

National Health Service (Complaints) Regulations 2022

Written statement of how Manx Care proposes to give effect to any recommendation made by the Health and Social Care Ombudsman Body

In accordance with Regulation 25 (Department’s assurance of the implementation of recommendations):

- (1) *On receiving a report under Regulation 24(5), Manx Care must prepare a written statement of –*
 - (a) *how it proposes to give effect to any recommendations made in the report; and*
 - (b) *any other action which it proposes to take in response to the report, and the period within which it proposes to do so.*
- (2) *Manx Care must send the written statement to the Department.*
- (3) *Manx Care must publish the written statement on its website excluding any information from which the identity of a living individual could be ascertained.*

HSCOB Complaint Reference	Manx Care Complaint Reference	Date Original Complaint Received	Date Report Received by Manx Care from HSCOB
HSCOB / 2023 / 109	COM4085	31/1/2023	9/11/2023

HSCOB Recommendation	Actions by Manx Care	Action Owner	Target Date
1. Manx Care to liaise with [Tertiary Care] Hospital and obtain confirmation of an appointment for [patient] to attend for assessment and treatment.	a. Contact has now been made with the patient and the tertiary care provider to arrange for a further appointment and review.	Hospital Consultant/Care Group Manager	December 2023 (completed)
2. Arrange to meet with [the patient] as a matter of urgency to provide details of the appointment, together with full details of the travel arrangements.	b. The patient has been contacted regarding a further appointment and will be advised as to the arrangements for travel.	Hospital Consultant/Care Group Manager	December 2023 (completed)
3. Ensure compliance with the NHS (Complaints) Regulations 2022 with regard to acknowledgement of complaints including a summary of the complaint.	a. Actions taken by Manx Care regarding complaint handling are as follows: <ul style="list-style-type: none"> - CQ&S staff have been reminded of Complaint Regulations and the need to adhere to its content. - Upon receipt of an HSCOB report in which failings have been highlighted, an appraiser will work alongside the original Complaint Handler and/or investigator to review the handling of the complaint and to implement any remedial actions necessary. This will facilitate learning for all involved thus improving the standard of future complaint responses. 	Head of Care, Quality & Safety Team	November 2023 (completed)

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	<ul style="list-style-type: none"> - Complaint letter templates now contain prompts to ensure that the following information is included in all responses: <ul style="list-style-type: none"> • A summary of the issue(s) raised by the complainant • Details of the Regulations relating to complaint handling • Information on the options available if the complainant is dissatisfied with the outcome of the investigation - Complaint response times are automatically calculated and displayed on Datix to facilitate deadline monitoring. - Complaint performance (including the number acknowledged and/or replied to on time) is continually monitored by the CQ&S Team. Monthly statistics are reported to the Operational Clinical Quality Group and available for perusal by Manx Care Executives and the Department of Health and Social Care. <p>b. Assurance relating to the investigation of complaints:</p> <ul style="list-style-type: none"> - A Complaint Handling module is available on eLearn Vannin for staff who are in need of additional training. - Complaint Handlers and/or Investigators whose complaint responses repeatedly fall below standard, will be encouraged to re-complete online training or to attend classroom based training. 	Head of Care, Quality & Safety Team	November 2023 (completed)
4. Complainants <i>[should be]</i> invited unambiguously to meetings to discuss their complaint at the time of acknowledgement and as part of the investigation.	a. Details relating to meetings held with complainants are now mandatory fields on Datix (electronic complaints file); thus prompting staff into ensuring this action is completed.	Head of Care, Quality & Safety	November 2023 (completed)

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	This field is fully auditable to allow for improved monitoring of compliance with Complaint Regulations.		
5. Investigation methodology and findings are detailed in the written response in more detail than in this case.	a. Complaint templates now contain prompts to remind the handler to include the name and position of the person investigating the complaint and the manner in which it was investigated.	Head of Care, Quality & Safety	November 2023 (completed)
6. Confirmation of complaint upheld wholly or in part should be made explicit in the written response.	a. Complaint letter templates now include prompts to remind the handler to inform the complainant of the outcome (i.e. upheld, not upheld or partially upheld).	Head of Care, Quality & Safety	November 2023 (completed)
7. A further response from the Chief Executive Officer to address the comments about the failings identified by this review. It should address the methodology of the investigation and what proposals have been made to improve the communications systems involved.	a. A letter was sent to the patient apologising for Manx Care's shortcomings and explaining the actions taken to ensure future complaints are processed in accordance with NHS Complaints Regulations (2022).	Chief Executive Officer	Completed January 2024
Additional Actions Taken			
<ul style="list-style-type: none"> - A process has been introduced for use within the Care, Quality & Safety Team to provide guidance for the timely response to any recommendations made by the Ombudsman, including the role of the Appraiser in facilitating reflective practice and learning. - The Emergency Department's Fracture Clinic Referral Pathway (May 2022) and the Fracture Clinic Guide (July 2022), were reviewed by the Care, Quality & Safety (CQ&S) Lead for Community Health. Both documents were found to contain detailed instructions regarding referral processes. 		CQ&S Lead for Community Health	November 2023 (completed)

Written statement in respect of Regulation 25 (4) If Manx Care proposes not to give effect to any recommendation made in the report -

(a) It must include in the written statement its reasons for not giving effect to the recommendation:

HSCOB Recommendation	Reasons why Manx Care proposes not to give effect to a recommendation
	Manx Care have accepted all recommendations made by the HSCOB.