

Prisons &
Probation

Ombudsman
Independent Investigations

PPO Complainants' Survey 2014-15

Our Vision

To carry out independent investigations to make custody and community supervision safer and fairer.

Our Values

We are:

Impartial: *we do not take sides*

Respectful: *we are considerate and courteous*

Inclusive: *we value diversity*

Dedicated: *we are determined and focused*

Fair: *we are honest and act with integrity*



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Summary

This report presents findings from a survey of people who complained to the Prisons and Probation Ombudsman (PPO) and whose cases were closed between December 2014 and November 2015. We asked those whose complaints were ineligible for investigation and those whose cases were investigated by the PPO (a mixture of those whose cases were upheld and not upheld) about their experiences of complaining to us.

The key findings were:

- *Most complainants (67%) found it easy to find out about the PPO, typically learning about us in the Inside Time newspaper or from other prisoners*
- *We write to all complainants confirming whether the complaint has been assessed as eligible for investigation. While recall of this letter was high (90% of eligible complainants and 81% of ineligible), 25% of those whose complaints were ineligible felt the reasons for this were not clear enough*
- *Among those whose cases were investigated and who recalled receiving our final letter or report, most (83% found it easy to understand, though 42% felt there was not enough detail*
- *There were stark differences in views of those whose complaints were upheld compared to those whose complaints were not upheld – the views of the former were more positive across all measures, though the differences were less stark in relation to the speed of the investigation (on which they upheld group was less positive compared to other measures) and in relation to being treated with respect (on which the not upheld group were more positive compared to other measures)*
- *For the upheld group, the majority felt the PPO understood their complaint, explored their concerns and conducted a high-quality investigation. Most also felt they were treated with respect, that their complaint was taken seriously and that they investigation was fair.*
- *Most of those whose complaints were upheld (66%) were happy with the service they received from the PPO overall, with this decreasing to 16% of the not upheld group.*

The key learning points were on:

- *Improving the timeliness of PPO complaint investigations.*
- *Managing complainant expectations about levels of contact with PPO investigators.*
- *Making it clear to complainants how and why decisions have been reached.*
- *Continuing to promote awareness of the PPO through different media sources.*
- *Continuing to train PPO staff in plain English to ensure written communication is clear and easy to understand.*

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1. Introduction and methodology

Introduction

This report presents the findings of the Prison and Probation Ombudsman's (PPO) Complainants' Survey, which is one of four stakeholder surveys that help the PPO to understand our effectiveness and impact, and enable continual improvement of our work. The detailed findings of the surveys are reviewed by the PPO Executive Committee and inform our work.

This report considers the key findings from the third year of responses to the Complainants' Survey. It relates to responses collected between December 2014 and November 2015; we refer to this as the 2014-15 survey hereafter.

The Complainants' Survey generates the largest response among the PPO stakeholder surveys because of the size of the sample population. The survey aims to understand how complainants experience our service, highlight elements of the process that work well and less well, and capture user satisfaction.

You can find further details of our complaints investigation process and terms of reference on our website¹.

Methodology

A random probability sample was drawn on a monthly basis from a sample frame that included all complaints cases closed in the previous month, where the complainants were male prisoners over 21 years old.

Each core sample of 60 complaints had a quota of 20 ineligible complaints, 20 eligible cases where the Ombudsman upheld the complaint following investigation, and 20 eligible cases where the Ombudsman did not uphold the complaint². The upheld group included both fully and partially upheld complaints. Occasionally, the actual sample deviated slightly from these quotas (see Table 1).

We also used boost samples to help achieve better representation of certain groups from whom the Ombudsman receives fewer complaints. Each month, all completed complaints from females, those under 21, and immigration detainees were sampled, in addition to all available eligible probation complaints and up to five ineligible probation complaints.

As in previous years, complainants could only be sampled once within the 2014-15 survey period, no matter how many times they submitted a complaint to the PPO.

Given available resources, as well as technological constraints on prisoners, we gathered data from respondents using a postal survey. The questions were designed to be as clear and easy to understand as possible.

¹ <http://www.ppo.gov.uk/investigations/make-complaint/how-to-make-a-complaint-dvd/>

² Eligibility for investigation is determined by the Ombudsman's Terms of Reference which can be viewed online at: <http://www.ppo.gov.uk/about/vision-and-values/terms-of-reference/>

In total, we sent out 903 surveys and received 344 responses, which represented an overall response rate of 38%. Prisoners, of course, sometimes move establishments or are released. As the PPO does not hold this updated information, we cannot account for this in the sampling process. While 11% of the 2014-15 surveys were returned to sender (incomplete), it is possible that the proportion of the sample who did not receive their survey is in fact higher than this. The table below provides a breakdown of the response rate for different groups.

Table 1: Response rate by complainant type

	Sampled (n)	Responses (n)	Response rate (%)
Core sample – Upheld	239	105	44
Core sample – Rejected	240	96	40
Core sample – Ineligible	244	92	39
Boost – Females	51	17	33
Boost - Young people	16	1	6
Boost - Immigration detainees	41	6	15
Boost - Eligible probation complaints	32	15	47
Boost - Ineligible probation complaints	40	12	30
Total	903	344	38

The report presents the key findings about how complainants experienced the process (section 2) and complainant satisfaction (section 3). Some of the findings were published previously in the 2015-16 PPO annual report. However, we identified a weighting error following publication of this data. This was subsequently corrected, and as a result, there may be some small discrepancies between the figures previously reported.

Perhaps unsurprisingly, the analysis found that views often differed according to whether an eligible complaint was upheld or rejected, and therefore we show the breakdown of data according to the outcome of the complaint where relevant. Beyond this, the number of responses did not allow for meaningful subgroup analysis.

Some of the data presented in this report was weighted³ to adjust for unequal probability of selection. Details of the weighting scheme are appended.

You can find the detailed data tables used to create the charts in the body of the report in the appendix.

