54% who do not in the health sector.

Q98 Chair: How do you measure that?

Dame Julie Mellor: That is quantitative research with the public. The reasons they give are that they do not know who to complain to and they do not know how to do it. They think it will be complex, defensive and bureaucratic, and nothing will change. If you look at people's experience of actually complaining, then all of that unfortunately is borne out. When they actually complain, 36% do not feel listened to; 50% feel that they are not kept up to date or taken seriously. Perhaps one of the primary motivators for the public generally and those specifically who come to us when they complain is that they want to prevent the same mistake happening—they want the organisational learning to happen—and yet 64% of those who do complain do not think it will make a difference.

Chair: It sounds like the life of an MP.

Dame Julie Mellor: If we flip that, what would success look like and what would I like to see in the results of every Government Department and every health organisation? There are three things that they could be measuring and you could be holding them to account for that would demonstrate that they had made a step change. The first is, when we did that research with the public, we flipped it on its head and asked, "Given that is what people's experience is, what is the vision for a decent complaints system that we could measure and that the public would relate to?"

There are three things. One is that they feel confident that complaining will be straightforward and fair. You can measure that—you can do the research and get a quantitative measure. The second was that they feel listened to and things put right where they have gone wrong. The third is that they are confident organisations will learn from their look at the complaint and improve. All of those things could be quantitatively measured by every single public service provider, and could be aggregated, so you get a picture overall of how Britain's public services are doing for complainants.

The second chunk of things is that I was really interested in the evidence from the Institute of Customer Service last week. I thought it was absolutely fascinating the way they were able to show correlations between market share, between sales and loyalty, and customer satisfaction. I do not know what the equivalent measure would be for public services, but maybe it would be trust and confidence rather than market share—trust and confidence in the service—which would apply to the Government of the day as well, in terms of whether people are confident that the services are being delivered by the Government.

Q99 Chair: It is a sort of family and friends test. Would you recommend your best friend to go through this complaints procedure?

Dame Julie Mellor: Absolutely. It is that kind of thing, trust and confidence. Measure it against customer satisfaction, because two of the range of customer satisfaction measures that the Institute of Customer Service looks at are to do with complaint handling—the outcome and the handling of the complaint. If you start to get that measurement, again you can look at that for each organisation and compare across all public services.

The third is specific to each organisation or Department, which is the specifics of the trends, themes, learning and improvement. What are the concrete examples? I would love it if, in the next session, you are actually saying to the people in front of you, "What has your complaints data told you?" There is an easy emphasis on numbers but, actually, what has your complaints data told you and what have you done as a result of that? What have you changed as a result?

Q100 Chair: It was interesting that, in the survey data that you presented last week over a breakfast, when the hospital boards go away and do their strategy plans on away days, only 2% of them are thinking about complaints, and yet complaints are this extraordinarily valuable resource of feedback on how good or bad the system is.

Dame Julie Mellor: Absolutely. Concerns and complaints could be hugely valuable intelligence. You asked me about culture, so the third bit is how you get that step change from the figures I have given to measuring those three things improving. I completely feel that that is around leadership and culture. What sounds a bit like a minor shift, but actually is not—it is very significant—is that the public has said to us that they fear complaining. They are not confident when it comes to complaining. I have just given you the figures for those who do not, but they have also said that they would be more confident or less afraid to complain in an environment where they know that feedback is sought more generally.

Rather than just looking at complaints, what is an organisation committed to? Decent public service. How is it going to gather feedback—positive, negative, concerns, complaints—as a whole to enable them to then look at the learning that feeds in? The public would be more likely to complain and give that intelligence to services if it is positioned more broadly. Similarly, staff have said that they are less likely to be defensive if they were rewarded for gathering feedback and putting things right, rather than blamed for things going wrong. If that is the case, that toxic cocktail dissipates only if the leadership sets out that clear purpose, which is—I know from the way you were asking the question—what this Committee is looking at, to deliver excellent customer service, not to deliver excellent complaint handling. That is a subset.

Q101 Chair: Actually what we should be looking for, an indicator of success, would be a huge wave of complaints, because suddenly people feel it is worth complaining. That is what the Government should be aiming to achieve: a big increase in the number of complaints.

Dame Julie Mellor: I am not sure I would put it quite like that, but I agree with the sentiment. When I chaired the Equal Opportunities Commission, we found that organisations that introduced good sexual harassment policies saw a blip increase in the number of cases of people saying, “I have been harassed,” because they were more confident that that allegation would be dealt with fairly. In sentiment terms, yes absolutely; an increase in complaints does not have to be a bad thing.

Q102 Priti Patel: You mentioned this toxic cocktail, which is an interesting analogy to use anyway. Do you think this toxic cocktail is part of the reason why Government Departments have not really embraced the principles of good complaint handling? In particular, I want to introduce the comparison with the private sector. The Chair mentioned friends and families’ tests; you have mentioned confidence in the entire system. Of course, there are measures and good examples in the private sector, so your thoughts and insights there would be useful.

Dame Julie Mellor: At one level, I would say there is good and in both. In terms of learning from the private sector, I would go back and reinforce what I was saying about measurement. What the private sector looks at is the correlation between sales and loyalty, and customer satisfaction, and they see there is a positive correlation between the two. They are driven by market share, so the learning for the public sector is—and where I think we would say we have a recommendation—what would be the equivalent motivation for public services if it is not market share? Is it trust and confidence in the services by the public?

Having found the right measure, the recommendation would be that that is looked at annually across all public services, so that you can compare each one. For example, when

you asked me if things have improved, I said it is mixed. If you look at the Institute of Customer Service data, you will find greater variation in customer satisfaction across national public services than in any other sector. That gives you some ammunition to be focusing on those. Where both satisfaction and trust and confidence are low, they are the ones that need to be re-orientating themselves. What is it that the leadership is doing? That would be the big lesson for me.

Q103 Priti Patel: You have also touched on the culture, or the Chair touched on culture, and you made some observations there. In your view, is it about organisational culture being part of the reason, or perhaps the main reason, for poor complaints handling within Government Departments? Where do you see the process here as having an impact on the poor handling of Government Departments? I would like to introduce another factor, which is the skills base of the individuals processing complaints within Government Departments as well.

Dame Julie Mellor: You may have seen in our evidence we suggested that there were five areas to focus on in terms of getting better complaint handling. We called it GRASP as a mnemonic: governance/leadership/culture, records/data/measurement, accountability, and then kind of standards and practices, which would be the process and skills side. Having had a professional background in organisational development, I would distinguish between the first three and the last two. If you want step change, the things that deliver transformation are leadership, culture, measurement and accountability. Good process will be driven by strong leadership so, if you have a leadership that says, “Do you know what? We are committed to excellent customer service? We have specific objectives to gather feedback, to use the insight, to learn and improve,” those are their kind of objectives. “We are going to put in place the mechanisms to do that”—the training for staff, the ways of measuring, the ways of gathering feedback, and the reward mechanisms, so that people are rewarded for putting things right, rather than blamed for when things go wrong. That all comes out of the leadership piece, so that is the focus for the step change.

Q104 Charlie Elphicke: Looking at the complaints that Departments receive, do you think it could be said that they could become almost like an early warning system? UKBA complaints doubled last year, whereas Work and Pensions, and Justice, did not rise very much at all. Does that speak more to the culture of the Departments, because we know Work and Pensions, and Justice, are putting through some very complicated reforms but do not seem to have had a rise in complaints? UKBA is known to be an area of difficulty and complaints have doubled. Should Government use it as a form of early warning system?

Dame Julie Mellor: Absolutely. That comes back to the measurement thing. I am not sure I would say “early warning”, because you are talking about the figures coming to us; by the time they come to us, it is not very early. Yes, they should be using their own complaints data. They can add what comes from us, but they should be using their own complaints data regularly. If they know things are going wrong and they are trying to change the quality of their service, the outcome of complaints and the handling of complaints would be two areas that they should be looking at to learn and improve.

Q105 Charlie Elphicke: What would you say is the time lag between institutional failure and the complaints then coming to you—two years?

