



HM Prison &  
Probation Service

# **Increasing Procedural Justice Practice in Complaints Handling**

## **A Randomised Controlled Trial and Process Evaluation**

**Flora Fitzalan Howard, Jo Voisey, Nicola Cunningham,  
and Dr Helen Wakeling**  
HM Prison and Probation Service and Ministry of Justice

Ministry of Justice Analytical Series  
2023



*His Majesty's Prison and Probation Service is committed to evidence-based practice informed by high-quality social research and statistical analysis. We aim to contribute to the informed debate on effective practice with the people in our care in prisons, probation, and youth custody.*

## **Disclaimer**

The views expressed are those of the authors and are not necessarily shared by the Ministry of Justice (nor do they represent Government policy).

First published 2023



© Crown copyright 2023

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](http://nationalarchives.gov.uk/doc/open-government-licence/version/3)

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to us at [National.Research@justice.gov.uk](mailto:National.Research@justice.gov.uk)

This publication is available for download at <http://www.justice.gov.uk/publications/research-and-analysis/moj>

ISBN 978 1 911691 16 7

## **Acknowledgements**

We would like to thank all those who took part in this research, including Liz Tindale for her contributions. We would particularly like to thank Jada Wilson, Wayne Shepherd, Rachael Lindop, and Judith Martin for their critical work and commitment to establishing and implementing this trial.

## **The authors**

Flora Fitzalan Howard, Nicola Cunningham, and Dr Helen Wakeling work in the Evidence-Based Practice Team, Insights Group, in HM Prison and Probation Service. Jo Voisey works in the Evaluation & Prototyping Hub, in the Ministry of Justice.

# Contents

## List of tables

## List of figures

<b>1. Summary</b>	<b>1</b>
<b>2. Introduction</b>	<b>3</b>
2.1 Procedural Justice in Prisons	3
2.2 Prisoner Complaints and Procedural Justice	3
2.3 Prisoner Complaints in HMPPS	4
2.4 Developing Procedural Justice Practice in Complaints	5
2.5 Report and Study Aims	6
<b>3. Method</b>	<b>7</b>
3.1 Design	7
3.2 Sample	7
3.3 Materials	8
3.4 Data and Measures	8
3.5 Procedure	11
3.6 Analysis	13
3.7 Limitations	14
<b>4. Results</b>	<b>15</b>
4.1 Trial implementation	15
4.2 Complaint response content	15
4.3 Sentiment	17
4.4 Readability	17
4.5 Appeals	17
4.6 Perceptions of complaint recipients	18
4.7 Perceptions of complaint responders	21
<b>5. Discussion</b>	<b>26</b>
5.1 Summary of Findings	26
5.2 Conclusions and Implications	27

5.3	Future research	28
<b>References</b>		<b>29</b>
<b>Appendix A</b>		<b>31</b>
	Sample characteristics	31
<b>Appendix B</b>		<b>32</b>
	Study Materials	32
	PJ and complaints workshop	32
	Complaint response template	32
	Support and guidance documents	32
<b>Appendix C</b>		<b>34</b>
	Complaint Response Scoring Tool Items and Criteria	34
<b>Appendix D</b>		<b>36</b>
	Randomisation and Sample Selection Process	36
<b>Appendix E</b>		<b>38</b>
	Fidelity and Bias	38
	Fidelity checks	38
	Minimising bias	38
<b>Appendix F</b>		<b>40</b>
	Trial Process	40
<b>Appendix G</b>		<b>41</b>
	Summary of Complaint Topics (Stage 1)	41
<b>Appendix H</b>		<b>42</b>
	Sentiment of Words in Complaint Responses (Stage 1)	42
<b>Appendix I</b>		<b>43</b>
	Experience Themes (Stage 1)	43

## List of tables

Table 1: Descriptive statistics of complaint response content (stages 1 and 2)	16
Table A.1: Treatment and waitlist control group descriptive statistics (stage 1)	31
Table A.2: Waitlist treatment group descriptive statistics (stage 2)	31
Table C.1: Complaint Response Scoring Tool Items and Criteria	34
Table G.1: Summary of Complaint Topics (Stage 1)	41
Table I.1: Prisoners' experience of complaint responses	43
Table I.2: Responders' experience of complaints practice	43

## List of figures

Figure 1: Mean COMP1a monthly and quarterly rates (per 100 prisoners)	18
Figure D.1: Randomisation and Sample Selection Process	36
Figure F.1: Trial Process	40
Figure H.1: Sentiment of Words in Complaint Responses (Stage 1)	42

# 1. Summary

This randomised controlled trial tested the process and impact (including a replication check) of a complaints handling prototype to enhance the practical application of procedural justice (PJ) principles in a Category C prison in England. The prototype comprised an interactive and practical workshop, a template letter for complaint responses, a quality assurance check, and a coaching component to improve practice to be used as needed. The coaching component was never called upon in the current trial, as the local team did not see complaint responses that needed this additional level of intervention.

## **Methodological approach and interpreting findings**

The trial lasted six months (October 2022 – April 2023), and primarily involved 50 staff participants and 120 of their complaint responses. Complaint responses were quantitatively assessed for their PJ content, sentiment, and readability. Perceptions of the value of the prototype and how it had been implemented were examined qualitatively, involving interviews or focus groups with six staff and five prisoners. The research also included review of complaint appeal figures.

There are several limitations to this study: the reasonably small number of participants, a single testing site, the moderate length of follow up period, and the nature or scarcity of certain data (specifically relating to complaint appeal figures and prisoner questionnaires) preventing some analysis and insights.

## **Key findings**

The complaints prototype brought about statistically significantly improved PJ practice overall, and the impact was maintained over the course of six months follow-up. The prototype resulted in no change in the assessed sentiment of words used in complaint responses. However, and concerningly, use of the template was seen to bring a statistically significant increase in the required reading age. COMP1a (appeals) figures look to be lower in the trial period than the corresponding quarters of the previous year; this may indicate a positive impact of enhanced PJ in initial complaint responses on the subsequent likelihood of a person submitting an appeal, but such conclusions cannot yet be drawn with any confidence.

Staff perceptions of the prototype (the workshop, the template letter, and any support activity provided by the Complaints Clerk) were positive; their complaint response practice was deemed improved, the prototype considered feasible to implement, and staff were seen to be 'bought in' to using it. Positive effects were identified in the immediate-term and potentially for the longer-term also, including, for example, greater staff confidence and quality of work, and increased decision acceptance and faith in the process from prisoners. Prisoners' experiences were also positive, highlighting the importance of PJ practice for them in this part of prison life (as well as the importance placed on the *outcome* of decisions), and their enhanced feelings of fairness and legitimacy relating to the prototype/trial. Both staff and prisoners recognised the need for further improvements to ensure an effective and efficient complaints system. Ideas included, for example, altering or digitalising parts of the process, and working to resolve issues earlier so that formal complaints were not required.

## **Conclusion**

In conclusion, the results of this study, in conjunction with a previous trial at another prison, shows the prototype improves prison staff's use of PJ principles when responding to prisoner complaints. The trialled approach is experienced as feasible and worthwhile, albeit acknowledged as only one part of achieving an efficient and effective complaints system.



## **2. Introduction**

### **2.1 Procedural Justice in Prisons**

People's perceptions of how fairly authority is used (how decisions are made and how processes are applied) is known as 'procedural justice' (PJ). When people see the use of authority as being more procedurally just, they are more likely to view authority figures and their decisions as legitimate, leading to greater decision acceptance and compliance with instructions, decisions, and the law (Lind & Tyler, 1988; Tyler, 1990). PJ comprises four principles: voice, neutrality, respect, and trustworthy motives (Tyler, 2008). Voice refers to people being able to tell their side of the story and to feel that this is being sincerely considered in the decision-making process. Neutrality relates to the need to experience authority figures as neutral, principled, transparent, and consistent in their decision-making processes, and to feel that rules are not based on opinion or bias and are understood by all. People also need to feel they are respected and treated courteously by authority figures, that their issues are treated seriously, and considered equal to those of others. Finally, people need to see authority figures as sincere and open, honest, doing what is best for everyone involved, and having trustworthy motives.

There is a solid and growing international body of empirical evidence from prison settings demonstrating the impact of PJ perceptions on people's outcomes in this context. This evidence includes significant impacts on the likelihood of prisoner misconduct and violence, psychological wellbeing, self-harm and attempted suicide, and reoffending after release (e.g., Beijersbergen et al., 2014, 2015, 2016; Fitzalan Howard & Wakeling, 2020; Wakeling & Fitzalan Howard, 2022).

### **2.2 Prisoner Complaints and Procedural Justice**

Theoretically, given this evidence, prisoner complaints that are perceived to be handled in a procedurally just way could lead to a number of better outcomes. This may include increased perceptions of legitimacy of responses and faith in the system, greater acceptance of investigation outcomes, reduced frustration and less desire to appeal or submit further complaints on the same topic, reduced staff time

handling subsequent complaints, reduced escalation and potential litigation in relation to grievances, alongside improvements in the outcomes listed in section 2.1.

The impact of PJ in relation to complaints handling has received little research attention to-date, although one very large North American study analysed eight years of complaints made by prisoners located in more than 100 US prisons (Bierie, 2013). When grievances were dealt with in ways that might be perceived as procedurally unjust, statistically significantly higher rates of serious violence were found in the subsequent month. This relationship was not found in relation to the outcome of the investigations (i.e., whether the prisoner's complaint was upheld or not), or to the volume of complaints being submitted. What appeared to make a real difference here was the way in which the complaints process itself was managed.