³ At the 'all complainants' level only – subgroups (ineligible, upheld and rejected complainants) were not weighted

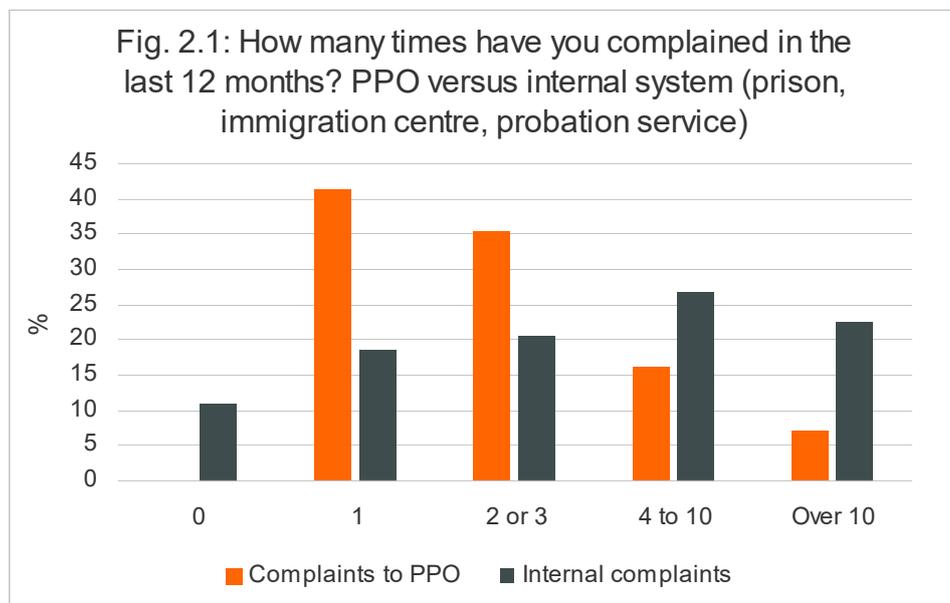
Experiences of the complaints process

Past complaints

Typically, complainants submitted few complaints to the PPO in the previous year. More than three quarters of respondents (77%) said they complained to the PPO between one and three times, 16% said between four and ten times and 7% reported more than ten times.

Participants whose complaints were not eligible for investigation⁴, and those whose complaints were investigated but not upheld, were more likely to have submitted more complaints in the past. Among these groups around a quarter of participants (25% each) reported submitting four or more complaints, compared to 15% of those whose complaints were upheld.

As shown in Figure 2.1, respondents reported submitting more complaints to their prison, probation service or Immigration Removal Centre (IRC) than to the PPO.⁵



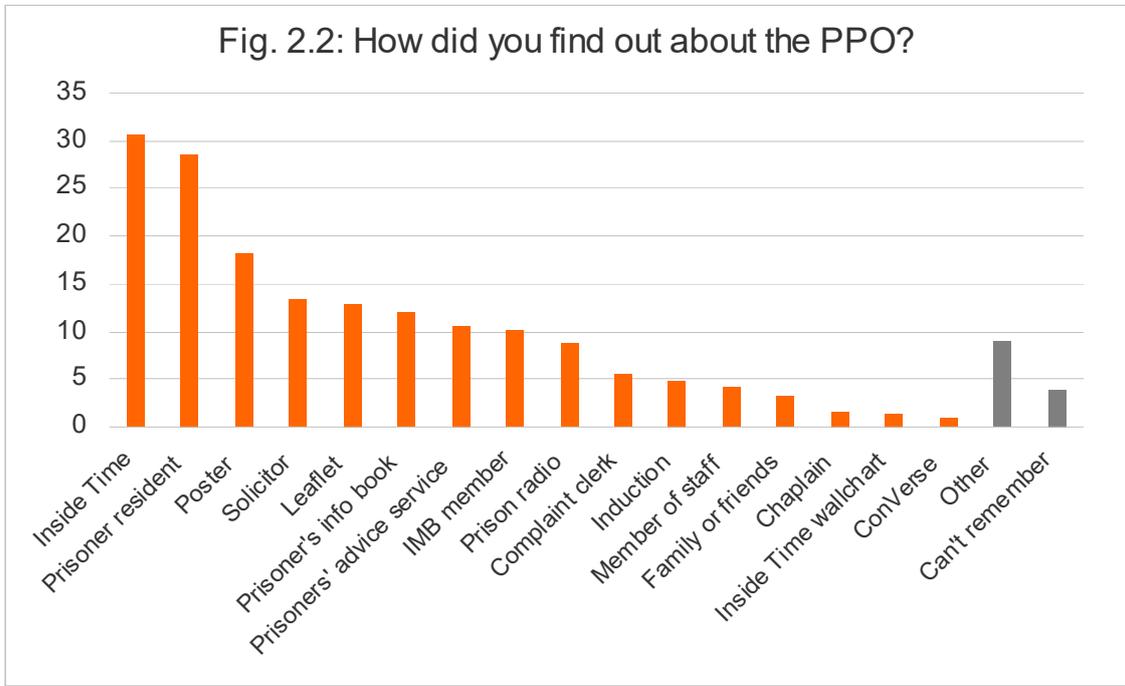
Accessing the PPO

The two most common ways of finding out about the PPO were the prisoners' newspaper Inside Time (31%) and other prisoners (29%), followed by PPO posters (18%), solicitors (13%) and PPO leaflets (13%). Complainants appear less likely to hear about the PPO from the staff at their establishment, or through friends or family.

