
Focusing learning on customer service: an example from the public sector

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Abstract

Describes an example of a successful learning programme focused on customer satisfaction. Reports on a programme for experienced staff in the European Patent Office called ChOral (CHairing ORAL proceedings). The stages of the programme included sponsoring by a top manager to overcome initial resistance, to support cognitive task analysis and to give "pep talks" to the learners to emphasise the customer-satisfaction goal; using a consultant to learn "active listening" and "empathy" techniques, which were then included as training content; creating representative case studies and "courtroom" role-playing exercises; self-study by the learners of the recommended procedures; and a video-based, role-playing practice and feedback system using recently trained examiners as "models", demonstrating the procedures to be learned by new trainees, with subsequent feedback commentary from respected experts.

Recent research suggests that a "customer-service" training focus in European business settings produces different knowledge and organisation results from a "job and task focused" or "knowledge for its own sake" learning orientation (Figure 1). Achtenhagen and Oldenbürger (1996) in a recent issue of the *International Journal of Educational Research* discuss the current state of vocational training and education in Europe, and state that what is required is "the development of new and effective teaching-learning processes within vocational education and training. There is a lack of newer theoretically driven approaches. This means that traditional approaches still dominate the actual practice in schools and enterprises".

They also report the results of investigations that were carried out on employees' goals preferences in training. The views of the employees' superiors were also solicited. The authors started from the hypothesis of Pudenz (1991) that diverging patterns of judgements would be found, with:

- superiors making interpretations in terms of managerial strategy goals; and
- employees interpreting goals in relation to personal needs.

They report the results of four studies. In the first study, employees and superiors agreed in their preferences for goals which emphasised improving abilities, qualifications and functional competence, but there were differences in other preferences – the employees mainly focused on personal goals whereas the superiors additionally included strategic goals for corporate training. In a second study, a similar pattern of results was found, with the employees emphasising the personal goal perspective and the superiors again emphasising the strategic dimension.

However, in two other studies where the work is customer-centred, for both employees and superiors, personal and entrepreneurial goals together were the most important for corporate training. In other words, there was a convergence in the goal preferences compared with the studies where the activities were not customer-centred (Figure 2).

The authors conclude:

- If superiors' goals do not reflect the needs and problems of their employees appropriately, it might cause motivational problems and, subsequently, a sub-optimal use of the resources of corporate training.

Figure 1

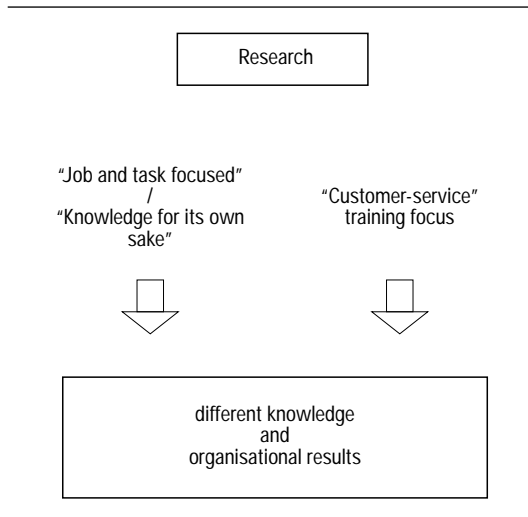
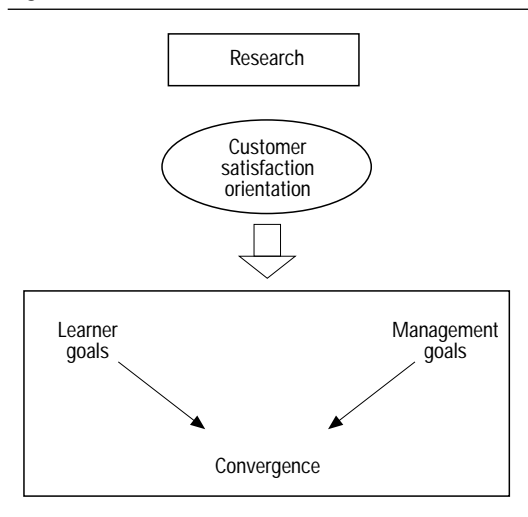


Figure 2



- A client orientation seems to foster a greater awareness of human attitudes and interactive behaviour.
- Differences between the views of superiors and employees may paralyse the efforts of corporate training and increase the cost structure.

