

Compliments, Complaints and MP Enquiries Quarter 3 Report

Governing Body meeting

Item 13g

3 April 2014

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| Author(s)/Presenter and title | Sarah Neil, Complaints Manager and Patient Experience Lead On behalf of Kevin Clifford, Chief Nurse |
| Sponsor | Kevin Clifford, Chief Nurse |
| Key messages | |
| <p>Formal complaints decreased by 52% from 25 (quarter 2) to 12 (quarter 3).</p> <p>83% of formal complaints were responded to within 25 working days.</p> <p>Complaints about continuing healthcare and NHS-funded nursing care decreased by 72% from 18 (quarter 2) to 5 (quarter 3).</p> | |
| Assurance Framework (AF) | |
| <p>Assurance Framework Number: AF reference 2.1</p> <p>How does this paper provide assurance to the Governing Body that the risk is being addressed?</p> <p>The report provides assurance that complaints that the CCG receives relating to providers are handled appropriately.</p> <p>Is this an existing or additional control: Existing</p> | |
| Equality/Diversity Impact | |
| <p>Has an equality impact assessment been undertaken? NO</p> <p>Which of the 9 Protected Characteristics does it have an impact on? Complaints could potentially impact on all characteristics.</p> | |
| Public and Patient Engagement | |
| Please list PPE activity: Not applicable | |
| Recommendations | |
| The Governing Body is asked to note the Compliments, Complaints and MP Enquiries Quarter 3 Report 2013/2014. | |

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1. Introduction

NHS Sheffield Clinical Commissioning Group (CCG) receives compliments, complaints and MP enquiries about the services that it commissions and about services provided by the West and South Yorkshire and Bassetlaw Commissioning Support Unit on behalf of the CCG. Those relating to Sheffield Teaching Hospitals NHS Foundation Trust, Sheffield Children's NHS Foundation Trust and Sheffield Health and Social Care NHS Foundation Trust are redirected to the trusts to handle. The remainder are handled by NHS Sheffield CCG. Since 1 April 2013, complaints about GPs, dentists, opticians and pharmacies are handled by NHS England.

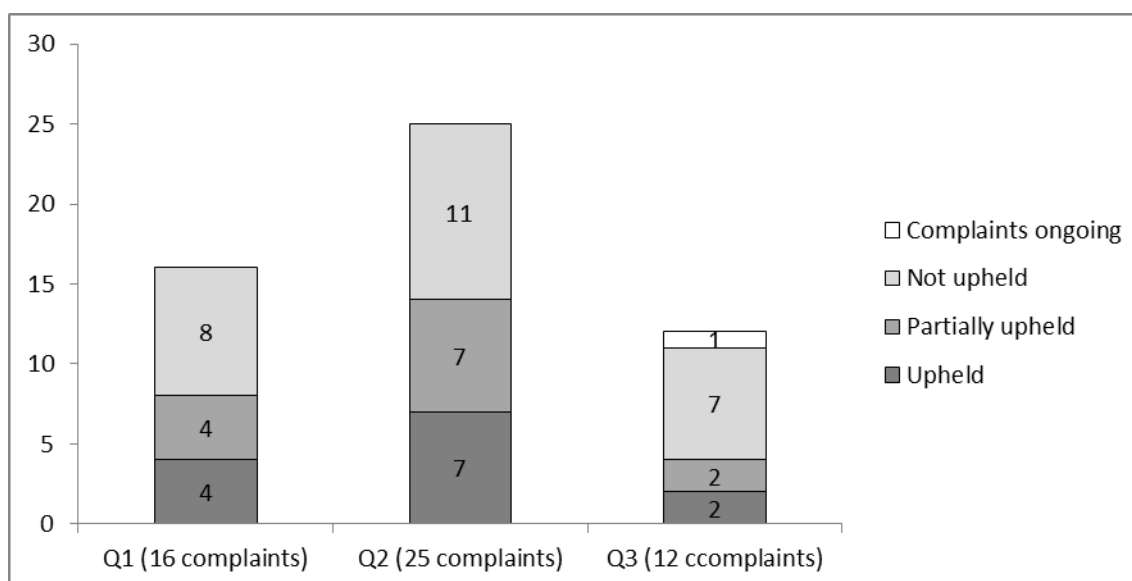
2. Compliments

No compliments were received during Quarter 3.

