

Feedback on Public Services: Consultation Report

March 2026

Contents

Section 1: Introduction	3
Background to the consultation	3
Consultation process	3
Respondents	4
Key findings	5
Expectation of public services	5
Complaints against public services	5
Processing of complaints	5
Outcome of complaint	6
Final stage complaint handling	6
States of Jersey Complaints Panel	7
Local Administrative Redress	7
Next steps	7
Section 2: Online survey	9
Section 3: Consultation feedback (Online survey)	10
Demographic information	10
Expectation of public services	11
Complaints against public services	17
Processing of complaints	19
Outcome of complaints	26
Final stage complaint handling	36
Section 4: Consultation feedback (written submissions from individuals)	44
Section 5: Consultation feedback (Written submissions – Organisations)	46
Type of methods	46
Nature of recommendations	46
Final reports (Anonymity)	46
Final reports (Public domain)	47
Section 6: Consultation feedback (Focus Group – Enable Jersey)	48
Communication and training	48
Information to submit a complaint	49
Accessibility of information	49
Health Services	49
Appendix I – Promotion of the consultation	51
Government website	51
Parish websites	51
Local media	51
Social media	51
Appendix II – Online survey questions	52
Appendix III – Written submissions from organisations	63
Ombudsman Association	63
Office of the Clerk of Tynwald – Tynwald Commissioner for Administration	67
Jersey Care Commission	76
Comptroller and Auditor General	78
Jersey Advisory and Conciliation Service (JACS)	79
Citizen’s Advice Bureau	80
Jersey Law Society	81

Section 1: Introduction

Background to the consultation

1. In 2018, the States Assembly approved proposition [P32/2018](#) for the introduction of a Jersey Public Services Ombudsman (JPSO) to provide redress to people with unresolved complaints against public bodies and replace the States of Jersey Complaints Panel (Complaints Panel)
2. Following this decision, a public consultation was conducted in 2019 to gather people's views on a number of proposed functions of a JPSO. The feedback from this consultation,¹ along with recommendations from the Jersey Law Commission,² informed the development of a legal framework outlining how a JPSO could operate in Jersey.
3. However, the project faced delays due to the pandemic and subsequent shifts in the Government's priorities over the following years. Additionally, a perceived high cost associated with establishing a JPSO prompted the Government of Jersey to reconsider whether such a scheme was necessary or if an alternative mechanism could provide the same level of redress at less cost.
4. The Chief Minister commissioned Assistant Minister for Sustainable Economic Development and External Relations, Deputy Moz Scott in October 2024 to oversee and lead the next phase of the project to deliver a final-stage complaints-handling mechanism to reform or replace the current States of Jersey Complaints Panel, including options for establishing a Jersey Public Services Ombudsperson.
5. To better understand local needs, a public consultation titled "Feedback on public services" was launched in March 2025 to capture:
 - a) people's experience when making a formal complaint about a public service, and
 - b) their views on how an independent complaint reviewer should operate in Jersey.
6. For the purpose of the consultation, the term "public service" was used to refer to any service delivered directly to the public by the Government of Jersey or on behalf of the Government by other organisations (e.g. Andium Homes, Jersey Electricity, Jersey Water).

Consultation process

7. The consultation ran from 10 March to 6 May 2025. People were able to provide their feedback through:

¹ [Government of Jersey, Jersey Public Services Ombudsman: Consultation Feedback Report, January 2020](#)

² Jersey Law Commission, [Improving Administrative Redress in Jersey](#), October 2017: This report was commissioned to deliver broad recommendations on how the Government could improve the local administrative redress system to make it easier for individuals and businesses to escalate unresolved complaints about administrative decisions made by public bodies.

- a) an online survey available in both English and Portuguese;
 - b) a written submission via email or post; and
 - c) a paper copy of the survey via post.
8. Paper copies of the survey (in English and Portuguese) were available upon request and could be found in parish halls, the Jersey Public Library, the Citizen's Advice Bureau, and Caritas. Several other charities that support outreach groups were contacted but did not provide a response.
9. Islanders were encouraged to participate via:
- a) social media posts;
 - b) the Government of Jersey website;
 - c) the parish websites;
 - d) articles in local news outlets, and
 - e) a focus group was conducted in collaboration with Enable Jersey to understand the difficulties that people with disabilities face when accessing services and their experiences when making a complaint about a public service.

Appendix I provides further details on how the survey was promoted.

Appendix II provides the survey questions used in the online survey.

Respondents

10. The following responses were received to the consultation:
- a) 242 responses to the online survey. 6 out of the 242 responses were excluded for potential duplication.³
 - b) 23 written submissions,
 - c) 8 people attended a focus group with Enable Jersey.
11. The majority of responses were received from members of the public.⁴
12. In addition, we received responses on the more general questions asked in the survey from representatives of the following 6 organisations:
- a) Citizen's Advice Bureau
 - b) Comptroller and Auditor General
 - c) Tynwald Commissioner for Administration
 - d) Ombudsman Association

³ Excluded survey responses: Responses were checked by IP addresses to ensure that individuals were not submitting multiple responses to skew the data. There were 10 IP addresses from which more than one response was received. 6 of them contained the same demographic data and similar responses. These were removed from the analysis.

⁴ The consultation received responses mostly from people who made a complaint about a public service and therefore the results of the analysis are not representative of the overall quality of the internal complaint processes of the public services mentioned in this report.

- e) Jersey Care Commission
- f) Jersey Advisory and Conciliation Service
- g) Jersey Law Society

Appendix III includes the responses that the consultation received from the abovementioned organisations.

Key findings

Expectation of public services

- 13. More clarity is needed around the level of service and type of behaviour from staff that members of the public should expect when they access public services.
- 14. Respondents agreed that public services should provide information on:
 - a) the level of service that members of the public should expect from them;
 - b) the type of behaviour that their employees should demonstrate when dealing with members of the public;
 - c) how a complaint will be handled, by who and by when; and
 - d) who a complaint can be taken to for review if the complainant is not satisfied with the outcome of their complaint.

Complaints against public services

- 15. Most complaints submitted by respondents within the last 5 years were related to Health Services.
- 16. Almost half of respondents (46%) who made a complaint within the last 5 years said that it was difficult to find information on how to submit a complaint. Information on how to make a complaint is not easily accessible based on feedback we received from written submissions and the focus group.

Processing of complaints

- 17. 34% of respondents who made a complaint within the last 5 years had to wait less than 2 weeks to receive confirmation from the public service that their complaint will be investigated. Over half (51%) had to wait over a month or did not receive acknowledgement of their complaint.
- 18. 81% of respondents who made a complaint within the last 5 years were not kept informed about the status of their complaint.
- 19. 83% of respondents who made a complaint within the last 5 years felt that their complaint was not taken seriously.
- 20. Not feeling listened to was the most popular reason selected by respondents who did not feel that their complaint was taken seriously.

Outcome of complaint

21. Most respondents who made a complaint within the last 5 years were not satisfied that:
- a) they felt listened to throughout the complaint process (79%)
 - b) their complaint was dealt with in a timely manner (73%)
 - c) the outcome of the complaint was fully explained (77%)
 - d) - all areas of their complaint were addressed (83%)
22. Most respondents (80%) were not satisfied with the outcome of their complaint.
23. Most respondents (83%) were not satisfied with the overall handling of their complaint.
24. Half of respondents who made a complaint within the last 5 years did not know of the possibility of having their complaint reviewed by the Complaints Panel.
25. Half of respondents who did not use the Complaints Panel also did not use an alternative way to seek resolution for their complaint.
26. 51% of respondents, who used an alternative way to seek resolution to their complaint, escalated their complaint to a States Member.
27. Respondents who used an alternative route to escalate their complaint were not satisfied with:
- a) the quality of the method that was used to review their complaint (86%), and
 - b) all aspects of the method that was used to review their complaint (88%).

Final stage complaint handling

28. 67% of respondents were not aware of the Complaints Panel before taking the survey.
29. Informal resolution was the most preferred complaint resolution method.
30. Respondents most often chose complaint investigation and anonymity as reasons for their preferred resolution method.
31. Almost half of respondents (53%) agreed that any findings or recommendations made by an independent complaint reviewer should only focus on the resolution of the complaint.
32. 94% of respondents agreed that the recommendations made by an independent complaint reviewer should include advice on ways to improve the service. All organisations that responded agreed that an element of service improvement should be present in the recommendations.

33. 74% of respondents agreed that final reports produced by an independent complaint reviewer should maintain the anonymity of individuals.
34. 85% of respondents agreed that an independent complaint reviewer should be able to investigate complaints handling by public services and recommend improvements to public service complaints handling separately from reviews of individual complaints. It was suggested in responses by organisations that an independent complaint reviewer could also have ombudsman-like powers of initiating its own investigations if there are systemic failings within a public service.

States of Jersey Complaints Panel

35. There is a difference in opinion whether the Complaints Panel is fit for purpose and can provide an effective complaint resolution service.
36. There is a lack of awareness of the Panel's role reflected in respondents' feedback
37. Public hearings were the least preferred method of complaint resolution of respondents. Complaint resolution methods that provide an element of privacy such as investigation and private hearings were ranked higher.

Local Administrative Redress

38. 51% of complainants used States Members to escalate their complaints. Comments from respondents indicate that the feeding back of these complaints into the same departments that have failed to address them cause delays and frustration for complainants.
39. Complaints against public services, that cannot be resolved through informal resolution or mediation, require the use of adversarial resolution methods, such as hearings conducted by the Panel, tribunals and the Royal Court. Findings 17 and 24 show that there is a preference for a more confidential and inquisitorial approach in handling complaints. This element currently is lacking in Jersey's redress system. Therefore, complainants who do not wish to have their complaint reviewed through a court-like process do not have any additional choices.
40. Feedback from individual submissions suggests redress mechanisms are not accessible to everyone. The cost of obtaining legal advice or attending a formal process can be a deterrent for some people to come forward.
41. Feedback from individual submissions suggests that local redress mechanisms do not have the power to drive service improvement and promote standards to prevent the same mistakes happening in the future.

Next steps

42. To accompany this Consultation Report, Assistant Minister for Sustainable Economic Development and External Relations, Deputy Moz Scott, is publishing a Findings and Recommendations Report.

43. Deputy Scott's Report was informed by this public consultation, comparative analysis of ombudsman schemes in similar jurisdictions, and engagement with key stakeholders. It concludes that while progress has been made, Jersey's final-stage complaints-handling system continues to face significant structural and procedural challenges. The Report highlights that the Complaint Panel's remit is narrow, covering only Government departments and excluding wider public services such as arm's-length organisations (ALOs). The Complaints Panel relies on the States Greffe for administrative support, reducing perceived independence. Processes are based on quasi-tribunal public hearings, which lack the investigative methodologies commonly used in ombud schemes and create barriers for both complainants and Government officers. Resource constraints, barriers, and limited accessibility contribute to a lower-than-expected number of final-stage complaints, reducing opportunities for fair redress and organisational learning. The current model also fails to drive public service improvement effectively, as recommendations are often rejected or not implemented, and the Panel's scope is considerably more limited than that of a public service ombudsperson. These factors restrict effectiveness and indicate that reform should be prioritised.
44. **Deputy Scott recommends that reforming the existing Complaints Panel would be neither cost-effective nor credible. Instead, a 'clean slate' model is recommended to establish an independent JPSO to replace the Panel and strengthen public trust, standardize processes, improve accessibility, and ensure fairer outcomes.** The JPSO should operate under a bespoke legal framework aligned with international standards, provide a free service for complainants covering a broad scope of public services and ALOs, and be funded within the existing Government budget allocation.
45. Further work is recommended to:
- a) consider appropriate governance arrangements for the JPSO;
 - b) define an appropriate scope for the JPSO, one that achieves comprehensive coverage, and avoids duplication;
 - c) consider cost containment; and
 - d) rationalise and simplify complaint-handling policies and processes across Government and ALOs.

Section 2: Online survey

1. The survey was designed to allow people to participate whether they had or have not made a complaint against a public service.
2. Only people who have made a complaint within the last 5 years were able to provide detailed feedback on their experiences of the internal complaint process of the public service that they complained about.⁵
3. People who did not make a complaint were given the opportunity to explain their reasons for not doing so.
4. All respondents were able to provide their feedback on how an independent complaints reviewer should operate in Jersey.

⁵ Public services have only recently started to develop structured policies around the handling of complaints and their use to disseminate lessons on how to improve the quality of the services they deliver. Therefore, it would not have been possible to draw useful conclusions about the effectiveness of these policies if complaints made more than 5 years ago were considered in this consultation.

Section 3: Consultation feedback: Online survey

Demographic information

- Section 1 of the survey collected demographic information to enable understanding of the reach of the survey. This included place of birth, length of residency (last ten years), age group, and gender.

Table 1 – Number of responses by age

Age in years	Total number of responses	% of total number of responses*
Under 18	1	0.4%
18 to 29	7	3%
30 to 44	47	20%
45 to 59	81	34%
60 to 74	82	35%
75 or over	13	6%
Prefer not to say	5	2%

*percentages have been rounded and may not add up to 100

Table 2 – Number of responses by gender

Gender	Total number of responses	% of total number of responses*
Female	120	51%
Male	107	45%
Prefer not to say	9	4%

*percentages have been rounded and may not add up to 100

Table 3 – Number of responses by place of birth

Place of birth	Total number of responses	% of total number of responses*
Jersey	121	51%
British Isles	92	39%
Republic of Ireland	0	0%
Poland	1	0.4%
Portugal or Madeira	3	1%
Romania	0	0%
Other European country	6	2%
Elsewhere in the world	8	3%
Prefer not to say	5	2%

*percentages have been rounded and may not add up to 100

Table 4 – Number of responses by length of residency (within the last ten years)

Lived in Jersey for the last ten years	Total number of responses	%of total number of responses*
Yes	227	96%
No	19	4%

*percentages have been rounded and may not add up to 100

Expectation of public services

2. Section 2 of the survey focused on people's expectations of public services. One of the two questions contained in this section asked people how much they agreed or disagreed with a number of statements.
3. The first two statements seek to understand a respondent's level of awareness on:
 - a) the level of service they should receive when they are accessing a public service; and
 - b) the type of behaviour that employees of public services should demonstrate when they provide a service to the public.
4. The rest of the question's statements seek to capture whether respondents agree with the type of information that public services should provide to members of the public.