These studies were mentioned here because they seem to tie in with some of the results we have observed during the ChOral programme that we have been running in the European Patent Office for the last couple of years.

Aim of the paper

The paper has three main aims:

- (1) to describe a successful example of a training programme in the European

- public service that focuses on customer satisfaction,
- (2) to compare it with some recent research reports, and
- (3) to draw conclusions.

The European Patent Office (EPO)

Before describing the ChOral programme itself, a few words to describe the organisation within which it takes place would be useful. The EPO is an inter-governmental organisation set up by international treaty (the European Patent Convention) and first opened its doors in 1977. It is a self-financing European organisation that exists entirely from the fees that applicants and others pay for its services. It has developed into a very successful organisation with an input of work more than twice that originally envisaged, and grants patents valid in all 18 member states (which include all the EU states) plus three future EPO member states in Eastern Europe. The staff who examine the applications for European patents are drawn from virtually all the member states; they have a first or higher university qualification in science or technology and usually several years' experience in industry or research. They have to work in all three of the Office's official languages – English, French and German. The examiners thus have advanced technical and scientific knowledge, can work in three languages, but have no legal training.

As regards the setting for the training programme, it relates to public hearings that are called “opposition proceedings”. Briefly, once a patent has been granted in “examination proceedings”, where each application is examined to see if it meets all the relevant criteria, it may be opposed by any other person(s) who considers that, on particular legal grounds, it should not have been granted. This opens “opposition proceedings”, of which there are about 2,500 each year. Great care must be taken in opposition proceedings because parties often have a large financial interest in the outcome and are usually represented by legally trained representatives. The parties and their representatives come from many different legal systems, cultures and language groups. In about half of the opposition cases, the parties, or usually their legal representatives, choose to appear in person and present their cases in “oral

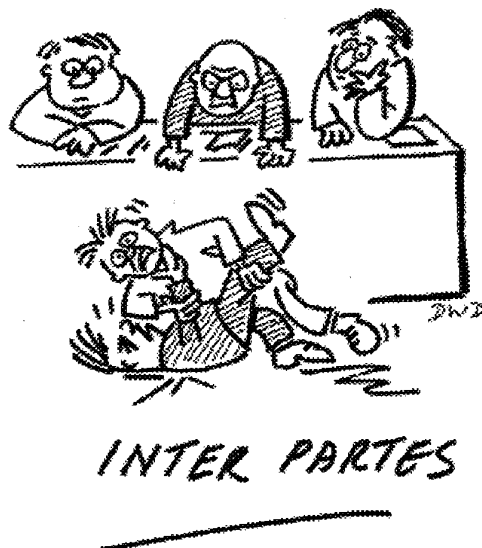
proceedings”, which resemble a court hearing in a number of respects. These hearings are held in front of a panel of three examiners who are required to act as judges. One of the examiners will chair the proceedings. The ChOral programme is directed at the 300 or so experienced examiners who currently CHair ORAL proceedings in opposition cases (Figure 3). We call opposition proceedings “*inter partes*” (Figure 4) because they have the character of a legal and technical dispute between two (or more) parties, with the opposition division deciding the outcome. It was in this context that we set out to improve both the performance of the chairmen and their awareness of “customer satisfaction” when dealing with the parties who appear before them.

Figure 3

ChOral

Ch airing Oral Proceedings in Opposition cases in the European Patent Office

Figure 4



The ChOral programme

The ChOral programme was developed at the request of the vice-president of the Directorate-General of the EPO. While he was satisfied that the decisions and the behaviour of the examiners were legally correct, he wished to bring more uniformity into the way that oral proceedings were being conducted. At the same time he wanted to orient the chairmen more towards ensuring that the parties would leave the hearing feeling that they had been treated fairly. A “customer” who attends oral proceedings should be entitled to expect that the treatment he receives will be uniform, predictable and fair and not vary according to who is appointed to the panel that is dealing with the case.