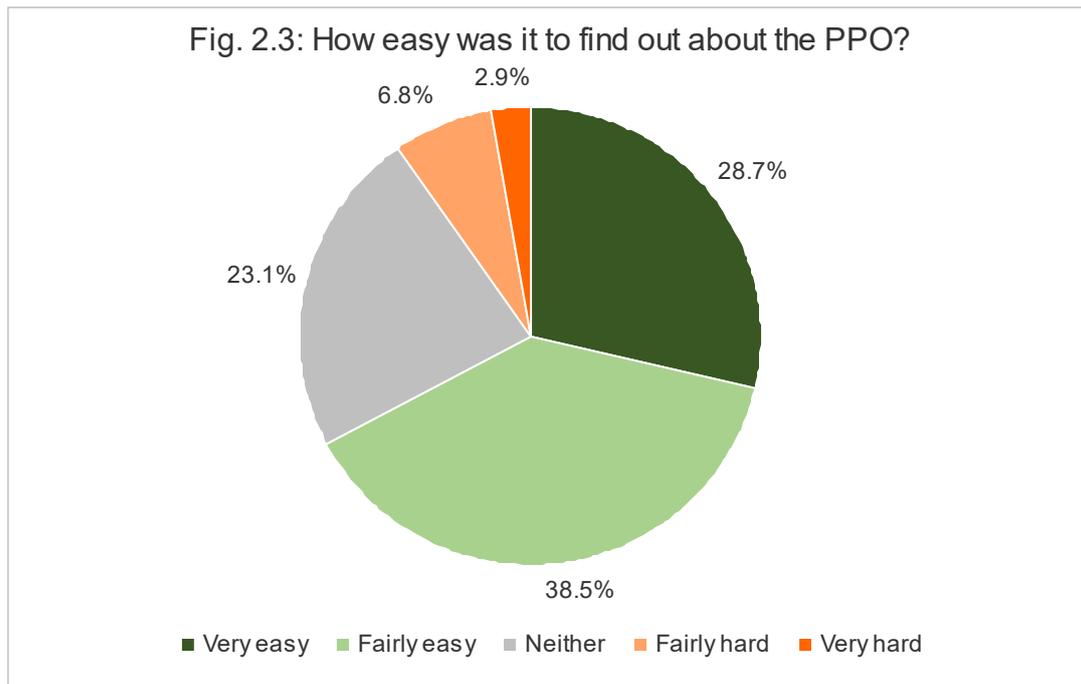
⁴ Reasons for complaints being found as ineligible for investigation include: being outside of PPO time limits, outside our remit, or the complainant not having completed the internal complaints process. Where a complaint is considered ineligible, the Ombudsman will inform the complainant and explain the reasons. For further information please see the PPO terms of reference: <http://www.ppo.gov.uk/about/vision-and-values/terms-of-reference/>

⁵ 11% of the sample report never having complained internally. While much of this number is drawn from ineligible complaints (that were not eligible as they had not completed the internal complaint process) some respondents whose complaints were eligible said they never complained internally. It is possible this is an issue with the wording of the survey and in future drafts we need to make it clear that this question includes their current complaint.

Around one in ten (9%) of respondents selected the 'other' category. These answers were varied and included local MPs and voluntary sector organisations operating in the criminal justice system, as well as being in prison for a long time and therefore being aware of the PPO for many years.



Around two thirds of respondents (67%) felt it was easy to find out about the PPO, followed by those who found it neither easy nor hard (23%). One in ten (10%) found it difficult.



Eligibility letter

The PPO sends all complainants a letter following assessment of their complaint, telling them whether or not it will be investigated and the reasons for this. Recall of this letter was good, at 90% of eligible complainants and 81% of ineligible complainants.⁶

Ineligible complainants were asked if they were told why their complaint was not investigated. While most (64%) said they were told very or quite clearly, 25% said they were not told clearly and 10% could not recall being told at all.

Investigation process

Where the complaint was investigated, most respondents reported they had contact with the PPO during its course. The level and nature of contact that the PPO has with a complainant will vary according to the complaint, with some complaints typically or solely resolved through review of paper-based evidence⁷. Most of those surveyed said they had contact from the PPO in writing (57%), with fewer reporting phone contact (8%) or contact in person (2%) had taken place.

Around a third (36%) said they had no contact; this group may not be recognising written contact when responding to this question, as all complainants are sent a letter or report at the conclusion of their investigation.

The survey asked about in the contents of the final letter or report. Most respondents said the letter or report told them whether we agreed with their complaint (68%) and explained the reasons for the outcome (79%). Fewer respondents said the letter

⁶ Please note that the proportions reported here also take into account missing values as there was no 'I don't know' or 'I can't remember' options for this question.

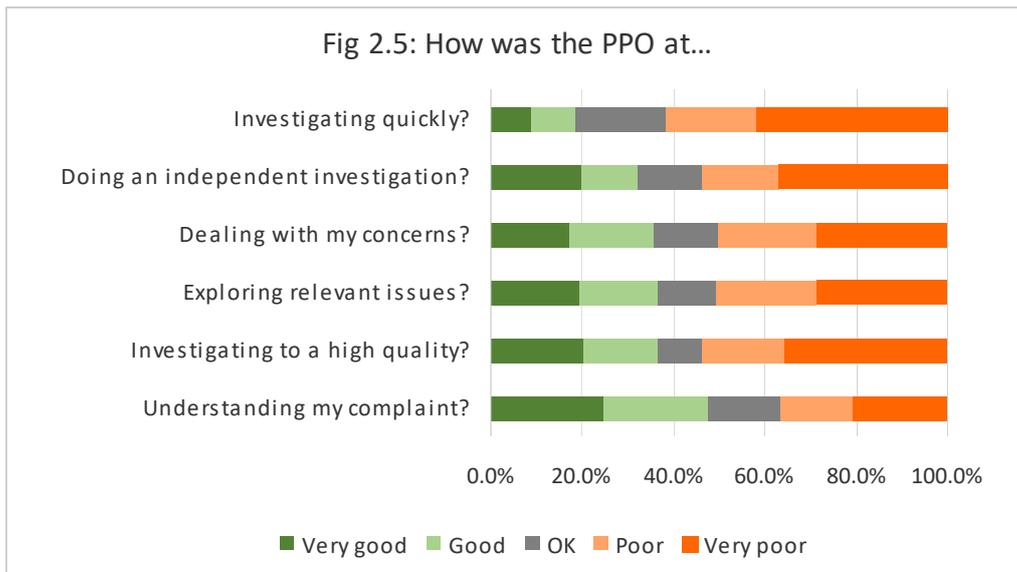
⁷ For example, most property related complaints are resolved through review of paper evidence, without direct contact with either complainant or establishment except to obtain paperwork i.e. views are not collected

explained the investigation approach (65%). This information is not provided as standard for each complaint the PPO investigates; rather it is at the discretion of the investigator, though it is usually provided for more complex cases.