Dame Julie Mellor: I do not think I could generalise, to be honest, because it depends on the type of complaint and how long it might take for the body itself to try to resolve.

Q106 Chair: It is a very interesting question: by the time the complaints arrive with you, has the horse already bolted?

Dame Julie Mellor: Our statutory role is very much about putting things right for individuals. In terms of the learning from complaints, what we get is where there is a systemic failure and, therefore, even though it is later we are picking up groups of problems. In terms of the organisation learning, if we are getting thousands of complaints on a particular topic, that means the organisation is not taking complaint handling very seriously, because they would have done something earlier.

Q107 Chair: To be fair, the complaints you deal with are in fact disputes, aren't they? You are part of a dispute resolution process, rather than just addressing what one might call innocuously "complaints".

Dame Julie Mellor: Yes, we are final adjudicators, exactly. We adjudicate in a dispute between the individual who feels they have experienced service failure and the organisation that is saying no.

Q108 Charlie Elphicke: What do you think is going on? Is it just indicative of an overall increase in complaints to Departments because people like to complain more than they did in the past; or are more people dissatisfied with the departmental complaint system and so are turning to you for redress? Which do you think it is?

Dame Julie Mellor: The short answer is that we do not know because, as I said before, an increase in complaints coming to us could be because more organisations are making people aware that they can come to us. The research we did last year said that 45% of people who were not happy with the complaint handling in the organisation were not told about us. An increase in coming to us could be because people are being told about us.

In health, it could be following the Francis inquiry, because we have seen an increase in health complaints coming to us. Indeed, hospitals are experiencing a significant increase. It could be that the public, for all their reluctance, is feeling a bit more confident because they know this is an issue that is being taken so seriously in the Health Service. It could be because things are going wrong. You would have to do more research to know the specific reasons and specific instances, but the increase tells you to do that. The increase says you have to look at why, in order to be able to improve.

Q109 Charlie Elphicke: Take the Home Office. Do you think there is a specific problem with their internal complaints system? We have seen a doubling of complaints there; does that betoken institutional failure or a problem with their internal complaints system?

Dame Julie Mellor: Do you mean in UKBA specifically and the 97% increase?

Charlie Elphicke: The rest of it is 80% up, so there is a big problem there, isn't there, or a big rise in complaints anyway? What is causing it?

Dame Julie Mellor: We all know that there have been wider problems at UKBA and the handling of complaints is a symptom of that. There have been many thousands of people caught in backlogs in terms of getting decisions. A lot of those people would come to us. To give one example of a case, it took four years for UKBA to admit that they twice got wrong some information they had provided to the Security Industry Authority about someone's right to work in the UK—four years. In that time, the person who had complained to us had lost their job and they had been unable to work. The MP in that case could not get a decent response from the UKBA. There, complaints are very much a symptom of the wider service failure, which makes the link again. Complaints cannot be looked at in isolation. They are a valuable source of intelligence to improve services.

Q110 Charlie Elphicke: That is not fit for purpose and, by the sounds of it, a cover-up, which is just outrageous.

Dame Julie Mellor: No, I would not say that you could conclude it is a cover-up. It is because they have been in such a mess.

Chair: It is in denial rather than maliciously covering up.

Dame Julie Mellor: Yes.

Q111 Alun Cairns: How easy is it to find out about the number of complaints a Department has received and dealt with?

Dame Julie Mellor: Not easy enough.

Q112 Alun Cairns: Can I then turn round and ask when is a complaint a complaint?

Dame Julie Mellor: If you take the definition of a complaint, which is an expression of a concern expecting a response, then you could interpret that quite broadly. In terms of service providers actually looking at what is useful to them, it should be that broader definition that would include concerns, not just the cases that go through into some formal complaints procedure.

Q113 Alun Cairns: Your role, as the Chair clarified earlier, is dispute resolution, but you also have a role to feed back in terms of changes that could be made within a Department in order to deal with a complaint. Unless there is an effective way of identifying the number of complaints within a Department, when is a complaint a complaint? How can we better collect intelligence of letters drawing attention to a procedural issue that might not be interpreted as a complaint but really, if we look at the trend, would be a complaint in your mind?

Dame Julie Mellor: We can do two things. As I said, the organisation should be looking at it more broadly, which is why they should be looking at broader feedback, of which complaints is one part—feedback on the quality of service generally. In terms of the stuff that comes to us, we can do two things. One is to ensure we still get sufficient volume so that, on specific issues, we can analyse what is going wrong and give feedback, both in terms of the quality of the service and the complaint handling.

To take an example, we just published something called *The NHS Hospital Complaints System—a Case for Urgent Treatment?* We looked across five years to see if the themes were the same, but we analysed just the complaints that came to us last year across the hospital health sector. We found that, fundamentally, there were three sets of reasons why people were so frustrated they came to us. One was that they were not getting a decent explanation, so defensiveness was getting in the way of them getting a decent explanation about what actually happened. Where there was some acceptance of responsibility, there was inadequate acknowledgement of the mistakes, and inadequate remedy. On those three things, which are the things that do matter so much to the complainant, they were getting an inadequate response from hospitals, in terms of the cases that came to us. That started to give us some intelligence about what we could be feeding back into the Clwyd/Hart review, which Cameron set up after the Francis report was done.

The second thing we can do is specific research, where we go out into the field and do primary research, which is what we did. Bernard came to a breakfast meeting on governance. We think that governance is so critical, leadership is so critical, but we do not necessarily get to see that when we are looking at a complaint, so we wanted to understand better, in terms of being able to give advice, the range of leadership practice in hospitals, so we went out and did the research.

Q114 Alun Cairns: That leads me to the next question. What can the Government do or what can Departments do to change their practices, so that it enables you to identify something you might see as a contribution towards a complaint but they might not?

Dame Julie Mellor: I don't think I understand the question. Can you say it again?

Alun Cairns: It comes back to: when is a complaint a complaint? For some representation that a Department may well have received, what can the Government do to better help you understand or analyse those sorts of issues that they have not interpreted as a complaint but that you may well understand are worth collecting and analysing within the Department? What can the Government do to make your job easier?

Dame Julie Mellor: The short answer is that it comes back to what they should measure. I have already outlined some of the things that I think they should measure. There was a PASC inquiry into complaint handling in 2008 and, as a result of that, there was a recommendation that all Government Departments reported in their annual report and accounts something on complaints. In reality, that is mainly about how many come to us and whether we uphold them. It would be much more useful to Parliament in scrutinising those Departments if each Select Committee had, as part of its annual report data that it was scrutinising them on, the kind of measurement data that I was talking about. What feedback have you had about the quality of your service? What feedback have you had about people's experience of complaining? What are the trends and themes? What have you learned and what have you improved as a result? If that is what was in their annual reports, they would have to have done that leadership role of looking at those issues in order to say what they had done, and each Select Committee would be able to scrutinise them better.

Chair: That is a very important answer.

Q115 Greg Mulholland: Morning. As you know, complaints procedures are something I am very passionate about, and you are focussed very much, as you have said, on the end of that process and the adjudication of the system. It seems from the data that your office very helpfully published last month, in that very helpful initiative, that the big problem is still the problem that this Committee identified in 2008: it is the failures in the first tier of complaint handling. It is a sad thing if this is the reality, but do you think that this is as much a problem as it was in 2008, when this Committee first identified that?

Dame Julie Mellor: As I have said, it is mixed. You have organisations like the Courts Service and UKBA that clearly have not been handling complaints well and, therefore, losing the opportunity to gather intelligence and improve. You have organisations like the Rural Payments Agency, which, as a result of two group investigations that we did, have actually realised that we knew more about their complaints than they did and have done something about it. I would very much welcome the research that the DWP has done on people's experience of complaining because, out of that, they have discovered what it is that makes a difference and begun putting that into effect. There is good and bad.