Table 5 – Number of responses by extent of agreement to the first statement.

<i>“The level of service that I should receive when accessing public services is always clear to me.”</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	31	13%
Slightly agree	52	22%
Neutral	43	18%
Slightly disagree	54	23%
Disagree	56	24%

*percentages have been rounded and may not add up to 100

Finding 1: Almost half of the respondents (47%) disagreed with the statement that the level of service that they should receive when accessing services is always clear to them.

Table 6 – Number of responses by extent of agreement to the second statement.

<i>“The type of behaviour that employees of public services should demonstrate when dealing with members of the public is always clear to me”</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	43	18%
Slightly agree	52	22%
Neutral	54	23%
Slightly disagree	36	15%
Strongly disagree	51	22%

*percentages have been rounded and may not add up to 100

Finding 2: There was an almost equal split between respondents who agreed or disagreed that the type of behaviour that employees of public services should demonstrate is always clear to them.

Table 7 – Number of responses by extent of agreement to the third statement

“All public services should provide clear information on the level of service that members of the public should expect from them”

Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	188	80%
Slightly agree	33	14%
Neutral	10	4%
Slightly disagree	2	1%
Strongly disagree	3	1%

*percentages have been rounded and may not add up to 100

Finding 3: There was strong agreement amongst respondents (94%) that public services should provide clear information on the level of service that members of the public should expect from them.

Table 8 – Number of responses by extent of agreement to the fourth statement

<i>“All public services should provide clear information on the type of behaviour that their employees should demonstrate when dealing with members of the public”</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	209	77%
Slightly agree	20	15%
Neutral	13	6%
Slightly disagree	4	2%
Strongly disagree	2	1%

*percentages have been rounded and may not add up to 100

Finding 4: There was strong agreement amongst respondents (92%) that public services should provide clear information on the type of behaviour that their employees should demonstrate when dealing with members of the public.

Table 9 – Number of responses by extent of agreement to the fifth statement

<i>“All public services should publish clear information on how a complaint will be handled, by who and by when”</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	209	89%
Slightly agree	20	8%
Neutral	4	2%
Slightly disagree	2	1%
Strongly disagree	1	0.4%

*percentages have been rounded and may not add up to 100

Finding 5: There was strong agreement (97%) amongst respondents that public services should provide clear information on how a complaint will be handled by who and by when.

Table 10 – Number of responses by extent of agreement to the sixth statement

“All public services should provide clear information on who a complaint can be taken to for review if the complainant is not satisfied with the outcome of their complaint.”

Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	210	89%
Slightly agree	15	6%
Neutral	7	3%
Slightly disagree	2	1%
Strongly disagree	2	1%

*percentages have been rounded and may not add up to 100

Finding 6: There was strong agreement amongst respondents (95%) that public services should provide clear information on who a complaint can be taken to for review if the complainant is not satisfied with the outcome of their complaint

5. The second question included in Section 2 of the survey asked respondents to provide an example of a public service that did not provide information on:
 - a) the level of service that members of the public should expect from them,
 - b) the type of behaviour that their employees should demonstrate when dealing with members of the public
 - c) how a complaint will be handled, by who and by when, and
 - d) who a complaint should be taken to for review if the complainant is not satisfied with the outcome of their complaint.

6. This question received 109 responses. Each response was assigned to one or more categories using the text analysis tool on Smart Survey. The services listed as examples to this question are presented in Table 11. The responses provided examples of public services. However, it was not clear what type of information was not offered.

Table 11 – Number of responses per category.

Category	Number of responses*	Percentage**
Health Services	20	15%
Information on a complaint***	19	15%
Tax Department	12	9%
No example	11	9%
Employment, Social Security and Housing Department	9	7%
Government of Jersey	6	5%
Children's Services	6	5%
Planning Department	6	5%
Not relevant****	6	5%
States of Jersey Police	5	4%
Andium Homes	4	3%
Children, Young People, Education and Skills	3	2%

*The number of responses may not add up to 109 because some responses have been assigned under more than one category if the person listed more than one example.

**percentages have been rounded and may not add up to 100.

***This category includes responses with details of specific complaints against a department.

**** This category includes responses that did not provide any relevant information to the question or the consultation.

Complaints against public services

7. The questions included in Section 3 of the online survey focused on capturing the experiences of respondents with the internal complaint process of the public services that they complained about.
8. Only respondents that have submitted a complaint in the last 5 years were able to provide details on their experience.
9. The first question of Section 3 asked respondents if they had ever complained about a public service. 241 respondents answered this question.

Table 12 – Number of respondents that have made or not made a complaint.

Have you submitted a complaint about a public service?		
Option	Number of responses	% total number of responses*
Yes	147	62%
No	89	38%

* percentages have been rounded and may not add up to 100.

10. Respondents who have not complained but may have thought of doing so in the past were asked to disclose the reasons behind their decision. A list of options was provided, including a free text box to allow people to elaborate further on what stopped them from submitting a complaint.
11. The most common reasons why people did not proceed with a complaint were the feeling that nothing would change, the fear of retaliation and not knowing how to complain.
12. The second question was addressed only to respondents who submitted a complaint against a public service. The question received 152 responses.

Table 13 – Number of respondents that have submitted a complaint to a public service within the last 5 years.

Have you submitted a complaint to a public service within the last 5 years?		
Option	Number of responses	% total number of responses*
Yes	109	74%
No	39	26%

* percentages have been rounded and may not add up to 100.

Finding 7: The majority of people who submitted a complaint to a public service have done so within the last 5 years.

13. Respondents who submitted a complaint to a public service within the last 5 years were asked to list the public service(s) that they complained against. The question received 106 responses.

Table 14 - Number of responses per public service.

Public Service	Number of responses*	Percentage**
Health Services	38	26%
Employment, Social Security and Housing	15	10%
Infrastructure and Environment	13	9%
States of Jersey Police	12	8%
Children, Young People, Education and Skills	11	7%
Planning Department	10	7%
Treasury and Exchequer	9	6%
Children's Services	7	5%
Parishes	3	2%
Prison Service	2	1%
Jersey Customs and Immigration Service	2	1%
Andium Homes	2	1%
Jersey Post	2	1%
No service listed***	8	5%

*The number of responses may not add up to 106 because some responses have been assigned under more than one public service if the person listed more than one service.

**percentages have been rounded and may not add up to 100.

***This category includes responses which did not include the name of the service that the respondent complained to.

Finding 8: The majority of respondents who submitted a complaint about public services within the last 5 years did so in relation to Health Services.

14. Respondents who made a complaint against a public service within the last 5 years were asked to consider how easy it was to find information on how to submit a complaint. The question received 106 responses.

Table 15 - Number of responses per option of how easy it was to find information on how to submit a complaint.

How easy was it to find information on how to submit a complaint?		
Option	Number of responses	% total number of responses*
Very easy	10	9%
Easy	14	13%
Moderate	32	31%
Difficult	25	24%
Very difficult	23	22%

* percentages have been rounded and may not add up to 100

Finding 9: Almost half of respondents (46%) who made a complaint within the last 5 years said that it was difficult to find information on how to submit a complaint.

Processing of complaints

16. Section 4 of the survey focused on capturing the experience of people after the public service had received their complaint.

17. Respondents who made a complaint against a public service within the last 5 years were asked how long they had to wait until they received confirmation that the public service will investigate their complaint. The question received 101 responses.

Table 16 – Number of responses per length of time to receive confirmation that a complaint will be investigated.

How long did it take for the public service to let you know they will investigate your complaint?		
Option	Number of responses	% total number of responses*
Less than a week	15	15%
1 to 2 weeks	19	19%
3 to 4 weeks	14	14%
More than a month	29	29%
I never received acknowledgment	23	23%

*percentages have been rounded and may not add up to 100

Finding 10: 34% of respondents who made a complaint within the last 5 years waited less than 2 weeks to receive confirmation from the public service that their complaint will be investigated. 51% waited more than a month or received no acknowledgment of their complaint.

18. Respondents who made a complaint against a public service within the last 5 years were asked whether they received information on the process to resolve their complaint, including who would do what and by when. The question received 101 responses.

Table 17 – Number of responses per option on information provided on the complaints resolution process.

Were you informed of the process to resolve your complaint, including who would do what and by when?		
Option	Number of responses	% total number of responses*
I received detailed information on the process	12	12%
I received information on the process but no details on who would do what and by when.	42	42%
I did not receive any information on the process.	46	46%

* percentages have been rounded and may not add up to 100.

Finding 11: The majority of respondents who made a complaint within the last 5 years either received information on the process to resolve their complaint but no details on who would do what and by when or did not receive any information on the process to resolve their complaint.

19. Respondents who made a complaint against a public service within the last 5 years were asked whether they were informed about the status of their complaint.

Table 18 – Number of responses per “Yes” or “No” option.

Were you kept informed about the status of your complaint?		
Option	Number of responses	% total number of responses*
Yes	15	15%
No	81	81%
Not applicable	4	4%

* percentages have been rounded and may not add up to 100.

Finding 12: Most respondents (81%) who made a complaint within the last 5 years were not kept informed about the status of their complaint.

20. Respondents who made a complaint against a public service within the last 5 years were asked whether they felt that their complaint was taken seriously. The question received 100 responses.

Table 19 – Number of responses per “Yes” or “No” option.

Did you feel your complaint was taken seriously?		
Option	Number of responses	% total number of responses*
Yes	17	17%
No	83	83%

* percentages have been rounded and may not add up to 100.

Finding 13: Most respondents (83%) who made a complaint within the last 5 years felt that their complaint was not taken seriously.

21. Respondents who did not feel that their complaint was taken seriously were asked to provide the reasons for their answer in the previous question. The question received 56 responses.

Table 20 – Number of responses per reason for feeling that a respondent’s complaint was not taken seriously.

If not, why did you feel that your complaint was not taken seriously?		
Option	Number of responses	% total number of responses*
My complaint was never acknowledged	17	30%
I did not feel listened to	32	57%
I was not kept informed or updated on the progress of my complaint	24	43%
I did not receive a response to my complaint in the expected timeframe	18	32%
I did not know who was dealing with my complaint	16	29%
Other (please specify)	23	41%

* percentages have been rounded and may not add up to 100.

** Respondents were able to tick multiple options, therefore the number of responses in the table do not add up to 56.

22. Responses under option “Other” underwent a thematic analysis to extract additional reasons as to why a respondent felt that their complaint was not taken seriously. Each response was read and assigned to a category. The figure below shows the themes that were extracted from the free text responses.

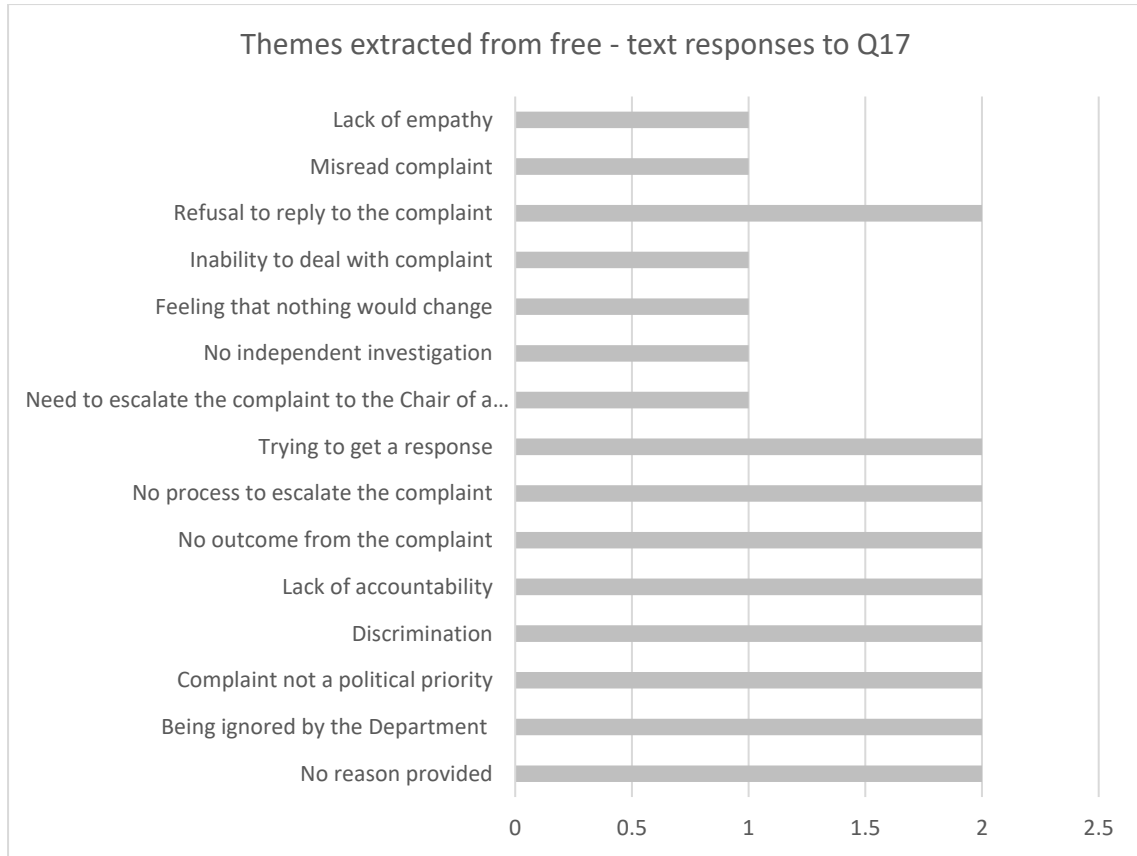


Figure 1: Themes from free-text responses under Option “Other”.

