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**Minutes**  
**Complaints Managers Governance and Learning Forum**  
**10:00am-12:00pm Monday, 26<sup>th</sup> September 2022 via WebEx**

**1. Welcome:** The Assistant National Director, Patient and Service User Experience, opened the meeting by welcoming everyone present to the third forum meeting of 2022.

New group members were formally welcomed and introduced to forum members.

**2. Minutes from last meeting**

Minutes were agreed.

**Matters arising:**

- (a) Protocols document for engaging with the Office of the Ombudsman will be issued to NCGLT in the coming month.

An update was provided advising that the last letter from the Ombudsman provided a brief overview of the expectation of engagement with their office and the timeframes for doing so. A copy was circulated to group members. Unsure if more detailed protocols will issue. The Office of the Ombudsman also requested that we change the way we represent their office on our literature in terms of template letters. NCGLT have completed an update on the Template Letters for Complaints Officers. A request has been issued to HSE Digital to upload the letters to the website. Once the Review Officer template letters are updated and a new Accountable Officer letter template document is finalised same will be circulated. The Ombudsman has requested information be updated by 7<sup>th</sup> October 2022.

**Action:** Updated letter template packs to forum members will be issued for onward circulation to Complaints Officers / Review Officers and will also provide a link where same can be downloaded.

**Action:** Forum members whose area have their own content published relating to how to contact the Office of the Ombudsman will need to update same to reflect new guidance in relation to how the Ombudsman wishes his contact to be displayed. NCGLT are unable to do this globally as we only have ownership of our own content and would not be the approvers of the content.

The Ombudsman has officially made engagement with the HSE to meet with the HSE CEO regarding a number of issues surrounding complaints. The agenda is not available to date, however, one topic for discussion is with regard to Learning to Get Better.

- (b) CMS new KPI for recommendations: NCGLT will provide an update as part of today's agenda.

**3. Nursing Home Survey: Key Findings regarding complaints and next steps – National Older Persons**

National Older Persons presented an overview of the Nursing Home survey which is the first of the Nursing Home surveys and was undertaken by HSE National Older Persons in partnership with HIQA and the Department of Health.

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The survey was conducted across HSE Nursing Homes and private providers with two sets of respondents; Service Users and designated representatives / family members.

Results of the survey have not been published to date. However the data has been made available to the HSE with individual areas working on quality improvement plans with the approach of listening to, responding and improving. It is expected that the HIQA report will be published in October / November this year and the HSE will issue a response report following same.

Two questions arose within the survey surrounding complaints:

1. Thinking about your overall care, if you wish to give feedback do you know how / where to do so?
2. If you have made a complaint, did the staff respond promptly and appropriately?

Areas for attention:

- Findings have suggested that residents were less familiar and less satisfied than family members / representatives
- If they had made a complaint the satisfaction was better – highlighting the importance of knowing how to access information and what to do / who to speak to.

HSE National Older Persons have been working with individual areas regarding quality improvement plans and have suggested to link in with Complaints Managers in their areas for assistance. The reason for her presentation today is primarily to request assistance from Complaints Managers to link in with their residential units and engage with them around what is happening in terms of information available. Current posters etc. may not be visible to older persons and information may need to be provided in a more user friendly format.

The possibility of drilling down into CMS data to get information specific to residential units was also explored. Complaints Managers may be aware of issues on the ground specific to their individual areas and may have suggestions or information that may be helpful for the National Older Persons office to be aware of so that they can be addressed in the context of the survey.

The AND commended that the survey was taking place as older persons / mental health services has been raised by the Office of the Ombudsman on numerous occasions regarding dealing with vulnerable adults and the recurring theme arising across many Service User surveys with regard to fear of making complaints.

What was identified was an issue of access as the survey reflects that when the complaints are managed they are managed well.

A forum member added that during training it has been identified within their area that there is a lower compliment of feedback / complaints from the older persons. A suggestion was made that the generation might be less likely to complain.

#### **4. NCGLT update on CMS:**

An overview of available CMS data was presented for the previous quarter regarding formal complaints and issues raised. The importance of closing out complaints fully was highlighted to ensure all information/data fields are available to report on as the KPI will not reflect the hard work if the complaint is not closed out.

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The new task recommendation KPI has been added to the National Service Plan 2022. This has been introduced by the National Director of Operation Performance Integration Division as a direct result of the interest from the HSE Executive Management Team and the Safety and Quality Committee of the HSE Board in relation to analysing complaints and complaint outcomes as it further enhances and delivers on the HSE commitment to learn from complaints.

The target for the new KPI is set at 65%. This means the task recommendation section will now become mandatory on CMS. The KPI is set to go live from Monday 2<sup>nd</sup> October 2022 with data being represented from January 2023. The CMS team will be available to support CMS inputters from the go live date and will provide training sessions via webex / Microsoft teams platforms.

