# How do complaints affect those complained about?

An empirical investigation into the effects of complaints on public service employees

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## Executive summary

This report presents the findings of a mixed methods research project investigating the effects of complaints on local authority planning staff and housing association staff in Scotland. The research included an online survey of 132 individuals who had been subject to a complaint and follow-up qualitative interviews with 16 people who had responded to the survey.

The key finding of the research was that being complained about affects the health and well-being of employees, their work practice, and the way they perceive service users. 71% reported their work practice was negatively affected by a complaint, 67.2% reported their health and well-being was affected, and 61.2% reported their attitude to service users being affected.

For most, the effects were moderate and respondents were most likely to say they had been "somewhat" affected: 56.5% in relation to their work practice, 51.6% in relation to their health and well-being, and 52% in relation to their attitude to service users. In relation to each issue, a significant minority reported being affected "a great deal" by a complaint: 14.5% in relation to their work practice, 15.6% in relation to their health and well-being, and 9.4% in relation to their attitude to service users.

Of those who reported that their attitude to service users had been negatively affected by the complaint, the three most common effects were being more cautious in dealing with certain types of service users (66.7%), being more cautious and distrustful towards service users generally (29.8%), and leaving certain service users to be dealt with by colleagues (12%).

This overall picture was explored further in qualitative interviews. These interviews provided a range of insights about the kinds of effects people experienced when complained about and the factors that seemed important in determining whether they would experience a negative impact.

The types of effects commonly reported by respondents included emotional trauma and loss of self-confidence. Experience was seen as important in moderating the effect of complaints, with more experienced employees developing a 'thick skin' over time. Interestingly, attitudes to learning from complaints remained generally positive even where people had negative personal experiences of having been complained about.

Factors that made it more likely that a complaint would have an effect on staff included: perceiving the complaint as personal (rather than about service or the organisation); perceiving the complaint as an attack on the individual's professional identity; and perceiving the complainant's motivation as vexatious or unreasonable. Context was also important, with planning staff more likely to be affected than housing staff.

The operation of the complaint process was particularly important in terms of whether staff were likely to feel a complaint had affected them negatively. Overall, views of the complaint process were fairly positive, but those who reported being negatively affected by a complaint were more likely to have a negative view of the fairness of the complaint process.

In terms of the support that respondents felt would help mitigate the negative effects of being complained about, some felt that complaints were simply 'part of the job' and that support was generally not required except for junior staff. Others highlighted developing an open culture around complaints, managerial support, peer support, and a fair complaint process, as means through which the impact of complaints could be reduced.

## Acknowledgments

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# INTRODUCTION

This report outlines the findings of a mixed methods research project investigating the effects of complaints on those who have been complained about. Most research on complaints has focused on complainants and how they experience complaint processes. Relatively little attention has been paid to the way in which complaints are experienced by employees.

Existing research in this area is predominantly confined to the health sector. This literature shows that complaints can have a significant impact on the health, well-being and work practice of medical staff. To date, however, there has been no exploration of how other areas of public administration and service might be affected by complaints. Are similar effects present here?

A major concern in public administration in the last 30 years has been to increase the accountability of public services and, particularly, strengthen the role of the service user as a consumer of services. The emphasis has therefore been to plug the "accountability gap" that has been perceived as existing within our public services.

While concerns have been raised about the potentially dysfunctional effects of accountability (such as defensive practices and unintended consequences), there have been few empirical investigations in this area. The present research seeks to address this gap and to provide empirical evidence in relation to the effects of complaint processes on staff.

Researching this topic is important because all too often public policy assumes that accountability is an unmitigated 'good thing'. The more, the better. But poorly designed accountability mechanisms may create more mischief than they resolve. What happens if they result in defensive practice, alienation, and a loss of focus on service delivery?

Understanding the potentially negative effects of complaints processes is therefore important in this context because it draws attention to whether they fulfil one of their core purposes: improving public administration. This can only be achieved if complaints are perceived positively and if systems exist to ensure that staff perceive complaints as learning opportunities.

The research reported here sought to provide some preliminary insights into these issues by conducting an online survey of local authority planning and housing association staff who had been complained about. This was followed up by a series of telephone interviews. The report describes the initial findings of the research.

The findings cover two main areas: the nature and type of effects complaints have on employees; and the factors that help to explain when and how complaints are likely to affect employees. The next section of the report provides a brief overview of the methodology before turning to the empirical findings.

