

# Complaints Managers Governance and Learning Forum

---

Monday, 14<sup>th</sup> December 2020, 10.00am to 12.00pm

## Webex Meeting

### 1. Welcome:

The Assistant National Director, NCGLT, opened the meeting by welcoming everyone present to the Forum acknowledging that this is our first opportunity since our last Forum in March to meet, albeit virtually and to go through issues that have been arising during what has been a difficult period. New attendees at the Forum were welcomed.

### 2. National Director, Quality Assurance and Verification

The National Director, QAV welcomed everyone to the Forum and acknowledged the considerable impact on individuals, teams and work this year.

Attention was drawn to the results of the recent Complaints Manager survey which reflected the situation this year and acknowledged positive developments such as an increase in compliments.

The need to continually invest in complaints was highlighted along with the importance of the delegated roles within the complaints function, including the Complaints Manager role and the need for same to be a dedicated full time position.

The National Director acknowledged the report on the Learning to Get Better self-assessment returns and the progress made during 2019. He advised that the 2020 report may not be as positive considering the current situation and the redeployment of key staff. However the HSE is committed to continuing the work and progressing compliance.

### 3. Office of the Ombudsman Representative

The Office of the Ombudsman's representative thanked the HSE for the work done during a difficult year. They advised however that Ombudsman's timeframes which had been suspended earlier in the year have now resumed.

The Ombudsman was impressed with the most recent Learning to Get Better Report and will meet with the HSE to discuss further.

### 4. Assistant National Director, NCGLT

The Assistant National Director, NCGLT expressed his thanks to the Forum members for completing the survey.

The intention of the survey was to identify the reason for the significant reduction in complaints logged and reduction in the KPI of the 30 working day target for responding to complaints.

Key issues impacting on complaints management was the redeployment of Complaints Officers and CMS support staff along with general staff absences, clinical staff availability and service delivery pressures.

It was noted that there are only 4 full time Complaints Manager posts in Community Healthcare Organisations (CHOs), while there are none in the Hospital Groups (HG's).

From a learning perspective it was highlighted that no quarterly casebooks were published in 2020 and is being raised at National level. An end of year casebook is to be published and submitted to the Ombudsman.

The survey also indicated that measures to support Complaints Officers such as a Complaints Officer Forum is needed for peer support and mentoring at local level. This is a priority for 2021.

## Complaints Managers Governance and Learning Forum

---

**Discussion point:** *A member commented that their service repeatedly articulated the deficit and sought a full time complaints manager - what advice for the group have in securing this resource?*

The Chief Executive Officer or Chief Officer is ultimately responsible for delivering on Your Service Your Say meaning they have responsibility where a position or a function is mandated to try and build into their own service planning going forward. Although there is no set job description, the role and responsibilities of a Complaints Manager is set out under policy and in the Complaints Manager Enablement Guide. Some CHO's have developed their own job descriptions and given different names to the role within their own service.

The issue is being raised at national level. The Quality and Safety Committee of the HSE Board are also raising the issues of the mandatory use of the CMS and the Complaints Manager post. The Ombudsman has noted on a number of occasions the need for a full time Complaints Manager post.

**Discussion Point:** *Another member highlighted the need for proactive advocating for the posts; that there has to be a process from the department for the allocation of posts and that it is worth learning from the system how it has been approached. The use of the term mandatory was questioned and highlighted that a CEO cannot implement roles that are not already in existence.*

It was acknowledged that the use of language such as 'mandatory' can be helpful in certain circumstances but noted the difficulties on the ground in turning it into a reality.

### 5. Matters arising and previous minutes:

Minutes agreed.

### 6. Update: Complaints Management System (CMS)

An update for 2020 in relation to CMS was presented. It was highlighted that it has been an unprecedented year in terms of training and reporting and that NCGLT are fully cognisant of functions changing in the current situation.

The substantial reduction in logging on the CMS was noted and the use of the survey helped to identify why there was a reduction in numbers. Although services being suspended accounted for some reductions in stage 2 complaints, there were also a noted increase in complaints being resolved at stage 1. Stage 1 complaints are not recorded on the CMS.

It was advised that 43 people have been trained via webex this year and that NCGLT is providing helpdesk support and assistance to staff in the absence of face to face training.

There was no report training during 2020 but highlighted that NCGLT are working on providing pre-prepared reports in future.

**Discussion Point:** *How were complaints that were sent to the private hospitals captured? Did the private hospitals have to put them on CMS.*

NCGLT clarified that the question was in relation to private hospitals that stepped in and had a contract with the HSE during the early parts of the COVID 19 crisis. NCGLT further advised that part of the agreement made with these hospitals was that they would capture and report on complaints. NCGLT will not be seeking that information from them until January 2021 for inclusion in reports but do expect the information to be provided.