3. Number of complaints and MP enquiries

- Twelve formal complaints were received, a reduction on the number received during Quarter 1 (16) and Quarter 2 (25). No informal complaints were received.
- Seven MP enquiries were received, compared to 11 in Quarter 1 and 10 in Quarter 2.
- 100% of formal complaints and MP enquiries were acknowledged within two working days.
- 100% of MP enquiries were responded to within 25 working days.
- 83% of formal complaints were responded to within 25 working days. The two complaints which exceeded the target were multiagency complaints necessitating joint investigations.

4. Complaints by outcome



Upheld: The complainant's primary concerns about our service were found to be correct.

Partially upheld: The complainant's primary concerns were not found to be correct, but our investigation identified some problems with the service provided.

Not upheld: The complainant's concerns were not found to be correct. Where a complaint is not upheld, we still seek to learn from the complaint, and consider what we could do differently to improve the complainant's experience.

5. Complaints referred to the Ombudsman in 2013/14

| Complaint | Status |
|---|--|
| 2865.12 Treatment provided by dentist (complaint handled prior to 1 April 2013). | Not upheld |
| 2713.12 Continuing healthcare process and outcome of eligibility decision. | The Ombudsman chose not to investigate because the appeals process was not exhausted. |
| 3183.13 Multiagency complaint including concerns about the continuing healthcare process. | The Ombudsman discontinued the investigation as the complainant had not suffered an injustice. |
| 3045.13 and 3000.12 Appropriateness of decision to place patient on Violent Patient Scheme. | Outcome pending |
| 3345.13 Decision not to accept a continuing healthcare appeal submitted after the deadline. | Not upheld |
| 3186.13 Continuing healthcare process and outcome of eligibility decision. | Not upheld |
| 3125.13 Continuing healthcare process and outcome of eligibility decision. | Not upheld |
| 3182.13 Continuing healthcare process and outcome of eligibility decision. | The Ombudsman chose not to investigate because the issues were being dealt with through the appeals process. |

6. Complaints by service area

| | | Q1 | Q2 | Q3 |
|---------------------|---|----|----|----|
| Commissioning (IVF) | Formal complaints | 0 | 1 | 1 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 0 | 1 | 1 |

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| Commissioning (hearing aids) | Formal complaints | 0 | 0 | 1 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 0 | 0 | 1 |

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| Commissioning (mental health) | Formal complaints | 0 | 0 | 1 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 0 | 0 | 1 |

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| Commissioning (pain management) | Formal complaints | 0 | 1 | 1 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 0 | 1 | 1 |

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| Communications | Formal complaints | 0 | 0 | 0 |
| | Informal Complaints | 2 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 2 | 0 | 0 |

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| Continuing Healthcare and Funded Nursing Care | Formal complaints | 10 | 18 | 5 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 4 | 0 | 0 |
| | Total number of concerns raised | 14 | 18 | 5 |

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| Continuing Healthcare Retrospectives | Formal complaints | 4 | 0 | 1 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 4 | 0 | 1 |

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| Individual funding requests | Formal complaints | 0 | 1 | 0 |
| | Informal Complaints | 1 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 1 | 1 | 0 |

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|---|---|---|---|---|
| Independent providers: medical supplies | Formal complaints | 0 | 0 | 1 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 0 | 0 | 1 |

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| Independent providers: physiotherapy | Formal complaints | 0 | 1 | 0 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 0 | 1 | 0 |

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| Independent providers: transport | Formal complaints | 0 | 0 | 1 |
| | Informal Complaints | 0 | 0 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 1 | 0 |
| | Total number of concerns raised | 0 | 1 | 1 |

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| Independent providers: Walk in Centre | Formal complaints | 2 | 3 | 0 |
| | Informal Complaints | 2 | 1 | 0 |
| | Formal complaints, another organisation took the lead | 0 | 0 | 0 |
| | Total number of concerns raised | 4 | 4 | 0 |

6.1 Commissioning (IVF)

Two complaints were received during quarters 1-3. Six complaints were received during 2012/13.

Both complaints related to the eligibility criteria for IVF. We confirmed that the Yorkshire and the Humber policy prioritises those couples as eligible for access to NHS funding for fertility treatment who have no living children. The complaints were not upheld.

6.2 Commissioning (hearing aids)

One complaint was received during quarters 1-3.

The complaint related to a patient who was provided with one hearing aid rather than two. We explained that bilateral hearing aids not necessary for everyone with hearing loss, and that the criteria for the provision of two hearing aids are currently being reviewed. The complaint was not upheld.