## **2.3 Prisoner Complaints in HMPPS**

In English and Welsh prisons, there are several categories of formal complaints, each of which can result in being 'upheld' or 'not upheld': 1) Stage 1/COMP1 (ordinary complaints), 2) Stage 2/COMP1a (appeals), 3) Confidential Access/COMP2 (complaints in confidence to the Governor or the Prison Group Director), 4) Discrimination Incident Reporting Forms (complaints involving discrimination related to protected characteristics), and 5) Reserved subject complaints (used, for example, if an allegation is made against the Governor, or the complaint relates to deportation)<sup>1</sup> (HMPPS, 2019). There are also external avenues to raise complaints.<sup>2</sup>

In the 12 months to March 2022, 198,363 HMPPS prisoner complaints were recorded (Prison and Probation Ombudsman (PPO), 2022).<sup>3</sup> This represents an 11% increase from the previous year, in which there were 178,087. HM Inspectorate of Prisons (HMIP; 2022a) and PPO (2022) reported weaknesses in the complaints system, including issues relating to procedural justice and people's confidence in the process.

---

<sup>1</sup> For full details of reserved subjects, see Annex B of the Prisoner Complaints Policy Framework.

<sup>2</sup> For full details of external avenues, see Annex E of the Prisoner Complaints Policy Framework.

<sup>3</sup> The data comprise complaints from all five categories. Note that these data come from an information management tool rather than official statistics. The data are 'live' and remain subject to change; the figure will not be 100% accurate as the data are not always subject to full checks.

## 2.4 Developing Procedural Justice Practice in Complaints

There have been two notable attempts in recent years to develop PJ practice in HMPPS complaints handling. The first involved revisions in 2019 to the national policy framework relating to COMP1, COMP1a, and COMP2 complaints (HMPPS, 2019). The revisions sought to raise awareness of the importance of PJ in this specific practice, provide guidance to staff on how to explicitly incorporate PJ principles into their complaint responses, and to prompt staff to do this by reference to PJ being added to the complaint forms.<sup>4</sup> There was no formal change evaluation.

The second, also in 2019, involved the local development and implementation of a new process and complaint response template at HMP Buckley Hall (Voisey, Fitzalan Howard, Wakeling, Cunningham, Lane, & Kirkpatrick, 2022). This involved four components (together referred to as the *'prototype'*): 1) A reflection workshop delivered for senior staff and those responding to complaints (herein referred to as 'responder(s)') on PJ, including how to write complaint responses to reflect the four principles, and setting the expectation that each prisoner would be spoken to before a reply was issued. 2) A reminder PJ checklist and template letter were produced. The template intended to prompt use of the four principles of PJ; it was a mix of suggested content (some of which was meant to be adapted depending on the context) and cues for specific types of content to be included, such as '[include here the evidence considered]'. When a complaint was issued by the Complaints Clerk to a responder, this was sent with the reminder PJ checklist and template letter to make it easy for them to follow the new process. 3) On receipt of the drafted response, the Complaints Clerk conducted quality assurance in relation to the four PJ principles and escalated the response to a Coach if deemed it not of high enough quality. 4) If needed, the Coach had a conversation with the responder to improve the PJ content of their complaint response before it was issued to the prisoner.

A retrospective review evaluated the PJ content of written responses to COMP1 and COMP1a complaints before and after the prototype was introduced – over a total period of sixteen months (Voisey, et al., 2022). Although limited in design (e.g., there was no control group) the aim was to demonstrate proof of concept of the prototype,

---

<sup>4</sup> See sections 2, 5.13, 5.14, and Annex A of the HMPPS framework for more detail.

develop a measurement tool for assessing PJ in complaint responses, and determine the value of more rigorous testing of this approach. The results were promising, including increased use of PJ principles (all four, and combined) in complaint responses. Necessary changes to the template were identified, for example, altering the ‘signposting for further support’ section to guard against an unintended tone of insincerity. Necessary developments of the scoring tool were also identified, for example, revising some criteria to improve inter-rater reliability. Although not measured, anecdotal reports from the prison indicated a sizeable reduction in COMP1a complaints (appeals) since introducing their new approach. Overall, these promising outcomes suggested that further testing was warranted.

## **2.5 Report and Study Aims**

This report presents the results of the new study, comprising a RCT supported by qualitative research to capture participant views, and discusses implications for complaints practice. As described in section 2.2, there are a number of possible benefits of enhancing PJ practice and perceptions in prison-based complaints handling. Building on previous work, the present study aimed to test the impact of a complaints handling prototype (see section 2.4). The primary hypothesis were:

- The prototype will increase the quantity/quality of PJ language/content (overall, and for each of the four PJ principles) used in written complaint (COMP1 and COMP1a) responses.

The secondary research questions included:

- Does the prototype alter the number/trends of appeals (COMP1a) submitted?
- What are prisoners’ perceptions of responses completed using the prototype, and what impact does the prototype have on prisoners’ perceptions of PJ specifically?
- What is the perceived value of the prototype to complaint responders? How has it changed their practice? How feasible or workable is it in daily practice?
- How many draft complaint responses require additional PJ development (i.e., coaching), and how many times do drafts require a coaching conversation?

## 3. Method

### 3.1 Design

The study used a prospective mixed methods approach: a Randomised Controlled Trial (RCT) to test the primary hypotheses, and a process evaluation to address the secondary research questions. The RCT had two stages (see section 3.5) that ran consecutively; stage 1 evaluated the impact of the prototype, and stage 2 examined the maintenance of impact from stage 1 and provided a replication check. The study was approved by the MoJ National Research Committee.

### 3.2 Sample

This evaluation was conducted at HMP Featherstone, a Category C prison in England, holding around 650 men (and similar to the prison who had developed the original prototype).<sup>5</sup> The prison reported processing around 110 complaints per month, and described how a recent report by HMIP (2022b) had indicated the quality of complaint responses needed improvement. No PJ-specific or related interventions were ongoing or planned that might notably influence the trial, and no local alterations had been made to the complaints process or practice for at least three years. Two members of the senior leadership team were familiar and supportive of PJ as a concept, and keen to take on the role of Coaches in the trial.

All personnel who routinely responded to complaints at the prison formed the initial sample. Following randomisation of this group (see section 3.5) the stage 1 treatment group included 15 people, and the waitlist control group included 17. The grades and departments for these participants can be found in Appendix A. The second stage of the trial comprised 33 people; 15 were the original (stage 1) treatment group, and the new treatment group (waitlist treatment) comprised 18 people. The latter group's descriptive statistics are also presented in Appendix A. The waitlist treatment group,

---

<sup>5</sup> Selection criteria included: a Category C prison holding adult men, with a population of around 500 (or more), with levels of complaints (and appeals) higher than wanted, not having implemented any PJ-specific development work or work on the complaints process in the previous 12 months, a Complaints Clerk in post who is supportive of PJ practice, and a senior leadership team who is supportive of local PJ development work.

in comparison to the first, comprised more people in lower grades, and spanned fewer departments.

A subsample of the original treatment group responders participated in focus groups or interviews for the process evaluation, including the Complaints Clerk, and five of the treatment group (33.3%) representing different levels of seniority in the prison. The participants were selected by the prison, based on their availability and role/grade criteria specified by the researchers to ensure a breadth of experience was included. The five participants included three senior managers (in operational and non-operational roles, two of whom were also the PJ Coaches in the trial), and two operational middle managers (a supervising officer and custodial manager). Separately, three prisoners were interviewed, and two others provided written responses to the interview questions.<sup>6</sup> These participants were selected by the researchers at random from a subsample whose records verified that they had received a complaint response soon before the trial began (i.e., complaints practice as usual) and one from the treatment group during stage 1 of the trial.

### **3.3 Materials**

A PJ and complaints workshop, complaint response template, and support and guidance documents (for the Complaints Clerk and the two Coaches) were designed and utilised in the study. Further information on all of these is in Appendix B.

### **3.4 Data and Measures**

#### **Complaint response scoring tool: PJ content**

A tool was designed to assess and score the content of complaint responses written by participants in the treatment and control groups. Criteria for each component were determined and refined by the researchers through earlier testing (Voisey, et al., 2022). Appendix C shows the specific content looked for in the complaint responses. For the four PJ principles, content was classified as fundamental (tier 1) or additional (tier 2); observing content within each tier resulted in a score of 1 for that tier. The

---

<sup>6</sup> Due to the daytime regime scheduling in the prison, meeting in-person would have meant prisoners losing out on their association time. To enable people to take part, but not forgo this time, the option of written involvement was offered too.

scores for each PJ principle could therefore be 0 (content in neither tier observed), 1 (content in one tier observed), or 2 (content in both tiers observed). Additional scoring focussed on inferring meaning and interpretation of the complaint response content overall (see Voisey et al., 2022). This ‘overall’ component was based on whether the response was simple, comprehensible, and the content congruent (as opposed to disingenuous or inauthentic). The first two of these could receive a score of 0 (not observed) or 1 (observed), and the last item could receive a score of 0 (not observed) or -1 (observed). The maximum total score was 10.

Each complaint response was scored independently by two researchers. If their scores differed by 1 point, the mean of the two was used. If scores differed by 2 or more points, the case was discussed amongst all four researchers, and a final score agreed between the research team in a moderators meeting. In stage 1, all complaint responses issued during the period (a total of 67) were analysed (32 responses from the treatment group, and 35 from the waitlist control group). In stage 2, every third complaint response was analysed (a total of 53; 30 from the original treatment group, and 23 from the waitlist treatment group 2). The level of scoring agreement between the researchers was excellent ( $k = .79$  in both stages 1 and 2).<sup>7</sup>

The number of complaints required for meaningful analysis was determined in advance based on power calculations utilising the findings from a previous similar study (Voisey et al, 2022).

## Sentiment

Sentiment analysis (using R)<sup>8</sup> of the response text aimed to understand the emotional content of responses. Words were ‘tagged’ using a general-purpose English emotion lexicon called NRC. This lexicon labels words with eight basic emotions: anger, anticipation, disgust, fear, joy, sadness, surprise, or trust.

---

<sup>7</sup> Generally accepted interpretations of Cohen’s Kappa: below .40 = poor, .40 to .75 = fair to good, greater than .75 = excellent.

<sup>8</sup> R is a language and environment for statistical computing and graphics.

