

Governance and Healthcare Assurance Paper CSGC07/XXX

Hampshire Primary Care Trust Complaints Report 2007- 2008

Executive Summary:

To inform GHAC Committee, GHAC and HPCT Board of Complaints received from 1 April 2007 – 31 March 2008.

Actions Requested:

To note the report.

Aims Supported by this Paper:

All NHS organisations have an obligation to deliver complaints services in line with the requirements of the NHS (Complaints) Regulations 2004 and the NHS (Complaints) Amendment Regulations 2006 as well as the requirements for Managing complaints as defined within C14- Standards for Better health and NHSLA.

Corporate Citizenship, Equality and Diversity

This paper does not request decisions that impact on corporate citizenship, equality and diversity.

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Board Sponsor:

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Hampshire Primary Care Trust Complaints Report 2007-2008

1. Introduction

The report considers complaints received by the PCT during 2007/08.

A new complaints and PALS information leaflet has been compiled to reflect Hampshire PCT arrangements these are distributed to members of the public who may wish to make a complaint or PALS enquiry. The leaflet is also available to members of staff, together with other complaints handling information on the Intranet site and to the general public on the PCT's website.

A Hampshire wide complaints policy/procedure was ratified by the Board in October 2006. The procedure incorporates ethnicity/disability data collection and a system for patients to feedback on how their complaint has been managed by the PCT. Hampshire PCT Customer Service Team was established in May 2007 and incorporates aspects of patient experience; such as complaints, comments, concerns and compliments. It was anticipated by merging Patient Advice and Liaison service with complaints the team will provide an improved communication link for members of the public and improve our ability to inform service improvement.

The Customer Services Team changed directorates in March 2008 and is now managed within Nursing, Therapies and Clinical Standards/ Care Services Directorate.

It was reported in the previous annual reports that changes would be made to the NHS Complaints Regulations during 2007/08, however this has not occurred and it is now confirmed these changes will be implemented 1st April 2009.

The aim of this report is to provide the Care Services Integrated Governance Committee, Governance and Healthcare Assurance Committee and HPCT Board with a report in line with the requirements of the NHS (Complaints) Regulations 2004 and the NHS (Complaints) Amendment Regulations 2006.

2. Care Services and Hampshire PCT Complaints

The PCT received 244 complaints relating to provision of service and commissioning issues from 1 April 2007 to 31 March 2008. Each complaint was summarised within the quarterly complaints report as submitted to the Customer Services Manager. (For comparison the PCT received a total 312 complaints year ending 31 March 2008.

Set out below are the subjects of complaints received, the subject titles used are those contained within the Korner returns submitted annually to the Department of Health:

	Service	Number
1	Hospital acute services: Inpatient	13
2	Hospital acute services: Outpatient	69
3	Hospital acute services: A&E	2
4	Elderly (geriatric) services	2
5	Mental health services	0
6	Maternity services	0

7	Ambulance services	0
8	Community hospital services	60
9	NHS Direct	26
10	Walk in centres	13
11	Other community health services	29
12	PCT commissioning	22
13	Other	8
	TOTAL	244

By Directorate/ Business Unit (Q3-4):

During 2007-08 the new risk management data system has been implemented- DATIX.

Quarter 1 & 2 data has been collected via 4 different databases, Quarter 3 and 4 submitted via DATIX. Below are the statistics for the distribution of complaints for Quarter 3 and 4.

There was a total of 116 complaints during Q3 & 4

HPCT	Commissioning	13
	Corporate Affairs	1
	Finance	0
	Human Resources	0
	IMT	1
	Public Health	2
	Total	17
Care Services	Adults – South East	14
	Adults - North East	11
	Adults – West	24
	Children’s Services	7
	Lymington Hospital	28
	Schedule Care	4
	Dental Services	7
	Quit for Life	0
	Other	4
	Total:	99

The following is a table of complaints set out by profession:

	Profession	Number
1	Medical (including surgical)	57
2	Dental (including surgical)	25
3	Professions supplementary to medicine	29
4	Nursing, Midwifery and Health Visiting	55
5	Scientific, Technical and Professional	1
6	Ambulance crews (including paramedics)	0
7	Maintenance and Ancillary staff	0
8	PCT Administrative staff / members (exc GP admin)	16
9	Trust Administrative staff / members	23
10	Other	38
	TOTAL	244

The following is a table of complaints set out by subject:

	Subject of complaint	Number
1	Admissions, discharge and transfer arrangements	12
2	Aids and appliances, equipment, premises (including access)	10
3	Appointments, delay / cancellation (outpatient)	51
4	Appointments, delay / cancellation (inpatient)	3
5	Length of time waiting for a response, or to be seen: NHS Direct	10
6	Length of time waiting for a response, or to be seen: Walk in centres	18
7	Attitude of staff	27
8	All aspects of clinical treatment	16
9	Communication / information to patients (written and oral)	13
10	Consent to treatment	5
11	Complaints handling	0
12	Patients privacy and dignity	10
13	Patients property and expenses	1
14	PCT commissioning (including waiting lists)	40
15	Independent sector services commissioned by PCTs	1
16	Independent sector services commissioned by trusts	0
17	Personal records (including medical and / or complaints)	1
18	Failure to follow agreed procedures	1
19	Patient's status, discrimination (e.g. racial, gender, age)	0
20	Mortuary and post mortem arrangements	1
21	Transport (ambulances and other)	0
22	Policy and commercial decisions of trusts	1
23	Code of openness - complaints	11
24	Hotel services (including food)	0
25	Other	12
	TOTAL	244

To comply with the NHS (Complaints) Regulations 2004 and Amendment Regulations 2006 all complaints should be acknowledged within 2 working days and a response compiled and dispatched within 25 working days. 231 complaints were responded to within 25 days

3. The Healthcare Commission

The second stage of the NHS Complaints procedure is referral to the Healthcare Commission. Complainants had the right to refer their complaint to the Healthcare Commission within 6 months following receipt of the NHS organisation's final response to their complaint.