## METHODOLOGY

The project involved a sequential mixed methods design, where an online survey was conducted followed by a series of telephone interviews. This section provides a summary of key aspects of the methodology.

### The research problem

The focus of the research is on the effects that complaints have on public service employees. Previous research on the effects of complaints has focused on health and social care professionals and has identified significant impacts in relation to defensive clinical practice, health, and well-being. The present research seeks to contribute to the existing evidence base by studying the effects that complaints have on employees working in a broader range of administrative settings, including local government and social housing.

Previous research has identified that complaint management strategies often focus either on customer recovery (where the aim is to satisfy the complainant) or service recovery (where the aim is to use complaints to improve services); however, an important third area relating to employee recovery (supporting staff who have been complained about) has often been overlooked. Areas highlighted for future research include identifying strategies that help to support employee recovery and that help organisations to recover from service failure.

Developing a better understanding of the effects of complaints on public service employees can assist in building organisational resilience and improve the way in which staff respond to and learn from complaints.

### Aims and objectives

The aim of the research is to investigate the effects that complaints have on public service employees.

The objectives of the research are to:

- Identify the range of effects (relating to health, well-being, and professional practice) arising from employees being subject to a complaint
- Identify the extent to which employees feel included and supported by their organisation when they are complained against and the support mechanisms (if any) which are available

### Choice of research setting

Local authority planning departments and housing associations were chosen because they represented contrasting areas of public service provision, across the following dimensions:

- Types of service users
- Statutory function and context
- Public and independent sector service provision

These sectors were also chosen because they had relatively high levels of complaints to the Scottish Public Services Ombudsman and, therefore, represented areas where complaints were likely to be an important issue for staff.

### Research design

The aim of the research design was to get a quantitative sense of the nature and types of effects experienced in each sector, which could then be followed up by in-depth qualitative

interviews. The sequential approach, with interviewees selected from people who had volunteered when completing the survey, meant that we could use the interviews to help us understand and interpret the overall picture provided in the survey.

## The online survey

The online survey was sent to all local authority and housing association chief executives in Scotland. A cover letter from the SPSO encouraging participation in the research was included in the invitation to take part. Chief executives were asked to circulate the online survey to housing association and planning department staff.

A total of 132 useable responses were received to the survey. Two-thirds of respondents (64.4%, n =85) were from housing associations and 35.6% (n = 47) from local authority planning departments.

The survey was composed of 26 questions covering:

- Demographics
- Information about the complaint
- Information about the effects of the complaint
- Information about any support provided during the complaint

## The telephone interviews

61 individuals volunteered to take part in the telephone interviews. 16 individuals were selected to provide a balanced sample across the following dimensions:

- Gender
- Outcome of complaint
- Whether the complaint affected work practice
- Whether the employee felt supported
- Whether the complaint went to the SPSO

Interviews were tape recorded and professionally transcribed. Interviews lasted between 20 and 40 minutes each. 9 interviewees were from the planning sector and 7 from the housing sector. In this report, interviewees are referred to anonymously. Housing interviewees are referred to as H1, H2, H3, etc., and planning interviewees are referred to as P1, P2, P3, etc.

## Limitations

The research design had a number of limitations, including:

- Sample size (i.e. limiting generalisability and statistical techniques available)
- Lack of information about the population (i.e. people who had been complained about)
- Self-selection bias (i.e. people may have been more likely to respond if negatively affected)
- Face to face interviews may have generated greater depth and quality of data

Nonetheless, given the exploratory nature of the research and the difficulty in accessing individuals in these types of organisational settings, the data are considered to be useful in providing initial insights, ideas, and hypotheses to be followed-up in future research.

## FINDINGS

The findings of the research are presented in two main sections.

- Section 1: The effects of complaints – what are they and how widespread are they?

- Section 2: Understanding the effects of complaints – what makes a difference?

  - A: Organisational context

  - B: The nature of the complaint and complainant

  - C: The nature of the complaint process

  - D: The nature of the support provided

## Section 1: the effects of complaints

### *Do complaints have an impact on employees?*

Being complained about affects the health and well-being of employees, their work practice, and the way they perceive service users. 71% reported their work practice was negatively affected by a complaint, 67.2% reported their health and well-being was affected, and 61.2% reported their attitude to service users being affected.