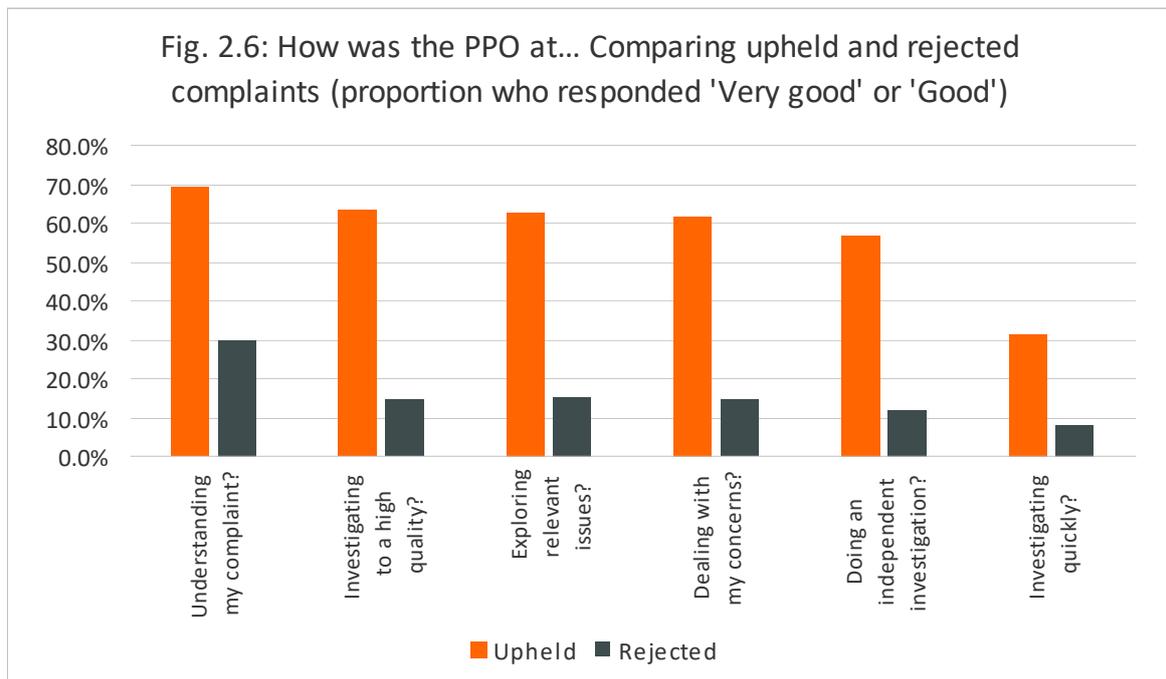


While most respondents (83%) found the letter or report easy to understand, 42% felt there was not enough detail. Furthermore, around one in ten (11%) said it used words they did not understand, and one in twenty (5%) found the letter or report hard to understand overall.

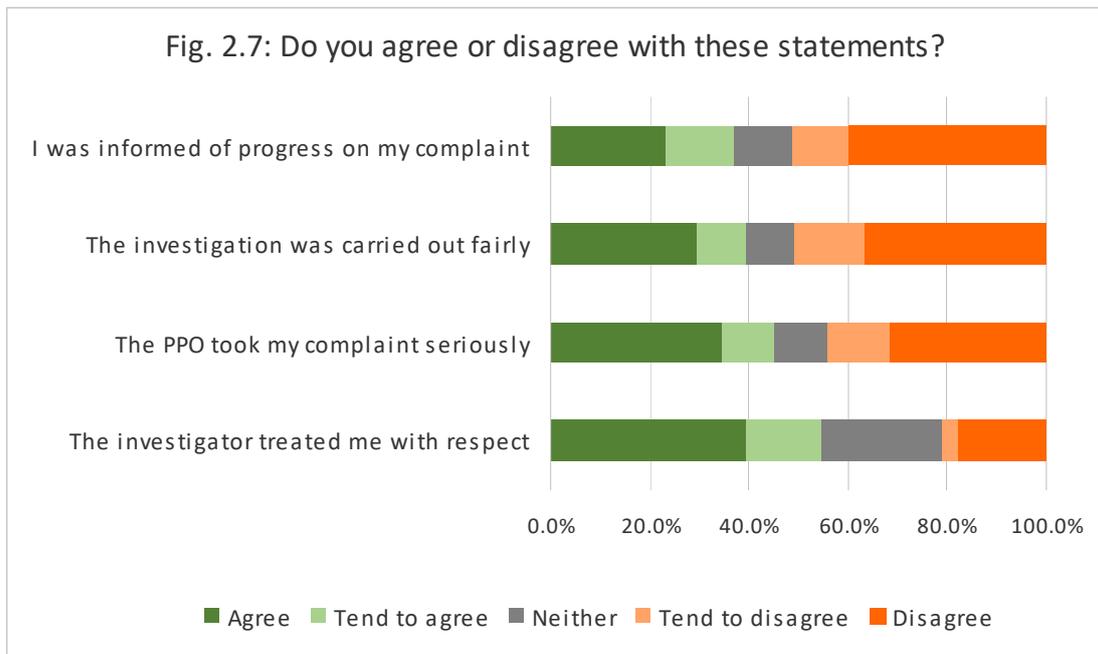
Respondents rated the PPO against a number of measures related to how the investigation was handled. As shown in figure 2.5, understanding the complaint fared best, with nearly half (48%) saying this was good or very good. This is followed by responses on investigating to a high quality (37%), exploring the relevant issues (37%) and dealing with my concerns (36%) performing similarly. The speed of the investigation was clearly an issue for some, with 62% reporting this was poor or very poor, though complainants were also less positive in their perceptions of the independence of the investigation (54% rate this poor or very poor).