In terms of going back to that kind of step change, which I think is what is behind your question—how do we make it improve?—it comes back to leadership, measurement and accountability. One of the reasons I think this Committee inquiry is so important is that the pace of change will be determined in part by the scrutiny of PASC and the Select Committees of the complaint handling of every Government Department. As I indicated to Alun Cairns, that should be part of what is looked at annually, when each Select Committee does its annual review of an organisation based on their annual report. That is where Parliament can actually have an impact upon the pace of change.

Q116 Greg Mulholland: While some Departments and agencies are much better than others, some indeed may be good and some clearly are desperately poor, nevertheless, you

listed some of the common failures in complaint handling, such as: failure to respond to complaints within a reasonable length of time; poor decision making; failure to resolve issues; failure to provide accurate and timely information; providing incomplete, unhelpful or confusing responses; poor customer service; grudging apologies; poor record keeping; and failure to learn from mistakes. All those things should be absolutely basic. In the private sector, part of the culture is that it is simple. Apart from some of the exceptions that you have given, why are those very simple things still happening on a chronic basis?

Dame Julie Mellor: That list of things to me says it all. That does not sound like an organisation that is listening and, if it is not listening, it does not care about what its customers think of its service and that comes back to leadership. What are they trying to achieve? If they were genuinely interested in improving the quality of their service, they would be listening and they would do something about it. Some comments in the Francis report on the board at Mid Staffordshire illustrate that. He talked about the board not listening to either patients or staff who were giving them the feedback about what was going wrong, and therefore not acting to address the deficiencies. It is the board; if the board were asking for it, their organisation would be delivering it for them.

Q117 Greg Mulholland: The Mid Staffordshire thing is a particularly extreme example, but you have just said as a more general point that too many are not interested in improving their services. That is a very damning statement about the public sector and Government Departments. Do you think across the board too many people in high positions are not interested in improving their services?

Dame Julie Mellor: I very much try to use data and evidence, and this is much more of an opinion from all the data out there. Complaints could potentially have been seen as a kind of backwater—something you have to deal with and “Let’s just try to manage it as best we can.” Some of the complaint handlers in organisations have been much too junior and do not have the authority to raise things up, or even the capability to actually analyse the data and say, “What is this telling us as an organisation we should be doing something about?” All of those things indicate defensive organisations, which is what staff and the public say they experience.

One of the major ways we can shift that defensiveness, flip it on its side, is learning from the private sector, as Priti Patel has said, and saying, “What is it we are trying to achieve in public services?” Is it trust and confidence in those services? If it is, what is the range of feedback mechanisms we need to look at? Include complaint handling in that and then, when people do that, you start to see improvements, so that you do not have that long list of things that you read out there.

Q118 Greg Mulholland: The final question from me on this is: what sort of response have you had from Permanent Secretaries in reply to this and this being published? Has there been a willingness, a desire, to deal with this and improve? Has there been a sense that this is something of an annoyance and something they would rather you had not raised?

Dame Julie Mellor: Are you talking about the letters we sent to each Permanent Secretary on a performance report from things that come to us?

Greg Mulholland: Yes. How many have replied at this stage?

Dame Julie Mellor: That is a good question. A handful.

Q119 Greg Mulholland: A handful? We are going back to a failure to respond to complaints within a reasonable length of time. It is happening even to you with some Permanent Secretaries.

Dame Julie Mellor: To be honest, I did not ask for a reply, but probably the cute ones have replied.

Q120 Greg Mulholland: If there is a culture of wanting to respond, look at mistakes and improve things, they should be jumping on it, should they not?

Dame Julie Mellor: We have seen indications in central Government of beginning to take complaints more seriously. My predecessor talked about the experience in central government being “inconsistent, haphazard and unaccountable”. I took over the next year, and I had a very positive meeting with all the Permanent Secretaries, where it was agreed that in fact Robert Devereux would have oversight of some work that the Government complaint handling forum would do to establish some standards for complaint handling, so that there was greater consistency, and provide training for operational staff, for example, in handling complaints. Those are positive indications.

However, those things are necessarily not sufficient. It will depend upon the leadership in each Department as to whether the work that Rob Devereux is overseeing of that complaint handling forum actually gets used and makes a difference. The Permanent Secretaries need to be saying, “Right, if this is what we are trying to achieve, what feedback are we getting? What are we learning from it? What do we need to improve about the way we handle complaints to give people a better experience?” That is the first time we have done those letters of reports on each Department. We will be doing it annually and it is available publicly. I really hope Parliament use those to hold Departments to account.

Greg Mulholland: We will certainly do our part.

Q121 Priti Patel: You have mentioned leadership and we have discussed the role of Permanent Secretaries here as well. What do you think the role of Ministers in Government Departments is, when it comes to oversight of complaints? In particular, do you think they have a good enough understanding of how to handle complaints and, as part of that, how to respond in a sensitive and timely way, in particular to MPs when they are writing on behalf of constituents?

Dame Julie Mellor: I don’t know about that latter part. In terms of the general role of Ministers, you will recall that Secretaries of State now chair the boards of Government Departments, so they are the ultimate leader, assessing whether there is trust and confidence in those services. If they are ultimately responsible, they are accountable to Parliament for the quality of those services, so it would be very interesting to know what questions Secretaries of State are making sure are asked at board meetings about the way that complaints are handled.

Q122 Mr Reed: We have a chart that your office published showing the different complaints processes in the different Departments, and there is a lot of variation. What impact do you think that has on these abuse-of-process complaints for the public, when they are having to deal with so many different approaches, depending on which Government Department they are dealing with?

Dame Julie Mellor: It is very confusing, and that is one of the reasons that people do not complain and the insight is lost to the Departments concerned.

Q123 Mr Reed: Does that lead to arguments for standardising the complaints process across Departments?

Dame Julie Mellor: Yes. That is what drove my predecessor to say that that inconsistency was not good enough. You will have some differences. In the UK Departments where there is incredibly high volume, it makes sense for them to have a second-tier complaint handler, so a second look can be taken, still by people employed by the

Department, but looking at the bulk of complaints that are not resolved at the very first level. For DWP and HMRC, those things make sense. Having three as a result, because the third layer is coming to us, rather than two, makes sense where there is that scale of volume of service. They are kind of retail organisations, in a sense. Apart from that, if there were standards that could be met—the quality of the work of the complaint handling forum I could not comment on yet, because I do not know the detail of what they have done—and they were good standards, that would make it easier for the public, because they have said that they do not know who to go to, they do not know how to complain, they are not kept up to date, they do not know if they are going to be taken seriously and they don't know if it will make a difference. If you have standards that address all those concerns, then hopefully that would make a difference.

Q124 Mr Reed: Are you aware what the arguments are against standardisation of that kind?

Dame Julie Mellor: Tell me.

Q125 Mr Reed: How have we ended up with such a range of different processes without any attempt to standardise them? Presumably Departments are defending what they currently do.

Dame Julie Mellor: This is an area that, thank goodness, is beginning to get a spotlight shone on it. Because it has not had that in the past, then all sorts of things have developed and there is no consistent picture of what good looks like. That is one of the things that came out very strongly from the work that we did in health on governance. There was an intellectual commitment to listening and learning but, actually, because there was no shared picture of what good looked like, the board practices were extraordinarily variable. Helping them understand what good could look like, so that they can start to do that, could make a difference.

Q126 Mr Reed: As the pattern of Government delivery becomes more complex, as more external agencies and organisations in the third or private sector are also delivering services, how do we ensure that members of the public can still complain, get redress and be able to understand the processes that are available to them, without creating even more confusion of the type that we already see across the various Departments?

Dame Julie Mellor: There are two levels to that, one about ombudsmen and one about the first tier. My predecessor published some principles of good administration, complaint handling and remedy that are quite sound, so I would expect as a starting point, as more private- or third-sector organisations are delivering public services under contract, for them to look at and adopt those principles, because that is what we will judge them against when they come to us. That is one thing that could be done as there are more complicated delivery mechanisms. It is something that we hope to make a contribution to, so at some point I hope that we will actually take some of the cases that we have received as complaints about private- and third-sector organisations, and the responses that we have had, some of which have been very positive and some less so, and actually convene something for contractors, Departments and the suppliers to look at complaint handling. That is something to which we can contribute.