## Readability

Readability (the ease with which a passage of written text can be understood) was assessed using a readability analyser,<sup>9</sup> to examine the reading age required for the complaint response text.

## Appeals

COMP1a figures were provided by the prison for a 24-month period (including the trial period) and converted into rates per 100 prisoners to account for any changes in the local population size using data from the HMPPS Hub.<sup>10</sup>

## Perceptions of complaint responses

A short questionnaire was designed to examine prisoners' perceptions of the complaint response received. The questionnaire comprised 12 items. Eleven used a 7-point Likert scale response format: two for each PJ principle, one relating to ease of following and understanding the response, one relating to trust in the complaint system for future issues, and one relating to how content they felt about how the complaint had been dealt with. The final item, using an open-text response format, asked for suggested improvements to the response. The data were intended to be considered in conjunction with perceptions and experiences shared by prisoners via interviews, although the low response rate prevented this (see sections 3.7 and 4.6).

## Process evaluation

Several semi-structured interview schedules (varying according to the role people took in the trial, details below) guided the interviews and focus groups, which were audio-recorded and then transcribed verbatim. The interviews and focus groups with responders lasted between 10 and 30 minutes. The interviews with prisoners lasted between 10 and 15 minutes. Prisoner participants were provided with hard copies of two complaints during the interviews (to aid their recall) – one that had been issued before, and one issued during, the trial. Questions centred on their perceptions of the PJ principles, similarities and differences from their previous experience, perceptions

---

<sup>9</sup> datayze.com

<sup>10</sup> The Hub is a web-based corporate reporting service that provides staff from prisons, probation, Ministry of Justice and associated organisations with data collection, validation, collation, and reporting.



of the responder, the outcome, and the local complaints system, intention to appeal, and suggestions for improvement of local complaints handling. The same questions were reproduced in hard copy.

Questions for staff complaint responders centred on their perceptions of the training, template and coaching, ease or difficulty of using PJ more explicitly in responses, perceptions of impact on their complaints handling, on other work practice, on relationships with prisoners, on prisoner reactions to responses, and suggestions for local practice improvement. For the Coaches, similar questions were asked (as they were also complaint responders), and then additional questions examined their preparation for and experience of the coaching, and observations of local complaints handling from a senior management perspective. The Complaints Clerk was asked about the processes and responsibilities she took on, the time this took her, and observations relating to changes in written responses produced by staff.

## **3.5 Procedure**

### **Group randomisation**

From a total potential sample provided by the prison (those who could respond to prisoner complaints), all responders who were not due to be available for the first training workshop were removed from the sample pool.<sup>11</sup> Both Coaches were removed as they were required (as per the prototype design) to be part of the treatment group. The remaining 37 were subjected to paired randomisation based on their grade and department. Using a random number generator, one of each pair was allocated to the treatment or waitlist control groups. Grade was used as a proxy for experience with handling complaints. Department was judged relevant for practical/prison operational reasons: complaints in prisons are allocated to departments for response according to topic.<sup>12</sup> Pairing by these variables aimed to ensure all departments were included, and control for potential differences in expertise. The diagram in Appendix D shows the sample selection process.

---

<sup>11</sup> For example, those due to be on annual leave, or on training and in meetings elsewhere.

<sup>12</sup> For example, complaints relating to security matters are directed to the Security Department, those relating to sentence planning and assessment are directed to the Offender Management Unit, those relating to issues on the wings are directed to the Residential Units, and so on.

## Prototype implementation

Details trial fidelity checks, and bias minimisation can be found in Appendix E.

**Preparation phase:** Prior to the trial starting the researchers met with the key personnel at the prison involved in facilitating the trial (the Coaches and the Complaints Clerk) in-person and by telephone several times. These meetings included detailed explanations about the purpose and rationale for the trial, the prototype and procedures, agreement on responsibilities and timings, specific briefings tailored to their involvement,<sup>13</sup> and any necessary troubleshooting.

**Stage 1:** The treatment group attended the workshop, delivered by all four of the researchers, on PJ and complaints (see section 3.4 for more details) on Friday 7<sup>th</sup> October 2022. Two identical workshops were delivered on the same day, to maximise attendance. The trial began on Monday 10<sup>th</sup> October 2022. From this point the treatment group followed the new approach for responding to complaints, involving the new PJ template (which was emailed to them after the workshop), quality assurance, and coaching (see Appendix B). The waitlist control group continued their practice as usual.

To issue complaints for responses, the Clerk used a spreadsheet co-created with the researchers. Within each department, the names of potential responders were ordered (this included those who were in the treatment group, control group, or the excluded group – see group randomisation section above). The Clerk allocated complaints to the department group corresponding to the topic of the complaint, choosing the responder next on the list, one after the other until reaching the bottom, and then returning to the first person. Individual responders were only skipped during this process if they were not at work (e.g., due to annual leave), and therefore unable to action the request. Appendix F provides a flow chart of the implementation process. When the Clerk issued the complaint to a responder, the template was also sent to them if they were in the treatment group. When the Clerk returned completed responses to prisoners (regardless of who the responder was/the trial group this

---

<sup>13</sup> For example, collaboratively adapting the local complaints database with the Clerk to ensure additional trial data could be recorded easily and accurately and working through PJ support documents to be used if needed.

came from), the questionnaire examining perceptions of PJ was also issued. This was completed anonymously and returned to the Clerk in a sealed envelope (which remained unopened until collected by the researchers).

Data collection from stage 1 ended on Monday 28<sup>th</sup> November 2022, when a sufficient number of complaint responses had been processed to enable analysis. The treatment group continued, however, to adopt the trial template.

**Stage 2:** The waitlist treatment group participants (drawn from the stage 1 waitlist control group and those excluded due to unavailability during the earlier stage of the trial) attended the same workshop on PJ and complaints on Tuesday 10<sup>th</sup> January 2023 (again with two time slots offered to maximise attendance), delivered by two of the researchers. From Wednesday 11<sup>th</sup> January 2023, they followed the trial approach. As the coaching component of the prototype had not been activated during stage 1 (see section 4.1), this was not implemented in stage 2, although the participants were not made aware this was the case (i.e., they believed this would happen if deemed necessary). No further PJ perception questionnaires were issued from this point onwards. Data collection for stage 2 ended on 10<sup>th</sup> April 2023.

### **Process evaluation**

On Monday 9<sup>th</sup> January 2023, after stage 1 and before the start of stage 2, two of the researchers conducted in-person semi-structured interviews and focus groups with responders and prisoners. Additional prisoners consented to answer the interview questions in writing, which was arranged by a middle manager in the prison.

## **3.6 Analysis**

Descriptive statistics, independent samples t-tests, and chi-squared tests were used to analyse the quantitative data. In stage 1, comparisons were conducted between the performance of the treatment and waitlist control groups (to measure impact). In stage 2, the analysis compared the performance of the two treatment groups (treatment group 1 and waitlist treatment group), the waitlist treatment group against the original waitlist control group (both to also measure impact), and the original treatment group across the two time periods/study periods (to measure maintenance

of impact). Analysis of sentiment and readability, and of the PJ questionnaires, was conducted for stage 1 only, as the aim of stage 2 was to provide a durability and replication test for the primary outcome measure (PJ). Due to the multiple comparisons conducted on the PJ content and sentiment in complaint responses, Bonferroni corrections were applied. The qualitative data were analysed using thematic analysis following the steps outlined by Braun and Clarke (2006); 1) becoming familiar with the data; 2) generating coding categories; 3) generating themes; 4) reviewing themes; 5) defining and naming themes; 6) locating exemplars.

### **3.7 Limitations**

Firstly, the trial involved one site, and therefore the process and impact may not generalise to other prisons. The similarity of findings from this study and the previous audit study (Voisey et al., 2022) is reason for optimism about generalisability though, at least to other Category C prisons in HMPPS. Secondly, although the number of complaints analysed was sufficient, the number of responders included in the trial was relatively small. This increases the chance of an imbalance in potential outcome-influencing characteristics within the treatment and control groups. This was partially mitigated by conducting a replication check. Thirdly, the two coaches were not included in the randomisation process but were included in the treatment group; this was done to ensure an adequate sample size. Fourthly, the trial was conducted over a moderate time period of six months (the first treatment group engaged for the whole period, and the second treatment group joined for the latter half). Whether the impact of the prototype is maintained beyond the moderate term is not known. Fifthly, only brief descriptive analysis of COMP1a figures was possible. For more robust conclusions, a longer follow up, and matching appeals to specific individuals whose complaints were handled during the trial would be needed. Both were considered in the design of the current study but were not enacted due to the additional operational demand it would require of the prison. Finally, the low number of PJ questionnaires returned from prisoners meant that these could not be considered a robust measure of complaint recipient perceptions.

## 4. Results

### 4.1 Trial implementation

Overall, the trial was implemented largely as intended, and there was no participant attrition. Three points are worth noting, however: 1) there was an early change to the allocation of residential-related complaints to keep this within each residential area, rather than treat staff in this group as one (see fidelity checks in Appendix E); 2) no responses written by the stage 1 treatment group were deemed to require PJ coaching, and therefore none were escalated for further local support/attention during the trial (and coaching was consequently not implemented during stage 2, although this was unbeknownst to the responders); and 3) a very small number of staff (three) did not use the template. On this third point, one of the staff interviewed after stage 1 reported using the template as a guide for their responses, which they wrote onto a separate document. The responses of two of the participants in the waitlist treatment group had not used the template, in full or as a guide (detected during scoring), although it was unclear why this had been.

### 4.2 Complaint response content

Data from stage 1 comprised 32 complaint responses from the treatment group, and 35 from the waitlist control group, all assessed using the complaint response scoring tool (see section 3.4). Data from stage 2 comprised 30 complaint responses by the original treatment group, and 23 from the waitlist treatment group. Table 1 presents the descriptive statistics by group (and the complaint topics are in Appendix G).

