

CAN WE DELIVER MORE WITH LESS

In the context of imposed financial constraints, many ombudsman offices are having to confront the challenge of how they can maintain quality services in the face of growing numbers of complaints from the public about the services and administration that they oversee. From my work in reviewing parliamentary and industry ombudsman schemes, government and private sector complaint handling schemes, and in undertaking research on accountability, I will put forward various suggestions about what can help an organization be more effective whilst dealing with resource constraints. Suggestions will range from better management practices, to complaint tracking, analysis and reporting, and seeking out whole-of-sector investigations.

For all ombudsmen, resolving the complaint of an individual is obviously the first priority, but what do you do when you are a small office struggling to deal with increased numbers of complaints, or a large office, the budget of which has been cutback. The simple answer is to work smarter; but what does that mean?

Here are some suggestions that have assisted other ombudsmen keep on top of their challenges.

Short term

- Ensure that you have appropriate information materials that explain what you CAN do, and what you CAN'T do;
- Have a means of measuring and tracking complaints, and regular reporting so that you can tell when things are getting out of hand, for example, if one staff member is not managing, so that assistance can be given, and backlogs do not build up unseen;
- Have a common intake point/team to ensure that complaints can be quickly assessed and appropriate action determined;
- Make sure what outcome the complainant is seeking at the earliest opportunity, and whether it is realistic;
- Don't be afraid to use the power to exercise your discretion not to investigate a complaint, if relevant;
- See if you can use standard or 'template' letters or paragraphs for insertion in letters; but be VERY careful not to become impersonal!
- Use plain language and ensure that your decision or conclusion is upfront; there is nothing worse than burying a finding that the complainant will see as unfavourable, in the middle of some legalese on page 5 of a letter;
- Whenever possible make early resolution of complaints a key objective, and do as much of the work orally as is possible. Contacting the relevant agency and seeking resolution at a senior level can often work wonders;
- If your legislation allows it, ensure that appropriate authority is delegated by the ombudsman, to speed up the process, and avoid the ombudsman becoming the point of the backlogs;

- Set clear objectives for dealing with complaints, and ensure that these are focused on by staff.
- Set realistic timelines for handling complaints;
- Ensure you have protocols or arrangements with the major agencies at the level which will be most productive; that may not be the agency head;
- Encourage identified staff to develop knowledge of the policies and administration of the agencies that generate the most complaints, so that staff don't have to 'rediscover the wheel' every complaint. In larger offices you may be able to allocate such complaints to a small team of such staff;
- Getting rid of backlogs, if necessary put together a team to focus on these;
- Complaint handling is a stressful task; ensure that staff are provided with the opportunity to 'debrief', and ensure that they have a mixture of tasks wherever possible. These can both have a significant effect on productivity;
- Make sure that those responsible for your funding, e.g. members of parliament, are kept updated on your work and familiar with your resource needs;
- Ensure tabling reports in parliament wherever possible/allowed so that your work remains at the forefront of parliamentarians thinking and gain media attention;

If unable to cope with the sheer number of complaints, apply a priority needs test:

- Are there significant financial ramifications for the complainant?
- Is there a threat to the livelihood or property of the complainant?
- Are there health or safety issues involved?
- Is the complainant a disadvantaged person?
- Is there a more appropriate body the complaint could be dealt with?

At a management level, maintain a close senior management team, so that everyone is aware of priorities and strategies. Ensure that there are regular meetings to keep all up to date with progress.

Longer term

From your statistics, identify the most common issues generating complaints across agencies, and undertake a whole of government/sector own motion investigation in order to identify recommendations for action to achieve better performance across the board. This will also reduce your complaint workload.

Subjects might include such issues as; incomprehensible correspondence; failure to provide reasons for decisions; provision of insufficient information; only providing oral advice; etc.

One of the most valuable investments you can make, is to give assistance to the agencies generating the most complaints, in developing effective internal complaint handling processes. This will not only help complainants, but also so reduce the number coming to you.

Good service

Treating complainants properly will also pay dividends in reducing the resources you

have to deploy for each complaint. The following are the factors identified by complainants to ombudsmen as being good service:

- courtesy and friendliness;
- a pleasant and professional attitude
- individual and unbiased service;
- good listening and communication skills;
- prompt service;
- recognising the complainant is important;
- attentiveness and interest in the complainant;
- efficiency;
- knowledge about your operations;
- accuracy and consistency;
- well trained staff;
- honesty;
- reliability;
- making an extra effort;
- being flexible;
- respect for the complainant;

and specifically in dealing with complaints:

- that staff have a good understanding of the process of complaint handling;
- that staff understand the issues raised by the complainant;
- that complainants are respected;
- that initial contact is followed up in a timely manner;
- that progress is reported regularly;
- that communications are easy to understand;
- that reasons for conclusions are explained clearly.

So, without telling you how to do your job, these are the essential characteristics of how a complaint would be handled by an ombudsman office that follows best practice.

When you take a complaint you should:

- Identify yourselves, listen, record details, and determine what the complainant wants, and what outcome they are seeking;
- Confirm that you have understood and received the details;
- Show empathy for the complainant, but do not attempt to take sides, lay blame, or become defensive;
- Clearly explain to the complainant the course of action that will follow:
 - if the complaint is out of jurisdiction;
 - if you exercise a discretion not to investigate;
 - if preliminary enquiries need to be made, or further consideration needs to be given: or
 - if the complaint is to be investigated.

- Do not create false expectations, but assure the client that the complaint is receiving attention;
- Give an estimated timeframe or, if that is not possible, a date by which you will contact them again;
- Check whether the client is satisfied with the proposed action and, if not, advise them of alternatives;
- Ensure that the complaint is appropriately acknowledged;
- Follow up where necessary, and monitor whether the client is satisfied.

This is a very summary version of various actions that you could consider if you haven't already. I wish you well!

John T D Wood

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Can we deliver more with less?

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Thank you!