Forum members raised concerns regarding staff capacity to implement the new KPI. It was acknowledged that this will be a challenge, however, the CMS tool will be available to assist with training. The action plan was always part of the guidance but going forward with the new KPI there is a mandatory requirement to follow up on implemented actions. Standard letters will be provided as part of the updated template letter packs.

A forum member queried whether the CMS was the best tool for the function of the new KPI. It was advised that capacity to report on the KPI is necessary and the delegated authority for the CO / RO gives them the power to ask the required questions. It was queried whether a quality improvement pathway would be more appropriate as the complaint is considered closed. The response was that the current pathway is underpinned by policy and guidance.

#### **5. NCGLT update on AON:**

Presentation on Assessment of Need complaints including areas of concerns highlighted by statistics and findings from the recent Service User survey. The internal review of the draft AON complaints policy is scheduled for October with a view to finalising the policy by end of year.

#### **6. Case Study Presentation: CHO**

Case study presentation surrounding consent and confidentiality and the importance of managing expectations of the Complainant from the outset.

The presentation was well received and highlighted the importance of managing the Complainant relationship when all avenues have been exhausted and where the desired Complainant outcome is not feasible and how behaviours can escalate. Although this case did not veer into the vexatious territory, he believes the Unreasonable Behaviour policy is necessary and continues to seek sign off on same.

The CHO advised although findings from the professional body supported the healthcare professional in this case, it did not stop continuous engagement from the Complainant and suggested guidance is required in terms of what is considered clinical and non-clinical under some CHO services..

#### **7. Discussion Item: Consent**

Following the case study presentation a discussion ensued with regard to consent. A practice development session was tabled with regard to issues surrounding consent separate to the forum. Forum members agreed this may be helpful and the member who tabled the item was happy to take the lead on this with other interested forum members.

The issue of requiring explicit consent from Complainants was discussed. NCGLT advised that the DPO has confirmed that, when issuing a complaint on their own behalf, consent is

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implied and explicit consent is not required. Only third party complaints require explicit consent.

**Action:** Advice from DPO regarding consent to be circulated.

## 8. General Update – NCGLT

- a) Deadline for Q3 casebook: **30<sup>th</sup> September 2022**. Currently only 1 case received. Requested that each area submit one case.

**Action:** All areas to submit one casebook. Agreed to extend deadline by 1 week to allow for same. **New deadline 7<sup>th</sup> October 2022**.

Remaining casebook deadline is Q4: 23<sup>rd</sup> December 2022.

- b) Learning to get better – self assessment due **31<sup>st</sup> January 2023**. Templates will be issued with September Forum minutes – change to Hospital Site and Hospital Group Template.
- c) Ombudsman correspondence – Website information has been updated to reflect latest correspondence from the Office of the Ombudsman.
- d) FOI – Attention following an FOI on delegations for Review Officers and Complaints Officers and reminded forum members that it is up to each individual area to update the information published online. An FOI should not be necessary to access this information and that legislation states this information should be published.

Following discussion it was suggested that the information should be updated online on a quarterly basis with reference to the information being up to date as of the date published and to provide contact details on the webpage where up to date information can be sought where necessary. It was also suggested that the published content included reference to Review Officers being assigned at the discretion of the Complaints Managers to ensure RO's do not receive complaint review requests directly.

- e) Your Service Your Say Policy and Guidance update  
NCGLT provided an update on the status of the Your Service Your Say Policy. It was highlighted that the main body of the policy will remain mostly unchanged, however, surveys carried out reflected a requirement to update the guidance relating to the policy. Empowerment will be a key feature in the update as well as a focus on awareness of roles within the complaints management process.
- f) Your Service Your Say – contact and materials update  
NCGLT advised that the YSYS contact numbers will be updated in tandem with the policy and will be implemented when the policy is published. In terms of the updating of contact details. The 1890 number needs to change to a 1800 Freephone number as well as implementing a telephone recording system to reflect a professional service. Systems are currently being reviewed.

In terms of re-branding, it was confirmed that new posters and leaflets will be published. These will include an updated image to reflect a more representative and inclusive image as well as following the updated national corporate branding guidelines. A QR code is to be included which will direct to the HSE website, specifically to the HSE YSYS webpage that displays the YSYS translations of leaflets. A Ukrainian translation will also be included to the list.

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The re-branding will be coordinated with the new policy and NCGLT will circulate correspondence to advise of the changes and availability of new resources. The old materials in circulation will need to be removed and replaced with the updated materials once published. There will be a port in place in the short term to redirect telephone calls to allow time for the services to update the materials on display. NCGLT will update digital materials on the YSYS webpages.

**9. Any other Business:**

The AND thanked all those attending and presenting today.

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

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**Date of Next Meeting:** Please note change of date - Monday 28<sup>th</sup> November 2022.