At this point is shown a video extract of the vice-president explaining the background to ChOral to a group of participants. The extract shows him saying, among other things “Yes, you are quite right, George, it is sponsored by me and we regard it as very important. What have particularly interested me and have sparked this off are certain comments made by quite a large number of patent attorneys. What I am concerned with is that not only justice has been done, but that all parties should *feel* that justice has been done. The objective is that the perception of the outside world of the way we conduct oral proceedings will be a much more uniform approach and a greater confidence that justice has not only been done, but is actually seen to be done, and that all parties, whether they win or lose, will go away satisfied.”

Preparing for ChOral

The first stage of preparing ChOral was to carry out an analysis of oral proceedings using a cognitive task analysis approach, by interviewing a series of experts. Figure 5 illustrates a stage of this analysis (Woods, 1994). To get a better grasp of what was a rather complex process, which was not always the same but often depended on events as they unfolded, we divided the chairman’s job into main “functions” and then functions into “tasks”. We organised the job the way it is performed by sequencing the functions and tasks into “before, during and after” the oral proceedings (Figure 5).

Figure 5

Chairing Oral Proceedings (OPPO)		
Before	During	After
(TASKS)	(PHASES)	(TASKS)
<ul style="list-style-type: none"> - Study case - Check: new requests late filed documents summons interpreters Fehltsasche etc. - Arrange meeting with division 	<ul style="list-style-type: none"> - Opening phase - Main phase discussions witnesses breaks amendments requests - Closing phase 	<ul style="list-style-type: none"> - Check minutes - Sign minutes

Before the official opening of the proceedings, a number of tasks could be clearly identified and captured as a series of written procedures. But we found it more useful to view what was happening during the proceedings itself as a series of phases – an opening phase, a main phase, and a closing phase. Within each of these phases one could capture what was happening in a collection of procedures, of which some were always carried out, and others were carried out only in certain circumstances, depending on the nature of the case being heard. When developing such procedures it is sometimes useful to keep in mind a saying attributed to Einstein: “Everything should be made as simple as possible, but not simpler.” We took this as our guide.

Some of what the person in the chair has to control include when to open, adjourn and close the proceedings, who does what, which topics need to be discussed and when, who should speak and when, etc.

Once we had documented how the oral proceedings should be conducted, generated a glossary and found suitable cases to use in the exercises, we developed the role-playing structure that we shall describe in a moment.

As part of the preparation for the role-playing, briefing meetings are held for groups of participants. During the briefing meeting, the vice-president explains the background to ChOral, some guidance is given on how to achieve the effect we are seeking, and documents are distributed describing how to conduct the oral proceedings in the recommended way. This is set out in terms of procedures developed during the task analysis, which are to be studied during the period leading up to the role-playing exercises.

Figure 6

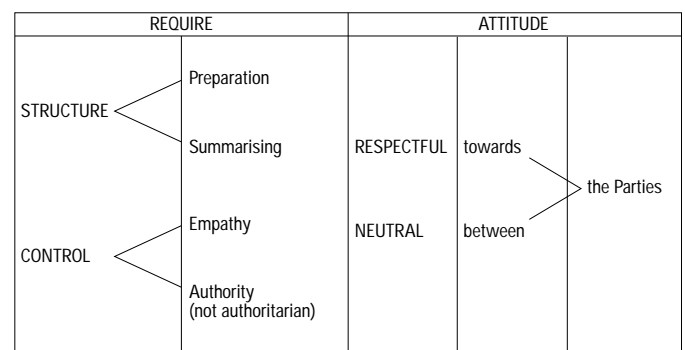


Figure 6 illustrates one of the overheads used during the briefing meeting. In it we highlight how the chairman can ensure that the proceedings have a clear structure and how he can maintain control. Working in an office that uses three official languages, we err on the side of caution and remind participants of the difference in meaning between “authority” and “authoritarian”.