At stage 1, the differences between the groups' scores were statistically significant, indicating the treatment group's use of the prototype had improved their PJ practice compared to the waitlist control group. The responses of the treatment group showed significantly greater presence of total PJ content (which also included an assessment of simplicity, comprehensibility, and congruence), and for the individual PJ principles of voice, neutrality, and trustworthy motives principles.<sup>14</sup> No statistically significant

---

<sup>14</sup> PJ total:  $t(58.80) = -7.25, p < .001$ ; Voice:  $t(44.73) = -6.96, p < .001$ ; Neutrality:  $t(63.93) = -5.54, p < .001$ ; Trustworthy Motives:  $t(63.57) = -5.16, p < .001$

differences were apparent for the respect principle, however, likely because the baseline was high already.<sup>15</sup>

**Table 1: Descriptive statistics of complaint response content (stages 1 and 2)**

	Stage 1		Stage 2	
	Treatment group (N = 32)	Waitlist control group (N = 35)	Treatment group (N = 30)	Waitlist treatment group (N = 23)
	Mean (SD)	Mean (SD)	Mean (SD)	Mean (SD)
Voice (0-2)	1.27 (0.82)	0.14 (0.41)	1.87 (0.35)	1.00 (0.66)
Respect (0-2)	1.83 (0.34)	1.54 (0.55)	1.90 (0.31)	1.80 (0.39)
Neutrality (0-2)	1.69 (0.54)	0.87 (0.67)	1.80 (0.48)	1.41 (0.65)
Trustworthy motives (0-2)	1.63 (0.52)	0.87 (0.67)	1.45 (0.53)	1.20 (0.60)
Overall (simple, comprehensible, and congruent) (-1 - 2)	1.80 (0.36)	1.60 (0.45)	1.80 (0.34)	1.54 (0.50)
<b>Total (-1 - 10)</b>	<b>8.11 (1.92)</b>	<b>5.03 (1.51)</b>	<b>8.80 (1.04)</b>	<b>6.96 (1.86)</b>

Between stages 1 and 2 the first treatment group maintained their enhanced degree of PJ practice. The differenced in total PJ content, respect, neutrality, and trustworthy motives between the two time points were not statistically significantly different.<sup>16</sup> A further statistically significant improvement in voice during stage 2 was observed.<sup>17</sup>

The positive effect of the intervention was largely replicated for the waitlist treatment group after they were trained during stage 2. Statistically significant improvements, compared with the previous waitlist control group scores, were observed for total PJ content, voice, and neutrality.<sup>18</sup> There was no statistically significant difference in

<sup>15</sup> Respect:  $t(56.27) = -2.62, p = .06$

<sup>16</sup> PJ total:  $t(48.34) = -1.78, p = .41$ ; Respect:  $t(60) = -.90, p = 1.0$ ; Neutrality:  $t(59.93) = -0.87, p = 1.0$ ; Trustworthy Motives:  $t(59.62) = 1.31, p = .98$

<sup>17</sup> Voice:  $t(43.18) = -3.79, p = .002$

<sup>18</sup> PJ total:  $t(40.31) = -4.16, p < .001$ ; Voice:  $t(33.42) = -5.58, p < .001$ ; Neutrality:  $t(48.08) = -3.07, p = .02$

the presence of respect and trustworthy motives in their complaint responses, however.<sup>19</sup>

### 4.3 Sentiment

Whilst visually there appear to be some differences in the sentiment (emotion) of words used in complaint responses (see Appendix H), none of the comparisons between the treatment and waitlist control groups were statistically significant.<sup>20</sup>

### 4.4 Readability

The responses of the two groups after stage 1 were statistically significantly different in their readability. The school grade score for the waitlist control group was lower ( $M = 8.64$ ,  $SD = 2.01$ ) than that for the treatment group ( $M = 9.75$ ,  $SD = 1.36$ ).<sup>21</sup> This means the treatment group's responses required the reader to have a higher reading age than those written by their counterparts. Note that these are US school grades; grade 8 equates to a 13-14-year-old reading age, and grade 9 equates to a 14-15-year-old reading age.

### 4.5 Appeals

Figure 4 presents the prison's mean monthly and quarterly complaints appeal (COMP1a) figures, per 100 prisoners, over 24 months. Visual inspection indicates these to be lower during the trial period than in the previous corresponding quarters; 1.43 compared with 2.78 (Oct-Dec 2022/23) and 1.29 compared with 2.40 (Jan-Mar 2023/24). Whilst COMP1a figures are low within the trial period, the pattern across 24 months suggests this decline had begun previously.

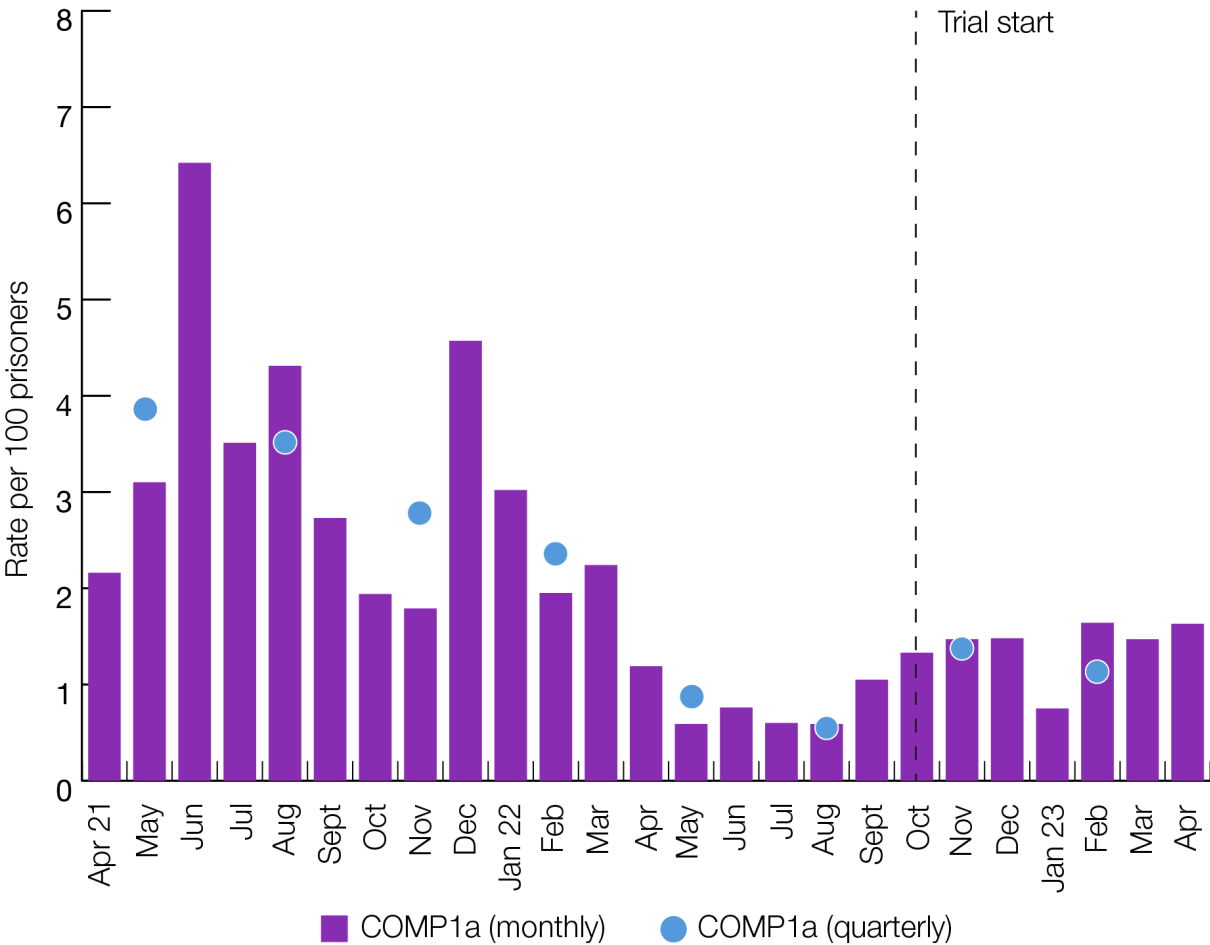
---

<sup>19</sup> Respect:  $t(55.54) = -2.12$ ,  $p = .19$ ; Trustworthy Motives:  $t(50.78) = -1.93$ ,  $p = .30$

<sup>20</sup> Trust:  $\chi^2(1,8) = .05$ ,  $p = 1.0$ ; Surprise:  $\chi^2(1,8) = .02$ ,  $p = 1.0$ ; Fear:  $\chi^2(1,8) = .66$ ,  $p = 1.0$ ; Joy:  $\chi^2(1,8) = 4.97$ ,  $p = 1.0$ ; Sadness:  $\chi^2(1,8) = .66$ ,  $p = 1.0$ ; Anger:  $\chi^2(1,8) = 2.84$ ,  $p = .72$ ; Anticipation:  $\chi^2(1,8) = 1.55$ ,  $p = 1.0$ ; Disgust:  $\chi^2(1,8) = 5.75$ ,  $p = .13$ .

<sup>21</sup>  $t(63.57) = -5.16$ ,  $p < .001$

**Figure 1: Mean COMP1a monthly and quarterly rates (per 100 prisoners)**



**4.6 Perceptions of complaint recipients**

The very low number of questionnaires completed in stage 1 (14 in total; from 5 who received complaint responses from the treatment group, and 9 who received responses from the waitlist control group) renders any statistical analysis meaningless, and as such, no further details are reported here. Analysis of the interviews produced three overarching themes, which are summarised below (and the subthemes in Appendix I). Based on the small sample, these findings should be considered tentatively.