**Update:** NCLGT issued a draft *Guidance for Complaints Management for Private Hospitals* to National Acutes for consideration as part of any agreement with the Private Hospitals. The guidance set out the arrangements for investigation of complaints during the term of the Final Agreement, including

## Complaints Managers Governance and Learning Forum

---

the alignment of policy to Part 9 of the Health Act, 2004, the reporting of complaints data, and review rights attaching to complaints. No further follow up from Acutes was received in relation to this.

### 7. Complaints Management System: New Developments

New developments, due in 2021, for the CMS were presented which included the introduction of new severity and harm ratings for complaints. A CMS guide on applying the ratings has been developed. A new e-learning module has also been developed to support both new and existing users covering all aspects of the classroom based training previously provided. The module is available on the Discovery Zone hub of HSELand.

**Discussion Point:** *It was noted that for severity and harm, category 3 = High and highlighted that this is the opposite to incident categorisation where category 3 = low. Concern was raised that this may cause incorrect inputting/data.*

While the incident management category is the other way around, these ratings are for the CMS and the majority of the CMS support staff being trained also don't use the incident system. Where somebody is using both, the training will emphasise the order to be used for complaints management. An audit will be conducted at the end of Q1 2021 which will highlight any issues. Additional supports and training will be provided if needed.

**Discussion Point:** *In relation to inputting severity & harm ratings, the administrative support to both the complaint and incident management system would often be one and the same so this may be an issue for hospitals. Can this not be aligned?*

NCGLT would be wary of aligning systems as they are not the same severity rating and how the HCAT severity rating is applied is not the same as how the NIMS severity rating is applied. This would be monitored closely to ensure correct application of the ratings.

### 8. Learning to Get Better Self-Assessment Analysis

A brief presentation was provided on the position for 2019 in terms of compliance with Learning to Get Better recommendations.

The Learning to Get Better Self-Assessment returns for 2020 are due on the **1<sup>st</sup> of February 2021**. It was acknowledged that it has been a different year and that responses to be forwarded to the Ombudsman this year will be contextualized.

### 9. Overview of Online Training

A brief overview of the training that is now available on HSELand including what new programmes are available was provided. Guidance on how to access NCGLT online webinars through the Discovery Zone hub on the HSELand platform was also provided. These online modules offer better flexibility and convenience for staff wishing to access training content.

Members were advised that any questions in relation to training can be sent via email and will be answered. Also if there is anything specific that people would like guidance on or a webinar to be available on, to contact NCGLT who will look into developing same to assist where possible.

Members were informed of a 'learning' webinar currently in development and the intention to develop a module on resilience for Complaints Officers/Review Officers.

## Complaints Managers Governance and Learning Forum

---

Attention was also drawn to the audit checklist and questions for Complaints Officers which were developed in response to a request by one particular CHO area to assist Complaints Managers in carrying out their own compliance audits.

### 10. Feedback from March Forum Workshop

Feedback from the Forum Workshop held in March was presented.

The workshop was held following requests to evaluate the purpose and structure of the forum as well as its value and how we could improve it going forward. The workshop also explored the capacity of Complaints Managers to fulfil their roles and responsibilities as set out in the Complaints Managers Enablement Guide.

The feedback has been collated and will be circulated.

**Discussion Point:** *There was a suggestion that the CMS Steering Group Meeting be held on the same day as the Complaint Managers Governance and Learning Forum.*

NCGLT highlighted that not all Complaints Managers are CMS Leads and that many would not be in a position to commit to a full day. As not all CMS Leads are part of the Complaints Managers Forum, requesting people to travel to attend a later meeting in Dublin may not be suitable or practical. Currently, it may not be necessary as meetings are utilising online platforms - the original reason for the suggestion was due to the issue of travel.

### 11. Any other business

In response to a question concerning if PCRS had appointed a Complaints Manager, NCGLT advised that a request had been issued to the Head of National Services and to the Assistant National Director of PCRS directly about this. No response has been received as yet.

**Learning to Get Better Self Assessments 2020:** reminder of deadline of 1<sup>st</sup> February 2021.

**Casebooks:** Although some cases were submitted for 2020, there was not enough to compile the quarterly casebooks. A full year casebook will instead be published and the deadline for submission is 29<sup>th</sup> January 2021 for the 2020 Casebook.

**Forum Member Question:** GMS GP taking a client off their panel and the client having no mechanism to appeal this decision. The Ombudsman's representative advised that the Office of the Ombudsman have looked into this issue before and that GPs had the right to remove a client from their list but there is a process to do so. The GP is entitled to remove the client from their list but a complaint can be sent into the Ombudsman who will examine if correct procedures and process was followed.

---

### Action:

All Presentation Slides & materials from today's meeting will be circulated to members.

Questionnaire to be developed and circulated regarding feedback on the format of today's Forum.

---