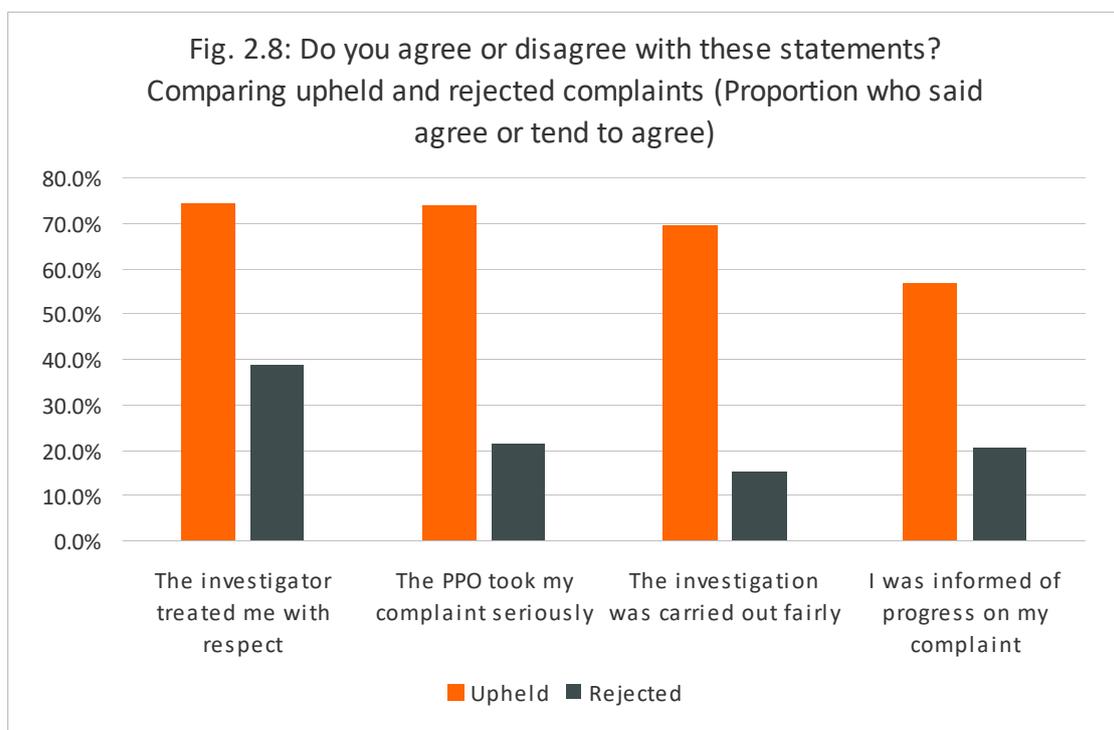
There are stark differences between views according to whether the complaint was upheld or rejected. While the pattern of the measures for this series is similar for each of these groups, the proportion who felt the PPO was good or very good is higher among those whose complaints were upheld across all measures. There was less disparity between the two groups in relation to the speed of the investigation, however.



The survey also asked respondents whether they agreed with a number of statements relating to the handling of the investigation (see figure 2.7). More respondents agreed or tended to agree that they were treated with respect (55%) or that the PPO took their complaint seriously (45%), with slightly fewer agreeing the investigation was carried out fairly (40%) or that they were kept informed of progress (37%).



There was again a disparity in views according to whether the complaint was upheld or rejected, with a larger proportion agreeing with each statement where the complaint was upheld. Again, the overall pattern of the measures was similar to the unfiltered responses, except in relation to fairness, which ranked last among the rejected complaints, compared to third among the upheld.



Complainants were asked free text questions about what elements of the process worked well and less well in their experience. These questions provided further insight into some responses to the quantitative questions on, for example, perceptions of the PPO's independence, speed of the investigation or contact with the complainant.

What needs improvement?

Where the complaint was rejected, comments often suggested perceptions of bias in favour of the prison on the part of the PPO, or that the complaint had not been properly investigated. The two sentiments were sometimes interlinked where the complainant felt they should have been able to share their views as part of the investigation, or where they felt evidence they provided was not considered. Respondents perceived over-reliance on the establishment's account of events, and some wished to be able to comment on draft findings prior to the PPO finalising their decision. Timeliness of the investigation and communications from PPO during it also emerged as concerns.

"The PPO appears to have spoken with MoJ [and] NOMS to get their view. It would have been helpful had I been allowed to bring my views"

Male complainant, prison

Where the complaint was upheld, the speed of the investigation was a typical concern, as was the level of contact from the PPO. Again, some respondents felt they should have been interviewed as part of the evidence gathering or been able to comment on draft findings. Some raised issues with the specifics of the PPO decision, such as the level of compensation recommended, whereas others commented on what had happened subsequent to the PPO decision, saying that the prison had taken no, or unsatisfactory action.

"I was not kept updated. It took far too long to reply to my complaint and my letters"

Male complainant, prison

Where the complaint was assessed as ineligible for investigation, this decision itself was a key concern, as might be expected. Beyond this, the comments raised issues around the speed of the assessment, communications from the PPO (with requests for acknowledgement of receipt of new complaints, for example) and a desire for greater clarity, for example, better explanations of the investigation process used. Again, some comments indicated perceptions of bias by the PPO towards establishments and a desire for the PPO to listen to complainants more.

"Listen to the prisoner and not just the prison"

Male complainant, prison

What worked well?

When asked about what worked well, comments from ineligible complainants related to the advice that was provided about the PPO complaints procedure which was found to be helpful. Some noted they received a quick reply or felt the facts were properly considered. Others simply expressed appreciation that the complaint was considered at all.

