



**RCN Policy and International Department**  
**Policy briefing 17/13**  
**May 2013**

# **NHS Complaints Review**

A short briefing on the review of the working of the  
NHS Complaints System in England

**RCN Policy and International Department**  
020 7647 3723  
[policycontacts@rcn.org.uk](mailto:policycontacts@rcn.org.uk)  
[www.rcn.org.uk/policy](http://www.rcn.org.uk/policy)

## Introduction

This briefing provides an overview to the review of the NHS complaints system in England being undertaken, following the publication of the Francis Report and in response to the publicised experiences of Ann Clwyd MP during her husband's final days as a patient at the University Hospital of Wales in Cardiff in October 2012.

## Context

The review of complaints handling in and across the NHS comes at a time when patient experience is forming an increasingly important role in how healthcare providers and commissioners work, and in how money moves around the health system.

The lack of responsiveness to the complaints made by patients and relatives forms an important part of Robert Francis' analysis of the failings at the Mid-Staffordshire NHS Trust, and there are 13 recommendations in his report that relate directly to complaints and their handling.

The problems identified at Mid-Staffs were brought into sharp focus in December 2012, when Ann Clwyd MP gave an interview to the BBC's 1 o'clock news programme, following an intervention in the House of Commons where she had spoken at length and in detail about the 'poor, cold and indifferent care' that she and her husband received as he was dying in hospital.

Although separate, the review is taking place concurrently with a review being undertaken by the Office of the Health Ombudsman of its own services.

## The Review Terms of Reference

Ann Clwyd, MP and Professor Tricia Hart, Chief Executive of South Tees Hospitals NHS Foundation Trust and advisor to Robert Francis during his two inquiries into the Mid Staffordshire NHS Trust, have been asked by the Secretary of State for Health to conduct a review that engages with patients, their carers and representatives, staff and managers, to hear and understand their experience of how NHS Trusts manage and act on concerns and complaints.

The Review will consider the handling of concerns and complaints about NHS hospital care in England and in doing so, will:

- consider how to align more closely the handling of concerns and complaints about patient care;
- identify where good practice exists and how good practice for delivering to those standards is shared and what helps or hinders its adoption;
- consider what standards might best be applied to the handling of complaints;
- consider how intelligence from concerns and complaints can be used to improve service delivery, and how this information might best be made more widely available to service users and commissioners;
- consider the role of the Trust Board and senior managers in developing a culture that takes the concerns of individuals seriously and acts on them;
- identify the skills and behaviours that staff, including clinical staff need, to ensure that the concerns of individuals are at the heart of their work;

- consider how complainants might more appropriately be supported during the complaints process through, for example, advice, mediation and advocacy;
- and include the handling of concerns raised by staff, including the support of whistleblowers.

The review team have been asked to make recommendations about:

- any aspect of the NHS complaints arrangements and other means by which patients make concerns known;
- the way that organisations receive and act on concerns and complaints;
- how trusts' boards and managers carry out their functions;
- the process by which individual organisations are held to account for the way that they handle concerns and complaints.

The Review Team has been asked to report to the Secretary of State for Health before the parliamentary summer recess, most likely by mid June 2013.

## **Engagement with the RCN and Nursing**

The RCN was invited to participate in an exploratory stakeholder workshop in early May.

The key area of discussion was the relationship between complaints and concerns, whether a concern was the same as a complaint, and how to manage the grey area between the two.

Participants also discussed:

- the importance of dealing speedily with issues;
- the need for staff support and empowerment in managing complaints;
- organisational governance and leadership concerns;
- the disconnect that can arise between the number of complaints and the stories and emotions that sit behind them;
- the fear that patients often have of retribution if they raise a complaint;
- the variation in approaches and culture that exists between organisations;
- the link between patient and staff concerns.

## **What's next?**

The review team have launched an open call for anyone interested to make submissions based upon the eight areas given in the terms of reference.

The RCN will be producing a formal response and will be working closely with the RCN's activists and forums in producing it.

## **Tell us what you think**

This briefing is intended to provide a policy perspective on the NHS Complaints review, and the Policy and International Department would like to receive comments/feedback from as many members as possible on this important issue - [policycontacts@rcn.org.uk](mailto:policycontacts@rcn.org.uk).

## **Further reading**

Details of the Review: <http://tinyurl.com/bo2ban6>

Details of the Health Ombudsman's Review: <http://tinyurl.com/buh7emq>

Health Ombudsman's Report into NHS Complaints: <http://tinyurl.com/d9g6667>