For most, the effects are moderate and respondents were most likely to say they had been "somewhat" affected: 56.5% in relation to their work practice, 51.6% in relation to their health and well-being, and 52% in relation to their attitude to service users. In relation to each issue, a significant minority reported being affected "a great deal" by a complaint: 14.5% in relation to their work practice, 15.6% in relation to their health and well-being, and 9.4% in relation to their attitude to service users.

Effects were broadly the same for both housing association and planning respondents in respect of attitude towards service users. However, employees working in local authority planning departments were more likely than housing association employees to report that the complaint had affected their work practice and their health and well-being, and these differences were statistically significant.

### *The types of impact that complaints may have*

Of those who reported that their work practice had been negatively affected by the complaint, the three most common negative effects were frequently double-checking work (33.3%), becoming unsure of work practice (27.9%), and avoiding certain tasks (16.8%).

Of those who reported that their attitude to service users had been negatively affected by the complaint, the three most common effects were being more cautious in dealing with certain types of service users (66.7%), being more cautious and distrustful towards service users generally (29.8%), and leaving certain service users to be dealt with by colleagues (12%).

Respondents also reported some positive effects on their work practice. The top three positive effects reported included: improving communication with service users (51.3%), feeling more secure due to the knowledge that a complaint would be well-handled (40.5%), and recognising dissatisfaction from service users at an earlier stage (33.1%).

### The emotional impact of being complained about

An important impact of being complained about was emotional. Interviewees reported feeling upset, shocked, hurt, and angry, anxious and stressed, and under attack. This was highlighted in this quote from interviewee P8:

> *"I was quite shocked, and a bit hurt by it, to be honest, because I feel like, when I did my job, you know, I'd kind of gone above and beyond… And then I just felt a bit angry about the whole situation, because it got quite personal… and then, you know, questioning my professional ability, and my, yeah, capability of doing my job, I felt it was a bit, you know, uncalled for." (P8)*

For some the response was physical as well as emotional, with interviewees feeling tearful, having a sinking feeling in their stomachs, feeling something was hanging over them, or reporting feeling sick to their stomachs. For a minority of interviewees, the complaint experience was seriously traumatic:

> *"It was dreadful, it was one of the worst things that's happened to me as an employee, ever. I can't think of a worse experience." (P5)*

### Self-doubt and confidence

Survey data suggested that the two most common negative effects of complaints on work practice were double-checking work and becoming unsure of work practice. This finding was strongly borne out by interviewees (although more so by planning interviewees than housing ones).

> *"I mean, at the time, I was concerned about it because I thought, you know, have I done something wrong in terms of my assessment of the application, did I miss something out? You know, did I mess up, basically?... My biggest concern was that I'd done something wrong, I'd missed something in my assessment, and if I had done that then I think it would have a significant impact on my confidence in dealing with cases because the first thing I'd think is, if I've got this wrong, what else have I got wrong with other applications? You know, is it just sheer luck that no one else has complained, what's wrong here? So it does make you question your own judgement." (P3)*

### Experience and the rationalisation of the complaint experience

The degree to which complaints were likely to have a negative impact was widely seen by interviewees to depend on an employee's career stage and experience, with more experienced staff having developed coping mechanisms to deal with complaints. Longer-serving staff were also perhaps more experienced in their role, and so more able to respond with confidence when concerns were raised.

In most cases, the negative emotional impacts of complaints were short-lived and confined to the period at which the complaint was made: *"… it still does rankle, but nowadays I don't think about it too much."* (H2).

There was wide consensus that being junior meant negative impacts were more likely:

> *"Because you're lacking experience and confidence that gets to you a wee bit more I think, when you're newer in the profession… but that's horrible. That was horrible… just having that conversation reminded me how I felt when I was more junior; how much more of an emotional experience it was for me." (P1)*

The process by which the potential impact of complaints tended to reduce with experience was described as developing a *"thicker skin"* and becoming *"battle worn"* (P1), *"immune"*, and *"inured"* (P2) to complaints. The process of developing a thick skin seemed largely to involve re-conceptualising complaints as impersonal, bureaucratic, and as involving the organisation or the role rather than the individual: *"...even though it is personal I don't take it personally."* (P1)

### *Attitude to learning from complainants*

Perhaps surprisingly, for most interviewees, their experiences of having been complained about did not result in them feeling negatively about the opportunities for learning from complaints. Even where complaints did not have substance, interviewees were positive about the value of complaints as learning opportunities and the chance to *"shine a mirror in your face"* (H6).