6.3 Commissioning (mental health)

One complaint was received during quarters 1-3.

The complaint concerns provision and commissioning of services by multiple agencies. The complaint is ongoing.

6.4 Commissioning (pain management services)

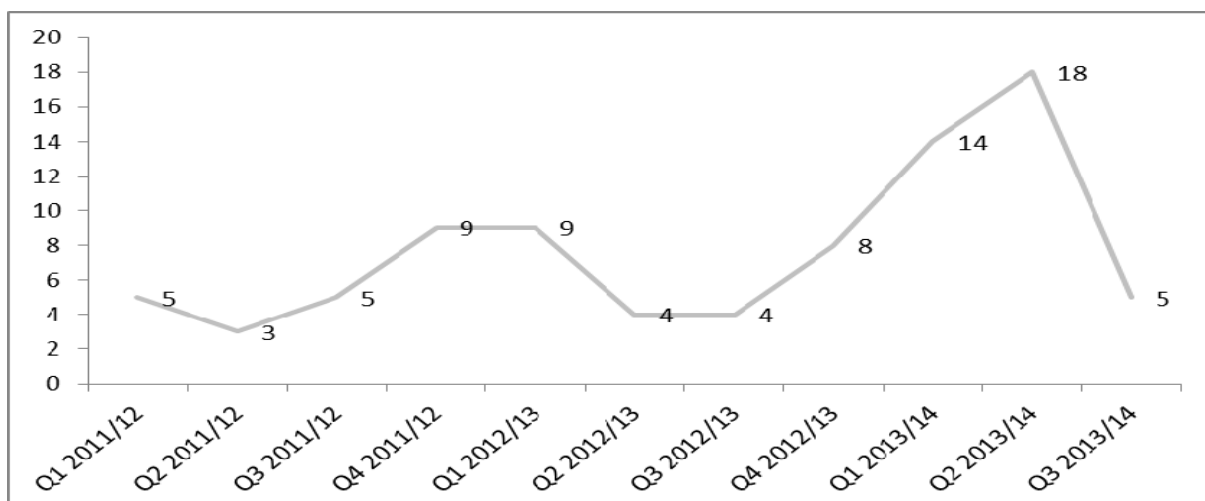
Two complaints were received during quarters 1-3.

The complaint received during quarter 3 related to funding for acupuncture. We explained that, in accordance with NICE guidelines, the CCG does not routinely commission acupuncture. There is a process in place for clinicians to request funding for patients to receive treatment and we confirmed that the patient had been appropriately assessed under that process. The complaint was not upheld.

6.5 Continuing Healthcare and Funded Nursing Care (CHC and FNC)

6.5.1 Number of complaints received and response times

The number of complaints relating to CHC and FNC decreased to five in quarter 3. The following graph shows the number of formal complaints received, including multiagency complaints for which NHS Sheffield CCG / Sheffield PCT was not the lead organisation. Complaints about CHC retrospective assessments are excluded.



For complaints that are solely about CHC and FNC we aim to respond to 75% within 25 working days and the remainder within 35 working days. For multiagency complaints that NHS Sheffield CCG is leading on we aim to respond to 50% within 12 weeks. This target was met in quarter 3.

100% of complaints that were solely about CHC and FNC were responded to within 25 working days. 100% of multiagency complaints were responded to within 12 weeks.

6.5.2 CHC and FNC appeals

We received two complaints relating to the appeals process, compared to 10 in quarter 2 and three in quarter 1.

The complaints received related to the following issues:

- Delays
- Poor communication.

The complaints were upheld.

We took the following action in response to complaints:

- We apologised for delays and poor communication and where possible took action to ensure that individual cases were processed in a timely manner.
- Staff training is being provided.
- Increasing the number of supervision sessions that staff have with their line manager.
- Improving staffing levels within the team.
- The appeals process has been reviewed and changes made.

6.5.3 CHC and FNC eligibility decisions

We received one complaint relating to the process for deciding eligibility for CHC and FNC, compared to six in quarter 2 and six in quarter 1.

The complaint included the following issues:

- Poor communication, particularly regarding the explanation given of the reasons for the decision that had been made.
- Concerns that national guidance has not been followed.

Our investigations found that our processes are lawful and in line with national guidance. We explained where the explanation of the reasons for decision could be found and we provided information about the appeals process. The complaint was not upheld.