We also describe and recommend a technique that we refer to as “the empathy technique” or “active listening”. This involves asking the chairman to paraphrase back to the speaker important statements that he has made and asking if that is what the speaker intended. This is an important technique, particularly in an office where the languages used are rarely the mother tongue of all those present. Its use requires the chairman to check that he has grasped the meaning correctly. If a chairman has a tendency to communicate to the parties a closed mind about the issues being raised in the proceedings, the active listening technique can help to project a more open and receptive attitude. This approach seems to ensure that the parties can see immediately, and thus feel reassured, that they have been understood correctly. If a speaker thinks that the chairman has not understood and expressed correctly the essence of what was said, the speaker has the opportunity immediately to correct it. Psychologists also advise that this technique exercises a calming effect when a party becomes excited or frustrated, and thus allows the chairman to maintain better control of the situation in a reasonable way.

The role playing

Participants in the ChOral programme attend two learning sessions, the first time as

“observer” and the second time as “actor”. During their day as actor, they participate in simulated oral proceedings three times, once as chairman and once in each of the two other roles – as first and second member of the opposition panel, or opposition division, to give it its official name.

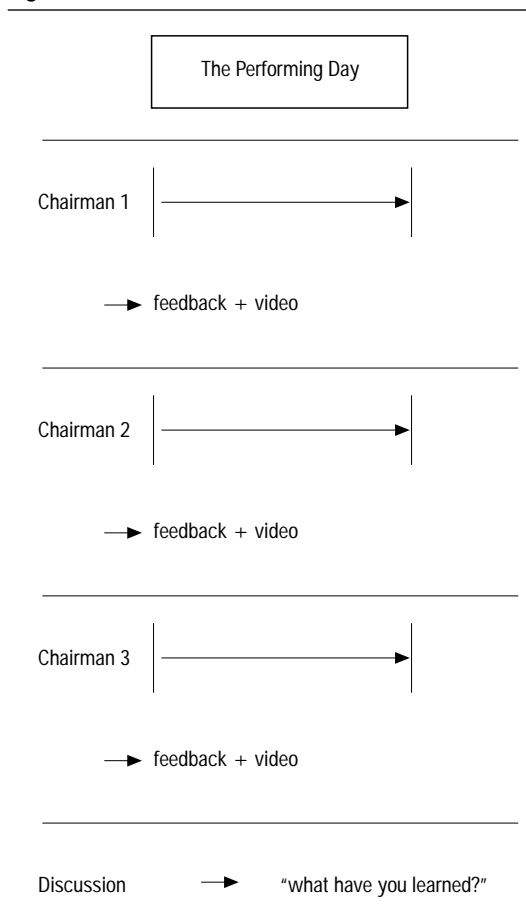
Figure 7 illustrates what happens during a role-playing session. The first chairman opens the oral proceedings and runs it to the end, exactly as if it were the real thing. In training sessions we restrict the time for each oral proceedings to about one hour. Two specially prepared trainers, whom we call coaches, play the roles of the opposing parties in a very realistic way, introducing various legal and technical points and arguments, as well as types of behaviour and incidents that can occur in real life, and the chairman has to cope with everything that happens “in real time”, as if it were the real thing. This is all recorded on video tape. After a short pause to change the tape and give the actors a chance to recover, the coaches review the chairman’s performance. They comment in a sensitive way, emphasising the positive points of the chairman’s

performance with the help of video excerpts, and sensitively indicate any areas where he may not have followed the recommended procedures. This feedback session is videoed as well. After this, it is the turn of the second chairman and then the third to conduct oral proceedings. The coaches introduce different legal arguments and other incidents into each oral proceedings, so that each one is different and each chairman is confronted with a fresh set of problems, as in live proceedings.