“I was made to feel I was a nuisance.”

“The complaint was not independently investigated and there was no process to escalate”

“The complaint was misread, and I had to point out they had not read the complaint correctly.”

“I was having to chase all the time for updates.”

“There was no empathy or contrition for the error.”

“They appeared more interested in covering up to their error than admitting it and investigating the problem.”

“The department concerned did not seem to know how to deal with it”

23. Finally, respondents that have made a complaint within the last 5 years were asked to provide suggestions for improvement of their experience during the handling of their complaint. The question received 75 responses.
24. The responses to the question underwent a thematic analysis. Each response was read and assigned to a category/theme. The following figure shows the themes that were extracted from the responses.

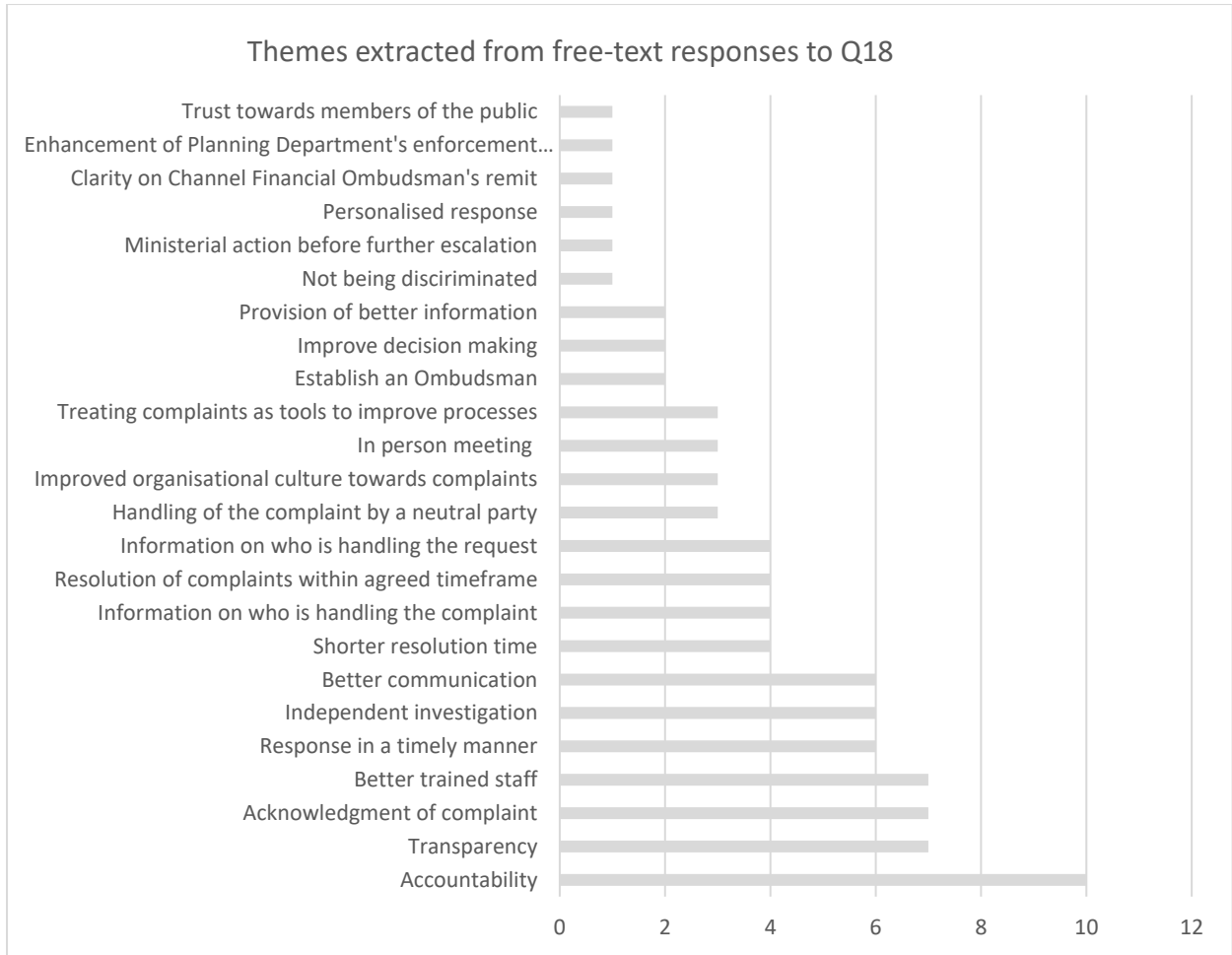


Figure 2: Themes from suggestions provided on how a respondent's experience could have been improved during the handling of their complaint. The figure does not include themes representing suggestions made by a single respondent.

Outcome of complaints

- 25. Section 5 of the online survey included questions aimed to capture a respondent’s level of satisfaction with the outcome of their complaint and whether escalation was pursued to obtain a different outcome to their complaint.
- 26. Respondents who made a complaint within the last 5 years were asked to demonstrate their level of satisfaction with different elements of the complaint process of the public service that they complained about.
- 27. The question consisted of six sub-questions and received 93 responses. Each sub-question is presented separately.

Table 20 – Number of responses per level of satisfaction to the first sub-question.

<i>“How satisfied were you that you felt listened to throughout the complaint process?”</i>		
Level of Satisfaction	Total number of responses	% of total number of responses*
Very dissatisfied	59	63%
Dissatisfied	15	16%
Neutral	9	10%
Satisfied	2	2%
Very satisfied	8	8%

* percentages have been rounded and may not add up to 100.

Finding 14: Most respondents (63%) who made a complaint within the last 5 years were very dissatisfied that they felt listened to throughout the complaint process.

Table 21 – Number of responses per level of satisfaction to the second sub-question.

<i>“How satisfied were you that your complaint was dealt with in a timely manner?”</i>		
Level of Satisfaction	Total number of responses	% of total number of responses*
Very dissatisfied	53	57%
Dissatisfied	15	16%
Neutral	11	12%
Satisfied	7	8%
Very satisfied	7	8%

*percentages have been rounded and may not add up to 100.

Finding 15: The majority of respondents (57%) who made a complaint within the last 5 years were very dissatisfied that their complaint was dealt with in a timely manner.

Table 22 – Number of responses per level of satisfaction to the third sub-question.

<i>“How satisfied were you that the outcome of your complaint was fully explained?”</i>		
Level of Satisfaction	Total number of responses	% of total number of responses*
Very dissatisfied	61	66%
Dissatisfied	10	11%
Neutral	10	11%
Satisfied	4	4%
Very satisfied	8	9%

*percentages have been rounded and may not add up to 100.

Finding 16: The majority of respondents (66%) who made a complaint within the last 5 years were very dissatisfied that the outcome of their complaint was fully explained.

Table 23 – Number of responses per level of satisfaction to the fourth sub-question.

<i>“How satisfied were you that all areas of your complaint were addressed?”</i>		
Level of Satisfaction	Total number of responses	% of total number of responses*
Very dissatisfied	62	67%
Dissatisfied	15	16%
Neutral	5	5%
Satisfied	4	4%
Very satisfied	7	7%

*percentages have been rounded and may not add up to 100.

Finding 17: Most respondents (67%) who made a complaint within the last 5 years were very dissatisfied that all areas of their complaint were addressed.

Table 24 – Number of responses per level of satisfaction to the fifth sub-question.

<i>“How satisfied were you with the outcome of your complaint?”</i>		
Level of Satisfaction	Total number of responses	% of total number of responses*
Very dissatisfied	62	67%
Dissatisfied	12	13%
Neutral	8	9%
Satisfied	3	3%
Very satisfied	8	9%

*percentages have been rounded and may not add up to 100.

Finding 18: Most respondents (67%) who made a complaint within the last 5 years were very dissatisfied with the outcome of their complaint.

Table 25 – Number of responses per level of satisfaction to the sixth sub-question.

“Taking everything into account, how satisfied were you with the handling of your complaint?”

Level of Satisfaction	Total number of responses	% of total number of responses*
Very dissatisfied	66	71%
Dissatisfied	11	12%
Neutral	4	4%
Satisfied	6	6%
Very satisfied	6	6%

*percentages have been rounded and may not add up to 100.

Finding 19: Most respondents (71%) who made a complaint within the last 5 years were very dissatisfied with the overall handling of their complaint.

28. Respondents who had made a complaint within the last 5 years were asked if they applied to the Complaints Panel to review their complaint. The question received 93 responses.

Table 26 – Number of responses per option.

“If you were not satisfied overall, did you apply to the States of Jersey Complaints Panel to have your complaint reviewed?”		
Option	Total number of responses	% of total number of responses*
Yes	16	17%
No	22	24%
I did not know I could have my complaint reviewed by the States of Jersey Complaints Panel	46	50%
Not applicable	9	10%

*percentages have been rounded and may not add up to 100.

Finding 20: Half of respondents who made a complaint within the last 5 years did not know that they could have their complaint reviewed by the States of Jersey Complaints Panel.

29 Respondents that did not answer “yes” to the previous question were given the opportunity to disclose whether they used an alternative way to seek resolution for their complaint. The question received 77 responses.

Table 27 – Number of responses per option.

“Did you use an alternative way to seek resolution of your complaint?”		
Option	Total number of responses	% of total number of responses*
Yes	26	34%
No	39	51%
Not applicable	12	16%

*percentages have been rounded and may not add up to 100.

Finding 21: Half of respondents who did not use the States of Jersey Complaints Panel also did not use an alternative way to seek resolution for their complaint.

30. Respondents that used an alternative way to seek resolution for their complaint were asked to either select an organisation through a list of options or provide a separate answer.

Table 28 – Number of responses per option of alternative resolution route.

<i>"If yes, who did you escalate your complaint to?"</i>		
Option	Total number of responses	% of total number of responses*
A States Member	14	51%
A Tribunal	1	4%
The Royal Court	0	0%
Jersey Care Commission	0	0%
Jersey Police Complaints Authority	0	0%
Jersey Safeguarding Partnership Board	0	0%
Jersey Office of the Information Commissioner	1	4%
Commissioner for Standards	0	0%
Legal Advisor	3	11%
Other, (please specify):	8	29%

*percentages have been rounded and may not add up to 100.

31. Responses under option "Other" underwent a thematic analysis to extract additional routes that respondents have used to escalate their complaint. Each response was read and assigned to a category. The figure below shows the themes that were extracted from the free text responses.

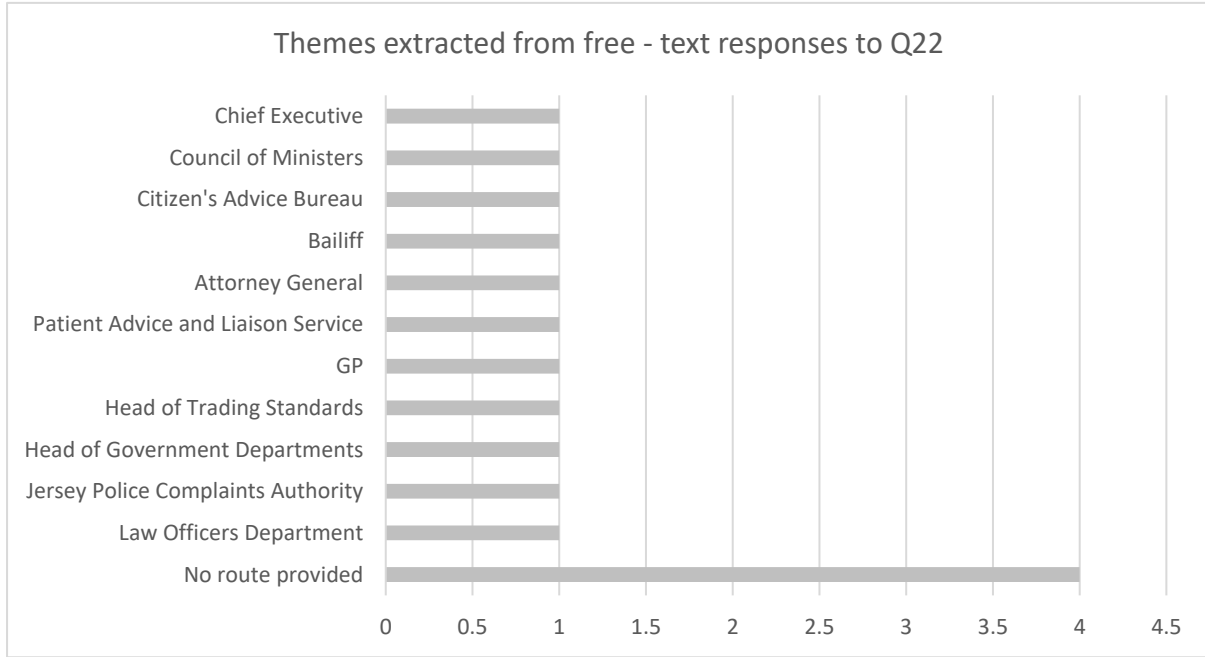


Figure 3: Themes from responses under option “Other”.

Finding 22: 51% of respondents who used an alternative route to resolve their complaint escalated their complaint to States members.

32. Respondents who used an alternative route to escalate their complaint were asked to select which method was used to review their complaint.

Table 29 – Number of responses per complaint resolution method.

<i>“Which process did the complaint reviewer use to review your complaint?”</i>		
Option	Total number of responses	% of total number of responses*
Informal resolution	10	24%
Mediation	2	5%
Adjudication (private hearing)	0	0%
Adjudication (public hearing)	1	2%
Investigative dispute resolution	1	2%
Other, (please specify):	28	67%

*percentages have been rounded and may not add up to 100.

33. Responses under option “Other” underwent a thematic analysis to extract additional methods that an independent complaint reviewer may have used to review a complaint. Each response was read and assigned to a category. The figure below shows the themes that were extracted from the free text responses. The majority of responses were categorised under “None” if a method was not used to review a complaint.