> *"In everything that we do in life, you see it through your own lens, and it's only by listening to other people that sometimes [you find out] your view of the world is not shared by everyone else or by others. And I do think there is… an opportunity to try and see things from that other person's point of view. And I think it's an important part of being a planner that we don't forget about the impact of the decisions that we make on peoples' lives." (P4)*

The types of learning most commonly mentioned by interviewees related to improving communication, becoming more sensitive to the particular needs of service users, recognising those needs earlier, and being better equipped to meet them. In this sense the learning around complaints was generally "soft" and involved the way service users were treated rather than major systemic learning. These findings fitted well with the survey findings noted above in relation to the positive impacts of complaints.

In a few cases, interviewees felt that the complaints they had been subject to were due to attempts at "going the extra mile" and, for them, the learning they identified was about reducing the service level they provided and making sure they did not stray outside of their core job roles. This appeared to be a more limited and negative form of learning.

## Section 2: Understanding the effects of complaints

### Part A: The organisational setting

This part of the report describes how interviewees perceived their organisational contexts and what effect they felt this had on the complaints made about them.

#### *The planning context*

Planning interviewees reported working in a context that involved a number of challenges:

- Austerity
- High volumes of complaints
- Highly emotive and divisive subject matter
- Educated and articulate service users

All of these factors were seen as potentially exacerbating the impact that complaints might have on planning employees. At the same time, there were some features of the planning context that were seen as meaning that impact would be less than on other services:

- Corporate decision-making (i.e. decisions tended not to be made by an individual but the local authority as a whole)
- Not a generally "front-line" service

A key feature of the planning context is that interviewees perceived it as involving professional expertise and judgment. This is reflected in the fact that by far the biggest reported subject of complaint in planning was professional judgment (45.5%).

#### *The housing context*

Housing interviewees reported working in a context that involved the following challenges:

- Ongoing relationships with service users
- Issues are more inter-personal
- Service users can have social and mental health challenges
- Need to maintain harmony amongst a community of neighbours

The more interpersonal nature of complaints arising in housing was confirmed by the survey, where the most common cause of complaint was reported as being "staff attitude" (21.5%).

#### *Does context matter?*

The results of the online survey show that those working in local authority planning departments reported effects on their practice more frequently compared to those working for housing associations (84.1% vs. 63.8%; $p$ <0.05). The research does not provide a definitive answer as to why that might be the case, although it does appear from this that organisational context matters. Some tentative suggestions about how it matters include:

- Planning staff seemed to self-identify as 'professionals' in a way that housing staff did not, and tended to see complaints as an attack on their professionalism
- The involvement of individuals' professional identity in a complaint seemed, for planning interviewees, to exacerbate the impact of the complaint
- In contrast, in housing, complaints tended to be discussed as being about inter-personal issues and professional identity seemed less strongly engaged
- It is possible that the perceived nature of the complaints in housing made it easier for staff to rationalise them and, therefore, less likely to have an impact

## Part B: The nature of the complaint and the complainant

### *Perception that the complaint was personal*

Where complaints had an impact on interviewees, the fact that they had been individually named and that the complaint had become personal was important in terms of its effects. Personal complaints were distinguished from complaints about administration:

> *"The complaints where I felt most under pressure was, sort of, personal attacks… where there were, sort of, personal issues… [rather than] to do with more admin and how we handled a particular application."* (P7)

The personal element not only had to do with the attitude of the complainant, but how invested the employee had been in trying to help and provide a good service for the service user. There was a sense that complaints could be an especially bitter experience when an employee had gone above and beyond to help.

> *"That kind of, it stung, it really did, and those are the ones that probably do sting. Because, you know, not that you do it for thanks, of course not, that's not why I did it. But to have someone be so dismissive about the work that I'd put in to that particular case, was really not nice at all."* (H6)

### *Perception that the complaint was about professionalism*

A strong theme amongst planning interviewees was that the impact of complaints was particularly severe where they were perceived as an attack on their professionalism.

> *"So when someone's obviously questioning your professional territory, it does concern you."* (P3)

Interviewees reported feeling that complaints could lead to them questioning their self-worth and their professional reputation as planners.

> *"I felt that my capability was being challenged and… I think it's your self-worth really because the reputation that I'd built up over the years in that particular role I felt was all for nothing basically because there was this one area that was... it was quite a serious error that had been made."* (P6)

The strong professional identity amongst planners was seen as raising the stakes when a complaint was received and as being, in a sense, a more fundamental challenge to the employee's self-esteem and self-perception than it would otherwise be.

