

**Wiltshire Council**

**Health and Wellbeing Board**

**9 February 2017**

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**Health and Social Care Complaints: An update from Healthwatch Wiltshire**

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**Executive Summary**

In line with work being carried out nationally by Healthwatch England, in 2014, Healthwatch Wiltshire carried out a review of local NHS complaints handling. The outcomes of this work along with recommendations were detailed in our report: 'NHS and social care services in Wiltshire: Pathways to making a complaint or raising a concern'. An update to the Board in January 2015 highlighted the progress that had been made by Healthwatch Wiltshire along with the local acute hospital trusts and mental health trust to ensure that processes for handling complaints were reviewed and improvements made. We have continued our work in this area and most significantly have been actively involved in a national piece of work alongside Healthwatch England that has seen the publication of an NHS complaints handling assessment toolkit. In addition, we have looked more closely at complaints handling in the social care sector locally and have been actively involved in work to create a health and social care appendix to append to the Healthwatch England NHS complaints toolkit.

**Proposal(s)**

It is recommended that the Board:

- i. Recognise the commitment of Healthwatch Wiltshire, the acute hospital trusts, and mental health trust, NHS Wiltshire Clinical Commissioning Group (CCG), Wiltshire Council and SeAP Advocacy to continue to work together and share good practice on complaints handling.
- ii. Note the work that Healthwatch Wiltshire have done in this area of social care complaints and consider the recommendations for possible improvements in the system.
- iii. Note Healthwatch Wiltshire's continued involvement in the national work on complaints that has been carried out alongside Healthwatch England.

**Reason for Proposal**

A great deal of progress has been made with our work on NHS complaints handling, since our previous update to the Board in January 2016. This has included a commitment from local acute hospital trusts, the mental health trust in Wiltshire, Wiltshire Council, NHS Wiltshire CCG and SeAP the local NHS advocacy provider, to meet regularly as part of a complaints liaison group, to share good practice and emerging issues of import. Through our engagement

with local people we are aware that along their care pathway, individuals frequently access services provided by both health and social care partners and that concerns and complaints often involve a variety of providers and/or commissioners. This often proves confusing for users of services. In addition, Healthwatch England have begun a national piece of work looking more closely at social care complaints and have asked that the local network of Healthwatch organisations feed in to this work. Therefore, throughout 2016 we carried out a short scoping exercise that looked specifically at process and policy around social care complaints handling processes in Wiltshire. This paper provides an update both on our continuing work around NHS complaints handling and an overview of our social care complaints scoping exercise.

**Dr. Sara Nelson**  
**Information and Communications Manager**  
**Healthwatch Wiltshire**

**Wiltshire Council**

**Health and Wellbeing Board**

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### **Purpose of Report**

The purpose of this report is to update the Board on the continued work carried out by Healthwatch Wiltshire on NHS complaints handling and to report on the scoping exercise that has focused on complaints handling in social care.

### **Background**

1. In 2014 we carried out a scoping exercise that allowed us to gain a clearer picture of the NHS complaints handling system in Wiltshire.
2. This work has led to the formation of a complaints liaison group that provides a forum for Patient Advice and Liaison (PALS)/Customer Care Managers from the NHS acute hospitals and mental health provider to share good practice and discuss emerging issues of import. This has proved a valuable resource for both Healthwatch Wiltshire and PALS managers, which has led to further work that has involved setting up supportive workshops for PALS staff. Furthermore, the group has now expanded to include representatives from Wiltshire Council and SeAP the NHS complaints advocacy provider in Wiltshire.
3. Healthwatch England identified that less is known about social care complaints than those in the NHS. They therefore, called on the local network of Healthwatch organisations to feedback to them any work that had been carried out in this field so that a clearer picture could be formed. In addition, they wanted to put together a pack of resources to help the local network scrutinise complaints handling processes in social care. This would append to their already existing NHS complaints toolkit. Healthwatch Wiltshire were keen to be involved in this piece of work and therefore carried out a short scoping exercise that looked more closely at social care complaints handling in the county.

### **Main Considerations**

#### **4. A complaints Liaison Group for Wiltshire**

In our initial report of September 2014, we recommended that PALS/Customer Care Managers from acute NHS providers come together periodically as a complaints liaison group to share good practice. This was ratified by the Health and Wellbeing Board and the first meeting convened by Healthwatch Wiltshire in November 2015. Those attending included representatives from the acute hospital Trusts, the mental health trust and Wiltshire NHS CCG. All attendees

recognised the value of the group and requested that it continue to meet on a quarterly basis with the purpose of:

- Sharing good practice in complaints handling.
  - Discussing local issues arising in complaints handling.
  - Bringing in different groups e.g. other local Healthwatch, advocacy providers or GPs etc. to discuss specific issues, inform and build relationships.
  - Building supportive relationships.
  - A local peer-support network.
5. The membership has continued to grow and now includes representation from all three acute hospital Trusts, NHS Wiltshire CCG, Avon and Wiltshire Mental Health Partnership NHS Foundation Trust (AWP), Wiltshire Council and SeAP. The next meeting planned for February 2017, will also include representation from the Wiltshire Advocacy Service (Rethink). Medvivo and Wiltshire Health and Care have also expressed an interest in being involved. Healthwatch Wiltshire feel that the enthusiasm shown by members of the group and the willingness of others to be involved with the group is a positive step forward and shows a commitment to improving complaints handling processes, and taking feedback provided by those who use health and care services seriously.
6. **PALS staff - Highlighting issues in the handling of complaints.** PALS Managers have appreciated the opportunity to meet with their counterparts from other organisations and felt that their staff would benefit from a similar experience. Healthwatch Wiltshire were keen to use such a forum to explore the staffs' experience of complaints handling from a ground level, and operational perspective.
7. Two workshops for PALS Staff were therefore convened in May 2016. This allowed all staff the opportunity to attend at least one workshop. Representatives from two of the acute hospital trusts, AWP and NHS Wiltshire CCG attended. The hospital trust who had not been able to send representation to the workshops, commented on the minutes.
8. The PALS staff greatly appreciated the opportunity to meet with others in similar roles. They were very candid and shared the key challenges encountered by them in their day-to-day work. Although the extent to which issues arose varied across Trusts, there were some common themes that centred on process and pressures within the organisations.
9. A short report detailing these findings was shared with all PALS Managers who have discussed the issues at staff team meetings and with higher-level managers. We know that acute hospital and mental health trusts are now putting much more focus on the quality of the complaints process rather than just focusing on statistics and deadlines. Healthwatch Wiltshire very much welcome this development and will continue to monitor the progress of this work through the quarterly PALS Managers meetings.

10. PALS staff recognised the value of the workshops and have requested that they should become a regular occurrence. Healthwatch Wiltshire have agreed to run one workshop per year with the caveat that they must have a focus and provide learning for both staff and Healthwatch Wiltshire.
11. **Adult Social Care Scoping Exercise.** A great deal of work that looks at NHS complaints handling has been carried out both locally and nationally. In addition, NHS complaints are subject to a great deal of scrutiny both through local contract review and nationally by NHS England. Less work has been carried out that looks at raising concerns and making complaints about social care services. In addition, Healthwatch England have identified that social care complaints are subject to less scrutiny than those in the NHS. They are concerned that this lack of oversight may mean that key failings are being missed.
12. Healthwatch England have heard from the network of local Healthwatch organisations, repeated concerns about social care packages when people are discharged from hospital, the social care assessment process and about care provided in the home. Through our own work, we hear similar issues but are aware that often people do not consider raising concerns or making an official complaint. In addition, we know that because of the increased integration of care, people are now more likely to experience problems across the health and care pathway thus making the experience of raising concerns even more confusing. Healthwatch England therefore called on the local network of Healthwatch organisations to feedback to them about work they were carrying out in their local areas. Healthwatch Wiltshire felt that it was important that the Wiltshire voice was heard in this work and therefore carried out a short scoping exercise that looked at social care complaint handling processes in the County.
13. **'My Expectations for raising concerns and complaints'** is a user-led vision for complaints that was created jointly by the Parliamentary and Health Services Ombudsman (PMHSO) with the Local Government Ombudsman (LGO) and Healthwatch England. It aims to align the health and social care sector on what good looks like in terms of complaints handling from the perspective of the user. Most importantly, it contains within it an outcomes framework that is already being used by The Care Quality Commission (CQC) in their new inspection regime and by NHS England who are using it as a performance management tool and have built it into the NHS outcomes framework 2016-17. We used the 'My Expectations' vision statements as a framework for this piece of work on social care complaints.
14. As the social care arena is varied and complex and covers such a wide range of services, it was suggested by Wiltshire Council that we focus on Help to Live at Home (H2LAH) providers. We therefore carried out face-to-face interviews with the operational Managers from both Somerset Care and Mears (the providers of H2LAH service in Wiltshire); analysed their complaints policies and complaints leaflets; scoped the accessibility of easy read documentation; and reviewed websites to see how easy it was to find information about making a complaint or giving feedback on social care.