The other part, in terms of the complexity and changes in the way services are delivered, is probably more of a second inquiry question around the reform agenda, but we would argue that it is time to do what they have done in Scotland, Wales and Northern Ireland, which is to have one public service ombudsman that is comprehensive for services that, in effect, are accountable to the Westminster Parliament. At the moment we have the

Local Government Ombudsman, the Housing Ombudsman and us. There is a gap in education, an area where there is no ombudsman service. That would again make it simpler for people to know that, if they are not happy with the resolution from the service provider, there is one place to go for an ombudsman service.

Q127 Mr Reed: That makes sense when you get to that stage or tier within the complaint handling process. Do we need, as well as common principles, common processes?

Dame Julie Mellor: No. It has to be what is right for the organisation and its services. There is a real risk, if you articulated very precise process standards, that it would become tick-box. Actually it needs to be owned by the organisation and relevant to the way they provide their service.

Q128 Priti Patel: I have a quick question on the governance research that has taken place into complaints handling in the NHS, which is topical and timely. How applicable do you think the findings of that review are to the way that Government Departments generally handle complaints?

Dame Julie Mellor: I don't know; maybe we should do the same survey across central Government Departments. Maybe that is next year's task.

Priti Patel: It would be an interesting overlay.

Dame Julie Mellor: Absolutely. It indicates the kinds of things that go back to what I articulated early on about what could be measured. For example, the fact that only 20% of the boards that responded reviewed the learning from complaints and acted on it goes back to actually measuring our Departments. What can they tell you about the trends and issues? What can they tell you about what they have learned and improved? The fact is that really big things are being missed; 20% said that the information they received at the board was ineffective in helping them identify risks to patient safety. Fewer than half actually measured people's experience of complaining—the customer satisfaction with complaint handling—which is another area that I was suggesting could be measured against a simple vision of whether people are confident to complain and listened to, and whether things are put right and lessons learned.

Also they felt that the quality of information they had, because it was so different in every organisation, did not enable them to benchmark and learn from each other. Those are all things that might well be applicable across central Government, and that would be, in a sense, probably stage two for some of what I hope central Government Departments will do now. That is why we are recommending to you, and have recommended in our written evidence, that there are a number of things that we think it would be worth someone, probably the Cabinet Office and the Head of the Civil Service, Sir Bob Kerslake, actually taking responsibility for: making sure boards are measuring those things and that they can compare with each, and you can aggregate and look at what is happening across public services as a whole.

Q129 Chair: Who has responsibility for complaints at ministerial level?

Dame Julie Mellor: In terms of the complaints about specific Departments, it would be the Secretaries of State in those Departments. In terms of policy around complaint handling and ombudsmanry, it is a mix of Cabinet Office, BIS and the Ministry of Justice.

Q130 Chair: Do you think this is sufficiently coherent leadership of complaints handling in Whitehall?

Dame Julie Mellor: That might be a question you could ask the following witnesses.

Q131 Chair: Do you think they are the right people? What about Civil Service leadership of complaints handling? Is there coherence in that? Again, our subsequent witnesses may be relevant to that.

Dame Julie Mellor: There are some positive signs. I was very pleased that Bob Kerslake welcomed these letters we have done on what is happening in terms of complaints to us in each Department, because that is information he can use when discussing performance each year with Permanent Secretaries. That is a positive sign that the data is useful and can be used.

Q132 Chair: Don't you think that there needs to be more central leadership of complaints handling across Whitehall? Working groups are one thing, but should there be one Minister clearly responsible for creating the right atmosphere, in the same way as we have around Civil Service Reform? It is as central as that, isn't it? There is not that sense of coherence being led from the Cabinet Office at the moment, is there?

Dame Julie Mellor: I am going to stay neutral on that one, because the important thing is that there is leadership. It is up to each Government to decide how it wants to exercise that. What I would say is that, in terms of who we would hold to account, it is the individual Department, the individual hospital or the individual GP practice. They are the ones that can make a difference to their services.

Q133 Chair: Moving on to sharing, learning and improvement, there is the forum led by the DWP Permanent Secretary to promote the management of complaints and share good practice. Do you see that having an effect?

Dame Julie Mellor: Without leadership it will not. Sorry, I feel a bit like a broken record on the leadership front. If you had a set of recommendations from this first inquiry that was about leadership, measurement and accountability, they would be more impactful than anything else. What the forum is doing is necessary but not sufficient.

Q134 Chair: What is your principal recommendation for ensuring that complaints come out of a fringe activity into the mainstream, so the sharing of good practice and learning from one another is embedded in the everyday business of Departments? This is real sand through the fingers stuff. We talk abstractly about this but, in practical terms, what are the recommendations we need to make?

Dame Julie Mellor: It goes back to what we were discussing at the beginning about leadership and culture. Wouldn't it be great if every public-sector leader was as driven to seek feedback to improve trust and confidence in their service as private-sector leaders are to see better customer service push up market share? If we had that, the reluctance of people to complain would dissipate; the defensive response would dissipate; they would be getting broad feedback about the quality of customer service and the trust and confidence in that service; and complaint handling would be one part of that. They would be driving activity in every aspect of what they do that would reinforce that, if they were serious about it, and so that is where they would be setting specific objectives about getting feedback from a range of sources, one of them complaints.

They would as a board be looking at what the insight from that feedback is, what they are learning and what they are going to improve, so that the trust and confidence in their services goes up. They would have all the reinforcing mechanisms of appraisal systems that reward people for saying, "Look, this is going wrong," for putting things right and using feedback to put things right, rather than blaming them, remedy rather than resignation being the principle of the day. They would provide the training. They would have complaint handlers at the right level to deal with things. They would provide training for operational

staff across their Department, so that they could handle conflict, so that they could handle resolving complaints, and so that they knew what discretion they had to try to put things right. You would have all of those things happening if you really had the drive to improve the quality of service.

Q135 Chair: That is a very comprehensive and motivating answer. Back to the ‘I’ word, my final question is: what is wrong with the leadership in Departments that they do not already do this? What do we need to do? What needs to happen to get leadership in Departments to do exactly what you are saying?

Dame Julie Mellor: Because they are leaders, you cannot make them do things; they have to do it for themselves. They need to take this on. They need to want to do something about it. They need to be clear that this is their purpose as an organisation: to improve the quality of their service.

Q136 Chair: If this was embedded in the Civil Service Reform programme, as a big chunk of Civil Service Reform was about getting the complaints systems working and changing the culture, isn’t that the only way to do it—a bit of ministerial leadership on the subject?

Dame Julie Mellor: Ministerial leadership on policy would be really useful on complaint handling and reform, because when we are seeking changes, which we are going to cover in the second PASC inquiry, we sometimes struggle to find that co-ordination across Government in developing shared thinking and providing leadership.

No, the bottom line is things will always go wrong in individual organisations. How they are dealt with for that individual and whether the learning happens to restore trust and confidence will always have to be measured. You measure people against that vision for good based on what the public wants and the things that I said earlier need to be measured. There can be a step change, without any one Minister being responsible, from that defensive culture to one that seeks the feedback, if the leaders of each service grasp it. Having someone centrally does not necessarily make each service grasp it. It is the board, from Ministers to Permanent Secretaries to the senior team, of each service that has to grasp it. Perhaps more than one Minister being responsible, the pace will be influenced by what Parliament does, because you are holding all those Ministers to account for what they are doing.

Chair: We will be talking about that too, because MPs spend a lot of time funnelling complaints through to Ministers from their constituents, and I would say there is quite a mixed view amongst MPs about how good a service we get back from the correspondence units of Ministers. Occasionally, you even get a letter saying, “I don’t know why you’ve bothered to raise this.” It has been known. Anyway, thank you very much for your very comprehensive evidence, and I expect we will have you back again shortly on part B of this inquiry, the second inquiry, about the role of the Ombudsman, the relationship with Parliament and all that. Thank you very much indeed.