**Theme 1: What matters**

Prisoner participants attached value to the presence of PJ principles within complaint responses. Each of the four principles was perceived to be important, and when present resulted in feeling acknowledged, and hopeful that the response was being considered properly, for example “It is clear that she shows empathy and investigates



the matters that are relevant to the complaint” [trial complaint]. Conversely, when participants perceived there to be an absence of PJ principles, this resulted in questioning, frustration, and a lack of trust. For example:

“[I want] a proper explanation...if there is an issue, how they’ve investigated, who have you spoken to, things like an investigation. Just not half brushed aside...” [pre-trial]

“It is clear to see a grudge is still being held against me from a previous incident. Therefore, I don’t believe the decision was partial and it was clearly personal.” [trial]

Whilst responses that were perceived to be PJ were appreciated, the positive impact could be reinforced or undermined by the responder’s subsequent actions. Participants voiced some reservations, and waiting to see how the responder then acted, as illustrated by the extract below:

“I would like to base the proof in the pudding as to whether the outcome...like where it goes [afterwards]. You can put anything down [in the response], but if you’re not getting nowhere afterwards then it’s just lip service in a sense.” [trial]

## **Theme 2: Perceptions of legitimacy**

Participants reported distinctly different perceptions of the legitimacy and fairness of responses they had received before and during the trial. As illustrated below, respondents identified response features that directly relate to the principles of PJ and reported greater satisfaction with their responses from the trial. The tone of the response too was described as “*key*” to garnering trust and confidence in the responder specifically, and the complaint system generally.

“Clear and shows that not only has she investigated the matters but has used tone of language that is considerate and explains exactly what steps she has taken to provide a remedy to the matter.” [trial]

“I prefer this approach. It’s open and transparent. It runs through your concern. It tells you what’s going to happen next, and it comes from the appropriate person. The [pre-trial response] is more obscure there’s more guessing are they understanding my complaint, why they are responding in a particular way?” [trial]

Participants’ more general perceptions of the legitimacy or degree of bias in complaints handling appeared in part to relate to the topic of their complaints. For example, when complaints related to allegations of staff wrongdoing, participants reported perceiving bias in the subsequent investigations, as illustrated by the following two comments: “I guess it depends on 1) who it is sent to, 2) the topic of complaint” and “I’ve spoken to staff who I’ve got on with and they’ve said, ‘if he’s put in a complaint about so and so it’s got ripped up’. They sort of confessed” [pre-trial complaint]. Further, prisoner’s general expectations of thorough investigations and handling were related to the degree of work they believed the task entailed for staff: “When I think there is a bit of leg work to be done and speaking to three/four people regarding situation. I think that gets a bit brushed aside and I don’t think it happens”. These perceptions could lead to feelings of uncertainty, anxiety, and frustration. While some reported being subsequently deterred from using the complaints system again, others recounted submitting multiple complaints or escalating these with the hope of being heard, understood, and their complaint being processed legitimately.

In particular, the voice principle of PJ was highlighted as critical, including being spoken with, and having what was said reflected in the subsequent response text. Participants felt this demonstrated they had been heard and understood. One described the function of voice as enabling “a better understanding, more information and a better outcome”. Conversely, the absence of PJ cast doubt on the integrity of the author, the process, and the outcome, resulting in the escalation of complaints and distrust.

### **Theme 3. Developing Practice**

Participants identified ways to improve the complaints system more generally, to develop perceptions of its fairness and legitimacy. Making the system easier to use, reliable, consistent, and timely were primary concerns. They recommended, for

example, reducing 'friction' through modernising the system to become electronic (rather than paper-based), providing complainants with expected response times, and improving communication channels between staff (advocating multidisciplinary discussions as well as interdepartmental) to de-bias decision making and improve consistency. Further suggestions included altering the collection times, and the collector, of submitted complaints to increase neutrality: "...in my previous jail it was Governors who came round at dinner time with a set of keys and unlocked the box and take it and process it. More impartial". Inconsistency in response quality was a commonly reported experience too; enhanced quality assurance was suggested to identify and address this: "If you were to look at individuals and how they respond you would get a better understanding of who performs and who does not".

Several of the participants recognised that change in complaints practice had begun at the prison and welcomed opportunities to be heard. Further practice improvement was viewed, however, with a mixture of optimism and scepticism.

## **4.7 Perceptions of complaint responders**

The below summarises the three themes identified from the complaint responders' accounts: developing complaints practice, the impact of developed practice, and developing the complaints system. More details on the subthemes are in Appendix I.

### **Theme 1. Developing complaints practice**

Participants were very positive about the use of the prototype and how this had altered how complaint responses were done locally. The workshop was experienced as effective, acting as a refresher for some and learning opportunity for others. It was described as informative, pitched well, engaging, and including the right content to foster engagement and cooperation (with the researchers knowledgeably and constructively responding to challenge or resistance – "...they are kind of in two minds about the trial, thinking this is just extra work, but once they are trained and they understand it, then it just works better"). The use of examples of real-life complaint responses, and doing practical activities in the session, were felt to have made the workshop meaningful and concrete. One participant queried the need for certain colleagues to attend this training though, suggesting instead that it should be

determined by need (i.e., those who do not provide good quality complaint responses should be targeted for additional training).<sup>22</sup>

The template was described as helpful, intuitive, and easy to use; “the template is very explicit in if you follow it everything is covered”, “it’s just so very easy”, “it’s got a nice flow to it”, “you can just follow it as a guide”, and “it acts as a nudge or sparks the memory”. The Complaints Clerk (who reviewed all responses) noted greater presence of all four PJ principles. Seeing the complainant in person before responding and providing quality explanations were most commonly reported as developed through its use, as illustrated by the quote below from responders:

“...it almost forced the process [seeing the complainant in person] and now it’s just become practice for me and its obviously the right thing to do, but traditionally before when time had been tight...that was the part I missed out.”

There were occasions where the use of the template was deemed not needed, described for examples as “overkill” or “long winded”. This was typically when the complaint was not in fact a complaint per se (see theme 3), or when it could be answered or resolved very simply and required almost no detail.<sup>23</sup> Another participant queried whether instead of the letter form template, a series of reflective prompts could be provided instead; for example: “have you spoken to the complainant?” and “have you listed the information that you have examined?”

Respondents credited the quality of the training and template as the reason for why no coaching was required, deeming this sufficient to improve people’s practice. The systems in place for the Coaches and Complaints Clerk were also described as suitable and easy to implement (although in the end no coaching was required in the trial). Importantly, the participants felt that the trial prototype was workable in

---

<sup>22</sup> Whilst this may be a point to consider during future implementation of the prototype, the methodology of an RCT precludes this.

<sup>23</sup> The example given related to a query as to whether the complainant was listed for different meals for dietary reasons. The responder could simply confirm that they were. In this case, the query should really have been submitted on an application form or addressed via a telephone call between the wing staff and catering department, and a complaint form not have been used.

practice, not requiring much additional time (and not more than was feasible), required little extra effort, and was worth it for the benefits it brought (see theme 2).

## **Theme 2. Impact of developed practice**

There was a consensus that improved practice had or could lead to beneficial impacts for staff and prisoners. In addition to greater use of PJ, the template was felt to give “proper structure” and increase their comprehensiveness (reducing the frequency of those of “just one or two lines”). Responders believed that greater PJ practice helped to resolve complaints and prevent further escalation or repeated raising of the same issues, and would instil greater faith in prisoners regarding how complaints were handled in the prison, as illustrated by the quote below:

“...not only will I go and see them, but I will follow up my response to see the guy and they seem to accept it much better and so I don't seem to get a lot of 'I don't understand that' or 'this is a terrible decision'. Most of them understand why I've/we've come to that decision. ... And it seems that comes to almost a quite natural agreement between you, or at least the person may not have been happy with that response but has understood why that has been made.”

There was uncertainty regarding the impact of developed practice on the number of complaints submitted; they considered that this would be difficult to measure for the departments who generally receive very few complaints in the first place, that numbers might increase if prisoners had more faith in the process and therefore saw it as a valuable avenue to use, or that it may be that the number of appeals (COMP1as) reduce as people better understand and accept the initial investigation outcome. The last of these was certainly perceived to be the case by the staff participants (“...with COMP1as, I haven't logged as much as I used to”), as illustrated below, and in turn fewer COMP1as would mean less time and work required of staff:

“I think that's why we get less 1As because it feels like a decision-making process with both of you, rather than you just you saying 'I've rejected this'.”

One participant reflected that their development gave them greater confidence to uphold complaints, and to justify this to colleagues if needed, as their response detailed more about how the decision was reached: “I think it's probably because when you do the investigation into it and not to be afraid to say ‘yes, actually, you’re right in what you are saying’, and this is what we are going to do to put it right.”

There were indications in the participants accounts that the use of their prototype had become common and maintained (“It has become default really, to be honest I wouldn’t do a response without that format”), resulting in increased standards, and also inspiring more deliberate and explicit use of PJ in other practices too (“we’ve used this format in risk assessments [in response to requests for early release on compassionate grounds], even in letter writing, and in Cat D forms too”<sup>24</sup>).

### **Theme 3. Developing the complaints system**

The participants identified a number of actions to improve the complaints process, many of which were focussed on increasing efficiency and accountability.

Participants believed the allocation of complaints to responders would be improved through direct allocation from the Complaints Clerk (rather than through managers), accounting for availability when allocating (such as annual leave and workload), and allocating via email (as paper copies can be mislaid or take longer to reach the responder). Unanimously the view was that complaints should be allocated within the department related to the nature of the complaint, and for residential wings, allocation should be to staff based in the same location as the complainant.<sup>25</sup> Staff agreed with the prisoners’ view that a modern electronic complaints system would reduce delays and increase individual accountability.

The participants recognised the relationship between complaints and other systems, notably the applications systems. They reflected that if the latter did not work effectively, prisoners were more likely to submit complaints, so improving the

---

<sup>24</sup> Responses to prisoner applications to move to open prison conditions.