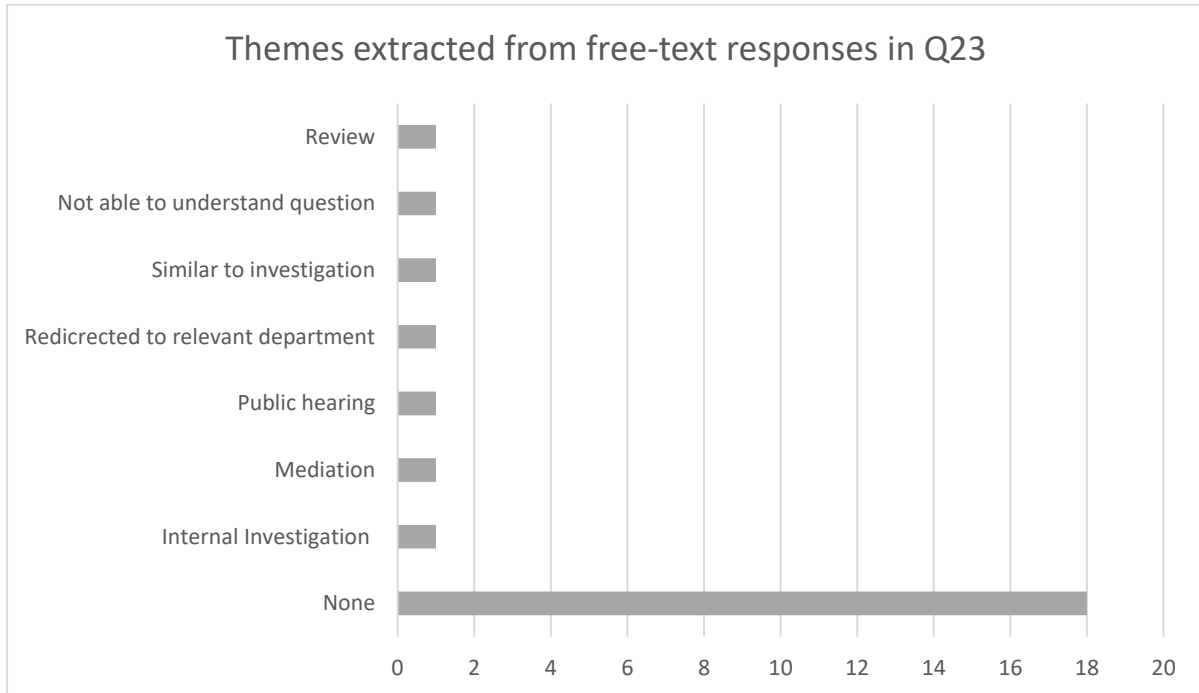


Figure 4: Themes from responses under Option “Other”

“Sort of investigative, but no information was gathered (after the initial form). It went away and was looked at. I know no investigation was done because they would have needed my permission to access records held.”

“CYPES. Mediation was agreed to and then the representatives participated in bad faith. Refused to make any kind of agreement. So, tribunal preparation is in progress.”

“A review written without my input.”

34. Respondents who used an alternative route to escalate their complaint were asked if they were satisfied with the method used by the complaint reviewer. The question received 43 responses.

Table 30 – Number of responses per option.

<i>“Were you satisfied with the quality of the method used by the complaint reviewer to review your complaint?”</i>		
Option	Total number of responses	% of total number of responses*
Yes	6	14%
No	37	86%

Finding 23: Respondents who used an alternative route to escalate their complaint were not satisfied with the quality of the method that was used to review their complaint.

35. Respondents who used an alternative route to escalate their complaint were also asked if they were satisfied with all aspects of the method used to review their complaint.

Table 31 – Number of responses per option.

<i>“Were you satisfied with all aspects of the method used by the complaint reviewer to review your complaint?”</i>		
Option	Total number of responses	% of total number of responses*
Yes	5	12%
No	38	88%

Finding 24: Respondents who used an alternative route to escalate their complaint were not satisfied with all aspects of the method that was used to review their complaint.

36. Respondents were given the opportunity to provide more qualitative feedback on the aspects of the method that they were satisfied or not satisfied with.

- a) Responses on positive aspects were broader and not specific to the method used to review a complaint. The main aspects that respondents (5) were satisfied with were:
- the independence of a Tribunal.
 - the receipt of a timely and empathetic response from an officer.
 - interest in the resolution of their complaint (Complaints Panel).
 - the commitment to find a solution to their complaint (States Member).
- b) Responses related to aspects that respondents were not satisfied with followed a similar pattern. The majority of responses did not focus on the method that the complaint reviewer used to assess a complaint. The themes that were identified in the responses (36) were:
- failure of relevant department or reviewer to deal with their complaint;
 - lack of independence in the process to review their complaint;
 - one sided- process favouring officers instead of the complainant;
 - evidence provided by relevant department was taken as a matter of fact without further enquiry;
 - the complainant did not have the option to provide their input on the facts around their complaint;
 - their complaint was not acknowledged by the department or reviewer;
 - their complaint was not fully addressed by the department or reviewer;
 - their complaint not taken seriously by department or reviewer; and
 - the complaint process was not clear.

“They failed to look at any aspect of my complaint and deal with it. How can that be fair? They just cover up their corruption. The private investigator I hired to review the way they behaved said it was the worst case of corruption he'd seen in 15 years of working. Absolutely disgraceful.”

“High handed approach. Insufficient information gathered. Seriousness of complaint not taken sufficiently seriously.”

“The department did not consider my complaint in full. The States member just sent it back to the person in the department who was handling my complaint. Whilst I took alternative measure to sort out the problem. My complaint was not fully addressed.”

Final stage complaint handling

37. Section 6 of the survey focused on understanding people’s awareness of the Complaints Panel and capturing respondents’ views on:⁶
- a) the method that a complaint reviewer should use to review complaints,
 - b) the reasons why a specific method should be used, and the
 - c) nature of final reports that the complaint reviewer should publish after handling a complaint.
38. Respondents were asked to indicate if they were aware of the Complaints Panel before taking the survey. The question received 180 responses.

Table 32 – Number of responses per option.

<i>“Were you aware of the States of Jersey Complaints Panel and its role before taking this survey”</i>		
Option	Total number of responses	% of total number of responses*
Yes	59	33%
No	121	67%

Finding 25: Most respondents (67%) were not aware of the States of Jersey Complaints Panel and its role before taking the survey.

39. The next question aimed to understand the respondent’s preference for different alternative dispute resolution methods (informal resolution, mediation resolution, adjudication (private hearing), adjudication (public hearing), and investigative dispute resolution. An explanation of each method was provided to help respondents answer the question.
40. The question asked respondents to rank the methods from most to least preferred. 180 respondents provided an answer to this question.

⁶ All respondents were able to answer the questions included in Section 6 whether they have made a complaint or not.

Table 33 – Overall rank for each alternative dispute resolution method.

“Please rank in order of your preference the following methods a complaint reviewer should use to review a complaint, by: - selecting a number from 1 (most preferred) to 5 (least preferred) from the drop-down box next to each option, or - dragging the boxes from your preferred to least preferred option.”

Option	Overall rank*
Informal Resolution	1
Mediation	2
Adjudication (private hearing)	3
Investigative dispute resolution	4
Adjudication (public hearing)	5

*Score is a weighted calculation. Items ranked first are valued higher than the following ranks, the score is a sum of all weighted rank counts.

Finding 26: The most preferred method of alternative dispute resolution was informal resolution.

41. Respondents were able to provide a reason for their preference over a specific resolution method. The question offered a list of options, including a free- text box, if someone wanted to provide additional input on their preferred resolution method. The question received 180 responses.

Table 34 – Number of responses per reason for a respondent’s choice of resolution method.

<i>“Provide a reason for your choices in the previous question: Tick all that apply”</i>		
Option	Total number of responses	% of total number of responses*
I want to remain anonymous during the process	75	42%
I want the opportunity to present details about my complaint in public	31	17%
I do not want to present details about my complaint in public	62	34%
I want the complaint reviewer to investigate my complaint	98	54%
I prefer a non-adversarial resolution process	66	37%
Other (please specify)	34	19%

*The percentages do not add up to 100% because a respondent was able to tick more than one option.

42. Responses under option “Other” underwent a thematic analysis to extract additional reasons why a respondent preferred a particular complaint resolution method over other methods. Each response was read and assigned to a category. The figure below shows the themes that were extracted from the free text responses (32).

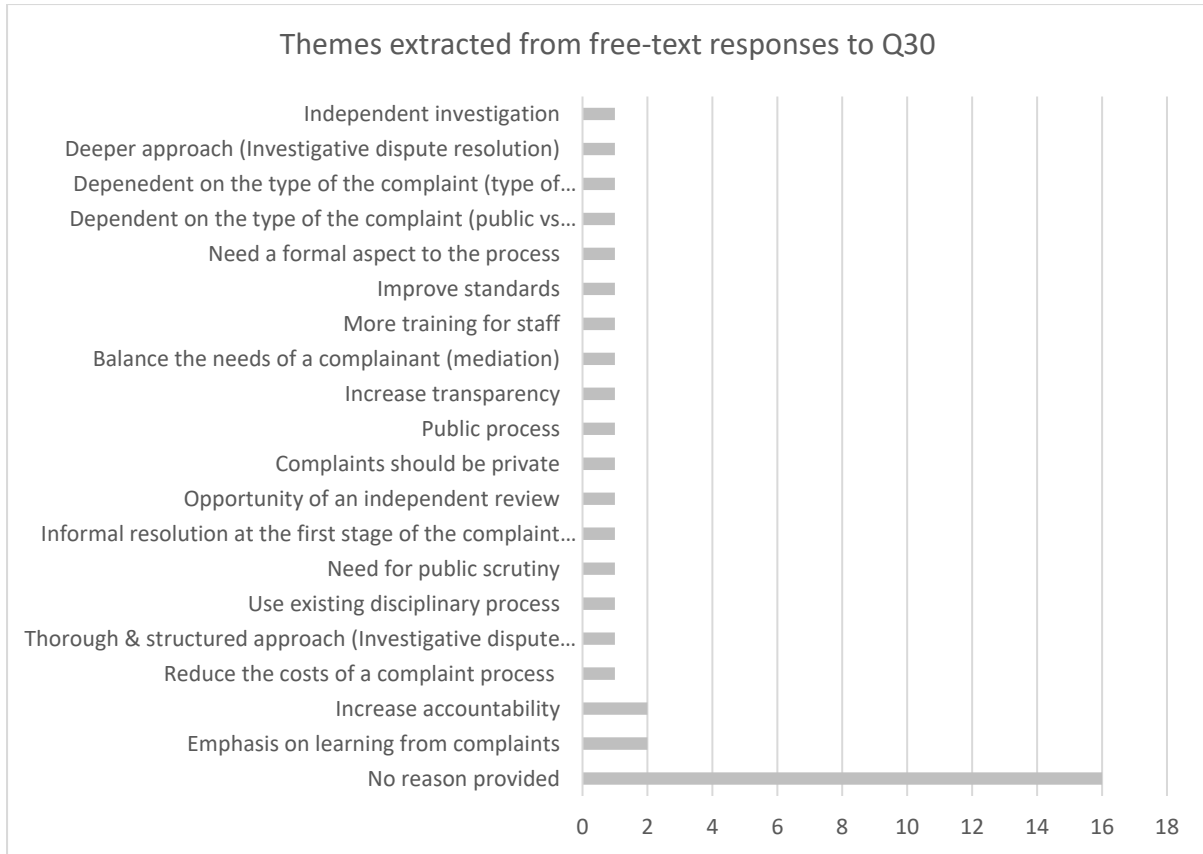


Figure 5: Themes from responses under Option “Other”

*No reason provided” includes responses that did not provide any additional reasons. The majority of the responses under this category include issues that respondents had with ranking the methods in the previous question.

Finding 27: Respondents most often chose complaint investigation and anonymity as reasons for their preferred resolution method.

“Each complaint should stack up to improved performance whether upheld or not. Currently there is no confidence this happens. Worse still some of the methods you propose actually cover up any complaint and inhibit improvement.” (preferred method – Private hearing).

“Investigative dispute resolution provides a more thorough and structured approach compared to mediation or informal resolution. The latter methods gradually devolve into speed and compromise as complaints build up, which can lead to systemic issues and issues beyond the specific complaint being overlooked. Complainants may not always be fully aware of their rights or what they are entitled to as a resolution. A formal investigative process ensures a deeper examination of the facts, leading to outcomes that are not only fair to the individual but also address broader concerns that could otherwise go unnoticed.” (preferred method – Investigative dispute resolution).

“I think it really depends on the seriousness of the complaint as to what type of review should be undertaken taking into consideration the complainant’s views” (preferred method – Private hearing).

“To balance out the needs of the complainant and to seek positive steps for resolution” (preferred method – Mediation).

“Depending on what a complaint is about makes a difference if it's public or private” (preferred method – Investigative dispute resolution).

“Statistics should be public; complaints should be private. Putting complaints in the public domain will just drive fear and defensiveness by both officers and the complainant: whilst it would make the media happy, it would inevitably lead to worse outcomes.” (preferred method – Informal resolution).

43. The final question focused on whether respondents agreed with a number of statements related to the final reports that an independent complaint reviewer may produce to demonstrate the findings for their review and a set of recommendations on how to resolve the complaint.

Table 35 – Number of responses by extent of agreement with the first statement

<i>“Any findings or recommendations should focus only on the resolution of the complaint.”</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	49	27%
Slightly agree	47	26%
Neutral	27	15%
Slightly disagree	38	21%
Strongly disagree	19	10%

*percentages have been rounded and may not add up to 100

Finding 28: Around half of respondents (53%) agreed that any findings or recommendations should only focus on the resolution of the complaint.

Table 36 - Number of responses by extent of agreement with the second statement

<i>“The recommendations should include advice on ways to improve the service”</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	128	71%
Slightly agree	42	23%
Neutral	6	3%
Slightly disagree	2	1%
Strongly disagree	2	1%

*percentages have been rounded and may not add up to 100

Finding 29: There was strong agreement between respondents (94%) that the recommendations should include advice on ways to improve the service.