“Responded promptly with advice [on] what to do”

Male complainant, prison

Where the complaint was investigated and rejected, comments about what worked well typically related to the communication between the PPO and the complainant or the speed of response. Others felt the PPO had understood their concerns, or made comments about the perceived quality or rigour of the investigation. Again, others simply expressed appreciation that the complaint was investigated at all.

Positive comments about the quality of the investigation were also made by those whose complaints were upheld. This group also commented that they were treated fairly or with respect by the PPO and that their concerns were taken seriously.

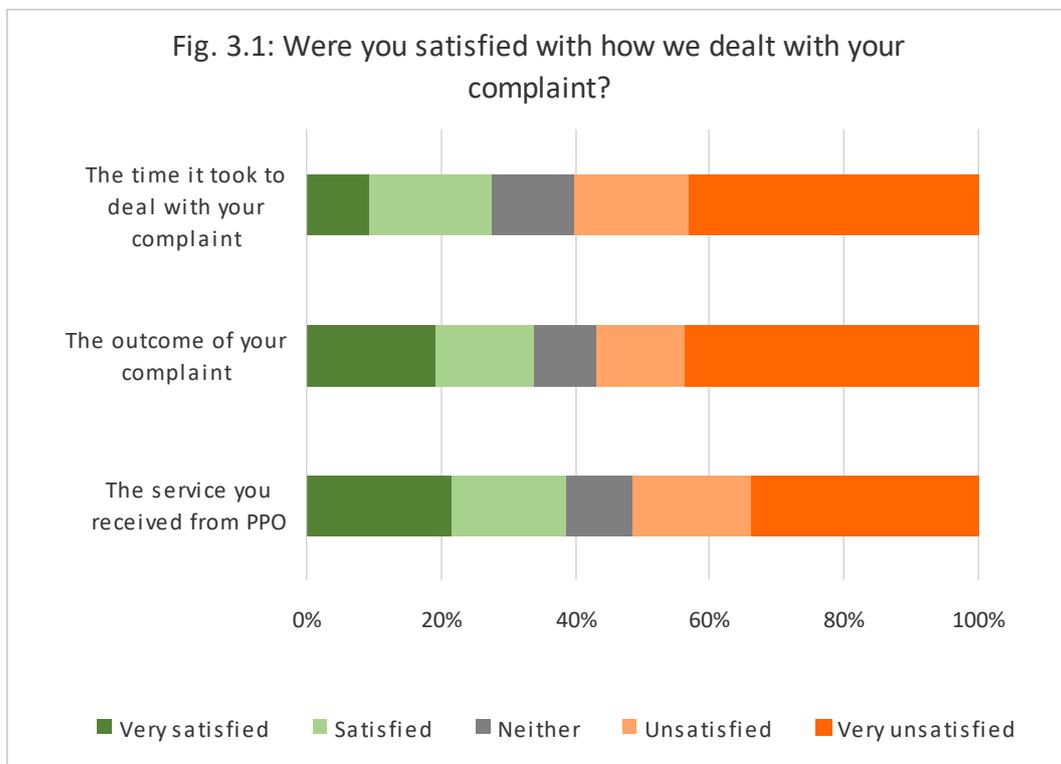
“Took on board my concerns and acted in a very fair manner”