<sup>25</sup> This is standard practice. The reason for this feedback from study participants was because the trial initially ‘cross-allocated’ residential complaints – they were allocated to any staff member based on any of the residential areas/wings. This was identified as operationally problematic and resolved within the early days of the trial (see section 3.5, fidelity checks, for more details).

applications system would be beneficial to both. There were strong and consistent views amongst the participants that the complaints system could be improved by addressing prisoners' issues sooner, thus reducing their need to submit complaints. They identified better quality conversations between staff and prisoners and using more regular and informal ways to answer queries and resolve issues (e.g., telephoning the relevant department, rather than advising the person to submit a complaint).

## 5. Discussion

### 5.1 Summary of Findings

This methodologically robust study tested the process and impact (including a replication check) of a complaints handling prototype to enhance the practical application of PJ principles in a prison. The prototype (although note that the coaching component was not used) brought about statistically significantly improved PJ practice overall, and the impact was maintained over the course of a moderate length follow-up period. The lack of change in assessed respect may be explained by this principle already being more explicitly incorporated by responders prior to the trial. Although evidence of trustworthy motives increased for the first treatment group, it did not for the second, and during stage 2, scores for both treatment groups on this principle were lower than for the other three. This might suggest specific difficulty for responders in this area of their PJ practice, possibly due to this principle being more complex or requiring greater skill to demonstrate.

The prototype resulted in no change in the sentiment of words used in complaint responses. However, and concerningly, a statistically significant increase in the reading age required was observed; even before the trial, the reading age of complaint responses was arguably too high (Ministry of Justice, 2022).<sup>26</sup> There is more to do in developing complaints practice that is both procedurally just and accessible to all. COMP1a figures look to be lower in the trial period than the corresponding quarters of the previous year. Whilst this may potentially indicate a positive impact of enhanced PJ in initial complaint responses on the subsequent likelihood of a person submitting an appeal, such conclusions cannot yet be drawn with any confidence.

Staff perceptions of the prototype (workshop and template letter, plus associated support activity required by the Complaints Clerk) were positive; their complaint response practice was deemed improved, the prototype considered feasible to implement, and staff to be 'bought in' to using it. Positive effects were identified in the

---

<sup>26</sup> Ministry of Justice statistics indicate that 61% of adult prisoners taking initial assessments in the year 2021/22 had literacy levels below those expected of an 11-year-old.



immediate-term and potentially for the longer-term also. Prisoners' experiences were also positive, highlighting the importance of PJ practice for them in this part of prison life (as well as the importance placed on decision outcomes) and their enhanced feelings of fairness and legitimacy relating to the prototype. Even during this trial of enhanced complaints practice there were still some examples of poor responses which points to the ongoing merits of a local quality assurance process. Both staff and prisoners recognised the need for further improvements to the complaints system.

## **5.2 Conclusions and Implications**

The findings need to be considered in light of the methodological limitations set out earlier, however, the results, in conjunction with a previous trial at another prison (Voisey, et al., 2022), suggests the prototype improves prison staff's use of PJ principles when responding to prisoner complaints. The trialled approach is experienced as feasible and worthwhile, albeit only one part of achieving an efficient and effective complaints system.

The findings suggest real merit in implementing this approach more widely within HMPPS. Both the impact and process parts of the current trial suggest the workshop and template letter appear critical to the effective implementation and maintenance of PJ practice. A question remains regarding the value of the coaching component of the prototype though; there were no occasions where a complaint response was judged to need this, and the findings clearly show improved PJ practice without this having been employed. Practically, having fewer components in a process is desirable, however, some form of monitoring and individual development activity is likely still needed to achieve the desired practice (and through this, increase the likelihood of desired outcomes), as not all PJ principles were demonstrated equally.

It may be that a person other than the Complaints Clerk is best suited to conduct the PJ assessments. In the present and previous (Voisey et al., 2022) trials, the Clerks were committed to improving practice and supporting trials and were able to find the time for the extra tasks. This may not be possible in other sites/teams. An alternative approach would be to incorporate specific PJ monitoring by senior managers (using

the scoring tool – see Appendix C) into the local monthly quality assurance of complaints which is already required by HMPPS policy. Actively monitoring PJ practice through this process and ensuring this is followed by feedback and support to individual responders via coaching when required, may be a less resource-heavy way to reinforce good practice and to actively address gaps in this also, and signal the importance senior leaders place on PJ practice. Similar amendments to the national approach to auditing prisons' complaints handling may help to develop and support practice also, by focussing central monitoring on specific practice that the evidence shows to be important to people's outcomes. Further work is needed to improve the readability of complaint responses and reduce the reading age required to understand these. Building checks for this into the local quality assurance process is advised.

Aside from the quality of complaint responses, additional improvements to the complaints system that increase its efficiency and effectiveness are likely to enhance the faith both staff and prisoners have in it. Adaptations to the way in which complaints are submitted, acknowledged, and then allocated, are worth considering. Ensuring that actions or changes following a complaint response actually occur, is also critical. Further, using complaints data to identify the most common issues and refocussing efforts to resolve the root causes may help to reduce numbers.

### **5.3 Future research**

A lengthier follow-up period and adopting a longitudinal methodology would allow for a better understanding of the impact of the prototype; to investigate, for example, whether complaints are upheld or how many are escalated to the PPO, and track appeals over a longer period. Official publishing of HMPPS complaints data would aid with this. Testing in different types of prisons (e.g., a women's prison) would bring additional insight into the generalisability of the current study's findings. Further testing should include consideration of how to write complaint responses that are appropriate for a lower reading age. Finally, applying the prototype to other types of complaints may be worthwhile, such as to Discrimination Incident Reporting Forms (Edgar & Tsintsadze, 2017; Lammy, 2017).

## References

Beijersbergen, K. A., Dirkzwager, A. J. E., & Nieuwbeerta, P. (2016). Reoffending after release: Does procedural justice during imprisonment matter? *Criminal Behavior and Mental Health, 43*, 63-82.

Beijersbergen, K. A., Dirkzwager, A. J. E., Eichelsheim, V. I., & Van der Lann, P. H. (2015). Procedural justice, anger, and prisoners' misconduct. *Criminal Justice and Behavior, 42*, 196-218.

Beijersbergen, K. A., Dirkzwager, A. J. E., Eichelsheim, V. I., Van der Lann, P. H., & Nieuwbeerta, P. (2014). Procedural justice and prisoners' mental health problems: A longitudinal study. *Criminal Behavior and Mental Health, 24*, 100-112.

Bierie, D. M. (2013). Procedural justice and prison violence: Examining complaints among federal inmates (2000-2007). *Psychology, Public Policy, and Law, 19*, 15-29.

Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology, 3*, 77-101.

Edgar, K., & Tsintsadze, K. (2017). *Tackling Discrimination in Prison: still not a fair response*. Zahid Mubarek Trust and the Prison Reform Trust. Retrieved from: <https://thezmt.org/wp-content/uploads/2020/11/Tackling-Discrimination-Report-Final.pdf>

Fitzalan Howard, F. & Wakeling, H. (2020). People in prisons' perceptions of procedural justice in England and Wales. *Criminal Justice and Behavior, 47*, 1654–1676.

HMIP (2022a). *HM Chief Inspector of Prisons for England and Wales. Annual Report 2021–22*. Retrieved from: <https://www.justiceinspectorates.gov.uk/hmiprisons/inspections/annual-report-2021-22/>

HMIP (2022b). *Report on an unannounced inspection of HMP Featherstone*. Retrieved from: <https://www.justiceinspectorates.gov.uk/hmiprisons/inspections/hmp-featherstone-4/>

HMPPS (2019). *Prisoner Complaints Policy Framework*. Retrieved from:  
<https://www.gov.uk/government/publications/prisoner-complaints-policy-framework>

Lammy, D. (2017). *Lammy review: final report. An independent review into the treatment of, and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system*. Ministry of Justice. Retrieved from:  
<https://www.gov.uk/government/publications/lammy-review-final-report>

Lind, E. A., & Tyler, T. R. (1988). *The social psychology of procedural justice*. Plenum Press.

Ministry of Justice (2022). *Prison Education Statistics and Accredited Programmes in custody April 2021 to March 2022*. Retrieved from:  
<https://www.gov.uk/government/statistics/prison-education-and-accredited-programme-statistics-2021-2022>

PPO (2022). *Annual Report: 2021/22*. Retrieved from:  
<https://www.ppo.gov.uk/document/annual-reports/>

Tyler, T. R. (1990). *Why people obey the law*. Yale University Press.

Tyler, T. R. (2008). Procedural justice and the courts. *Court Review*, 44, 26-31.

Voisey, J., Fitzalan Howard, F., Wakeling, H., Cunningham, N., Lane, S., & Kirkpatrick, J. (2022). Closing the evidence to practice gap: How can we embed procedural justice principles into complaint responses to prisoners? *Prison Service Journal*, 263, 13-23.

Wakeling, H., & Fitzalan Howard, F. (2022). Prison staff's perceptions of procedural justice in English and Welsh prisons: A quantitative study. *Howard Journal of Crime and Justice*, 1–18.

# Appendix A

## Sample characteristics

**Table A.1: Treatment and waitlist control group descriptive statistics (stage 1)**

Treatment group ( <i>N</i> = 15)			Waitlist control group ( <i>N</i> = 17)		
Grade	<i>n</i>	Department	Grade	<i>n</i>	Department
8	1	Probation	8	0	N/A
7	3	Chaplaincy, Residential, Offender Management Unit	7	1	Residential
6	2	Industries	6	4	Equalities, Offender Management Unit, Reducing Reoffending, Industries
5	3	People Hub, Residential, Security	5	5	Safer custody, Security, People Hub
4	6	Residential, Safer Custody, Physical Education	4	7	Physical Education, Safer Custody, Residential

**Table A.2: Waitlist treatment group descriptive statistics (stage 2)**

Waitlist treatment group ( <i>N</i> = 18) <sup>a</sup>		
Grade	<i>n</i>	Department
8	0	N/A
7	2	Projects, Residential
6	1	Industries
5	8	Security, People Hub, Residential
4	6	Residential

<sup>a</sup> The grade and department of one participant was unknown; as such, the descriptives presented are for 17 of the 18 people.