During each of the oral proceedings the observers have been watching as though they were members of the public. They have been asked to make notes of a number of things, including how closely the chairman keeps to the recommended procedures, the degree of structure that was apparent, the extent to which he uses the empathy technique, etc. They pass their notes to the coaches during each break, so that the coaches can take this additional information into account in preparing their feedback. This way of handling the feedback ensures that untrained observers do not give feedback or comments in an insensitive manner directly to the chairman. We see this as being important, since it helps to avoid any disagreement or awkward moment that could spoil the special atmosphere that is built up. It is one of the details that has enabled us to create an environment in which experienced people can be challenged with new or surprising procedures and incidents, and possibly make mistakes and learn from them, in a closed, confidential and supportive atmosphere, without being embarrassed or upset by negative remarks. This atmosphere is helped by the assurance given during the briefing meeting that no copies of the tapes are made and no record of their performance is kept: it is entirely a training session.

At the end of each day the chairmen are asked for their reactions, and in particular to identify what they have learned. Their comments are listed on a flip chart and a reduced size copy is made and given to the chairmen to take away with them. If they wish, they can also take the video tape of their own performance, or they can elect to wait for a day or two while the recording of their feedback session is added to their own tape so that they have both together.

Figure 7



We have, incidentally, found that some room layouts are more conducive to successful role-playing of oral proceedings than others, because we have noticed that, to a certain extent, the placement of the various players influences their behaviour. Figure 8 illustrates the usual layout, and Figure 9 shows the layout during the feedback sessions.

Figure 8

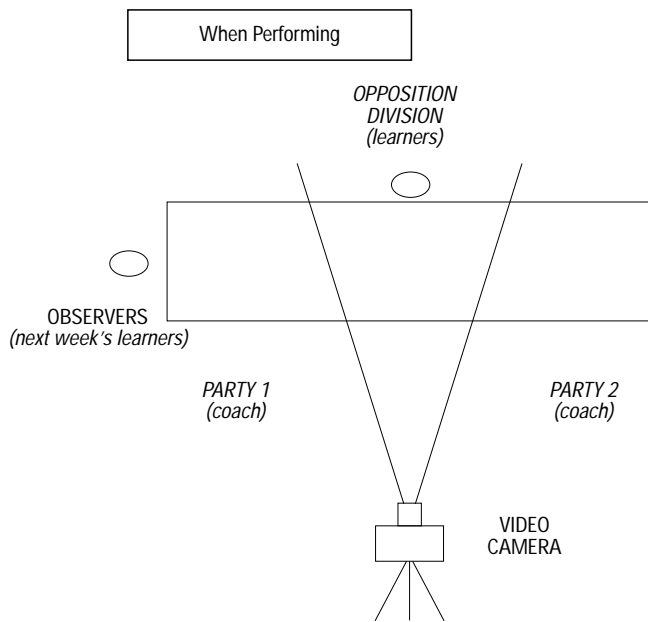
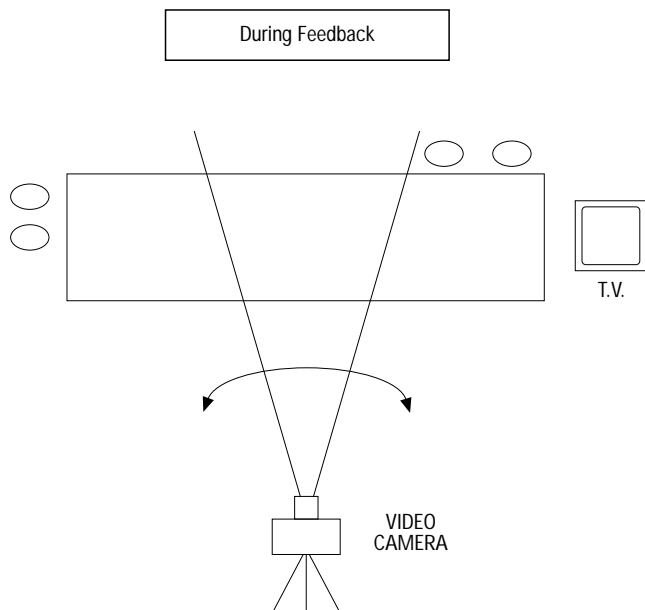