Examination of Witnesses

Witnesses: **Robert Devereux**, Permanent Secretary, Department for Work and Pensions, **Mark Grimshaw**, Chief Executive, Rural Payments Agency, and **Sarah Rapson**, Interim Director General, UK Visas and Immigration, Home Office, gave evidence.

Q137 Chair: Can I welcome our three new witnesses, and could I ask each of you to introduce yourselves for the record, please?

Robert Devereux: I am Robert Devereux. I am the Permanent Secretary of the Department for Work and Pensions.

Sarah Rapson: I am Sarah Rapson. I am the Interim Director General for UK Visas and Immigration and, until a few weeks ago, I was the Chief Executive of the Passport Office.

Mark Grimshaw: Good morning. I am Mark Grimshaw. I am the Chief Executive of the Rural Payments Agency.

Q138 Chair: Thank you very much for coming today, in particular to Sarah Rapson, because it is a big day for you; you are in front of another Select Committee this afternoon. Thank you very much indeed. This Select Committee did an inquiry into complaints handling in the last Parliament, under my predecessor. Has much changed or improved as a result of five years of thought about this subject?

Robert Devereux: I think so, yes. Maybe I can just answer for DWP as an example, if that helps. What would I point to? A couple of things: one, we have been a lot clearer about what a complaint is, so that our staff actually understand what they are supposed to do with it and when. We have simplified the process. You had a conversation with Julie earlier about how many tiers of complaints there were. We have gone down to having just two tiers of complaints. The percentage of complaints being taken to the second tier has collapsed by 75% over the last two years, as a consequence of doing it better at the first tier. The amount of things that are going off to the Independent Case Examiner has reduced sharply, and the number of times that he actually finds in favour of the Department when he does investigate things has gone up. I would argue that, at least in terms of the actual mechanical handling of complaints, we are getting better than we were previously. I am sure we are going to go on, in a minute, to talk about the broader cultural thing. Maybe I could just make a plug for it now.

Q139 Chair: Before you go on to that, you have just given me some data, which is, on the face of it, very encouraging, but now you are celebrating a reduction in the number of complaints. You heard us in the previous session—I think you were here—when we were saying that perhaps we want more complaints, because that would show that your system was open, your mind was receptive, your culture was welcoming of criticism and prepared to embrace lessons to be learned from failure. From what you have just told me, it is the Permanent Secretary's disease, isn't it? Everything is going terribly well and we must never admit that the indicators that we use to advertise our success are now going in the other direction. We are now suppressing complaints.

Robert Devereux: You did not actually hear me say anything about the level of complaints. I told you about the proportion of complaints that no longer were being taken to the second tier, which would suggest to me that first-tier complaint handling has improved sharply. The accurate number of complaints is broadly similar to what it was previously.

Chair: I stand corrected, yes. You were going to make a second point about culture.

Robert Devereux: It may be too early in the hearing to make this point, but I will just put it on the table for the sake of it, since you asked that first opening question. It is, as Julie said earlier, a necessary but not sufficient condition that Departments can manage the act of complaining well. The question about what we are trying to do here is a much higher-order question in my mind. As far as I can see, I am here to deliver an excellent public service at low cost, and there are a number of strands of work that the Department is doing to deliver that, including making sure that all of my staff have got bags of ideas to improve service, because they are the ones dealing with customers, day in, day out, and have the vehicles to

generate ideas, so we have introduced a completely different arrangement for capturing their ideas and taking action on them. We have had the best part of 60,000 of our staff sign up to that website.

I have organised the organisation such that all the information about compliance, complaints and fraud is all grouped in one operational excellence area, so we can learn from it. I have a chief operating officer who is now driving performance right across the journey a customer goes through, rather than thinking about it in professional silos. All of these things are basically about transforming what we do into a better service, and complaints plays an important role in that but is not the only game in town.

From a Minister's perspective, many of the things that we know people complain about are actually to do with the application of the rules and all the rest of it, which we are in the process of simplifying. If you have an arrangement that says, "I need to ask the absent parent what their earnings are," you will find all manner of process introduction that then generates complaints. If you change the rules, as we have done now for the new scheme, to say their earnings are whatever HMRC tells us their earnings are, you remove at a stroke some of the reasons why people get complaints in the first place. The point I am simply trying to make is that you asked a question about complaints handling, and I think we should try to tell you a story of where it is improved, if that is the case in my Department, but it is only part of a rather bigger story about service improvement. It is not one and the same to think that complaints is the only game in town.

Q140 Chair: I wholly share that view. The whole point about wanting complaints is to be able to address the causes of those complaints, on a structural basis. Sarah Rapson, have things changed and improved over the last five years? Your particular organisation has been through something of a mill.

Sarah Rapson: The latter organisation, UK Visas and Immigration, yes. Of course, most of my career has been spent in the Passport Office, which is a very high-performing customer service organisation. If I may, I will give you some thoughts about both of those organisations.

First, you just talked about MPs' letters. Because I am new in post, the first thing I am doing is looking at the letters from MPs to see what MPs are saying about my organisation, and they have proved quite interesting reading. Not all of them are complaints, but most of them actually are. In terms of learning about the organisation and looking at what customers are saying about UK Visas and Immigration, it is a very important part of my induction, and already I am making some changes to how those letters are crafted and what we say. We are giving timelines now for the first time in a very long time. I suppose I should start by saying complaints are a good thing.

The Passport Service has over the past seven years, I would say, done more and more to become a high-flying customer service organisation akin to the private sector. It can be compared to the best in the private sector. More recently, we have done a lot more work on trend analysis. One of the things that came through was that people do not necessarily want their passport quickly; they want to know how quickly they will get it and if we will give it to them in that time. They want assurances that their application has been received. As a direct consequence of that, we have introduced texting to people on their mobile phones to say, "We have got your application," and a lot of that noise has fallen away.

UK Visas and Immigration could do more to make it more of a learning organisation. The fact that the Home Secretary has cut the UK Border Agency in half and created this command, which is intended to drive forward a customer satisfaction culture for the first time, is really important here. There are some examples of how the organisation has learned, but there is a lot more to do.

Mark Grimshaw: You asked a question about the last five years and, five years ago, the Rural Payments Agency's approach to complaints handling was to attempt to turn a blind eye to it and hope that it would go away. It was somewhat unstructured, combative and unhelpful. Dame Julie's predecessor picked us up a number of times for our poor handling skills.

Since I took over the Agency in January 2011, we have worked alongside the Ombudsman to transform the way that we handle complaints. Interestingly enough, we have created a category that is actually lower than that described by Dame Julie earlier on, so we categorise a complaint as an expression of dissatisfaction, whether it is verbal or written. We seek to capture all expressions of dissatisfaction, so that we can actually understand what is causing the problems for our customers and then do something about it. The open approach we have adopted by putting our most capable caseworkers into the complaints resolution space has pretty much transformed the way that we deal with complaints and the experience that our customers have had, certainly over the last six months, the new approach going live in December 2012.

Q141 Chair: In each of your two organisations, do you look back and wonder how the organisation got into a state—in your case, the predecessor organisation—of denial about complaints? Why does that occur, in your professional judgment? What goes wrong to allow that to happen? Is it something to do with something wrong higher up the command chain? Clearly there is a deafness that comes into the system. Why does that occur?

Sarah Rapson: In my experience, I do not think that did happen in the Passport Office, to be honest with you. It is the same point. We just talked a little bit about leadership. In the Passport Office, the fact that the previous Chief Executive was one of the architects of the Customer Service Excellence awards—and I think you had him in front of your Committee, Bernard Herdan, last time round—has meant that organisation has consistently taken complaints very seriously, because it is a fantastically rich and free form of feedback. In UK Visas and Immigration, the organisation has not had customer service at the top of its priorities. "It will take as long as it will take to make the right decision" is part of the culture, as opposed to, "We need to make the right decision, but we also need to do it in a timely way." That is something that has been recognised.

