

Accountability or Expectations Management? The Role of the Ombudsman in Financial Regulation

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Abstract

Current research of third-party complaint handling institutions evaluates their success in providing redress and advancing service improvement. This focus is driven by a normative predisposition. In contrast, this study is based on an inductive, ethnographic research of the UK Financial Ombudsman Service. This inductive analysis is employed to develop hypotheses to guide future research on third-party complaint handling. It is suggested that current literature may have overlooked the role of third-party complaint handling schemes in managing what, from a professional point of view, are citizen-consumers' excessive expectations for redress. The normative implications of this tentative empirical claim are further discussed.

REFERENCES

Adler, Michael (2003) "A Socio Legal Approach to Administrative Justice," *Law & Policy* 25: 323-53.

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Anderson, Eugene W., and Mary W. Sullivan (1993) "The Antecedents and Consequences of Customer Satisfaction for Firms," *Marketing Science* 12 (2): 125-43.

| [Web of Science®](#) | [Google Scholar](#) |

Ansell, Christopher, and Jane Gingrich (2003) "Reforming the Administrative State." In *Democracy Transformed? Expanding Political Opportunities in Advanced Industrial Democracies*, edited by B. E. Cain, R. J. Dalton & S. E. Scarrow. Oxford: Oxford Univ. Press.

| [Google Scholar](#) |

Best, Arthur, and Alan R. Andreasen (1977) "Consumer Response to Unsatisfactory Purchases—Survey of Perceiving Defects, Voicing Complaints, and Obtaining Redress," *Law & Society Review* 11: 701-42.

| [Web of Science®](#) | [Google Scholar](#) |

Black, Julia (1997) *Rules and Regulators*. Oxford: Clarendon Press.

| [Google Scholar](#) |

Clarke, Michael (1999) *Citizen's Financial Futures: The Regulation of Retail Investment Financial Services in Britain*. Aldershot: Ashgate.

| [Google Scholar](#) |

Cowan, David, and Simon Halliday (2003) *The Appeal of Internal Review*. Oxford: Hart Publishing.

| [Google Scholar](#) |

Danet, Brenda (1978) "Toward a Method to Evaluate Ombudsman Role," *Administration & Society* 10: 335-70.

| [Web of Science®](#) | [Google Scholar](#) |

Goffman, Erving (1952) "On Cooling the Mark Out: Some Aspects of Adaptation to Failure," *Psychiatry: Journal of Interpersonal Relations* 15: 451-62.

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Hill, Larry B. (2002) "The Ombudsman Revisited: Thirty Years of Hawaiian Experience," *Public Administration Review* 62 (1): 24-41.

Hirschman, Albert O. (1970) *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*. Cambridge: Harvard Univ. Press.

Hirschman, Albert O. (1982). *Shifting Involvements: Private Interest and Public Action*. Princeton, NJ: Princeton Univ. Press.

Hochschild, Arlie R. (1983) *The Managed Heart: Commercialization of Human Feeling*. Berkeley: Univ. of California Press.

James, Rhoda (1997) *Private Ombudsmen and Public Law*. Dartmouth: Aldershot.

Leidner, Robin (1993) *Fast Food, Fast Talk: Service Work and the Routinization of Everyday Life*. Berkeley, CA; London: Univ. of California Press.

Lloyd-Bostock, Sally (1999) "Calling Doctors and Hospitals to Account." In *Medical Mishaps: Pieces of the Puzzle*, edited by L. Mulcahy M. M. Rosenthal & S. L. Bostock. Buckingham, PA: Philadelphia Open Univ. Press.

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Maute, Manfred F., and William R. Forrester Jr. (1993) "The Structure and Determinants of Consumer Complaint Intentions and Behavior," *Journal of Economic Psychology* 14 (2): 219-47.

Miewald, Robert D., and John C. Comer (1986) "Complaining as Participation—The Case of the Ombudsman," *Administration & Society* 17: 481-99.

Miller, Richard E., and Austin Sarat (1981) "Grievances, Claims, and Disputes-Assessing the Adversary Culture," *Law & Society Review* 15: 525-66.

Morganosky, M. A., and H. M. Buckley (1986) "Complaint Behaviour: Analysis by Demographics, Lifestyle and Consumer Values," *Advances in Consumer Research* 14: 223-26.

Mulcahy, Linda (2003) *Disputing Doctors: The Socio-Legal Dynamics of Complaints about Medical Care*. Maidenhead, UK: Open Univ. Press.

Mulgan, Richard (2003) *Holding Power to Account: Accountability in Modern Democracies*. New York: Palgrave Macmillan.

Nader, Laura (1980) *No Access to Law: Alternatives to the American Judicial System*. New York: Academic Press.

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Oliver, Richard L., and Wayne S. DeSarbo (1988) "Response Determinants in Satisfaction Judgments," *The Journal of Consumer Research* 14: 495-507.

| [Web of Science®](#) | [Google Scholar](#) |

Richins, Marsha L. (1987) "A Multivariate Analysis of Responses to Dissatisfaction," *Journal of the Academy of Marketing Science* 15 (3): 24-31.

| [Google Scholar](#) |

Roch, Christine H., and Theodore H. Poister (2006) "Citizens, Accountability, and Service Satisfaction: The Influence of Expectations," *Urban Affairs Review* 41: 292-308.

| [Web of Science®](#) | [Google Scholar](#) |

Samuel, A. (2005) *Consumer complaints and compensation: A guide for the financial services market*. Surrey: City & Financial Publishing.

| [Google Scholar](#) |

Schlesinger, Mark, Mitchell Shannon, and Brian Elbel (2002) "Voices Unheard: Barriers to Expressing Dissatisfaction to Health Plans," *The Milbank Quarterly* 80: 709-55.

| [PubMed](#) | [Web of Science®](#) | [Google Scholar](#) |

Scott, Colin (2000) "Accountability in the Regulatory State," *Journal of Law and Society* 27 (1): 38-60.

| [Web of Science®](#) | [Google Scholar](#) |

Seneviratne, Mary (2002) *Ombudsmen: Public Services and Administrative Justice*. London: Butterworths.

| [Google Scholar](#) |

Singh, Jagdip (1989) "Determinants of Consumers' Decisions to Seek Third Party Redress: An Empirical Study of Dissatisfied Patients," *The Journal of Consumer Affairs* 23: 2 20-62

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Steele, Eric H. (1974) "Fraud, Dispute, and the Consumer: Responding to Consumer Complaints," *University of Pennsylvania Law Review* 123: 1107–86.

| [Web of Science®](#) | [Google Scholar](#) |

Stirton, Lindsay, and Martin Lodge (2001) "Transparency Mechanisms: Building Publicness into Public Services," *Journal of Law and Society* 28: 471–89.

| [Web of Science®](#) | [Google Scholar](#) |

Tyler, Tom R. (1988) "What Is Procedural Justice—Criteria Used by Citizens to Assess the Fairness of Legal Procedures?" *Law & Society Review* 22: 103–35.

| [Web of Science®](#) | [Google Scholar](#) |

Tyler, Tom R. (1994) "Psychological models of the justice motive: antecedents of distributive and procedural justice," *Journal of Personality and Social Psychology* 67: 850–63.

| [Web of Science®](#) | [Google Scholar](#) |

Tyler, Tom R. (2006) "Psychological Perspectives on Legitimacy and Legitimization," *Annual Review of Psychology* 57: 375–400.

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