Figure 9



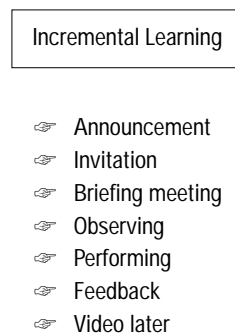
The structure of ChOral: incremental learning

ChOral is organised in such a way that the learning is spread out in time and in a series of stages that develops the learner's interest and takes the participants progressively into the material. A number of the stages are designed to achieve more than one effect at the same time. It is perhaps worth examining this structure in some detail because it has, we believe, contributed significantly to the success of the programme.

ChOral is so structured that seven separate stages can be identified. The first four stages serve to build up motivation in the participants (some will call this marketing), and learning or reinforcement of learning takes place in six and possibly all seven stages. Since these stages are spread over a period of weeks or sometimes months, there is a gradual build-up of learning in an incremental way. Figure 10 illustrates what we mean.

When ChOral first started, an announcement was made by the vice-president in a positive tone, setting out the background and mentioning that we had achieved a reputation for good quality work but that it was necessary to continually seek ways of improving further. The announcement mentioned the aim of ensuring that our procedure was harmonised, predictable and seen to be fair to all parties. Since the programme was aimed at experienced examiners, many of whom would consider that they were already doing a good job and did not need "training", we took considerable care with the wording of the announcement. The expression "training", for example, does not appear in the announcement nor anywhere in the other documents – it is the "ChOral programme" that we talk about. The initial announcement started to generate interest

Figure 10



and, inevitably, in a few individual cases a resistance to the necessity for such a programme. We then ran several pilot sessions with volunteers to test the concept of role-playing as we used it, and adjusted some of the details of how the sessions would be run. After the programme got under way and quickly developed a good reputation, the motivating effect of word-of-mouth reports by early participants reinforced the desire to participate. Once the programme was running smoothly, participants were given the freedom to choose their own dates and partners in the sessions. (It must be admitted that this also reduced the administrative burden on us.)

At the next stage, a group of about 20 participants receive an invitation to a briefing meeting. A copy of the original announcement, the introduction to the documentation (specifically designed to motivate them) and a glossary accompany the invitation. With these documents they can start to get a feeling for what is going to happen, and the first stage of the detailed learning begins.

At the briefing meeting the vice-president explains the background in a 15-minute talk. This demonstrates clearly that he is sponsoring ChOral and this acts as a further motivating point. At the meeting, the way that the sessions will be run is also explained in detail, the so-called empathy technique is explained and demonstrated, the remainder of the documentation is distributed and any remaining queries or uncertainties are dealt with. The participants then generally have several weeks to study the procedures before their observing session.

At the observing session further learning takes place. The observers critically watch a demonstration and take notes, as explained earlier, and become more familiar with the procedures. It has also been noticed that some observers who did not seem to have studied the documents very well before their observing session were provoked into making an additional effort before their performing day, probably by the realisation that it was not all as easy as they, experienced chairmen, had assumed it would be.

The acting day is of course the event that creates for the participants the most intense learning experience, first the effect of the performance itself, and then the effect of

watching themselves on video and receiving supportive feedback from the coaches.

Useful learning and motivating also take place after the acting session. The participants generally take the video home where they look at it again, sometimes with their families, and reflect about the experience they have been through and what it has brought them.

Results

The reactions of the participants have been very positive, to an extent that we have never experienced following a traditional training course. We have not yet met anyone who has participated and who did not think it worthwhile; even those who were sceptical or who argued against the whole idea changed their minds after participating – and did not hesitate to tell us so. A number of the participants declared publicly that ChOral was the best training that they had ever had, and occasionally people stopped in the corridor in the days following their session to congratulate us. Sometimes people bring the subject of ChOral up in conversations (even outside work) and mention the positive feelings they experienced. So, from the side of the participants, ChOral can certainly be considered a success.