Q142 Chair: In your case, UKBA, everyone was aware that there was dysfunctionality, backlog and problems. UKBA was set a list of impossible targets. For some reason, either the people at the top of the Department could not hear that these were impossible targets, the people running UKBA did not understand that they were impossible targets or the people within UKBA were not able to say that they knew they were impossible targets and that they would not be achieved. Perhaps everybody was living in cloud cuckoo land. Which was it?

Sarah Rapson: When I talk to staff, and I have been to see some of the frontline staff—I have been to our public inquiry office in Croydon—they want to be as focussed on customer service as any staff I have met in the Passport Office. Quite possibly we were not listening enough to our front line.

Q143 Chair: That is the point. Isn't it crucial that, to have a good complaints culture, the management needs to be able to listen to their frontline staff and listen to the bad news? Why do you think Whitehall Departments and agencies get into this terrible position where they cannot hear the bad news, until it is really bad and it is all splurging out into MPs' correspondence and on to debates in the floor of the House? Why does it have to get that bad before the bad news reaches the decision makers?

Sarah Rapson: It comes down to the point that Robert made in his first point around culture. We need to make sure that frontline staff know that customer service and complaint handling is important, and the leadership needs to demonstrate, with everything that they do, that that is also true. What we are doing at UKVI at the moment is to provide every single member of staff with a customer service objective for the first time, and we are doing it in an engaging way. We are holding workshops so that staff are coming up with what the objective needs to say, so they own it. We will see a cultural change in UK Visas and Immigration, which is needed, and that is the reason for creating the command as it is, as distinct from the other command in the Home Office, which is more about the law enforcement side.

Q144 Chair: I will come back to you in just a second, Mr Devereux, but, Mr Grimshaw, what is your response to this line of questioning?

Mark Grimshaw: One of the challenges for the Rural Payments Agency in the period 2005 through to 2009 was simply doing the day job and getting money out to claimants, both quickly and efficiently. Because of the problems with the process, the systems and the scheme, which are well known and I have spoken about them a number of times, the volume of complaints being generated was second order to doing the day job, which is one of the reasons why the Agency had so many difficulties in the early days. It is taking that on board and going through the complete turnaround.

I smiled a little bit when Dame Julie said earlier on that her people knew more about our customers and their problems than we did. That is absolutely true. In 2011 when we started this journey, we put customers at the heart of everything that we do, which included the appointment of a customer director to the executive team to make sure the customer journey is fully understood. It is also dealing with language. It is interesting; we do not refer to our people being “on the front line”, because we are not at war with our customers. We talk about “customer-facing” and that changes the way we deal with things that come in from our customers. We try to capture it and then we try to make sure that we can deal with it effectively.

Q145 Chair: That is all very positive, but I suppose in your case, at some stage, advice was given to the Minister and the Permanent Secretary saying, “Actually, this is the best way to set up the Rural Payments Agency.” I am told that there were a number of options and the Secretary of State went for the most complicated and risky option. Why did it not get through to the top of the Department that this was a silly way to set up the Rural Payments Agency? What was not being heard at the top of the Department that should have been heard? I bet there were or are people in your organisation who could completely foresee what was going to happen as a result of the way that it was established.

Mark Grimshaw: I am sure that is the case, Chair, but of course I was not here in 2005, so I am not totally aware of the communication that took place. What I can tell you is that, with CAP reform coming in 2015, we are making sure that we have learned all of the lessons as a Department from the issues in 2005. Many of the lessons have come to us through good understanding of the complaints that were generated by customers and stakeholders.

Q146 Chair: The point I am making is this: it is listening and being open to internal complaints from your own staff, which may not even be regarded officially as complaints, and Departments being prepared to listen to people down the system—they have to be able to say what is going wrong. They have to be able to say, “We can’t do this. I’m very unhappy.” That has to get to the top, otherwise the wrong decisions are made. Perhaps at this point I need to bring in Mr Devereux.

Robert Devereux: That was the point I was going to join in on. There was a line in your earlier question that half implied that Whitehall is literally sitting in Whitehall, and the only way through is through complaints. Certainly in my own case I contest that. I have been in this job for two and a half years. Every single Thursday evening and Friday, I am on the road so that I am personally in front of both claimants and staff, asking them how it is going and seeing the things that are absolutely mad, so that we can get on and do something about it.

As a consequence of that, I have all my top directors, 50 of them, doing the same thing, being out and about, seeing this. Whatever their role is, the top lawyer, the top analyst, they are out there, because we are running a large public-service business. The idea that the top of the office is there, somehow or other, to support Ministers—which it is—alone is a mistake. Actually, what the analyst or lawyer can do to improve the experience of the process and thus remove the need to complain in the first place is really substantial. I come back to what I said earlier: I absolutely believe that complaints are another way into the subject, but it is not a substitute for the leadership of an operation or Department knowing its business. I would assert that that is what we are trying to do in this Department.

Q147 Chair: In DWP, you fling open the door to the people who are coming to tell you that there are problems with the implementation of Universal Credit, because you want to know those problems as soon as possible, so they can be addressed. There is no culture of denial in your Department to say that it is going better than it actually is.

Robert Devereux: I have no incentive as the Permanent Secretary to construct a culture in which people do not want to talk to me. It is a large organisation and projects develop their own culture in different ways, but let us be very clear: the example I have given you and the way I am actually driving the leadership of this organisation is entirely consistent with actually wanting excellent public service and effective delivery.

Q148 Chair: Do you recognise that, in parts of Whitehall, some of that culture might exist, where it is difficult for people to tell the truth?

Robert Devereux: That is quite possibly true, yes. That is down, I am afraid, to the quality of leadership at every level in the organisation.

Q149 Chair: Doesn't that then have an impact on complaints culture, if people are not ready to hear the truth? It is too difficult to deal with the truth, because it is too politically inconvenient to put that on the Minister's desk.

Robert Devereux: I would hope it is not the case in respect of complaints from users that, actually, somehow or other, people are saying that is too difficult to deal with. The issue in these complaints seems to me to come into one of two categories: whether we have just not done it or done it incorrectly and should have better processes; the other is where the complaint is being generated, in some sense, because of the complexity of what we are trying to do. Both of those need to be addressed. There is no excuse for an organisation that does not put itself in harm's way to actually understand how the business operates, whether it is from complaints, from its own staff or just by eyeballing it yourself as you travel around. All of those seem to me to be perfectly legitimate.

Q150 Mr Reed: Dame Julie reported last month an increase in complaints to her office about Government Departments. I will just give you some of the figures: there was a 20% increase in complaints about Jobcentre Plus; a 27% increase about the Courts Service; and a 97% year-on-year increase related to the UKBA, as was. Are you seeing, in your organisation, an increase in complaints like that and why?

Robert Devereux: No.

Mr Reed: JCP is in DWP.

Robert Devereux: It is, sorry. The overall level of complaints, as measured by the organisation, is broadly static. The information I gave to the Chair at the start was about the extent to which they are, much more frequently than ever before, dealt with once, at the first tier. There is then a second tier, where my director general for operations will look at it, if they need to—a tiny proportion. There is a gold standard in having the Independent Case Examiner after that. The number of cases that get all the way through that and then off to Julie is a tiny number, and it does indeed bounce around from one year to another, but it is not illustrative of the level of complaints in the business itself. It is illustrative of the ones that actually get as far as that particular level of the organisation.

Q151 Mr Reed: You would take from that that DWP in general is listening to the problems and then resolving issues within the organisation.

Robert Devereux: I am very strongly of the view that, if I have a 75% reduction in the number of complainants who take it to a second-tier complaint, relative to two years ago, I am clearly doing better at first tier.

Q152 Mr Reed: Do you have any means of measuring people whose frustration may be so high that they no longer bother to complain or for whom the complaints process is too impenetrable to even embark upon?