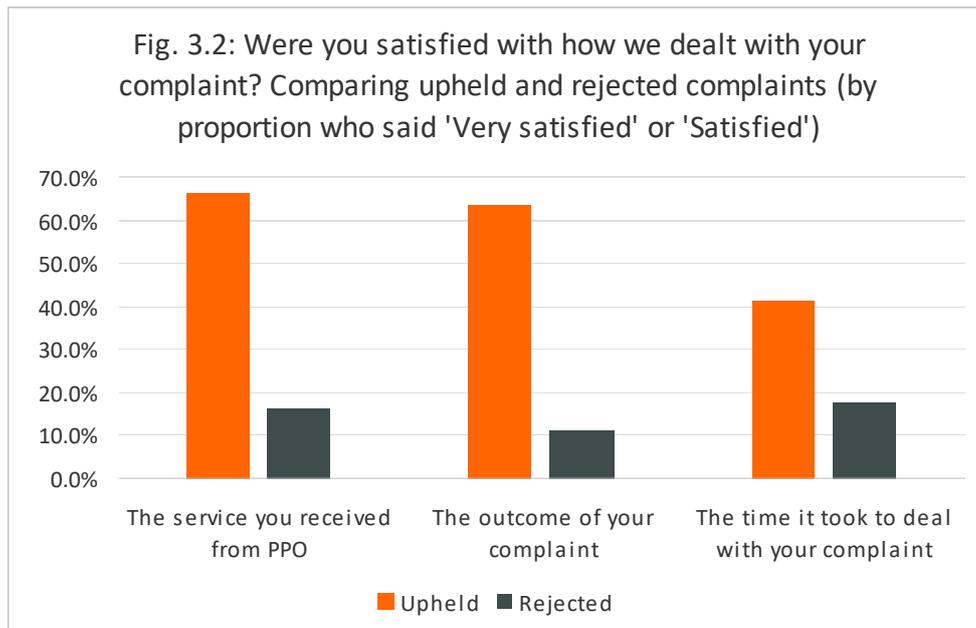
Male complainant, prison

3. Satisfaction with the PPO

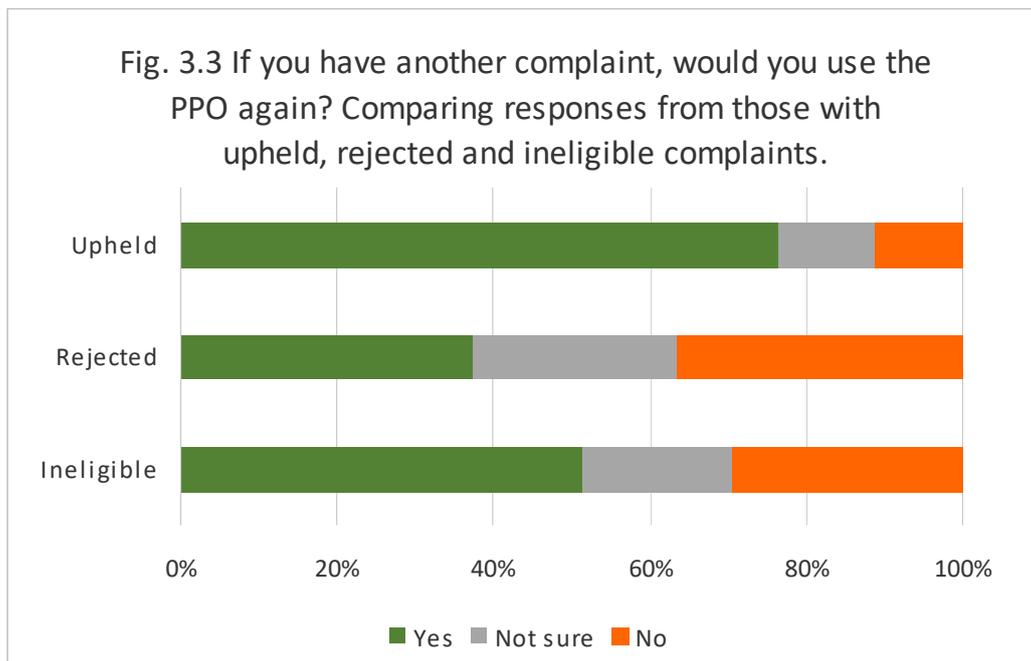
Satisfaction measures

The survey of eligible complaints included a number of measures of overall satisfaction with the PPO. As shown in figure 3.1, complainants were most satisfied with the service they received from the PPO (38% very satisfied or satisfied) and least satisfied with the time it took to deal with the complaint (28% very satisfied or satisfied). Again, there was a disparity in views when the data was broken down according to whether the complaint was upheld or not, as shown in figure 3.2. Even upheld complaints showed marked drops in satisfaction in relation to timeliness, with only 41% of those whose complaints were upheld indicating they were satisfied with the time it took to deal with their complaint.





Around three-quarters (76%) of those whose complaints were upheld said they would use the PPO again, compared to 52% of the ineligible and 37% of those whose complaints were investigated but rejected by the PPO.



All three groups cited the time it took to complete the investigation and perceived bias of the PPO towards prisons as reasons for not intending to use the PPO again. Among those whose complaints were upheld, a less frequent reason was a lack of impact from the PPO investigation, i.e. the prison not taking any subsequent action after the complaint was upheld.

For those whose complaints were rejected, additional reasons not to use the PPO again included dissatisfaction with the outcome itself. As might be expected, among the ineligible complainants, the comments more typically related to the fact that the PPO had not helped.

4. Conclusions and lessons

As in previous years, the survey findings reveal that complainants' views differ substantially depending on the outcome of their complaint. For example, 70% of those whose complaint was upheld felt that the PPO investigation was carried out fairly, compared with 15% of those whose complaint was not upheld, and 74% of those whose complaint was upheld felt that the PPO took their complaint seriously, compared with 22% of those whose complaint was not upheld. The difference is still apparent, though less substantial, in relation to overall satisfaction with the service. For those whose complaint was upheld, 66% reported they were satisfied with the service they received from the PPO, compared with 16% of those whose complaint was rejected.

The key findings and learning points from the 2014-15 survey are:

Satisfaction about timeliness is often lower compared to other aspects of the investigation. Among the upheld group, the majority rate the PPO and the service they received positively across the full range of indicators, the only exception being speed of the investigation where 41% were satisfied. Although they are most concerned with the outcome of their complaint, satisfaction with speed among the rejected group was also low, at 17%.

Lesson: The PPO should improve the timeliness of complaints investigations

Although the majority of the upheld group (57%) said they were kept informed during the investigation, the disparity between the upheld and rejected groups was less substantial here compared to other questions. Overall, more than a third of complainants reported they had no contact during the course of the investigation, and some of the verbatim comments indicated a desire for updates and acknowledgements. As previously noted, not all investigations require direct contact with the complainant and this is highlighted in the initial eligibility letter as a general point of advice. However, survey findings suggest the PPO could do more to manage expectations among complainants on this issue.

Lesson: The PPO should continue to make it clear when a complaint is accepted for investigation that it may not be necessary in some cases for the investigator to contact the complainant during the investigation

Respondents report PPO investigators understand their complaints, and that the quality of the investigation and treatment from individual staff is felt to be good. For example, 74% of upheld and 39% of rejected complaints (relatively positive, for this group) felt the investigator treated them with respect. Further, comments from all key groups express that the service is valued even where the complaint was ineligible or rejected; it is appreciated that someone took the time to consider the complaint and respond.

However, some respondents consider that the PPO is biased towards the establishment complained about. Some comments were critical of perceived over-reliance on establishments' accounts of events and/ or perceptions that complainants' views are not taken seriously or evidence they felt was important was not considered. Respondents want to be listened to, and, sometimes, to be given an opportunity to view draft findings before the PPO reaches its ultimate conclusion.

As noted previously, this type of approach is not always necessary and some complaints are dealt with on the basis of paper evidence, with views not sought from either the complainant or the establishment. Investigators have flexibility in their approach to some types of cases, but as a general principle are advised to take a proportionate approach to their work.

The survey and analysis does not seek to verify whether complainants are handled in the way that might ordinarily be expected for the type of case. Findings do point, though, to the likelihood of misconceptions among some complainants, and suggest that a greater degree of clarity on some points may improve perceptions of the PPO.

Lesson: PPO should make it clear to complainants how decisions about their cases have been reached

One in ten complainants found it difficult to find out about the PPO.