The coaches have observed improvements in the level of the performances since the early pilot runs. This is in part due to participants preparing better now – the news has spread. But possibly it is also due to the gradual effect that the training is having on the conduct of real oral proceedings. For example, some examiners who have not yet participated in ChOral will have been a member of a panel where the chairman had already done ChOral and was using what he had learned. The other members of the panel will be influenced by this, and so there will be a snowball effect, even among those who have not yet participated.

The line managers are also pleased with the effects, some of them also praising it as the best training they have ever attended, because most of them have also participated by now.

As regards the external participants in oral proceedings, several indications suggest that they have noticed improvements without knowing that a performance-improvement action was under way. The first clear

indication was a remark made by some interpreters after ChOral had been running for some months. Interpretation, by the way, is provided for parties who request it by bringing in external professionals on the days they are required. Some interpreters appear fairly regularly and so are familiar with how oral proceedings are conducted. The interpreters in question remarked spontaneously to one chairman that there had been a noticeable improvement in the efficiency of the conduct of oral proceedings over the previous months. Further conversation revealed that they were unaware of the existence of ChOral. Another chairman was agreeably surprised when, in his first oral proceedings after participating in ChOral, the losing party came up to him at the end and thanked him for giving him such a fair hearing. That was the first time that anyone had heard of that happening. Clearly, ChOral was having an effect. Since then there have also been more comments from representatives and unsolicited letters to the office, even on behalf of parties outside Europe, expressing satisfaction at the way that their cases have been handled. The feedback coming in seems to confirm that ChOral is indeed resulting in a significant improvement in the areas it was designed to influence.

There is yet another significant indication. Oral proceedings are also held in front of a three-member panel at a higher judicial level if any losing party in opposition proceedings files an appeal. There are several hundred oral proceedings each year before these “boards of appeal”. We are receiving unsolicited comments from representatives who appear regularly before both levels; they report that a gap is opening between the way that oral proceedings are conducted before the boards of appeal and in opposition proceedings. This is significant because the other body can be viewed as a control group, and our “customers” who experience both levels of proceedings are noticing the positive impact of ChOral and are starting to comment on it.

Some observations and conclusions

Several of the characteristics of ChOral that make it different from earlier learning events in our environment can be readily identified:

- it was the first time we had attempted to design a performance-improvement programme specifically aimed at experts;

- details of the programme were adjusted to take account of the internal culture;
- sponsoring by a senior manager was used for the first time;
- it was the first time that instructions on *how* to carry out such legal processes had been given to experienced staff in the form of clear, detailed procedures; until then experts were accustomed to receiving documents in traditionally drafted, prose texts; only novices had experienced the new form;
- the role-play method in the form we use it was quite new; although the method itself was known, it had never been used so intensively, realistically and for such long periods at a time;
- senior management was seen to be associated directly (via sponsoring) with a novel, successful and popular programme for experts, which could bring benefits in staff/management relations;
- cognitive task analysis methods were used extensively to design the procedures; although we had previous experience designing procedures using these methods, they had never been used on this scale before.

It is interesting now to return to the comments of Achtenhagen and Oldenbürger quoted above. In the case of the ChOral programme, it seems reasonable to describe it as “a new and effective teaching-learning process”, in the sense that it represented, for us at least, a clear break with traditional approaches to vocational education and training. It was also a “theoretically driven approach”, insofar as it made extensive use of cognitive task analysis to capture expert knowledge (Clark, 1990), it applied the active listening technique to reassure our customers and clarify issues and it applied the engagement/confidence approach to motivating difficult or over-confident participants (Bandura, 1990).

In setting out to design a programme that met the management’s strategic goals of achieving more uniform working methods and improved customer satisfaction, the needs and concerns of the employees were also addressed. To achieve the effect being sought by the management, the chairmen were shown how to maintain a better control of potentially demanding situations by teaching them a new technique and by

giving them the opportunity, in a secure environment, to practise exercises in a way that encouraged them to adopt the recommended procedures. The management's aim of increasing customer satisfaction was in fact achieved by giving the chairmen the opportunity to enhance their own performance.

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