Robert Devereux: That is a difficult area, but it must be the case. Some of your earlier witnesses were observing that the whole process of complaining is potentially one that requires some energy, some time and some competence. I checked before I came here that, actually, if you simply stick “complaints” into gov.uk, you find all the routes to complain in my organisation within one page, so it is possible to do, but I am absolutely of the view that there is a class of potential complainant who will find this difficult. One of the reasons I sent you the rather techie note about the forum that we constructed is simply to observe that there are three bits of work going on at the moment, in that forum, one of which is how you ensure that vulnerable customers in particular are capable of engaging with the complaints process. I do not think we know the answer to that question, which is why we are doing some work on it.

Q153 Mr Reed: Sure, and that is something we can pick up later, hopefully, on the Committee. Sarah Rapson, can I put the same question to you? We know that there has been a growth in UKBA complaints, but what specifically is the organisation doing to learn lessons that previously were not being learned?

Sarah Rapson: There is a big correlation, both in UK Visas and Immigration and in the Passport Office, between levels of complaints and time taken to process, whether it is a passport application, a visa application or application for leave to remain, or whatever it might be. The experience in UK Visas and Immigration of last year is that the amount of work that we were getting through was not sufficiently quick and still is not. The vast majority, therefore, of the increase in complaints relates specifically to those delays. I do not need customers to tell me that; we know that we have work in progress. It is too high and we are bringing that down over time.

What I want to do is put those to one side. It is not that they are not important—we need to fix those issues—but I want to look at what else people are complaining about, because there are other things in there too. It is about whether we are giving people the right information, if they can access the information and support that they need, and if we are getting it right. There is certainly some more work for UK Visas and Immigration to do to get underneath that as well, but the priority at the moment is to get the work back in to service

levels and then we will start to see those fall away. Then I want to look underneath at what else is going on.

Q154 Mr Reed: Can I ask the same about the Rural Payments Agency?

Mark Grimshaw: Yes, absolutely. We expected to see an increase in complaints this calendar year. Having lowered the threshold to register an expression of dissatisfaction in December, we did expect complaint volumes to go up, and we were prepared for that, because we were looking to use the information to inform some service developments. At the same time, because performance had also increased beyond the target levels, the two actually negated each other. We did not see an increase in overall complaints, mainly because there is far less to complain about in the Agency now than there was two or three years ago, and that is picked up by the volume of MPs' complaint letters that we get, and we see it from our stakeholders and from our customers.

To your second point about whether or not there is a way to identify those people who have become worn down by the complaints process and stepped away from it, we have an annual customer satisfaction survey that uses quarterly survey data from people actually contacting our customers by telephone. From the beginning of this year, we have introduced a new set of questions around, "Have you tried to complain? If so, what was the outcome?" We should get the first set of hard data on that at the end of July, so we are asking questions about how easy people find it to register their dissatisfaction.

Q155 Mr Reed: Do you ask as well whether people felt it was worth complaining?

Mark Grimshaw: Historically, people found it unrewarding to complain. Currently, they find it quite rewarding, because we will either come up with a resolution that they find satisfactory or, as Dame Julie said earlier on, use their complaint to inform the way that we actually develop this service. Quite often people want to raise a concern because they do not want their friends or, in our case, fellow farmers to fall foul of the same issue.

Q156 Mr Reed: What was the actual increase? You said you expected an increase in the number of complaints. What did you see?

Mark Grimshaw: We did not see an increase at all. It stayed the same.

Q157 Mr Reed: Great, thank you. It seems it is not uniformly simple or straightforward to locate information about the number of complaints received by different Government Departments or Agencies. Do you have a view on that?

Robert Devereux: One of the things that is happening as a consequence of the open data approach of the Government is to start to incorporate information on complaints in the quarterly data that we generate on a variety of performance measures. In July this year, we are for the first time publishing quarterly data on complaints. Since the process that we go through is to be populating a standardised framework, my guess is that it would be much more straightforward for everybody then to see where every Department is, because we are already reporting similar sorts of aggregates in a common format.

Q158 Mr Reed: Will that look at types of complaint or just volumes?

Robert Devereux: It is going to differentiate the level at which complaints are being made but, in the nature of a standard pro forma, it is simply going to be counting things, rather than giving qualitative information. The annual reports, of course, still do that, but you have to read each one of them to know about that.

Q159 Mr Reed: What role does the complaints handling forum have in issuing guidance on how complaints should be recorded or published?

Robert Devereux: I sent through to you the work that the forum has been doing to try to establish some basic standards for the managing of complaints. This includes information about making sure that that information is then presented and looked at properly by the management of the organisation. I cannot recall quickly, and this explains it—I will not waste your time by reading through—whether it actually specifies a particular way in which the information ought to be reproduced. I guess that is a perfectly good question. I also guess that we would probably end up with 10 answers from 10 people about the right way to present information on the nature of complaints. That is certainly worth a conversation.

Q160 Mr Reed: If you are getting 10 different answers from 10 different people, then there is no clear guidance from the complaints handling forum or, if there is, it is not being adhered to.

Robert Devereux: That was not the point I was making. I do not think there is a list that says, “I would like you to report your data according to complaints about it being late, complaints about it being wrong.” If I asked each one of you what five categories you would like, we would end up with different categories. I do not think we have done the work, but it is also conceptually rather difficult to work out what you would like. To be honest, if this Committee had a view that said, “If you could characterise it like this, it would be good,” I am sure that would be useful. As Julie implied earlier, this is the sort of the subject that can rapidly turn into bureaucracy and tick boxes, which I do not want. What you actually want is intelligence and leadership, so I would be a little cautious about saying, “I just want it characterised like that,” because you could employ an army of people to do it, and I am not sure that you are necessarily any the wiser.

Q161 Chair: We must crack on. We are going to be short of time. On your letter, which I am grateful for, you say you are not advocating a one-size-fits-all complaints-handling system. You do not have a mandate to address “complaint handling efficiency and effectiveness across Government”, and “neither does anyone else”. You say that the ombudsman principle is a good start, but it needs “strong leadership from the top”. Is the forum the strong leadership from the top, even if it does not have a mandate and it is not clear what it is advocating, in terms of a comprehensive system? Where does this leadership from the top come from? What do you mean by that?

Robert Devereux: I am pausing a little bit about your introduction there. Most of what you just quoted seemed to be what the Ombudsman was asserting.

Chair: I beg your pardon; you are quite right.

Robert Devereux: The Ombudsman was saying that she was not suggesting one size fits all. She was not suggesting this and, as a consequence, we have not done it.

Chair: I beg your pardon. I am very confused, because this letter says it is signed by you.

Robert Devereux: It is signed by me, but the heading is “the Ombudsman said”, bullet, bullet, bullet.

Q162 Chair: You are quite right. I beg your pardon. What is your response to those points though? You do not have a mandate.

Robert Devereux: You could tell that Julie is being very careful about a central prescription of everything that moves in the world of complaints, but if you look at the appendix that I sent to you about what the forum has actually tried to establish by way of standards, my board is discussing complaints at its next meeting in two weeks’ time. The

principle behind these standards is that each Government Department has some sort of benchmark that says, “Are you doing these sorts of things?” It strikes me that these are quite well written. You can tell whether you are or are not meeting the 20 to 30 things that are down here.

The mandate, in the sense of “Does Robert Devereux have the authority, in some sense, to make it happen in DEFRA?” the answer is no. Is this forum set up in such a way so as to get people to think about it in a common way? The answer is yes. What I undertook to Julie when she asked me to look after this is that, in the event that it becomes apparent to my staff who run this forum that there are Departments that are simply not playing the game or not trying, I am perfectly committed to having a word with the relevant Permanent Secretary to say, “Actually, this is not what we agreed.” As she properly said, we had a perfectly good constructive conversation with the Permanent Secretaries when she came to talk to us, and I am using this forum as a methodology so that, if it looks as if Department A or B is not playing the game, I can, on behalf of the Permanent Secretaries collectively, have a word and say, “This is not where we want to be. You need to improve.” It is not a mandate, but it is a leadership role, if you wish.

Q163 Priti Patel: I have a quick question that carries on very much from where Mr Reed finished. What patterns have you observed in the complaints that you have had? I appreciate the different roles you have had previously and the way things have evolved. From those observations, how have you used that information to then a) improve performance and b) actually engage not just the civil servants in the Departments or the organisations but the Secretaries of State and Ministers to raise the bar and improve performance all round? Mr Devereux.