*Perception that the complainant had vexatious motives*

In describing the negative effects of complaints, interviewees often referred to the perceived motivation of complainants whom they considered to be vexatious. This issue was more prevalent among housing association interviewees than planning interviewees.

The language used to describe complainants included terms such as difficult, tenacious, vexatious, malicious, pedantic, aggressive, stubborn, resistant, and unreasonable. In some cases, the fact that a complaint was seen as groundless or vexatious made the impact more severe (H3, H7), while in others it was one of the ways in which a complaint was rationalised in order to minimise its impact (H1).

In a very few cases, behaviour by complainants was seen as constituting harassment and imposing severe stresses on individuals and organisations, which felt powerless to prevent this kind of abuse.

> *"And I think that's the thing that we find, generally, most frustrating. There's no one we can complain to, there's no agency… there's no, there's nothing we can do." (H3)*

In housing, serial complaints were perhaps more likely and the challenging complaints experienced by housing staff tended to involve ongoing service provision where multiple issues might arise over time. In contrast, in the planning context, complaints tended to be described as one-off events that ended when the issue under consideration had been determined.

## Part C: The nature of the complaint process

*Overall views of the complaint process*

The survey showed that in the vast majority of cases, complaints were not upheld (73.8%). A large majority of respondents felt that the complaint process was fair, across various parameters. For example:

- 65.1% agreed that the process was fair
- 65.6% agreed that they knew what was happening
- 70.7% agreed that the complaint was dealt with competently

However, there were statistically significant differences between respondents who reported their work practice being affected by a complaint and those that did not. For example, those who were affected were less likely to report:

- That the complaint process was fair (57.1% v 90.9%)
- That the complaint was dealt with competently (64.7% v 90.9%)
- That they knew what was happening during the complaint (57.6% v 88.2%)

Although the majority of respondents were positive about the operation of the complaints process in both cases, they were significantly less likely to be positive amongst those whose practice was reported as having been negatively affected. Interviewees who commented positively on the complaint process mentioned its speed, its simplicity, its informality, and its transparency. Those who mentioned the SPSO suggested it provided an effective means of bringing closure to complaints.

*Negative views of the complaint process*

As noted above, the overall findings indicate fairly high levels of satisfaction with the way in which complaint processes operate. However, the findings also make clear that problems with complaint handling mean that negative impacts are more likely. As a result, we need to pay attention to these.

The interview data are helpful here in terms of understanding these negative impacts. Issues raised by interviewees included:

- Complaint processes favour complainants
- Complaint processes are open to abuse by vexatious complainants
- There is lack of information about, and involvement in, complaint processes
- Processes are lengthy and communication is poor
- Complaint processes can lack impartiality and cause conflict between colleagues

*Complaint processes favour complainants*

This theme was discussed by some planning interviewees, although it was more prevalent among housing interviewees. Interviewees were concerned that a "customer is always" right approach was often used in relation to complaint handling.

*"There can be a culture in organisations where if a complaint is made then it's presumed that the complainant is right and that there are grounds for the complaint and I think there should really be… guidance to say that no blame should be apportioned until actually a case is found against somebody, but I think the… I've worked unfortunately with a few directors who apportion blame first and ask questions later." (P6)*

*"I got told obviously that I had upset the [complainant] and because that's how the [complainant] felt, the complaint had to be upheld. I was upset about it as well, do you know what I mean? Yeah, it was very one-sided and it did kind of knock my confidence a bit." (H1)*

Interviewees perceived complaint processes as very customer-focused and as primarily having the aim of satisfying the customer, rather than impartially investigating the issues in the complaint or trying to understand the issue from a staff member point of view.

