



A Review of the NHS Hospitals Complaints System: Putting Patients Back in the Picture.

A briefing for local Healthwatch.

The Francis report¹ into the failings at Mid Staffordshire NHS Foundation Trust highlighted significant and serious short comings in the complaints system. This prompted the Prime Minister to launch a review of the handling of concerns and complaints in NHS hospitals. The review, entitled "Putting Patients Back in the Picture" was Chaired by the Rt. Hon Ann Clwyd MP for the Cynon Valley and Professor Tricia Hart, Chief Executive, South Tees Hospitals NHS Foundation Trust and was published today.

"Putting Patients Back in the Picture" sets out the reasons people complain, including lack of information, they are not treated with respect, compassion, sympathy or dignity. This resonates strongly with what people told Healthwatch England as set out in our annual report.² "Putting Patients Back in the Picture" also picks up on staff attitudes and concerns about resources, for example accessing incontinence pads. The report goes onto set out what patients want from a complaints system.

The report recognises that there were over 162,000 complaints about NHS care in 2012/13 amounting to 3,000 per week. The report also quotes Healthwatch England's work which has identified 54% of people who had a problem with health or social care in the past three years did nothing to report it.³

Given the findings in the report the Rt. Hon Oliver Letwin MP has announced he will be undertaking separate reviews looking at how to make it easier for the public to make a complaint and how complaints are treated by the NHS.

Recommendations

The report makes over 40 recommendations aimed at improving the complaints system in hospitals. Crucially, the report recognises that the challenge is implementing the recommendations. To do this there are some key drivers for change. The work of the Healthwatch network will be pivotal to deliver these recommendations.

The recommendations are grouped into four areas for change: improving the quality of care; improving the way complaints are handled; ensuring independence in the complaints procedures; and whistleblowing. Key recommendations include:

- Healthwatch England should continue to bring together patients and representative groups, and lead the Healthwatch network in the public campaign to improve complaints' systems in health and social care. Some funding should be made available to help organisations to fully participate in this important work.
- Trusts should provide patients with a way of feeding back comments and concerns about their care on the ward. These include simple steps such as putting pen and

¹ Public Inquiry into the Mid Staffordshire NHS Foundation Trust, Volume 1, Chapter 3 pp 245-287 [Mid Staffordshire Inquiry Report](#)

² [Healthwatch England Annual report 2012/13](#)

³ [Healthwatch England's letter to the Secretary of State about the challenges in the current complaints system in Health and Social care and what can be done it. June 2013](#)



paper by the bedside and making sure patients know who to speak to if they have a concern.

- The independent NHS Complaints Advocacy Service should be re-branded, better resourced and publicised. It should also be developed to embrace greater independence and support to those who complain. Funding should be protected and the service attached to local Healthwatch organisations.
- Patient services and patient complaints support should remain separate. PALS should be re-branded and reviewed so it is clearer what the service offers to patients and it should be adequately resourced in every hospital.
- Every Trust should ensure any rebranded patient service is sufficiently well sign-posted and promoted in their hospital so patients know where to get support if they want to raise a concern or issue.
- There should be Board-led scrutiny of complaints. All Boards and Chief Executives should receive monthly reports on complaints and the action taken. These reports should be available to the Chief Inspector of Hospitals.
- Patients, patient representatives, local communities and local Healthwatch organisations should be fully involved in the development and monitoring of complaints systems in all hospitals.
- The CQC should include complaints in their hospital inspection process and analyse evidence about what the Trust has done to learn from their mistakes.
- Every Trust has a legislative duty to offer complainants the option of a conversation at the start of the complaints process. There should be a new duty on all Trusts to publicise an annual complaints' report, in plain English. This report should state what complaints have been made and what changes have taken place.

Implementing change

The report recognises there have been previous reviews and recommendations focusing on the complaints system. It crucially sets out three drivers for change: consumer power; a champion for complaints reform; and pledges to act, for which the Healthwatch network is central.

Consumer Power

More needs to be done to encourage patients and the wider public to insist on a better complaints system for the NHS. The report recognises the role of Healthwatch network and others to work together locally and nationally to monitor and press for the implementation of the recommendations. Furthermore the report calls for resources to be provided to this group to develop joint work, both nationally and locally. "Putting Patients Back in the Picture" also suggests that the funding for local Healthwatch organisations is protected by ringfencing it in the future, reiterating the call that was made by Sir Robert Francis.



A Champion for Complaints Reform

It is clear that patients who wish to complain need a champion, in the health & care system. The report says that the Chief Inspector of Hospitals at the Care Quality Commission should therefore prioritise the examination of the handling of complaints by NHS organisations.

Pledges to Act

The third driver for change is pledges to act. The report sets out pledges from organisations to take action on complaints including NHS England, the Care Quality Commission, Monitor and the Parliamentary and Health Services Ombudsman.

Healthwatch England's initial view

Healthwatch England welcomes the recognition of the problems individuals face when thinking about, or trying to make a complaint. We are particularly pleased that there is a recommendation about the role of the Healthwatch network in a public facing campaign. This will be crucial to ensure that people know both how to raise a concern or complaint and secondly the standards that they should expect.

Healthwatch England is calling for new pilots so that local Healthwatch can work with providers to improve low performing complaint systems and develop good practice. This will result in co-designed practical solutions to improve local complaint systems to meet peoples' needs.

Healthwatch England:

- Recognises the issues outlined in the report in relation to complaints advocacy services and PALS.
- Calls for consolidated advocacy services and agrees with the need to review PALS so it is clear what the service offers to patients.
- Wants to work with the Department of Health and others to design and promote standards for health and social care complaints handling alongside a consolidated PALS and complaints advocacy offer.

The recommendations in the report recognise the need for greater accountability and scrutiny. Healthwatch England believes local Healthwatch can provide challenge and scrutiny to assess the quality of complaints handling by local commissioners and providers but recognise this may require greater resource to be put in place.

Healthwatch England welcomes the recognition in the report that providers need to meet their existing statutory obligations and that the existing regulations need revising to bring in additional duties. Healthwatch England believe that the Regulations should be changed so that 'worried bystanders' can also register concerns or complaints and be directed to local Healthwatch.

Healthwatch England commits to championing consumer interest in Oliver Letwin's review of complaints in the NHS, the scoping of national complaints reform and any forthcoming plans to integrate the health and social care complaints systems.

The full report is available [here](#).