Table 37 - Number of responses by extent of agreement with the third statement

<i>"Final reports should maintain the anonymity of individuals."</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	93	52%
Slightly agree	40	22%
Neutral	32	18%
Slightly disagree	8	4%
Strongly disagree	7	4%

*percentages have been rounded and may not add up to 100

Finding 30: There was strong agreement between respondents (74%) that final reports should maintain the anonymity of individuals.

Table 38 - Number of responses by extent of agreement with the fourth statement

<i>"The independent complaint reviewer should be able to investigate complaints handling by public services and recommend improvements to public service complaints handling separately from reviews of individual complaints."</i>		
Extent of agreement	Total number of responses	% of total number of responses*
Strongly agree	114	63%
Slightly agree	40	22%
Neutral	19	11%
Slightly disagree	3	2%
Strongly disagree	4	2%

*percentages have been rounded and may not add up to 100

Finding 31: There was strong agreement between respondents (85%) that the independent complaint reviewer should be able to investigate complaint handling by public services and recommend improvements to public service complaints handling separately from reviews of individual complaints.

Section 4: Consultation feedback: Written submissions from individuals

1. The public consultation received 16 written submissions by members of the public. These submissions represent a small proportion of the total number of responses to the consultation.
2. The nature of the submissions is personal; therefore the report will only provide a high-level overview of the themes identified in these responses, without providing more detailed information on the complaints. This is to ensure that confidentiality is maintained.
3. Fewer than five responses focused on a complainant's experience with the Complaints Panel.
4. The results of the analysis are presented as an aggregate of the feedback received from all individual written submissions.
5. It is important to note that the themes presented reflect the individual experiences of respondents and should not be interpreted as representative of public services as a whole.
6. Communication and engagement with officers:
 - a) poor communication and engagement from officers
 - b) dismissive attitude
 - c) delay in responding or receiving no response to a complaint
 - d) complaint was never addressed
 - e) never informed on the status of a complaint
7. Internal complaint process:
 - a) poor complaint procedure
 - b) lack of statutory timeframes for complaint resolution
8. Complaint handling:
 - a) lack of independence
 - b) lack of transparency and accountability
 - c) delayed review of evidence
 - d) 'marking of own homework' (complaints against the department are reviewed internally)
 - e) dismissal of important evidence
 - f) failure to address issues in a timely manner
 - g) lengthy review of cases over a number of years without an outcome
 - h) mediation process used by the department was not in favour of the complainants. There were conflicts of interest, and the final agreement was not implemented.

9. The feedback obtained about people's experience with the Complaints Panel include both positive and negative aspects, therefore the themes extracted are presented as such.

a) Positive aspects:

- respectful Chair
- the Complaints Panel is doing a good job within the framework available to them
- gratitude to be given the opportunity to speak to the Panel
- department was held to account
- feeling validated and heard

b) Negative aspects:

- lack of independence
- lack of assistance to identify and articulate the grounds on which a complaint can be submitted for review by the Panel
- no power to implement own decisions
- procedures outside of the Law
- complainant not permitted to have sight of the Minister's case
- replay of a tribunal process
- not permitted to provide deeper insight on the complaint
- complaint was not resolved
- failure of department to implement previous recommendations was not questioned
- officers representing the department were treated with "kid gloves"

10. Respondents who provided feedback related to negative aspects of the Complaints Panel stressed the need for an Ombudsman to provide an alternative route of complaint resolution to the Royal Court.

Section 5: Consultation feedback: Written submissions – Organisations

1. A number of organisations and professionals (mediators) were invited to provide a response to the consultation focusing on the matters raised in Section 6 of the online survey. Organisations were specifically asked to provide their views on the following aspects of an independent complaint reviewer. Responses were received from 6 organisations.
 - a) The type of methods (informal resolution, mediation, adjudication, investigation) that should be used to provide an effective final complaint handling service to islanders.
 - b) Whether the recommendations produced should only focus on resolving the complaint itself or should also include advice on service improvement.
 - c) Whether final reports should maintain the complainant's anonymity or the complainant's name should be included.
 - d) Whether final reports should be available in the public domain.

Type of methods

2. The majority of organisations were supportive of an Ombudsman-like model which provides informal resolution and mediation-style techniques to resolve complaints, whilst using intelligence from similar cases to provide solutions. If this approach does not resolve a complaint, then the independent complaint reviewer should have the power to conduct an independent investigation. However, an Ombudsman or a complaint reviewer should be able to decline an investigation if it is disproportionate or has been satisfied that the complaint has been properly considered by the relevant organisation.
3. Further consideration should be given on the type of the complaint and whether a complainant has a specific preference to a method.

Nature of recommendations

4. All responses mentioned that there should be an element of improvement in the recommendations that an independent complaint reviewer will produce to help feed back lessons from their work and help secure redress for others in similar situations.

Final reports: Anonymity

5. Maintaining a complainant's anonymity was considered an important safeguard or feature of an inquisitorial process in contrast to the Courts. Furthermore, anonymity may incentivise more people to come forward. However, it was noted that in a small island community, even if anonymity is maintained, people may be able to piece the findings together and identify the complainant.

Final reports: Public domain

6. Publishing of reports was considered best practice and a way to ensure transparency and accountability. Frequent reporting on complaint trends, systemic issues, including resolution outcomes should be provided to ensure continuous improvement in public service delivery. However, an independent complaint reviewer should consider if the circumstances of a case would lead to a complainant's identity being revealed against their wish.

Section 6: Consultation feedback: Enable Jersey Focus Group

1. A focus group was conducted in collaboration with Enable Jersey to allow people with disabilities to describe their experiences with the complaint processes of public services. The focus group was attended by 8 individuals who consented for their feedback to be noted down and used in this report.⁷
2. The discussion focused on the Government of Jersey as an organisation and more specifically Health Services.
3. Participants thought that there are communication issues between departments which results in repetition of information. Training of staff, improved communication and assigning a single contact to a customer would improve the experience of people when they engage with public services with specific concerns.

Communication and training

4. A more coherent way of dealing with complaints and more accessible information on how to provide feedback could enable people with disabilities to submit a complaint more effectively when they are not satisfied with the service they have received. A positive, “can do” attitude and willingness to help members of the public was mentioned as an important factor to prevent complaints from being made in the first instance.

“There is a lot of communication issues between departments, which means I have to repeat the same information”

“I don’t like the communication from the feedback team when there isn’t a named person as a point of contact. You need to have a contact for a person.”

“The staff can be nice but the training and communication within GoJ [Government of Jersey] is poor.”

“There does not seem to be anyone explaining the complaints process. It feels very one-sided as there is no one independent to help. More customer care is needed. I don’t mind if an employee doesn’t have the info to hand but is prepared to go and find out and get back in touch. This would help to prevent complaints being made in the first instance. A dismissive attitude is unhelpful.”

⁷ More personal information was provided related to specific complaints and therefore is not in the scope of this report.

Information to submit a complaint

5. Suggestions were made on how to make information more accessible to people with disabilities. Accessible style of language, information provided in a variety of formats (e.g., people with hearing loss) could be considered alongside promotion through advertisements, posters etc. Attention should be given to groups of people who may not be digitally literate and may not have access to the internet or are not comfortable with its use.

“There doesn’t seem to be a coherent way of providing a complaint. It’s hard to find how to submit feedback and complaints.”

“It can take a lot of effort to complain and if this drags out then it means that either the complaints won’t get made in the first place or dropped as a result.”

Accessibility of information

6. The members of the group recognised that efficient complaint handling requires good guidance, systems, and procedures. Policies should be reviewed and updated to reflect best practice. In addition, the Government should ensure that all departments across the organisation adhere to the same policies, to deliver a consistent experience for customers.
7. Furthermore, emphasis should be given in lesson learning from complaints to drive improvement.

“Sometimes the surveys and questions are leading. If I don’t know what questions are coming next, it means that online forms can be challenging.”

“Information can be shared in a confusing way with terms that are difficult to understand.”

“Problem is that everything is online and there is a need to be digitally literate”

“Need to be able to converse in a language or style that is accessible”

Health Services

8. A large part of the discussion focused on challenges that participants have faced when accessing health services.

9. The appointment system within the Jersey General Hospital has been confusing for some participants. Anecdotally, there have been instances of people turning up for their appointment to be refused without prior notice. This can be particularly frustrating if an appointment is needed. Communication around cancellations and appointment bookings is currently lacking and may be the reason for these dropouts.

“Expect a reasonable adjustment to allow appointments to be scheduled to suit a person on an ongoing basis, rather than always needing to change and cancel appointments.”

“There can be a knock-on effect of a failed appointment that can create bigger problems”

Appendix I – Promotion of the consultation

Government website

Press release 1 (10th of March 2025) [Islanders asked to give views on dealing with complaints about public services](#)

Press release 2 (28th of April 2025) [Islanders reminded to give views on dealing with complaints about public services](#)

Parish websites

St Martin: [Feedback on Public Services Consultation Launched | Parish of St Martin](#)

St Brelade: [Feedback on Public Services Consultation | Parish of St Brelade](#)

St Ouen: [Public Services Consultation | Parish of St Ouen](#)

Local media

Top story on ITV channel from the 10th to the 11th of March: [Watch the latest ITV News bulletin from the Channel Islands - Latest From ITV News](#)

Jersey Evening Post Article: [Appeal for Islanders' complaints on public service complaints - Jersey Evening Post](#)

BBC article: [Jersey residents asked for views on official complaints process - BBC News](#)

Bailiwick express article : [Islanders invited to share views on public service complaints system - Bailiwick Express News Jersey](#)

Social media

Government of Jersey Facebook page:
<https://www.facebook.com/share/p/16E2bLJ2HP/>

Assistant Minister for Sustainable Economic Development promoted the consultation through posts on her own social media platforms and by email to other States Members requested them to do likewise.

Appendix II – Online survey questions

Section 1: Your background

1. Where were you born?

- Jersey
- British Isles
- Republic of Ireland
- Poland
- Portugal or Madeira
- Romania
- Other European country
- Elsewhere in the world
- Prefer not to say

2. Have you lived in Jersey within the last 10 years?

- Yes
- No

3. What age group are you in?

- Under 18
- 18 to 29
- 30 to 44
- 45 to 59
- 60 to 74
- 75 or over
- Prefer not to say

4. Are you?

- Male
- Female
- Prefer not to answer
- Other (please specify):

Section 2: Your expectation of public services

In this section, the term “public service” is used to refer to any service provided to members of the public directly by the Government of Jersey or on behalf of the Government of Jersey (e.g. Jersey Sport, Andium Homes, Jersey Electricity).

5. How much do you agree or disagree with the following statements?

	Strongly Agree	Slightly Agree	Neutral	Slightly Disagree	Strongly Disagree
The level of service that I should receive when accessing public services is always clear to me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The type of behaviour that employees of public services should demonstrate when dealing with members of the public is always clear to me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All public services should provide clear information on the level of service that members of the public should expect from them.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All public services should provide clear information on the type of behaviour that their employees should demonstrate when dealing with members of the public.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All public services should publish clear information on how a complaint will be handled, by who and by when.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
All public services should provide clear information on who a complaint can be taken to for review if the complainant is not satisfied with the outcome of their complaint.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6. If applicable, do you have any examples of public services that haven't provided this information?

Section 3: Making a complaint about public services in Jersey

7. Have you ever complained about a public service?

Yes

No

If "yes" go to Q8

If "no" go to Q9

8. Have you submitted a complaint to a public service within the last 5 years?

Yes

No

If "yes" go to Q11

If "no" go to Q28

9. Have you considered submitting a complaint against a public service and not done so?

Yes

No

If "yes" go to Q10

If "no" go to Q28

10. If yes, why didn't you submit your complaint? *Tick all that apply*

- I was concerned my complaint wouldn't be taken seriously
- I did not want to distress the person or team with my complaint
- I did not know how to complain
- I did not understand the complaint process
- I did not have enough time
- I was afraid of retaliation
- I felt that nothing would change
- Other (please specify):

Go to Q28

11. List the public service(s) that you complained against:

12. How easy was it to find information on how to submit a complaint?

- Very Easy
- Easy
- Moderate
- Difficult
- Very Difficult

Section 4: Processing your complaint

The questions in this section are designed to help us understand your experience after the public service received your complaint.

13. How long did it take for the public service to let you know they will investigate your complaint?

- Less than a week
- 1 to 2 weeks
- 3 to 4 weeks
- More than a month
- I never received acknowledgment

14. Were you informed of the process to resolve your complaint, including who would do what and by when?

- I received detailed information on the process
- I received information on the process but no details on who would do what and by when
- I did not receive any information on the process

15. Were you kept informed about the status of your complaint?

- Yes
- No
- Not applicable

16. Did you feel your complaint was taken seriously?

- Yes
- No

If "yes" go to Q18

If "no" go to Q17

17. If not, why did you feel that your complaint was not taken seriously? *Tick all that apply*

- My complaint was never acknowledged
- I did not feel listened to
- I was not kept informed or updated on the progress of my complaint
- I did not receive a response to my complaint in the expected timeframe
- I did not know who was dealing with my complaint
- Other (please specify):

18. Is there anything that could have been done better to improve your experience

during the handling of your complaint? If so, please provide details below.

Section 5: The outcome of your complaint

We are asking these questions to understand if you were satisfied with the outcome of your complaint. If you were not satisfied, we would like to know if you sought help from an independent complaint reviewer.

19. Please tell us how satisfied you were with the complaints process.

	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied
How satisfied were you that you felt listened to throughout the complaint process?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How satisfied were you that your complaint was dealt with in a timely manner?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How satisfied were you that the outcome of your complaint was fully explained?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How satisfied were you that all areas of your complaint were addressed?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How satisfied were you with the outcome of your complaint?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Taking everything into account, how satisfied were you with the handling of your complaint?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

20. If you were not satisfied overall, did you apply to the States of Jersey Complaints Panel to have your complaint reviewed?