*"We're… trying to help a customer, it is a case of they would believe what [the tenant] said and, you know, try and apologise rather than actually get to the root cause of what actually happened, what was said.  So that was quite stressful. Although I had, you know, I said what happened, basically the answer back to the tenant was, yeah okay, we may have given you wrong information. We apologise." (H5)*

*Complaint process is open to abuse by vexatious complainants*

Those few interviewees who had been subject to serial complaints (H3, H7), which they characterised as vexatious, felt that there was a lack of balance within the complaint process and a lack of protection for staff. Interviewee H7 noted: *"Everybody's got the right to complain, but I do have the right to work in a nice atmosphere, if you get what I mean."* (H7)

For interviewee H3, there was a strong need to take action to protect staff from behaviour that was vexatious:

*"We are, at the moment, having another look at that, to see if we can somehow, clearly, and not in a way that excludes legitimate concerns, but in some way, you know, exclude things that are just obviously personal attacks by people. It's a very difficult thing to do, but I think we have to do it, to be fair to staff."* (H3)

A separate but connected point was raised by two planning interviewees, who pointed out the increase in the use of social media to make complaints and harass individuals. One said:

*"I think there have been a couple of instances where peoples' personal Facebook pages have then been found by people who are complaining, and then what is a complaint about their professional life then spills over into their personal life. And sometimes – they're called keyboard warriors, the people who comment on social media, they can be quite aggressive… for the individual who's bearing the brunt of that through social media, you can't be certain, and there's a certain sense of threat that might exist there."* (P4)

*Lack of information about, and involvement in, the complaint process*

A strong theme in the interviews was that it was important for the complaint process to allow employees to tell their side of the story and to be listened to.

*"Ultimately it's to try and make sure that the individual who is being complained about has the opportunity to present their side of the story, because I think inevitably the truth probably isn't entirely captured in the complainer's statement."* (P4)

*"I think the thing that worked the best was when we actually had to sit down, in a discussion. I had all the documents in front of us. I was given time to prepare my side of the story. It was a… more of an informal chat. I think that's the part of the process that worked best for me anyway. There was opportunity to give my side of the story."* (H5)

Interviewee H2 emphasised that poor complaint handling, rather than the complaint itself, was the part of her experience that was particularly troubling: *"I don't think the tenant was the one that was in the wrong in the overall situation, I think it was my line managers and the way they reacted to it."* (H2)

Although not explored to any extent within this research, some interviewees expressed concerns about the lack of involvement in complaints which were being considered by the SPSO, and the time that it took for the SPSO to reach a decision. This was observed to impact negatively on staff and also meant that ongoing relationships with the complainant could be difficult to manage.

### Lengthy processes and poor communication

Despite the introduction by the SPSO of new streamlined complaint processes, there remained a perception that complaint processes could be lengthy. Being kept informed of what was happening during the complaint process was seen as important by a number of interviewees. However, some interviewees felt that "communication can be shut down slightly" (P6) during the process.

*"I feel that, as the person that's involved in the case, I'm not necessarily fully aware about what's going on, so there's a degree of uncertainty from my perspective about what's happening in the background, kind of thing... I think the crucial thing is just being informed as to what stage something is at and whether there's been any follow-up to it. I think that's the crucial thing." (P3)*

Poor communication and a lack of information extended in some cases to not being told what the outcome of the complaint was or, where the outcome was divulged, not being given a clear explanation about why a complaint was upheld.

*"I think probably I'd like, if it was upheld especially, for the line manager to talk through it, how she's come to her decision and why she's come to her decision... Yeah, just more interaction." (H2)*

Good explanations of findings were seen as key for helping staff to accept the decision reached on a complaint, especially if it was adverse.

*"If it's found then that there was a problem or there is a ground for that complaint, then I think that's much easier to accept, and hopefully the reason for that finding having been reached is explained to the individual, it's much easier to accept and then to resolve" (P4)*

### Lack of impartiality and colleague relationships

Several interviewees mentioned difficulties that arose from colleagues being involved in the investigation of complaints, particularly in smaller organisations. This could create tensions between staff or could exacerbate existing poor relationships and workplace conflicts.

*"The complaint was as much to do with [manager's] attitude towards me as [the complaint itself]... let me put it this way." (P5)*

*"You're being investigated by a colleague. I mean, that's one thing we're maybe looking at, do we take it outside. But then, if you take it outside, they're not gonna have a proper understanding of what's going on. And certainly, so you create stresses between colleagues, for one thing… that makes it all very difficult. And so it creates strains between people." (H3)*

## Part D: Support during the complaint process

44.4% of survey respondents agreed that the complaint was stressful but they felt well supported, 33.9% neither agreed nor disagreed, and 21% disagreed. 1 respondent did not answer. Respondents found the following helpful in terms of feeling supported during the complaint process:

- Getting support from their line manager (40.7%)
- Getting support from their colleagues (20.3%),
- Getting support from family and friends (18.7%)
- Getting involved in the complaint handling process (18.7%)

Respondents were unlikely to seek support from a legal adviser (2.4%) or their human resources team (2.4%).