Robert Devereux: Sorry; I thought you were asking Sarah.

Priti Patel: Can we have a quick bit from all three of you?

Robert Devereux: Sorry; I thought you were asking Sarah. My apologies; could you just repeat the first part again for me?

Priti Patel: Yes. I was asking about the patterns you have observed around the complaints that have come in, and how you have used those to go on to improve performance but, at the same time, also engage the political leadership in the Departments, the Secretaries of State and Ministers, to raise the game around complaints handling.

Robert Devereux: The sorts of things that you can draw out of complaints, however you categorise them, as in the previous conversation, come back quite frequently to some fairly straightforward things. “You did not call me back as promptly as I expected you to.” “You did not tell me where the progress was on my case.” For example, in the Child Support Agency area, back in the Department now, the root causes of most of the complaints were either failure to honour promises on call-backs or breaking promises to clients in terms of how quickly they responded. The sort of action that the Agency then put in place was to make sure that the telephony agents actually knew what expectations they should be setting for customers when they are talking to them. They made sure there were tighter performance metrics for call-backs to make sure people got back within a particular time. In terms of learning lessons, coming back to the point I made to the Chair earlier, complaints alongside internal management information about compliance with processes, alongside the ideas of staff, are being used to try to make sure we improve processes.

In answer to the question about where that gets to in terms of conversations with Ministers, in one sense a slightly short answer to that question is, when Ministers ask me to sign up to—as they have done—a 29% real reduction in operating costs last year, one of the ways to deliver very substantial improvements in reductions in cost is to improve your service. I do not need to have people constantly ringing my call centres who then, in turn,

ring their benefit centres and, in turn, ring their jobcentres in order to get something right. Actually, it is in my financial interest, if for no other better reason, to actually drive this out. The incentives that the Secretary of State has laid on us, just in terms of cost efficiency alone, mean that they fall square behind this sort of information.

Sarah Rapson: I will try to do it quite quickly. From the Passport Office side, looking at trends and patterns is pretty mature, and there are lots of initiatives, and I could list them, of what we did and the organisation continues to do to improve services to customers. Ministers typically were not engaged very much, because there were other things that they were paying attention to. If the Passport Office just kept on processing in timely ways and customers were not complaining particularly, then they took less of an interest in it.

In my new job that does not feel quite the same, so I am reporting weekly to Ministers on complaint levels. I am reporting weekly on trends and I am reposing weekly on what MPs are saying about the service that we are providing as well, so it feels very different, but they are taking a very keen interest. They are very engaged in how we are creating this new command, which is focussed on customer satisfaction.

Mark Grimshaw: Specifically to answer the question, two things: we took a lot of evidence to improve the complaints process itself, the simple linear end-to-end process, and what we would extract from that. In extracting the data from the complaints process, we use that to look at our end-to-end service provision process, because typically customers were complaining about the way we delivered a service. The two work hand in hand. In engaging with Ministers, it allows us to produce evidence but, more importantly, in discussions with Ministers, it is usually examples. It is easy to relate to a specific example, especially if we can tie it down to a particular constituency, to show the service improvement and then hopefully they will see it reflected in reductions in their mailbags.

Q164 Greg Mulholland: Something like this has already been mentioned, but I just want to pick up again the different stages of the complaint process in different Departments. One of the things that the Ombudsman has highlighted in the past is an example from the review from 2010-11 with BIS, where BIS had a three-stage complaints process, and was responsible for the Insolvency Service, which had a four-stage complaints process, and the Skills Funding Agency, which had a one-stage process. Actually, even the Department for Work and Pensions, which clearly is a Department that is doing much better than others on this, nevertheless, according to the processes we have, has Jobcentre Plus with three stages and then the Ombudsman, and the same with the Pension Service, but then the work and pensions agency has a four-stage process before going to the Ombudsman. If you look at the Ministry of Justice, it is very similar.

Every single different body—Agency, Department, Service—seems to have its own different complaints process. Surely the sensible thing is to have one simple two- or three-stage process for all the public-sector Departments and agencies, so that the public is clear that they go through a certain number of processes—they are clear what they are, because the public is not clear what those processes are or what is expected of them through that—before then going to the Ombudsman.

Robert Devereux: I have some sympathy with that. The position you describe for the Department is the old position. I opened with the Chair; I said actually right across my Department now—

Greg Mulholland: There are two stages in every—

Robert Devereux: In every part of the Department for Work and Pensions there is now a two-stage process internally. If you are not satisfied with the response of my director general for operations, you can go to the Independent Case Examiner, who sits outside my Department, which is a gold standard. That is a standard rule across the piece. Now, whether

or not it would apply equally well to do exactly the same for complaints to GPs as it would do for an organisation like the ones you have represented here, I am not sure, but certainly in respect of the work the forum is doing, if it makes a lot more sense to have just a straightforward “Let’s have two”, then that seems to be a very useful thing to drive out of it. I do not think anybody particularly thinks that having three, four or five attempts at the cherry gets you very far.

Sarah Rapson: The way that Robert just described the process in DWP is the same as in the Home Office. We will try to get the complaint dealt with immediately. There would be one internal review of that and then the next stage would be to the Ombudsman. I think that is quite straightforward, but I do not know how that goes right across Whitehall. Certainly it is the same as you were just describing.

Mark Grimshaw: Our approach is very much based on a lot of the work that has been done previously in DWP, partly because I spent six years at the Child Support Agency. We have the opportunity for the caseworker to handle the complaint at the point of complaint or expression of dissatisfaction. There is a formal complaints resolution function, where the complaint will stay for no more than 15 days, and then a complaints review, which is the pre-Ombudsman position, because we learned an awful lot from the application of the Ombudsman’s six principles. Those people are empowered to take decisions that the folk in the complaints resolution stage are not, because it normally involves reasonably significant amounts of money. That has reduced by 60% the number of complaints that escalate to the Independent Agricultural Appeals Panel or to the Ombudsman herself.

Greg Mulholland: Very quickly—and I apologise; I have to go, because I have a Health question shortly.

Chair: Then we will lose our quorum, so as quickly as you can.

Q165 Greg Mulholland: Very quickly, in your experience has the simplification of the complaints process allowed the public to understand it better? The second wider question is: do you think that, as part of what is clearly a necessary review of complaint handling in the whole of Government, this should be part of it—asking the question as to whether there can be a single simple process across all Departments?

Sarah Rapson: The biggest difference for customers who deal with UK Visas and Immigration is the fact that they can complain online. 75% of people do, so they clearly do know how to complain to us. Should we have a standardised process across Government? Actually, I think complaint handling should be as close to the operation as possible, because otherwise people will not learn.

Q166 Chair: I am very grateful to you, Mr Mulholland. I am just going to ask one final question, which is about leadership and where the focus of leadership should be on complaints. Do you each have a very brief view?

Robert Devereux: Since complaints, as I said earlier, is an integral part of running the service, along with all the other information—like fraud and compliance—personally I think it lies with the Permanent Secretary and the Secretary of State for the Department and the service in question. There are good arguments for pursuing some of the ideas that we have had today about whether there are process similarities that we might want to drive out, but fundamental accountability for the levels of service lie with the Permanent Secretary and Secretary of State.

Q167 Chair: Very briefly, do the other two witnesses agree with that?

Sarah Rapson: I agree.

Mark Grimshaw: I do not disagree at all. In terms of the Agency, if it were not for the leadership taken by me and my executive team, complaints would probably again become a second-tier issue. The fact that they are reviewed on a weekly basis keeps them in the forefront of our people's minds.

Chair: I apologise for how badly I have chaired this session; we have run out of time when we have other questions we would love to have asked you. We may follow up with a letter, so perhaps you could address those points that we raise with you, but I am very grateful for your evidence. We are determined to come up with some good recommendations that will help you in your work with regard to complaints. Thank you very much indeed, and my thanks to my Committee.