The PCT received 9 contacts from the Healthcare Commission in relation to requests for independent review of complaints relating to the PCT during this year.

The PCT has received the decision of the Healthcare Commission in respect of 7 cases year end 31 March 2008. There were no recommendations for 4 cases and appropriate action was taken to meet the recommendations for the other three cases.

Case Reference No.	Date request received	Date Trust submitted or contacted FHS practice	Date recommendations received
PCT - NNE07/011 HC ref: C200710_0432	Dec 07	7.3.08	Complaint upheld further LR
PCT - NNE07/008 HC Ref: C200711_0032	14.1.08	May 2008	Complaint upheld further LR
PCT – NNE07/012	29.2.08	April 08	PCT agreed to fund product therefore HC withdrawn
PCT - NNE07/34 HC Ref: C200802_0489	27.2.08	7.5.08	LR not completed meeting with patient arranged, HC withdrawn

4. Family Health Services Issues

The PCT has a responsibility to collate complaints statistics relating to General Medical Practitioner or General Dental Practitioner complaints. The number of complaints are reported to the Survey Team at the Department of Health. The data for the year ending 31 March 2008 is:

Practitioner Type	Complaints 2007/2008	Complaints 2006/2007
GPs	925	828
Dentists	183	220

Issues relating to Family Health Service Practitioners referred to the Healthcare Commission: The Healthcare Commission has informed the PCTs of 14 referrals received by them requesting an independent review of issues relating to FHS practitioners within the areas of the PCT.

Of the 3 reports received from the Healthcare Commission in relation to Family Health Service Practitioner complaints; the Practices reported that all actions have been completed.

5. The Health Service Ombudsman

The third element of the NHS Complaints Procedure is referral to the Health Service Ombudsman. Complainants have the right to refer their complaint to the Ombudsman if they remain dissatisfied following an independent review being conducted by the Healthcare Commission.

No cases have been referred to the Health Service Ombudsman.

6. "Spotlight on Complaints" Report

The consultation *Making Experiences Count, A new approach to responding to complaints* was launched on 18 June 2007 and closes on 17 October. It proposes a new single system for

handling complaints across health and social care which will operate in keeping with the new culture being introduced through the Health Reform changes.

The key headlines are:

- “The new arrangements for complaints responsiveness will ensure that what people tell us about their experiences become the major drivers of service improvement.”
- “Focus on early, swift, local resolution built around the needs of the person, not the process.”
- “Excellent complaints professionals who will have the confidence of all concerned...and won’t be able to do their jobs *without the support of senior managers..*”
- “The way that complaints are dealt with are like a window into the heart of organisations – get complaints right and you enhance and protect your reputations for the future.”
- “Complaints are a free form of research.”
- “Dealing with dissatisfied customers is not an add-on, it is integral and needs to be recognised as a key component.”

Local resolution must consider:

- Better explanation of events
- Lesson showing that we have learned from complaints
- Meetings offered between the complainant and the staff involved
- Responding to all issues raised rather than selective or partial response
- Giving the patient the choice as to how they wish their complaint to be addressed letter, meeting etc

Improve procedures for handling complaints:

- Information easily available and accessible to all
- Staff are trained to respond to a complaint with confidence and to make any immediate changes required and know how to escalate matters
- Analyze complaints - does the main source of complaint represent the majority of people who use that service?
- Sympathetic to complaints
- Focused on resolving matters
- Seek to Resolve complaints rather than just process them
- Agree type of response with the complainant e.g. meeting, letter etc
- Flexible – personal apology, meetings and involving complainants when make improvement to services
- Able to ensure that an appropriate remedy is provided if a problem is found
- Link to service improvement agenda

Non-Adversarial:

When a complaint is received Trust must provide a robust examination of the issues raised.

- clear plan and policy for examining complaints
- recognized techniques (such as root cause analysis) are used to formulate a response
- relevant statements and evidence are gathered and explained to the patient
- staff involved in the complaint contribute to the response
- **senior staff manage the overall response to make sure it accurate and appropriate**
- Independent input is used when appropriate (such as very complex or emotive cases) this demonstrates openness.
- Provide a appropriate remedy if a problem is found

7. Complaints Training

Training and induction with some departments as well as independent contractors has taken place throughout this year and will be ongoing

8. Conclusion

What are complainants looking for?

- An explanation
- To improve services
- An apology
- Recognition of the incident complained about
- Same thing not to happen again

The Complaints procedure will be changing in April 2009 and its important that the PCT and its independent contractors are ready the main emphasis will be local resolution which must consider:

- Better explanation of events
- Lesson showing that we have learned from complaints
- Meetings offered between the complainant and the staff involved
- Responding to all issues raised rather than selective or partial response
- Giving the patient the choice as to how they wish their complaint to be addressed
letter, meeting etc

Early Resolution can solve issues before they escalate and Informal resolution does reduce the importance of the issue therefore the ongoing development of the PALS services will be paramount.

Good customer care skills for all staff at all stages of the informal/formal complaints process

Changing the culture as to how a complaint are received in the PCT has to be changed – Complaints are free patient feedback and are a valuable resource for organisational learning – what can we learn from complaints?

- Feedback from a patient group
- What do patients want
- Honesty and empathy
- Gracious apology
- To be shown respect – explanation – involve and solve
- To feel better and to know that the NHS has learned from their complaint

The committees are asked to note the above report and support the future development of the complaints process.