### *Developing positive, no-blame, learning cultures around complaints*

A number of interviewees referred to the way in which a well operated complaint process could provide support to employees by avoiding blame allocation and making the focus on organisational improvement.

*"So there is an element I think of support that can come from the complaints process, so if it's identifying a training opportunity or just a skills gap, then we would try and I think use the complaints process, not as a stick to beat somebody with, but saying, okay, if we've investigated something and we've either upheld their complaint or partially upheld their complaint, what can we do to help individuals within the service minimise the chances of that happening again?" (P4)*

One interviewee commented that a more positive approach could involve celebrating positive feedback rather than only focusing on complaints.

*"We don't get told, you've dealt with that good, or, well done with that case. We don't get enough of that, and that would help. We only seem to get spoken to when there is issues, so a wee bit more positive feedback would probably be good, and a bit more support." (H1)*

One interviewee noted that part of developing this approach was supporting people to internalise the view that complaints were not personal and that generally they should be perceived as being against the organisation rather than the individual:

*"So for the case officers, it's explaining to them that they didn't make the decision but ultimately it went through to other approval processes... So it's trying to say that it's not them that's being attacked." (P4)*

### Receiving support from managers

In line with the results of the survey, interviewees mentioned the importance of managerial support in helping people who had been complained about.

*"I suppose just having the reassurance from your manager or your team leaders that you are doing your job competently enough and understanding the nature of the job is such that people will make complaints and to try and not take it personally or be upset about it, kind of thing." (P3)*

Several interviewees mentioned, however, that such support could be difficult to provide in practice as managers were also responsible for impartially considering complaints. This was especially the case if a complaint might end up with a disciplinary dimension.

*"So there needs to be some, sort of, process I think that... a degree of reassurance. It's difficult though if that is going to end up as a disciplinary because we have to follow specific procedures and rules on that." (P7)*

Interviewee P6 noted the need to distinguish between defending and supporting employees who were subject to a complaint.

*"[Someone] actually accused me the other week of defending my staff and I said, no, it's not defending staff it's actually supporting staff and I will support my staff and even if I find that, you know, an error has been made then we will support them in how do we address that? What processes were followed? What processes of support can we put in place to assist that person or the department as a whole in not having a reoccurrence?" (P6)*

### Discussing matters with peers

Several interviewees felt it was important to have an opportunity to share experience with colleagues who had also been through complaints.

*"I do get supported by other colleagues... A lot of them have been through the same thing as what I've been through, so they're great support because they've been through it." (H7)*

However, a precursor to having such discussions was having a more open culture around complaints, where it was felt that issues could be discussed.

*"So I think that… again the, kind of, process we're going through just now where we talk about it openly and honestly, I think if that happened at the time, I probably would have got a bit more support from my colleagues as well. They would have said to me, you did the right thing, or possibly, no you didn't do the right thing. But I could have had a bit more support from my colleagues that way. So the fact that it was, kind of… as if it was hidden away, because it's a complaint against me personally, I would actually have liked it to have been a bit more open and a bit more discussion about it." (H5)*

### No support needed

More than half of respondents (54.8%) agreed that the complaint was stressful but no more than they would expect given their job. In the qualitative interviews, a number of interviewees said that they did not feel that additional support was required. Instead, they considered that it was part of the job, or an aspect of professionalism, to develop the ability to deal with being complained about.

*"I didn't really feel like I needed any additional support, and I don't know whether that's just 'cause it's the nature of my job. Like, although I'm saying I was a bit annoyed about it, like I didn't, like I didn't lose any sleep over it… So I wouldn't say I got a huge amount of support, but I wouldn't say, like, I asked for it either, or needed it." (P8)*

*"You're a professional officer, just do the response and we'll see what happens." (P7)*

Interviewee P3 distinguished between junior and more experienced staff, with support being more required for the former:

*"For perhaps less experienced staff or newer staff, I think it's absolutely critical that you would have a support mechanism in place, kind of thing. Whereas, obviously, if you've been doing it a while and you've been involved in complaints for a while, you don't necessarily need that." (P3)*

### Ensuring that the complaint process is fair

An important factor that interviewees felt would help them feel more supported was ensuring that they were given information and communicated with during the process.