- Yes
- No
- I did not know I could have my complaint reviewed by the States of Jersey Complaints Panel
- Not applicable

If "yes" go to Q23

For any other answer go to Q21

21. Did you use an alternative way to seek resolution of your complaint?

- Yes
- No
- Not applicable

If “yes” go to Q22

If “no” or “Not applicable” go to Q28

22. If yes, who did you escalate your complaint to?

- A States Member
- A Tribunal
- The Royal Court
- Jersey Care Commission
- Jersey Police Complaints Authority
- Jersey Safeguarding Partnership Board
- Jersey Office of the Information Commissioner
- Commissioner for Standards
- Legal advisor
- Other (please specify):

Section 6: Final stage complaint handling

The following information is provided to help you answer further questions on how you would prefer an unresolved complaint to be reviewed by an independent complaint reviewer.

Examples of existing independent complaint reviewers that you may have encountered are the:

- States of Jersey Complaints Panel
- Channel Islands Financial Services Ombudsman
- Commissioner for Standards
- Office of the Information Commissioner
- Tribunals
- Police Complaints Authority.

Different ways independent complaint reviewers may consider complaints are:

- *Informal resolution*: The complaint reviewer tries to help both parties privately agree a way forward through discussion without offering any formal assessment of who is right or wrong.
- *Mediation*: Both parties privately negotiate to find a solution with the assistance of an independent third party. The complaint reviewer does not provide advice and only helps the parties through the mediation process.
- *Adjudication*: The reviewer looks at written information provided by the parties and holds a formal hearing to determine the facts of a complaint. The hearing can be held publicly or privately. They produced a report which recommends whether the complaint should be upheld and the most appropriate response to it.
- *Investigative dispute resolution*: The complaint reviewer gathers details about the complaint and assesses it privately. They produce a report on the validity of the complaint and the most appropriate response to it.

We are asking these questions to understand your views on independent complaint reviewers.

23. Which process did the complaint reviewer use to review your complaint?

- Informal resolution
- Mediation
- Adjudication (private hearing)
- Adjudication (public hearing)
- Investigative dispute resolution
- Other (please specify):

24. Were you satisfied with the quality of the method used by the complaint reviewer to review your complaint?

- Yes
- No

25. Were you satisfied with all aspects of the method used by the complaint reviewer to review your complaint?

- Yes
- No

If "yes" go to Q26

If "no" go to Q27

26. If yes, please describe which aspects you were satisfied with:

Go to Q28

27. If no, please describe which aspects you were not satisfied with:

28. Were you aware of the States of Jersey Complaints Panel and its role before taking this survey?

- Yes
- No

29. Please rank in order of your preference the following methods a complaint reviewer should use to review a complaint, from 1 (most preferred) to 5 (least preferred). Assign a number from 1 to 5 next to each option.

Method	Rank
Informal resolution	
Mediation	
Adjudication (private hearing)	
Adjudication (public hearing)	
Investigative dispute resolution	

30. Provide a reason for your choice in the previous question: *Tick all that apply*

- I want to remain anonymous during the process
- I want the opportunity to present details about my complaint in public
- I do not want to present details about my complaint in public
- I want the complaint reviewer to investigate my complaint
- I prefer a non-adversarial resolution process
- Other (please specify):

31. Independent complaint reviewers produce a report to present the nature of the complaint, their findings, and a set of recommendations to help the public service resolve the complaint.

How much do you agree or disagree with the following statements?

	Strongly Agree	Slightly Agree	Neutral	Slightly Disagree	Strongly Disagree
Any findings or recommendations should focus only on the resolution of the complaint.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The recommendations should include advice on ways to improve the service.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Final reports should maintain the anonymity of individuals.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The independent complaint reviewer should be able to investigate complaints handling by public services and recommend improvements to public service complaints handling separately from reviews of individual complaints.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

32. Do you consent for your comments to be quoted in our consultation feedback report and other publications? *Any comments used in the feedback report or other publications will be anonymised.*

- Yes
- No

END OF SURVEY

Appendix III – Written submissions from organisations

Ombudsman Association

**OMBUDSMAN
ASSOCIATION**
Promoting independent complaint handling

PO Box 418, Carshalton, Surrey,
SM5 9EY, United Kingdom
www.ombudsmanassociation.org

Company Registration number: 11978831

Chair: Margaret Kelly
Chief Executive: Donal Galligan

Deputy Moz Scott
Assistant Minister for Sustainable Economic Development
Strategic Policy, Planning, and Performance,
Government of Jersey,
Union Street, St Helier,
Jersey, JE2 3DN

6 May 2025

Dear Deputy Scott,

Feedback on Public Services Consultation

Thank you for the opportunity to respond to the Jersey Government's consultation on 'Feedback on Public Services'. We have focused our comments on the additional questions put to us by the Governance and Communities Policy Team.

Summary

1. The ombudsman model is recognised as best practice across the different nations and territories of the British Isles, the British Overseas Territories, and the Commonwealth.
2. We strongly believe that the ombudsman model is the most effective model to identify systemic issues and help drive improvements in services and complaint handling. The benefit for citizens is therefore not only in resolving disputes, but also in the increased efficiency and effectiveness in public services as a result of 'getting it right first time'.

Background

3. The Ombudsman Association (OA) is the professional association for ombudsman schemes and complaint handling bodies in the UK, Ireland, the British Crown Dependencies, and the British Overseas Territories.
4. The OA's membership criteria¹ are recognised both in the UK and internationally as representing best practice. This is reflected in the UK Cabinet Office's *Guidance for government departments on setting up Ombudsman schemes*,² which addresses the point of when it is appropriate to use the title 'ombudsman', and in the criteria used by Companies House on when a company can use the protected term 'ombudsman'.³
5. The Vision of the OA is that throughout the public and private sectors:
 - It is straightforward and simple for people to complain.
 - People making a complaint are listened to and treated fairly.

¹ www.ombudsmanassociation.org/about-us/join-ombudsman-association

² www.gov.uk/government/publications/new-ombudsman-schemes-guidance

³ www.gov.uk/government/publications/incorporation-and-names/annex-a-sensitive-words-and-expressions-or-words-that-could-imply-a-connection-with-government

Registered office: Upper Ground Floor, 18 Farnham Road, Guildford, Surrey, GU1 4XA

- A complaint is dealt with quickly, fairly and effectively at the earliest stage by suitably trained staff.
- People have access to an ombudsman in all areas of consumer and public services.
- The learning from a complaint is used to improve services.

Q1. The type of methods (informal resolution, mediation, adjudication, investigation) that an independent complaint reviewer should use to provide an effective final complaint handling service to islanders.

6. An ombudsman is recognised as the best practice model for handling complaints across the British family of nations and territories, within the British Isles, the British Overseas Territories, and throughout the Commonwealth. Decisions are made based on what is 'fair and reasonable'.
7. The value in funding a professional ombudsman office, both in terms of cost savings for central government of driving 'right first time', and in strengthening democracy through independent accountability, is seen in territories both similar to and smaller than Jersey, including in the Isle of Man, Gibraltar, Bermuda, and the Falkland Islands.
8. Part of the appeal is the flexibility that the ombudsman model provides as an alternative to the Courts. As mentioned in the consultation document, and in the Law Commission's recent report⁴, ombudsman schemes routinely seek to initially resolve issues through 'informal resolution', if appropriate. How that is achieved will be different depending on the circumstances, with ombudsman schemes often using 'mediation-style' techniques. Unlike formal 'Mediation', ombudsman schemes will still make use of their knowledge of similar situations and previous investigations and decisions to recommend solutions. Whilst formal 'Mediation' is not a common approach in the ombudsman sector, some schemes will provide that as a further option, as the UK Parliamentary & Health Service Ombudsman now does.
9. If informal resolution is either not successful, or not appropriate, an ombudsman can undertake a formal investigation, in private. It is important that the independent investigation stage does have those formal 'teeth' in order to provide an effective service.

Q2. Whether the recommendations produced by the independent complaint reviewer should only focus on resolving the complaint itself or should also include advice on service improvement.

10. We note that the transformational goal set out in the law drafting instructions to establish a Jersey Public Services Ombudsperson (JPSO) was clear that: *'The overall objective in establishing the JPSO is to drive a higher standard of administration by public services'*.
11. We also note that the Public Accounts Committee's (PAC) recent report⁵ highlighted a number of issues in relation to public sector complaints handling, including that:
 - 52% of respondents to the Government's 2024 survey were either dissatisfied or very dissatisfied that their complaint was dealt with in a timely manner;
 - 49% were dissatisfied or very dissatisfied with the overall handling of their complaint; and

⁴ [f5ec37_280d3427f1954c87b3f1e5bd4d6207d0.pdf](#)

⁵ [States Assembly | Report - P.A.C.1-2025 Handling and Learning from Customer Feedback and Complaints - 14 March 2025](#)

- 43% of respondents to the PAC's survey did not have trust or confidence in the feedback process.
12. As the Lady Chief Justice for England and Wales has set out,⁶ the civil justice system plays three key roles in society: (1) it prevents disputes by guiding behaviour; (2) it resolves disputes without the need to resort to the courts; and (3) in the last resort, the courts determine disputes by adjudication. The same is true of the administrative justice system.
 13. Whereas much complaint handling focuses solely on part (2) of that model, an ombudsman aims to deliver both (1) and (2), providing an independent redress model, free at the point of use, that can drive systemic change, tackle injustice, and help organisations to perform more efficiently and effectively.
 14. An ombudsman is different to basic transactional complaint handling which simply picks a 'winner' in a dispute. Resolving an individual dispute is of course key to those individuals involved, but the real value that the ombudsman model provides is their role in feeding back the lessons from their work in order to help secure redress for others in a similar situation, and to improve service delivery and complaints management for the future. For that reason, an ombudsman is often described as being more like a doctor than a police officer, diagnosing what is wrong and making recommendations to improve.
 15. Setting 'complaints standards' is also best practice, providing the opportunity to improve complaint handling 'upstream' and so contribute to better value for money both of the ombudsman itself and across public services.
 16. As research in Australia has shown,⁷ every dollar spent on complaint handling can reap a 'return on investment' of up to 5 dollars, and more so when you consider social return on investment; an ombudsman helps drive increased efficiency and effectiveness in public services as a result of 'getting it right first time'. And it is in that guise, as an 'agent of change', that an ombudsman can also play a role in rebuilding trust and confidence in public services.
 17. An ombudsman can more effectively drive service improvement if it also has powers of 'own initiative'; to launch an investigation without receiving a formal complaint. Own initiative powers are an essential tool for a modern ombudsman scheme and commonplace throughout modern democratic societies, as seen in the Netherlands, Canada, across Scandinavia, in Wales, and in both parts of the island of Ireland. These powers offer the most value where people are excluded or marginalised from mainstream society, or where there is a fear of reprisal from raising a complaint. In that way, they not only give a voice to the vulnerable but also offer an efficient way to identify and address systemic issue.

Q3. Whether final reports should maintain the complainant's anonymity or the complainant's name should be included.

18. A key feature of the ombudsman model is that it is an inquisitorial process, carrying out investigations in private, as opposed to adversarial adjudication in public. As part of that best practice, whilst the organisation is named in the final report, the complainant always retains

⁶ [Speech by the Lady Chief Justice: Civil Justice Council's 12th National Forum - Courts and Tribunals Judiciary](#)

⁷ [ROI of Complaints for Public Organisations \(socap.org.au\)](#)

their anonymity. In that sense it is quite deliberately an *alternative* to the Courts and so consciously does not replicate the approach taken there.

19. As quoted in the Law Commission's recent report, the Tynwald Commissioner in the Isle of Man notes that cases "*under investigation are not in the public domain and to publish a summary of such ongoing investigations would be both premature and an inappropriate invasion of the confidentiality of both the complainant and the listed authority.*"⁸
20. The popularity of ombudsman schemes across different sectors demonstrates that people value the confidential nature of the 'investigation in private' model. Across the British Isles, ombudsman schemes have seen significant increases in casework: 33% for the Scottish Public Services Ombudsman,⁹ 54% for the Communications Ombudsman,¹⁰ and 70% for the UK Financial Ombudsman Service.¹¹
21. As the Law Commission report highlights, the implication of the Jersey Government's estimation that a JPSO would deal with 'low hundreds of complaints' is that "*there are currently 100-plus islanders who are not using the current Complaints Panel*". The figures in the UK suggest that this gap in access to justice could be higher.

Q4. Whether final reports should be available in the public domain.

22. It is best practice for the findings of all investigations to be published, sometimes in the form of summaries if not necessarily the full final report. As demonstrated by the Local Government & Social Care Ombudsman¹², the Scottish Public Services Ombudsman¹³, and the Housing Ombudsman (England)¹⁴ this can be done in a way to assist policy makers and other stakeholders to identify any trends. The anonymity of the complainant should always be maintained.

We are happy to provide any further information if that would be helpful.