# Appendix B

## Study Materials

### PJ and complaints workshop

The 2-hour workshop, designed by the researchers, on PJ and complaints centred firstly on developing staff understanding of PJ principles, the evidence-base for the impact of PJ on priority outcomes, and considering PJ in the context of complaints specifically; this was presented and discussed with the aid of a PowerPoint presentation. Secondly, the workshop focussed on developing attendee recognition of PJ (or lack of) and practice, considering the implications or consequences of this, and using PJ more explicitly when writing responses. These aims were facilitated using real-life complaint responses and scenarios, discussions, and skills practice exercises. Thirdly, the workshop included discussion of the trial processes and procedures, and individual responsibilities.

### Complaint response template

The response template (see below) aimed to help responders deliberately, explicitly, and more consistently incorporate the four PJ principles into their written responses to prisoners. It was a slightly modified version of that used in a previous study (Voisey, et al., 2022); findings from that earlier work resulted in minor adjustments being made by the authors.<sup>27</sup> Further minor modifications were then implemented following discussions with staff during the stage 1 complaints workshops.

### Support and guidance documents

Additional support sessions and guidance were provided to the Complaints Clerk and the Coaches. These aimed to support effective and confident implementation of the quality assurance and coaching elements of the prototype (see section 2.4); for example, the Complaints Clerk was provided with a version of Appendix C to guide her review of PJ principle use in draft complaints responses.

---

<sup>27</sup> Credit for the development of the template goes also to colleagues in the HMPPS Probation Service. Their practice directly informed early versions and thinking about this (long before the current and previous study occurred).

---

## PRISONER COMPLAINTS STAGE 1/1A

To [Add name] From [Add name]  
NOMIS [Add NOMIS number] Position [Add position]  
Location [Add location] Date [Add date]  
Log No.

Dear [add first name],

Thank you for bringing this matter to my attention. Your complaint has been given the reference [add reference]. {if relevant} I apologise for sending you an interim response but I did this because I wanted to have all the facts available before I responded.

Having read your complaint it is my understanding that your issue(s) is(are) in relation to [confirm your understanding of the complaint]. [Add in understanding of the impact this may have had for the individual].

I spoke with you about your complaint on [add date]. You confirmed [add what was discussed]. I asked you if you had any evidence you wanted me to consider during the investigation. You gave me [add evidence e.g., kiosk receipt or letters etc.].

I have now investigated [confirm what you have investigated] by [state what you have done e.g., spoken with specific staff or checked paperwork, camera footage or property cards].

I have carefully considered all aspects of your complaint, and I am able/unable to uphold this for the following reasons. [Explain why you are or are not upholding the complaint; and if we got something wrong then it is right to apologise and explain how we will make it right and/or prevent it happening again].

Following your complaint I have / will (where applicable) [add the specific actions].

**EITHER** (if not in their favour)

I understand this may not be the outcome you were hoping for and I would like to take this opportunity to remind you of the support available to you here at HMP Featherstone [provide examples of relevant support/signposting].

**OR** (if in their favour)

I hope this response settles the matter for you.

Yours sincerely,  
[Add your name]  
[Add your position]

# Appendix C

## Complaint Response Scoring Tool Items and Criteria

**Table C.1: Complaint Response Scoring Tool Items and Criteria**

Component	Tier 1	Tier 2
Voice	Actively spoke to the individual.	Active listening – explicit language in the reply that reflects back the voice of the individual.
Neutrality	Being clear about the process you have taken – what you actually did and who was spoken to.  Use causal language to explain why a decision has been reached using facts, evidence, and information.	Demonstrate how evidence has been weighed up and a decision has been reached.
Respect	Sincerely courteous tone (using the words 'please' and 'thank you' is not necessarily sufficient if tone of response is at odds).  Apologising (e.g., if interim response sent, delayed handling, for errors/mistakes made).  Personal reply (rather than 'stock'/copied and pasted 'default' content).	No stigmatising or labelling language or blaming the person.  Addresses the reason for/content of the complaint (rather than being dismissive, ignoring the point(s) made, or overly exerting authority/power in response)
Trustworthy motives	Showing ownership with actions taken.  Recognition of importance of issue to prisoner (perspective taking).  Showing a level of empathy/ understanding of their concerns'	Response recognises the practical difficulties the person has been subjected to/living with.  Response signposts to relevant resources to help from either an emotional perspective or practical perspective (it must be specific and not generic).
Overall: Simple	Simple language - e.g., no jargon or technical language.	

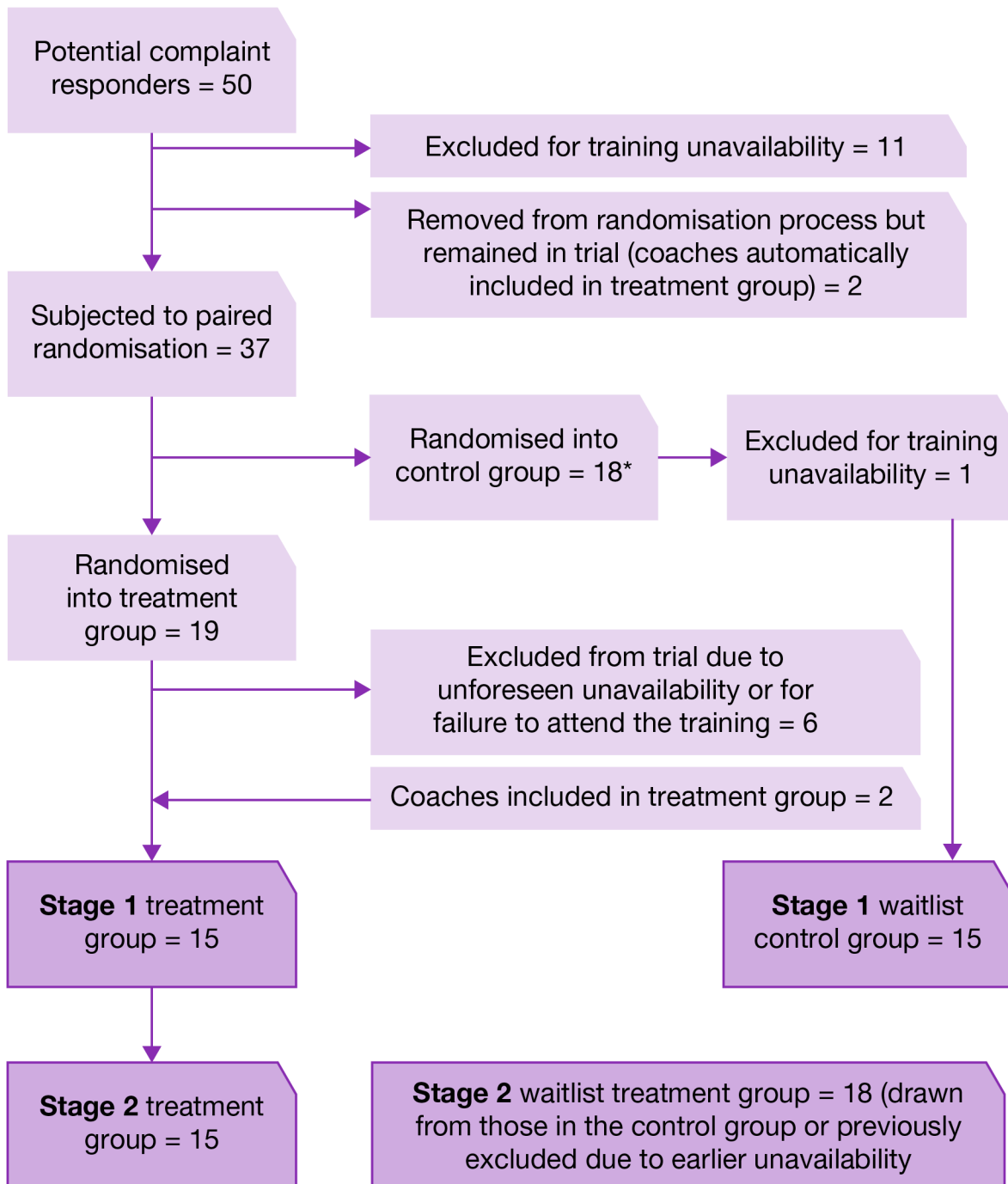


<b>Component</b>	<b>Tier 1</b>	<b>Tier 2</b>
Overall: Comprehensible	Easy for people to understand.	
Overall: Congruent	Tone and content are consistent and not 'jarring'.	

# Appendix D

## Randomisation and Sample Selection Process

Figure D.1: Randomisation and Sample Selection Process



One change was made prior to the groups being finalised: an error was discovered within the 18 people randomised to the waitlist control group in stage 1; one of the participants did not in fact answer complaints. At the same time, another staff member was identified who responded to complaints, but who had not been identified at the start of the sample selection process. These two were of the same grade and department, and so were directly swapped with each other. The timing of this is denoted by an asterisk in the diagram above.

# Appendix E

## Fidelity and Bias

### Fidelity checks

The researchers kept in close contact with the Complaints Clerk and the Coaches, especially in the first few weeks of the trial, to check the processes were being adhered to as planned. Only one issue arose, in the first week of stage 1 implementation, which led to a change being agreed and implemented immediately. As outlined in the previous section, the Clerk issued complaints to staff according to their department, systematically working down a list of names. For the residential department, this caused operational difficulties. This includes staff from across all residential parts of the prison (i.e., multiple wings); traditionally residential-related complaints would be issued to a staff member on the same wing as the complainant. The trial had altered this, and instead residential-related complaints were allocated to all residential staff as a group in order, regardless of the wing they or the complainant were based on. This cross-wing complaints handling added pressure on staff, requiring them to be released to other wings to meet with complainants or investigate issues they may not have been familiar with (as they had no prior relationship with the person). Local staffing numbers made this very difficult; consequently, the allocation process was altered to consider each residential area separately and new allocation groups (i.e., wing X, wing Y, and wing Z) were formed and the ordered allocation process then applied to them as per the trial process.