*"I think for me it's just communicating, keep supporting the person who the complaint has been made against. Keep everybody appraised of the information that you receive so keep the supervisor involved and keep the person involved themselves so they're not hearing information second-hand either." (P6)*

*"I would like to see the line managers speaking more to the staff. Again, I think by talking it over with the staff, making sure that they realise why that complaint was made against them, and then by talking that through and once the staff member understands that, they've already learnt something from that." (H3)*

Listening to staff and allowing them to feel heard was key.

*"I think the biggest thing is to have someone listen to what their side of the story is. I think too often they see the complainer's point of view and try and act on that. Whereas sometimes there's our… the staff may have a different point of view or have different reasons for doing what they did." (H5)*

## CONCLUSIONS

This report has summarised our initial findings. This will be followed up by further analysis where we will discuss in greater detail how our own research relates to previous research and reflect upon the broader significance of our work. For the present, our conclusions are limited to highlighting the key findings of the research.

**Conclusion 1**: complaints have an effect on housing and planning staff's health and well-being, work practice, and attitude to service users.

**Conclusion 2**: for most of those who are affected, the effects are moderate, although for a small minority the effects are severe and can be long lasting.

**Conclusion 3**: important effects of complaints include emotional trauma, loss of confidence, double checking work, avoiding certain tasks, and being more cautious and distrustful of service users.

**Conclusion 4**: attitudes to learning from complaints remained surprisingly positive, even where people had had negative individual experiences.

**Conclusion 5:** organisational context is important in terms of the effects that complaints have, with planning staff more likely to report effects on work practice than housing staff.

**Conclusion 6**: factors that appear to explain the likelihood that complaints will have a negative effect include the level of experience of the member of staff, whether the complaint is perceived as personal, whether the complaint is perceived as an attack on professionalism and whether the complainant is perceived as vexatious.

**Conclusion 7**: the complaint process was generally seen to operate fairly, although those who had been affected negatively by a complaint had a more negative view of the complaint process than those who were not affected.

**Conclusion 8**: various aspects of the complaint process were seen as problematic by those who had been negatively affected by a complaint, including perceptions that complaint processes favour customers and are open to abuse by vexatious complainants, that there is a lack of information about, and involvement in, complaint processes, that processes are lengthy and communication is poor, and that complaint processes can lack impartiality and cause conflict between colleagues.

**Conclusion 9**: support may be particularly required for more junior staff and measures seen as potentially helpful include developing a positive culture around learning from complaints, managerial support, peer discussion and support, and ensuring the complaint process operates fairly.

## ABOUT THE RESEARCH TEAM

### Dr Chris Gill

Chris Gill is a Lecturer in Public Law at the University of Glasgow. His research interests focus on administrative justice, the design of disputing systems, and government decision-making. He is currently working on several research projects including an ESRC funded project investigating access to justice in the European energy sector and a project investigating local authority complaint procedures. Chris has led research and consultancy projects for a number of organisations including Citizens Advice, the Legal Ombudsman, Ombudsman Services, and the Welsh Language Commissioner.

### Carolyn Hirst

Carolyn Hirst is an independent Consultant and Researcher. She works as a freelance Mediator, as an Investigator and is the Mediation Practice Supervisor for Cyrenians. She is a Lay Member of Employment Tribunals (Scotland) and an Ordinary Member of the Housing and Property Tribunal. Carolyn is a former Lecturer at QMU, and has worked as a Deputy Scottish Public Services Ombudsman and Interim Principal Ombudsman at Ombudsman Services. Her current Board appointments are: Non-Executive Director of NHS Lothian, Vice-Chair of Edinburgh Joint Integration Board, Trustee of Edinburgh and Lothian Health Foundation, and Scottish Centre for Conflict Resolution Advisory Board Member.

### Dr Maria Sapouna

Dr Maria Sapouna is Programme Leader of the University of the West of Scotland's Master of Public Administration and Lecturer in Criminal Justice. She has conducted research for criminal justice agencies including the Scottish Prison Service and Lancashire Probation Service. She has a research interest in the professionalisation of police and prison officer roles and how this affects organisational culture and performance.

### Jane Williams

Jane Williams is a Senior Lecturer in Dispute Resolution at Queen Margaret University. Her current research interests relate to dispute design, fair complaint handling and consumer representation. As a former manager in Trading Standards, she has direct experience of complaint handling, investigation, and enforcement within local government. Jane is a consumer representative on the Scottish Civil Justice Council and is also a member of their Access to Justice Committee.