Yours sincerely



Donal Galligan
Chief Executive

⁸ [Tynwald Commissioner 7th Annual Report \(tynwald.org.im\)](https://www.tynwald.org.im)

⁹ [Public service complaints statistics 2023-24 published | SPSO](#)

¹⁰ [Communications Ombudsman releases updated... | Communications Ombudsman \(commsombudsman.org\)](#)

¹¹ [New data reveals 70% jump in financial complaints – Financial Ombudsman service \(financial-ombudsman.org.uk\)](#)

¹² [Councils' performance - Local Government and Social Care Ombudsman](#) and [Focus Reports and Good Practice Guides - Local Government and Social Care Ombudsman](#)

¹³ [Our findings | SPSO and Ombudsman findings, themes and trends – April 2025 | SPSO](#)

¹⁴ [Decisions Archive - Housing Ombudsman](#)

Office of the Clerk of Tynwald – Tynwald Commissioner for Administration

OFFICE OF THE CLERK OF TYNWALD

TYNWALD COMMISSIONER FOR ADMINISTRATION (TYNWALD OMBUDSMAN)

Joint submission to Government of Jersey consultation: "Feedback on Public Services"

17 April 2025

Background

1. The Isle of Man's parliamentary ombudsman service was established by the Tynwald Commissioner for Administration Act 2011 and became operational in January 2018.
2. This Act was preceded by some three decades of debate, beginning on 1 July 1980 when the House of Keys gave leave to introduce a private Member's Bill to establish a Tynwald Commissioner for Administration. In seeking that leave the member for Douglas West and former Clerk of Tynwald Thomas Edward Kermeen said:

From inside and outside the House there have come indications that with the ever increasing and widespread involvement of Government and its inevitably complicated administrative machine in the lives of individuals, infringement of the legitimate rights of those individuals must be prevented. I am sure that every hon. member attempts to cope with a variety of complaints from his constituents but the complexity of law and practice, as hon. members know only too well, is constantly adding to the burden of achieving justice and equity in each separate case.
3. Kermeen's original idea was to establish a service in the Isle of Man similar to that under the Parliamentary Commissioner Act 1967 which was then in operation at Westminster. In the event, the Act of Tynwald of 2011 was modelled on the Scottish Public Services Ombudsman Act 2002, an Act of the Scottish Parliament.
4. The present Tynwald Commissioner for Administration, Mr Paul Beckett, took up the role in November 2023.
5. A comprehensive account of the role of the Tynwald Commissioner for Administration, together with a selection of recently published Reports, is available at <https://www.tynwald.org.im/ombudsman>.

Methods

Purpose of a complaint handling service

6. We are asked to comment on “the types of methods (informal resolution, mediation, adjudication, investigation) that an independent complaint reviewer should use to provide an effective final complaint handling service to islanders”.
7. To answer this question it is first necessary to consider the purpose of a “complaint handling service” and how this is to differ from other remedies available to the citizen.
8. Where a person has suffered at the hands of a public authority there exist various legal remedies including judicial review (in the Isle of Man referred to as petition of doleance), which can be pursued on grounds including unlawfulness or irrationality.
9. There also exists the possibility of seeking redress informally by enlisting the support of an elected representative. In the Isle of Man it is regarded as one of the core duties of a Member of the House of Keys to assist constituents in navigating public services, including the complaints systems of public authorities. Members of the Island’s second chamber, the Legislative Council, also sometimes support Island residents in this way.
10. Where a resident of the Isle of Man is aggrieved by some action or omission of a public authority, they also have the right to present a petition to Tynwald. Such petitions cannot lead to a direct remedy for the individual but which can lead to an investigation by a parliamentary committee and ultimately to a change in law or administrative practice.
11. The role of the Tynwald Commissioner for Administration is distinguished within this complex landscape by offering a service which is neither legal nor political, but exclusively administrative. The following is taken from Part 1 of the TCA website:

Unlike Courts or Tribunals, which receive and consider evidence provided by various opposing parties (this is known as an adversarial process), the Tynwald Ombudsman investigates complaints and has the power to call for evidence directly (an inquisitorial process).

Also unlike Courts and Tribunals, a report issued by the Tynwald Ombudsman does not form a precedent. This means that every complaint is considered afresh, not limited by anything which the Tynwald Ombudsman may have decided about earlier complaints.

Something not always known about or fully understood by those making complaints is that even though the Tynwald Ombudsman may have power to investigate and report on those complaints, they have no role to play in dispute resolution. They have no power to award any remedy, whether this takes the form of compensation or of a direction to the authority complained about to undertake remedial action. The Tynwald Ombudsman

- is not a Deemster¹ or a Tribunal Chair or an arbitrator or a mediator;
- can only make non-binding recommendations with a view to resolving the matter; and
- if they take the view that serious harm may come to the complainant if a decision is implemented by the authority complained of, may request that any implementation be suspended pending investigation and report; but suspension remains at the discretion of that authority (which does not have to comply with the request).

All reports of the Tynwald Ombudsman are however provided to Tynwald.

The role of the Tynwald Ombudsman can be summed up as seeking to encourage redress and support improvement on the part of the authorities being investigated; to persuade rather than to compel.

12. Assuming a similar legal and political context, we would argue that the purpose of a final complaints handling service should be:

- in the interests of complainants, to ensure a fair assessment is made of the complaint but not to quash existing decisions or award remedies, as these are the role of a court; and
- in the interests of public authorities, to identify where any administrative failings have occurred but not to impose changes in law, policy or practice, as that is the role of Ministers.²

¹ “Deemster” is the ancient title of judges who sit in what is now the High Court of Justice of the Isle of Man.

² Part 2 of the TCA website makes this point: Policy decisions of listed authorities

The Tynwald Ombudsman investigates service failures and maladministration, and it is important to be aware that the *only* concern of the Tynwald Ombudsman is *administration*. The Tynwald Ombudsman does not have power to question the merits of *policy* decisions.

13. That said, it is to be expected that where maladministration has been identified, a public authority will do its best both to restore the complainant to where they should have been, and to prevent any recurrence.
14. Conversely where a complaint has been looked into and maladministration not found, it is to be hoped that the complainant will understand this and will feel that they have had a fair hearing.
15. This of course begs the question, what is “maladministration”?

Maladministration

16. The following is taken from Part 3 of the TCA website:

The Tynwald Ombudsman has the power to investigate a complaint by a member of the public only if a person is claiming to have sustained injustice or hardship

- as a result of a service failure; or
- in consequence of maladministration in connection with any administrative action of a listed authority.

Injustice and hardship are both terms which are widely understood, and need no definition in the Act. The Tynwald Ombudsman interprets injustice and hardship to mean not necessarily that an injury or loss of some kind must have been suffered (though this may be the case), but also where there is a sense of outrage on the part of the complainant, aroused by unfair or incompetent administration.³

The Tynwald Ombudsman does not - and cannot - override the legal discretionary entitlement of a listed authority to act (unless the administrative process which led to the exercise of that discretion has been so flawed that the policy decision itself is called into question).

The investigation is an independent assessment of the listed authority's conduct set against standards of good administration. *Ultimate political and legislative oversight and control remains with Tynwald.*

³ Authority for the adequacy of “outrage” as corresponding to injustice or hardship, and that there is no requirement that loss should have been suffered (though loss may have been suffered nonetheless) is found in established English authorities. The following passage appears in A W Bradley, K D Ewing and C J S Knight, *Constitutional & Administrative Law* (18th edition, 2022) on page 724:

Even if maladministration has occurred, this does not mean that injustice has thereby been caused to the individual. Conversely, injustice and hardship may exist, caused not by maladministration but by legislation or a judicial decision. Injustice for this purpose means not merely injury of a kind that a court may remedy, but includes ‘the sense of outrage aroused by unfair or incompetent administration, even where the

The potential difficulty for both the complainant and the Tynwald Ombudsman arises when maladministration may have occurred, because what this includes is not specified or explained in the Act. Help is at hand however. Parliamentary Ombudsmen have been appointed worldwide over the past fifty years, and a huge amount has been written about the meaning of maladministration. The Tynwald Ombudsman, drawing on this shared experience, has defined maladministration to include the following:

Competency:

- Incompetence
- Ineptitude
- Giving misleading or inadequate advice

Procedure:

- Faulty procedures or failing to follow correct procedures
- Mistakes in handling claims
- Avoidable delay
- Neglect
- Arbitrariness
- Refusing to answer reasonable questions
- Not telling an individual about appeal rights
- Not offering an adequate remedy when one is due

Attitude:

- Bias, unfairness or prejudice
- Inattention

complainant has suffered no actual loss'. It is not restricted to a concept such as damage within the meaning of tort law.

[*R v PCA, ex p Balchin* [1998] 1 PLR 1 (Sedley J) and *R v PCA, ex p Balchin No. 2* [2000] 2 LGR 87 (Dyson J). The TCA recognises that decisions at first instance of the English Courts are not binding in the Isle of Man, but recognises equally that in the absence of any decision of the Isle of Man Courts to the contrary, it is open to the TCA to apply established English principles of administrative justice.]

- Perversity and lying
- Discourtesy and lack of respect
- Turpitude (depraved or wicked behaviour or character)
- Corruption

Maladministration therefore is not confined to unlawful conduct - it is far wider. Unlawfulness is neither a precondition of, nor concomitant to a finding of maladministration; there may be maladministration without unlawfulness, and vice versa.

The Tynwald Ombudsman interprets the extent of their ability to engage with a complainant as being the power to investigate only the particular complaint(s) made and the Tynwald Ombudsman has no authority to undertake investigations "at large" into matters about which there has been no complaint.

Investigation

17. An ability to investigate is essential to any complaints handling service. The administrative world is complex and there are two sides to every story.

Adjudication

18. It is the inevitable duty of the complaints handling service, at the conclusion of an investigation, to come to some decision as to whether maladministration has occurred or not. This could be termed a form of adjudication.
19. However, the word "adjudication" carries with it connotations of a quasi-judicial function capable of appeal to a higher court. In the design of a final complaints handling system, such connotations should be avoided, for two reasons. First, it exacerbates the risk of the complaints handling service being seen as a species of court or tribunal, which it is not. Second, it exacerbates the risk of calls being made for a further avenue of complaint which, if the service is to be truly "final", cannot exist.

Informal resolution

20. At one level informal resolution is always to be welcomed. It is possible that, having had the benefit of a discussion with an ombudsman (with or without input from the public authority complained of), a complainant may feel reassured and withdraw the

complaint. The present Tynwald Commissioner for Administration may be able to confirm whether this has happened in his recent experience in the Isle of Man.

21. While the possibility of informal resolution should always be acknowledged in the design of any system, care should be taken to mitigate the risk of abuse. In particular it is essential that a public authority should not be able to pressurise a complainant into withdrawing a complaint.

Mediation

22. Mediation is a valuable technique in family and employment disputes, as these can be kept out of a court of law by the intervention of a skilled mediator. It does not, on the face of it, appear to lend itself particularly to questions of maladministration. Where a public authority is accused of maladministration, it is desirable for the system to produce a clear conclusion as to whether maladministration did or did not occur. It is difficult to imagine circumstances where it would be appropriate for the complainant and the public authority to “meet somewhere in the middle”.

Service improvement

23. We are asked to comment on whether the recommendations produced by the independent complaint reviewer should only focus on resolving the complaint itself or should also include advice on service improvement.
24. We have argued above that the purpose of a final complaint handling service should be twofold and should serve the interests both of complainants and of public authorities. It follows that reports emanating from such a service should be able to present both conclusions about individual instances of maladministration and recommendations about how recurrence could be prevented.
25. This is with the proviso that public authorities should not be bound by any such recommendations. The recommendations should not be binding because:
 - as a matter of principle, decisions on the running of public bodies and particularly their resourcing should be for Ministers;
 - an investigator who has looked at a single complaint, or even a group of complaints, cannot be expected to have an appreciation of all the responsibilities of the public body concerned and where its priorities for change should lie;

- if the recommendations were to be binding, the process of producing reports would be slower and more costly as it would be necessary to give the public body a fair opportunity to make representations before finalising the recommendations.
26. Previous reports of the TCA have commented in passing on service improvements – by highlighting service failures. One such example is [TCA Case No. 2009](#) (14 December 2022) regarding the failure to provide home birth services.

“...The continuing failure by Manx Care to discuss the possibility of home births and decide on a case-by-case basis is unacceptable” [p.15]

27. As to advice on improvement, the previous TCA said:

“I make no recommendation and leave it to Tynwald to decide, in due course, whether section 18 should be amended by removing the obligation and replacing it with a discretion, which would allow for consideration of resources” [p.16]

Anonymity of complainants

28. We are asked to comment on whether final reports should maintain the complainant’s anonymity or the complainant’s name should be included.
29. In the Isle of Man, under the Tynwald Commissioner for Administration Act 2011, sections 19(3) and 20(4), complainants have the right to stay anonymous. We consider this to be a valuable safeguard, particularly in a small community. The prospect of one’s name becoming known to one’s friends and neighbours could have a deterrent effect on some complainants coming forward.

Publication of reports

30. We are asked to comment on whether final reports should be available in the public domain.
31. In the Isle of Man, under the Tynwald Commissioner for Administration Act 2011 sections 19(1) and 20(3)(b), the reports are to be laid before Tynwald meaning that they are published on the Tynwald website and become part of the permanent public record of the Island.
32. Publication is likely to give the reports greater impact than they would otherwise have.

33. The only disadvantage is that it can be difficult to maintain the anonymity of the complainant when producing a report for publication. Suppressing the complainant's name is often not enough, since - in a small community - readers may be able to piece together other elements of the narrative in order to work out who the complainant is.

Further reading

Isle of Man Pensions Ombudsman: [Investigating your complaint](#)

The Pensions Ombudsman will deal with complaints in writing or by email and is also happy to talk directly to either or both parties if requested to explain the process for dealing with the complaint and the Pensions Ombudsman's powers. The Pensions Ombudsman has powers to hold oral hearings where the Ombudsman considers this appropriate.

Isle of Man Financial Services Ombudsman Scheme: [Explanatory guide](#)

Most complaints are dealt with by correspondence and not through face-to-face meetings. If case officers are unable to resolve a complaint which falls within the remit of the Scheme you will be given the opportunity for your complaint to go before an Adjudicator who will investigate and issue a formal decision on the complaint. In some cases, an Adjudicator may decide that there should be an oral hearing.

International Ombuds Association [Standards of Practice](#) and [Code of Ethics](#)

The [Ombudsman Association](#) is UK based and has a section on [best practice](#).

Ombudsman Association response to the Jersey Law Commission's report on keeping the Complaints Panel or creating an Ombudsman: [here](#).