Lesson: The PPO should continue to promote awareness of its existence and role through a variety of media

A proportion of complainants appear to have difficulties with the language the PPO uses when communicating with them. For example, one in ten indicated the investigation report contained words they did not understand, and over a third of the ineligible group felt the explanation for why their complaint was not investigated was not clear, or reported that none was provided.

Lesson: The PPO should continue to train its staff in the use of plain English

When complaints investigations are concluded and recommendations are made to an establishment, the PPO seeks to collect evidence that the recommendations were implemented. For certain of types of recommendations this may be relatively straightforward – for example, written apologies to prisoners and the issuing of notices to staff, for which paper evidence can be forwarded.

We have less insight into the complainant experience and perceptions of redress, and we intend to explore this in more detail in future. Some survey comments indicated that complainants did not consider the PPO's recommendations were implemented and, while the primary focus of the survey remains to capture views on the service provided by the PPO, the questionnaire was revised to try to gather more information on this issue.

Appendix

A. Weighting profile

The data was weighted according to the profile below which was calculated from the sample frame. The sample frame included all complaints received by the PPO over the reporting period for the survey. This file was 'de-duplicated' so that those who had complained on multiple occasions were only included once.

	Total: unweighted (per cent)	Total: weighted (per cent)
Complaint outcome:		
Upheld	17.8	20.3
Rejected	23.4	24.3
Ineligible	47.9	47.7
Age:		
Young people	0.5	0.1
Gender:		
Females	1.6	1.4
Immigration complaints:		
Immigration detainees	1.3	0.5
Probation complaints:		
Eligible probation complaints	0.9	1.1
Ineligible probation complaints	6.7	4.7

Source: Prisons and Probation Ombudsman

B. Statistical tables

2.1: How many complaints have you made to the PPO/to your prison? (%)

Number	PPO	Internal
0	0	11.1
1	41.2	18.6
2 or 3	35.5	20.7
4 to 10	16.2	27.0
Over 10	7.1	22.6

2.2: How did you find out about the PPO? Tick all that apply (%)

Options:	%
Inside Time	30.6
Prisoner resident	28.5
Poster	18.1
Solicitor	13.3

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Leaflet	12.9
Prisoner's info book	12
Prisoners' advice service	10.6
IMB member	10.1
Prison radio	8.7
Complaint clerk	5.6
Induction	4.8
Member of staff	4.2
Family or friends	3.3
Chaplain	1.6
Inside Time wall chart	1.4
ConVerse	1
Other	8.9
Can't remember	3.8

2.3: How easy was it to find out about the PPO? (%)

Options	%
Very easy	28.7%
Fairly easy	38.5%
Neither	23.1%
Fairly hard	6.8%
Very hard	2.9%

2.4: At the end of the investigation, we sent a letter or report about the complaint. Did this... (%)

Options	Yes	Don't know	No
Tell you whether we agreed with your complaint?	67.8	6.1	26.2
Explain why we decided to agree or not?	78.6	6.9	14.5
Explain what we did in the investigation?	64.6	6.7	28.8
Make a recommendation?	45.8	8.5	45.7

2.5: How was the PPO at... (%)

Options	Very good	Good	OK	Poor	Very poor
Understanding my complaint?	24.8%	22.9%	15.7%	15.7%	20.8%
Investigating to a high quality?	20.2%	16.4%	9.6%	17.9%	35.9%
Exploring relevant issues?	19.3%	17.3%	12.9%	22.0%	28.5%
Dealing with my concerns?	17.0%	18.9%	14.0%	21.4%	28.6%
Doing an independent investigation?	19.7%	12.4%	14.3%	16.4%	37.3%
Investigating quickly?	8.8%	9.9%	19.7%	19.9%	41.7%

2.6: How was the PPO at... (Comparing upheld and rejected complaints - proportion who responded 'very good' or 'good')

Options	Upheld	Rejected
Understanding my complaint?	69.4%	29.9%
Investigating to a high quality?	63.3%	14.7%
Exploring relevant issues?	62.6%	15.3%

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Dealing with my concerns?	61.8%	14.5%
Doing an independent investigation?	56.9%	11.7%
Investigating quickly?	31.1%	8.1%

2.7: Do you agree or disagree with these statements? (%)

Statements	Agree	Tend to agree	Neither	Tend to disagree	Disagree
The investigator treated me with respect	39.4%	15.2%	24.2%	3.4%	
The PPO took my complaint seriously	34.3%	10.5%	11.2%	12.5%	
The investigation was carried out fairly	29.5%	10.1%	9.6%	14.3%	
I was informed of progress on my complaint	23.2%	13.7%	11.7%	11.3%	

2.8: Do you agree or disagree with these statements? (Comparing upheld and rejected complaints - proportion who agree or tend to agree)

Statements	Upheld	Rejected
The investigator treated me with respect	74.2%	38.8%
The PPO took my complaint seriously	73.8%	21.6%
The investigation was carried out fairly	69.6%	15.2%
I was informed of progress on my complaint	56.9%	20.9%

3.1: Were you satisfied with how we dealt with your complaint?

Options	Very satisfied	Satisfied	Neither	Unsatisfied	Very unsatisfied
The service you received from PPO	21.7%	16.8%	9.9%	17.8%	33.8%
The outcome of your complaint	19.1%	14.6%	9.3%	13.3%	43.7%
The time it took to deal with your complaint	9.3%	18.3%	12.3%	16.9%	43.1%

3.2: Were you satisfied with how we dealt with your complaint? Comparing upheld and rejected complaints (by proportion who said 'very satisfied' or 'satisfied')

Options	Upheld	Rejected
The service you received from PPO	66.1%	16.0%
The outcome of your complaint	63.7%	11.0%
The time it took to deal with your complaint	41.4%	17.4%

3.3: If you had another complaint, would you use the PPO again? Comparing responses from upheld, rejected, and ineligible complaints

Outcome	Yes	Not sure	No
Ineligible	51.5%	19.1%	29.4%
Rejected	37.3%	26.3%	36.4%
Upheld	76.4%	12.4%	11.2%

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