15. Information gathered from both H2LAH providers around the 'My Expectations' themes, encompassed the provider environment, culture, process, awareness and emotion of complaint. Both providers demonstrated clear complaints processes and policies. They reported having proactive relationships with Wiltshire Council in relation to complaints, signposting and safeguarding.
16. Mears Group use a "Red Thread" system to capture all complaints data, the data is analysed annually, and the resultant themes and lessons learned are used in staff training. Somerset Care Quality Assurance Team share all complaints and compliments feedback with Head Office. Themes are identified and 'quality assurance topics' developed which form the basis of locally driven conversations. Somerset Care also regularly request feedback from customers on how they can improve services.
17. The ease of finding information on the provider websites shows some inequity and this issue will be further discussed with these providers. However, both stated that they provide all new customers with information on how to raise concerns in a customer handbook. We plan to liaise with Somerset Care, Mears and Wiltshire Council to further develop the H2LAH information pages on 'Your Care Your Support Wiltshire':  
<https://www.yourcareyoursupportwiltshire.org.uk/home/> the health and care information website for Wiltshire.
18. Although neither provider had come across the 'My Expectations' document, both were keen to read it with a view to embedding the values within their own processes and policies. We plan to follow-up with providers in the future to monitor their progress in this area.
19. **Wiltshire Council – The Commissioners View.** In addition to the H2LAH providers, we wished to further understand complaints policy and process from the viewpoint of the social care commissioner. We therefore spoke to the complaints team and Heads of Service (adult social care) at Wiltshire Council.
20. Although users of social care services can make a complaint directly to Wiltshire Council, they are encouraged in the first instance to try and seek a more local resolution with the care provider (unless it is a safeguarding issue) as this is likely to lead to a swifter outcome. Information on how to go about making a complaint to the council can be found on Your Care Your Support:  
<https://www.yourcareyoursupportwiltshire.org.uk/content/doc.aspx?id=17685&itemid=17685>
21. Commissioned service providers are required to share their complaint reports with commissioners (Wiltshire Council) at contract review meetings or more frequently in some cases. This allows any issues to be addressed at an early stage.
22. Local Councils do produce yearly complaints reports that are used for internal review. Some councils share this report publicly online but this is not currently the case with Wiltshire Council. However, we understand that consideration is being given to sharing this report publicly in the future and Healthwatch Wiltshire would

welcome this development. Healthwatch Wiltshire currently have regular access to anonymised NHS complaints data from the acute hospitals and AWP as well as SeAP the NHS Advocacy provider. In order that we gain a fuller picture of complaints data across the system and to allow us to fulfil our Healthwatch role, we would recommend that Wiltshire Council share, thematised, anonymised adult social care complaints data with us on a quarterly basis.

23. **HWW involvement in national work on complaints.** Following the work, it has successfully carried out on complaints over the past 2 years, Healthwatch Wiltshire have been asked by Healthwatch England to contribute to a national piece of work on NHS complaints handling. This involved working with local Healthwatch in East Sussex and Norfolk on the development of a complaints toolkit. This toolkit was aimed at supporting local Healthwatch to scrutinise local health and care complaints handling systems. Appended to the toolkit is a resource pack with case studies and examples of documents that could be adapted to meet local requirements. The toolkit was launched and presented at the Healthwatch England National Conference in June 2016. Healthwatch Wiltshire contributed to the launch presentation and ran a workshop alongside other local Healthwatch and Healthwatch England. The toolkit and accompanying resource pack has been shared with the CQC and the Secretary of State for Health (at the request of his office) as well as other key organisations.
24. Recognising the need for further scrutiny of complaints in social care, Healthwatch England decided to build on the existing complaints toolkit by adding a social care appendix. Healthwatch Wiltshire were again invited to take part in developing this document alongside colleagues from Sussex, Norfolk and Torbay. The appendix which will be released shortly, will be shared with colleagues from the LGO, PHSO and the CQC.

### **Next Steps**

25. In summary, a great deal of work has been carried out that has furthered our understanding of the complaints handling process in Wiltshire. The growth in number of attendees and scope of the liaison group is a positive development. It provides a forum through which we can monitor progress in complaints handling across the sector. We will continue to Chair this group on a quarterly basis and in addition, run a yearly workshop for PALS staff.
26. Our work is driven by the experiences of local people. Therefore, through our regular engagement work we will continue to monitor the effectiveness of complaints handling locally and ensure that this is fed back to providers and Commissioners so that improvements can be made. A report that summarises the work that we have done will be produced in the coming months.
27. **Financial Implications:** There are no direct financial implications for the Health and Wellbeing Board.

### **Health and Wellbeing Board Member**

Christine Graves  
Chair, Healthwatch Wiltshire

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**Presenting Officer**

Dr Sara Nelson

Information and Communications Manager Healthwatch Wiltshire

**Supporting documents:**

'NHS and social care services in Wiltshire: Pathways to making a complaint or raising a concern' (Healthwatch Wiltshire):

<https://www.healthwatchwiltshire.co.uk/wp-content/uploads/2016/04/HWW-Pathways-to-making-a-complaint.pdf>

The January 2016 update for the Health and Wellbeing Board (Healthwatch Wiltshire): <https://cms.wiltshire.gov.uk/documents/s111173/Repor%2010%20-%20Complaints.pdf>

'My expectations for raising concerns and complaints' (Parliamentary and Health Services Ombudsman; Local Government Ombudsman; Healthwatch England):

[http://www.ombudsman.org.uk/\\_data/assets/pdf\\_file/0007/28816/Vision\\_report.pdf](http://www.ombudsman.org.uk/_data/assets/pdf_file/0007/28816/Vision_report.pdf)

Healthwatch England NHS England complaints toolkit:

<http://www.healthwatch.co.uk/resource/local-complaints-systems-how-well-are-they-working>