Mediation, conciliation and arbitration - [discussion on UK Government website](#)

Jonathan King
Clerk of Tynwald

Paul Beckett
Tynwald Ombudsman

17 April 2025

Jersey Care Commission



20 March 2025

Response from the Regulator to the Consultation on Public Service Complaints Resolution

Introduction

The Jersey Care Commission (the Commission) welcomes the opportunity to provide feedback on the Government of Jersey's consultation regarding the handling of complaints about public services. We acknowledge the importance of ensuring an effective, accessible, and independent complaints resolution mechanism that installs public confidence and upholds accountability. [Bermuda](#), [Gibraltar](#), and [Cayman Islands](#) have instituted an Ombudsman to handle grievances concerning public services, providing residents with an impartial avenue for complaint resolution.

Current Challenges in Complaint Resolution

We recognise that while existing complaint mechanisms—such as the States of Jersey Complaints Panel, the Royal Court, and Tribunals—offer pathways for resolution, they may not always be sufficiently accessible (particularly to 'hard to reach' groups), comprehensive, or efficient. In particular:

- The limited remit of existing independent complaint reviewers may result in unresolved grievances.
- The financial and procedural barriers associated with some escalation routes can deter individuals from pursuing complaints.

Support for an Independent Complaints Resolution Service

The Regulator supports the introduction of a more structured and independent complaints resolution service, such as a Public Services Ombudsman, with the following key characteristics:

1. **Independence and Impartiality:** The body should be functionally independent of government and public service providers to ensure credibility and public trust.
2. **Accessibility:** A streamlined, cost-effective, and user-friendly complaints process should be established, ensuring ease of access for all members of the public.



3. **Comprehensive Remit:** The scope should cover all public services, including those commissioned to external organisations, to provide consistency in oversight.
4. **Authority and Enforcement:** The service should have the power to investigate complaints, make recommendations (or statutory improvements), and ensure compliance with its rulings.
5. **Transparency and Accountability:** Reports should be in the public domain, should the complainant agree; but with anonymity. Regular reporting should be provided within the public domain, including complaint trends, systemic issues, and resolution outcomes should be provided to ensure continuous improvement in public service delivery.
6. **Proportionality and Efficiency:** The process should aim for timely resolution and ensure that resources are allocated effectively to prevent undue burdens on public service providers.

The Commission would welcome a public service complaints resolution service if it were independent. The ombudsman should also be able to decline to investigate complaints either because it is not proportionate considering the complaint/resolution or because it is satisfied it has already been properly considered by the relevant organisation

Conclusion

The Commission supports the development of an efficient, robust, and independent complaints resolution mechanism that enhances public confidence in public services. We believe that this could be implemented using efficient methodologies too, including sharing of accommodation, back-office functions etc. which would ensure the costs were limited should this be put in place.

Comptroller and Auditor General

I am writing to provide some observations relevant to the above consultation.

My predecessor in her Thinkpiece on Governance published in December 2019 made the following observations:

Establishing effective mechanisms for receiving, considering and resolving complaints from the public, staff and other stakeholders promotes a learning culture, reinforces a commitment to ethical behaviour and facilitates continuous improvement. Effective arrangements include:

- *appropriate protection for ‘whistleblowers’ so that staff, contractors and service users can raise concerns in good faith without fear of recrimination; and*
- *an element of genuine independence so that, where complaints cannot be resolved by the Government of Jersey or another element of the public service, there is a non-adversarial mechanism for resolution.*

I have previously highlighted the need for:

- *improvements in the handling of complaints in my reports on Community and Social Services (December 2015), Governance arrangements for Health and Social Care (September 2018), and Community and Social Services for Adults and Older Adults: Follow-up (April 2019); and*
- *enhanced arrangements for whistleblowing in my report on Community and Social Services (December 2015). I recognised the improvements made in this areas in my report on the Role and Operation of the States Employment Board (March 2019).*

In many jurisdictions Ombudsmen independent of government investigate complaints about poor administration of public services, with wide powers to report publicly. In some their remit is wider, allowing investigations on their own initiative and review of internal complaints handling processes.

I welcome the in principle decision of the States Assembly in March 2018 to establish a Public Services Ombudsman for Jersey, the subsequent research by the Jersey Law Commission and the consultation paper issued on behalf of the Chief Minister earlier this year.

In my view, establishment of a Public Services Ombudsman, with wide powers reflecting modern legislation in other jurisdictions, sends an important message about transparent, accountable services that embrace feedback and a commitment to improve.

Since 2020 I have published two reports on the Handling and Learning from Complaints. I have provided links to these below:

[Handling and learning from complaints | Jersey Audit Office](#)

[Handling and Learning from Complaints - Follow up | Jersey Audit Office](#)

If you require more information or would like to discuss any of these publications in more detail, please do not hesitate to contact me.

Regards

Lynn

Jersey Advisory and Conciliation Service

Good Afternoon

I am limited in my capacity to respond to this consultation therefore, I have used copy and paste on the 4 specific questions you raised (see below) and annotated in blue font my responses.

1. The type of methods (informal resolution, mediation, adjudication, investigation) that an independent complaint reviewer should use to provide an effective final complaint handling service to islanders. *All of these, but not necessarily sequential i.e. depending on the nature of the complaint and the complainants requested method (if they have one).*
2. Whether the recommendations produced by the independent complaint reviewer should only focus on resolving the complaint itself or should also include advice on service improvement. *This would depend on the complaint in the first instance and the relevance of moving outside of the complaint. It may not always be about service improvement but the option of a recommendation for improvement should be available. Certainly, the Terms of Reference issued to an investigator needs to be clear from the start as to whether service improvement recommendations should be reported upon. The important factor here is ensuring the investigator does not step outside of the Terms of Reference that have been agreed – this will only prolong an investigation and may mean that a service is being singled out.*
3. Whether final reports should maintain the complainant's anonymity or the complainant's name should be included. *In order to maintain both credibility and to be assured that complaints will be brought forward anonymity may better to be preserved. However there maybe a need to build a review period in so that this can be looked at once established so that you do not have 'serial' complainants whose allegations may be vexatious and/or malicious.*
4. Whether final reports should be available in the public domain. *Yes, just as judgments are in the public domain final reports should be this may will ensure a level of accountability, especially if reporting on service improvements.*

Many thanks.

Best wishes

Patricia Rowan

Director

JACS:

3rd Floor, 1 Seale Street, St Helier

JE2 3QG

Citizen's Advice Bureau

Hello,

Please see below our response to the below consultation.

Feedback on Public Services Consultation

Within our database at CAJ, client cases relating to complaints about public services are not recorded as a specific category. Such cases would be recorded & included within our core enquiry categories for example, housing, health, consumer, tax etc. Although we assist clients to make complaints to public services, we are not always made aware of the final outcome.

However, please see below our general views on the “Feedback on Public Services Consultation Paper”.

From the cases covered in the States of Jersey Complaints Panel Report for 2023 (link below) we see that complaints have been raised with them against a range of Government Departments. The reported status of the complaints show that some have been resolved informally, some upheld & decision reversed, some paused & some closed where the complaint has been upheld. This process appears to operate as an informal ombudsman service.

<https://statesassembly.je/getmedia/b929c34e-8557-4b28-9c71-f063e001b0bd/R-86-2024.pdf?ext=.pdf>

We note the potential for introducing a formal Public Services Ombudsman to handle complaints against public services at a final stage. If this post is introduced, we assume that it will replace the complaint handling functions currently provided by some parties including the States of Jersey Complaints Panel, the Royal Court, or a Tribunal.

One observation we have is that when a complaint handling process is to be dealt with via the Royal Court, costs involved can deter action by a complainant.

1. We feel that in the interests of the complainant and public services providers, an independent complaint reviewer (ICR) should be able to use any of the methods available such as investigation, informal resolution, mediation, or adjudication (as a last resort).
2. We suggest that the recommendations produced by the ICR in a complaint should not only focus on resolving the complaint itself but include advice on service improvement if appropriate.
3. Final reports should maintain the complainant's anonymity unless he/she provides an authority for identity to be divulged.
4. Final reports could be available in the public domain unless the circumstances of the case would lead to the complainant's identity becoming known against their wish.

Kind regards,

Lynda Taylor
Research & Campaigns Coordinator

Jersey Law Society



The Law Society of Jersey

Strategic Policy, Planning and Performance
Government of Jersey
Union Street
St Helier
Jersey
JE2 3DN

adminredress@gov.je

19 June 2025

Dear Sir or Madam

FEEDBACK ON PUBLIC SERVICES CONSULTATION

I refer to the letter, dated 19 May 2025, from Deputy Moz Scott, Assistant Minister for Sustainable Economic Development, in relation to the above consultation and her specific request that the Law Society of Jersey provide feedback on the following areas of the consultation:

1. Identified flaws in the complaints handling process of any public service or complaints reviewing authority with which Law Society members have engaged.
2. The preferred type of methods (informal resolution, mediation, adjudication, investigation) that an independent complaint reviewer should use to provide an effective final complaint handling service to islanders.
3. Whether the recommendations produced by an independent complaint reviewer should only focus on resolving the complaint itself or should also include advice on service improvement.
4. Whether final reports should maintain the complainant's anonymity or the complainant's name should be included.
5. Whether final reports should be available in the public domain.

The Law Society of Jersey supports the concept of the creation of a Public Services Ombudsman to provide independent and objective oversight, resolution and determination of complaints against public services providers, subject to its scope being limited to matters where the existing complaints processes within the individual departments/functions have been exhausted and a position of 'deadlock' has been reached.

This cannot be implemented in isolation and needs to be accompanied by a strengthening and standardisation of existing complaints management processes in Government departments. Many of the issues at the heart of this project result from the inadequacy or

P.O. Box 493 St. Helier JERSEY Channel Islands JE4 5SZ
Telephone +44 (0)1534 613950 (Office) +44 (0)1534 734826 (Direct)
Web: www.jerseylawsociety.je Email: ceo@jerseylawsociety.je

This communication may contain information which is confidential and/or privileged. It should not be forwarded or copied to anyone else without the prior written consent of The Law Society of Jersey.



The Law Society of Jersey

inconsistency of the existing complaints process and the failure to resolve complaints at the point of service delivery and/or at the first opportunity.

In this regard, we make the following comments and observations:

General Observations:

- The definition of "public services" is too broad and vague; clearer boundaries are needed to avoid confusion and ensure complainants are properly directed.
- JPSO's remit must not include independent regulators or arm's-length organisations (ALOs); doing so would undermine their legal and operational independence. It should be confined to Government of Jersey (GoJ) departments and functions.
- Independent regulators have other legal processes and independent companies (like Telecoms) have other accountability procedures and are accountable to their shareholders.
- Existing complaint channels (Royal Court, Tribunals) must be respected; overlapping jurisdictions risk confusion and inefficiency.
- Ombudsman recommendations must carry some enforceability or risk being ineffectual.
- Public confidence in current complaint processes must not be unintentionally eroded by the introduction of the JPSO.
- Scope must be carefully limited to avoid overburdening the office and causing delays.
- Improving public awareness of existing complaint mechanisms is essential, regardless of the JPSO's creation.
- Such complaints processes should be reviewed to ensure that they are robust and fit for purpose; the creation of a PSO should not be seen as a means of absolving departments from having a robust and effective complaints process.
- It is critical that existing complaints processes are exhausted prior to referral of matters to the PSO; the PSO is the arbiter of last resort, only dealing with complaints where a position of 'deadlock' has been reached.
- Accessibility should be prioritised (online, phone, in-person options), with support for vulnerable individuals.

Effective Complaint Handling Methods:

- Adopt a tiered approach: informal resolution/mediation first, followed by formal investigation and adjudication/determination, if needed.
- Aligns with best practice and enables efficient resource allocation.

Scope of Recommendations:

- Adjudications and determinations should resolve the underlying complaint but also identify opportunities for systemic service improvement.
- Sharing of best practice is a demonstrable benefit of the complaints resolution process, reducing the propensity for future complaints and increasing customer satisfaction not only within the department concerned but across the public service arena.

P.O. Box 493 St. Helier JERSEY Channel Islands JE4 5SZ
Telephone +44 (0)1534 613950 (Office) +44 (0)1534 734826 (Direct)
Web: www.jerseylawsociety.je Email: ceo@jerseylawsociety.je

This communication may contain information which is confidential and/or privileged. It should not be forwarded or copied to anyone else without the prior written consent of The Law Society of Jersey.



The Law Society of Jersey

- Recommendations should, in all cases, be acted upon (there being no point making recommendations if there is no impetus or obligation on service providers to act on them).

Anonymity in Reports:

- Complainants should remain anonymous by default.
- Disclosure should only be made where clearly justified or with explicit consent.

Publication of Final Reports:

- Transparency is vital, but publication must be:
 - ✓ Appropriately redacted (such that a complainant cannot be identified by deduction or inference)
 - ✓ Respectful of privacy and legal considerations
 - ✓ Subject to discretion based on seriousness and public interest
 - ✓ Current "all or nothing" publishing model appears excessive and potentially non-compliant with data protection principles.

Additional Considerations:

- JPSO must not encroach on regulatory decisions already subject to judicial review.
- Oversight of complaint-handling processes (not regulatory decisions) may be acceptable - if clear need is demonstrated.
- The current Jersey Complaints Panel is volunteer-run; a formal ombudsman must have a clear and unambiguous scope and will require appropriate funding and staffing. It needs to be fit for purpose.
- If a similar public hearing/publication regime to the current Complaints Panel is proposed, a consultation on its privacy impacts will be necessary.
- We strongly prefer a framework allowing discretion over publication rather than automatic full disclosure.

We hope that this response is helpful in assisting the Assistant Minister with her deliberations in relation to the proposed establishment of an independent complaints handling mechanism in Jersey. Please advise if any further information is required.

Yours faithfully



Neville Benbow
Chief Executive Officer
The Law Society of Jersey

P.O. Box 493 St. Helier JERSEY Channel Islands JE4 5SZ
Telephone +44 (0)1534 613950 (Office) +44 (0)1534 734826 (Direct)
Web: www.jerseylawsociety.je Email: ceo@jerseylawsociety.je

This communication may contain information which is confidential and/or privileged. It should not be forwarded or copied to anyone else without the prior written consent of The Law Society of Jersey.