6.5.4 CHC and FNC care packages

We received two complaints about care packages, compared to two in quarter 2 and one in quarter 1.

The complaints related to the suitability of the care packages. Our investigation found that the care packages were appropriate to the patients' needs. One complaint was partially upheld because administrative errors had led to a delay in payment. As a result of this complaint the continuing healthcare team worked with the Local Authority to ensure that staff understand and follow the correct process.

6.6 Continuing healthcare retrospectives.

One complaint was received, bringing the total received in 2013/14 to five. The complaint related to the length of time taken to reach a decision and was not upheld.

6.7 Independent providers: medical supplies

One formal complaint was received relating to the notice period provided by the provider for delivery of medical supplies and conducting risk assessments. The complaint was not upheld.

6.8 Independent providers: transport

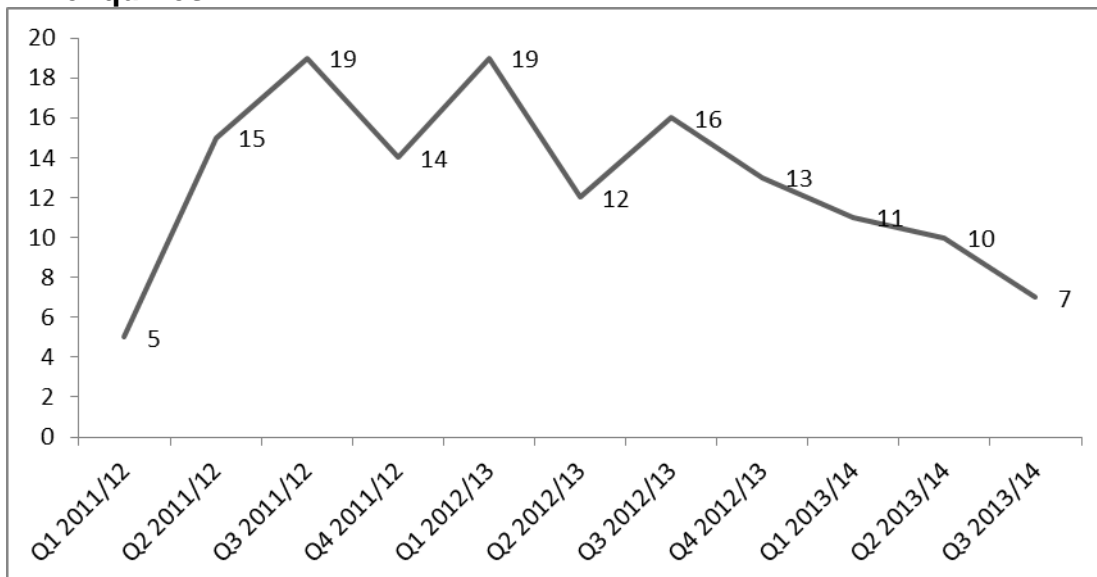
One complaint was received from a patient who had been injured during transportation. The complaint was fully investigated with the provider and there was no evidence of negligence. However, we found that we could have communicated more effectively with the patient following the accident. Staff were unsure as to whether it would be appropriate to contact the patient and so, whilst the staff involved were sorry and upset that the incident had occurred this was not communicated to the patient. As a result of this complaint we have reviewed our policies to ensure that guidance to staff about contacting patients is clear. This complaint was partially upheld.

7. MP enquiries

The number of MP enquiries received continued to decrease, to seven in quarter 3. Three enquiries related to complaints that constituents had already raised directly with NHS Sheffield CCG.¹ One related to the availability of a particular drug, one was a request for information about setting up a support group, one related to services for people with Parkinson's Disease, and one related to a range of commissioning issues.

In addition we received a further five MP enquiries which were forwarded on to another NHS or Local Authority body to respond to.

MP enquiries



¹ When an MP raises concerns on behalf of a constituent who has complained to their MP but has not already lodged a complaint with NHS Sheffield CCG, the case is categorised as a complaint rather than an MP enquiry. Two of the formal complaints described above under section 6 were raised by MPs on behalf of their constituents.

8. Recommendations

The Governing Body is asked to note the Compliments, Complaints and MP Enquiries Quarter 3 Report 2013/2014.

Paper prepared by Sarah Neil, Complaints Manager and Patient Experience Lead

On behalf of Kevin Clifford, Chief Nurse

20 March 2014