### Minimising bias

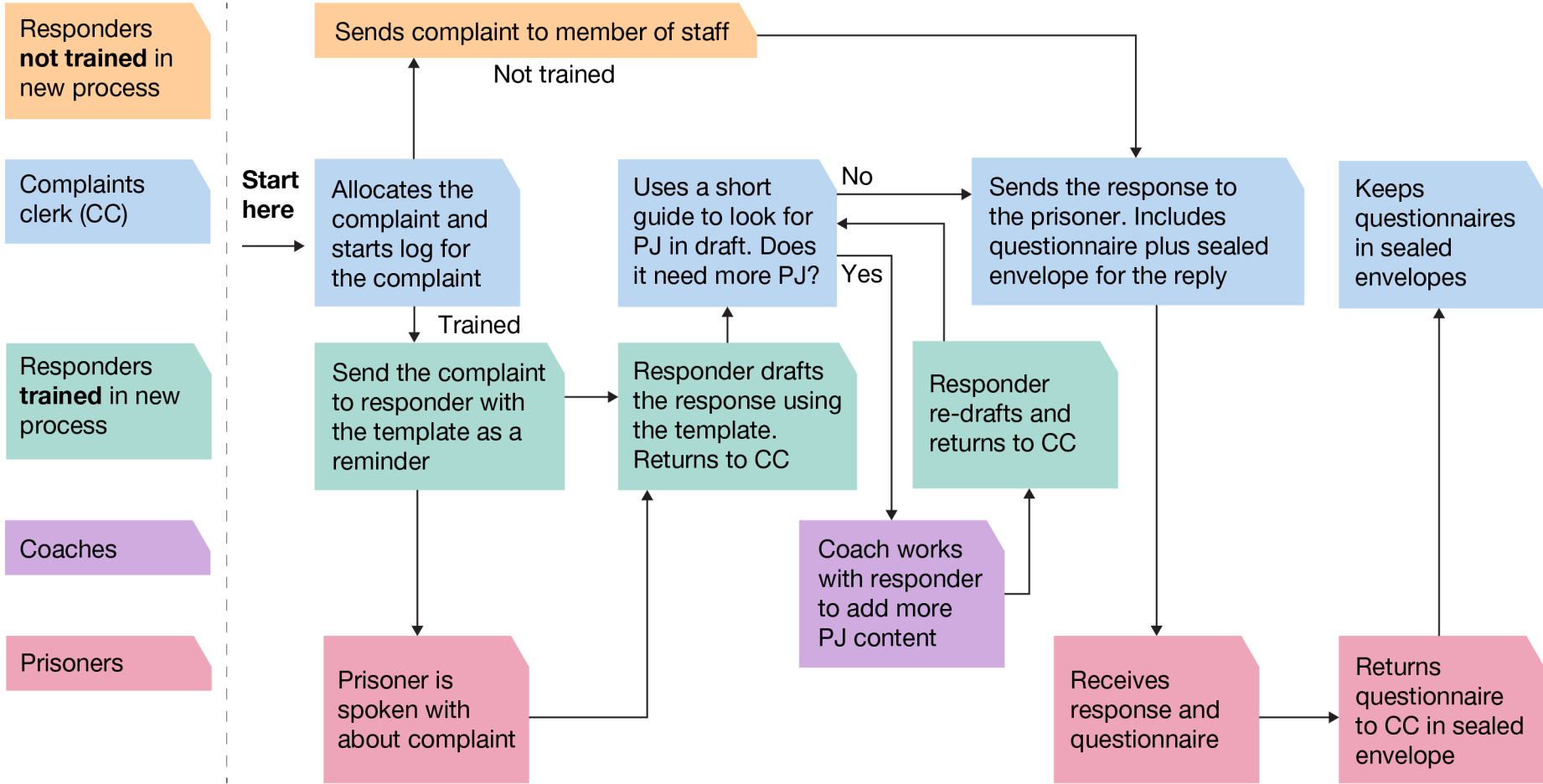
The ideal RCT is 'double blind' which means that neither the participants nor the researchers know who is in the treatment or the control conditions. This was not possible. The researchers were aware of who was in each group, and those in the stage 1 treatment condition knew they were being asked to use a response template and may be subject to coaching. Those in the waitlist control group may or may not have been aware of the trial taking place, depending on conversations that occurred between colleagues (although the treatment group were asked not to advertise their trial work). When the complaint responses were scored, however, no evidence was seen of the waitlist control group utilising the template.

To reduce the influence of researcher bias on the results, at the analysis stage only one author was responsible for allocating responses for the scoring/coding of the main outcome measure (complaint response content) within the research team. The other three researchers were, therefore, blind to the condition of the participants/responses they were assessing.

# Appendix F

## Trial Process

Figure F.1: Trial Process



# Appendix G

## Summary of Complaint Topics (Stage 1)

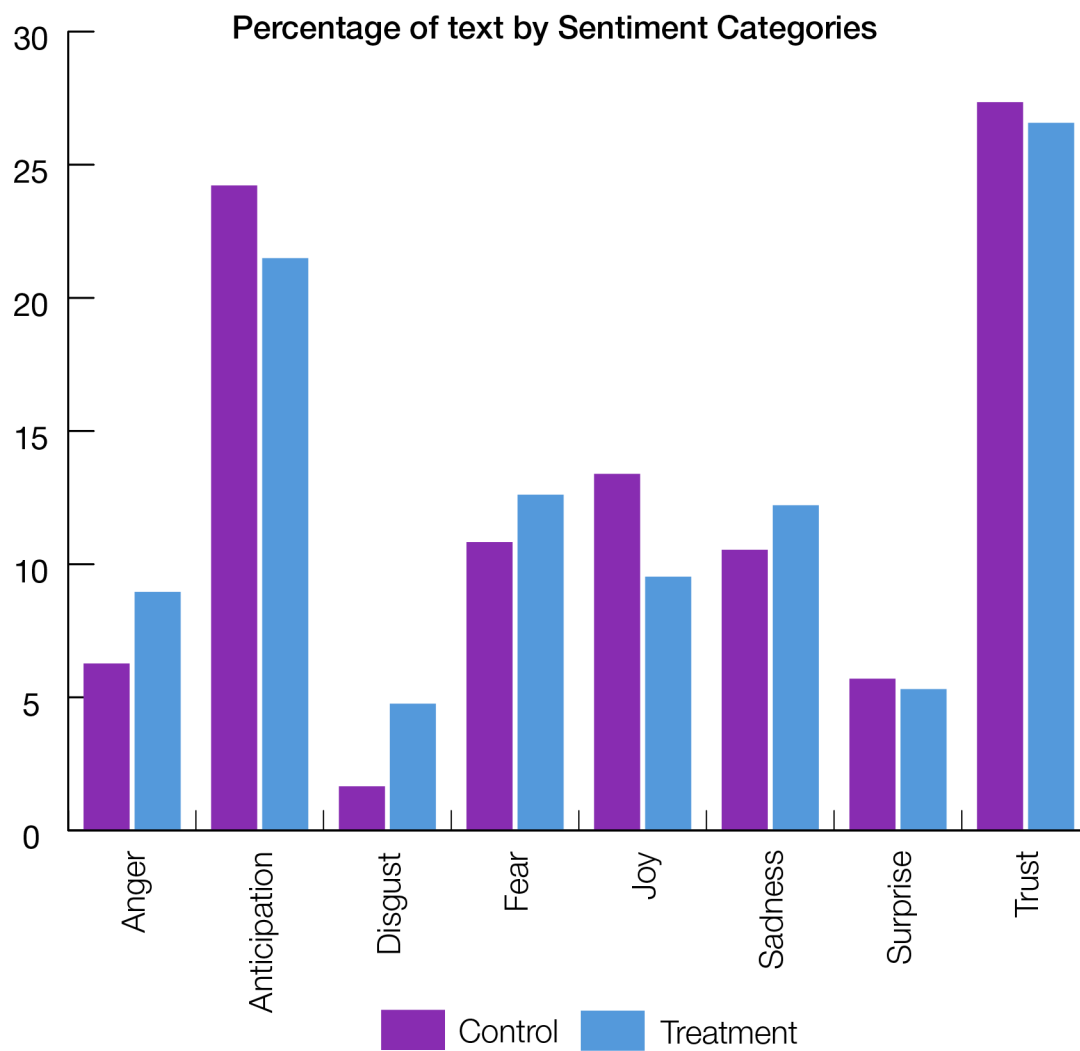
**Table G.1: Summary of Complaint Topics (Stage 1)**

Topic of complaint	Treatment group	Waitlist control group
Property	9	8
Job allocations and pay	0	7
Negative staff behaviour	3	5
Telephone-related	0	4
Access to basics and regime	5	5
Transfers and recategorisation	4	3
Warnings received	3	0
Offender Management and risk assessments	5	1
Food and dietary needs	3	0
Health and Safety	0	1
Funeral attendance	0	1

# Appendix H

## Sentiment of Words in Complaint Responses (Stage 1)

Figure H.1: Sentiment of Words in Complaint Responses (Stage 1)





# Appendix I

## Experience Themes (Stage 1)

**Table I.1: Prisoners' experience of complaint responses**

Theme	Subthemes
What matters	Perceptions of the process (PJ) Words followed by action
Perceptions of legitimacy	Influence of complaint topic Influence of the work/effort required Improvements during the trial
Developing complaints practice	Behaviour nudges Perceptions of change

**Table I.2: Responders' experience of complaints practice**

Theme	Subthemes
Developing complaints practice	Prototype effectiveness Feasibility and resource requirement Buy-in and clarity of expectations
Impact of developed practice	Response quality and handling Staff outcomes: time, confidence, workload, self-awareness Prisoner outcomes: decision acceptance, understanding, faith, satisfaction Changes in complaint numbers Sustaining and transferring practice
Developing the complaints system	Allocation process Electronic systems Earlier resolution of issues