

ANNUAL REPORT OF THE INDEPENDENT REVIEW BODY FOR THE YEAR 2010/2011

The Independent Review Body (IRB) exists to investigate complaints under the NHS against Noble's Hospital, GPs, dental services, pharmacies etc which have not been dealt with to the complainant's satisfaction by the service provider's own Local Resolution procedure. Previously, social services also came within the Review Body's area of responsibility but data protection issues were raised and our consideration of these matters was suspended while they were addressed.

Membership of the Review Body consists of three convenors – Mr. Harry Galbraith (overall chairman), Mr. Michael Coleman and Mr. Philip Bannan – together with three lay members who are Dr. Andrew Guy, Mrs Vivienne Hare and Mr. Francis Masserick. Mr. Masserick replaced Mr. Hamish Killip early in 2011. The Clerk is Mr. Colin Brown. The lay members will, in turn, become convenors on the retirement of the present convenors. All are appointed by the Council of Ministers.

One of the three convenors enquires into the initial complaint and would usually request copies of the service provider's complaint management file and/or their medical records. If thought appropriate, he has the power to seek qualified medical advice. The options open to him include calling a full Panel hearing to investigate further, declining to hold a hearing but making a number of recommendations, or turning down the request for a hearing without making any recommendations. He can also suggest that Local Resolution be re-opened if he feels this could help resolve the issue.

If the complainant is not satisfied with the decision of the first convenor they can appeal to a second convenor. This person then has access to all the documentation produced in the case to date but would not be permitted to see the report of the first convenor so it would constitute a second, independent, investigation. Should the second convenor also turn down the request for a full Panel hearing then that completes the complaints procedure.

If either the first or second convenor decides to call a Panel hearing he sits on the Panel but the hearing is chaired by another convenor not previously having had any involvement with the complaint. One of the three lay members completes the Panel. The complainant is invited to attend the hearing, as are other individuals whose presence is thought to be helpful to the investigation. If the complaint involves a medical issue, independent assessors from the UK are engaged to attend the hearing, advise the Panel members, and then submit separate reports. These form the basis of the Panel's own final report which is circulated to all parties including the Department of Health or other appropriate body.

The members of the Independent Review Body meet on a quarterly basis to transact any formal business and to discuss, for training purposes, convenors' and Panel decisions in matters which have concluded. However, the individual convenors and members are required to read through, in their own time, often extensive medical records and complaint management files in connection with matters they are investigating.

During the year under review the IRB considered 33 complaints. A total of 18 were new complaints while 15 were carried over from the previous year.

Of these, the IRB discovered that two had not been through Local Resolution and the complainants were advised of the correct procedure; one was not pursued by the complainant after the initial letter of complaint while one was halted by the complainant while the investigation was underway. One social services complaint was suspended following the issues referred to in the first paragraph of this report.

This left 28 complaints to be investigated by the IRB. They can be summarised as follows:

- Noble's Hospital – 19
- GP Practices - 3
- Dental Practices - 1
- Pharmacies - 1

Four matters were ongoing at the end of the year under review. Two related to Noble's Hospital and two to GP Practices.

During the year, the IRB held a total of six full Panel hearings and in each case consultants from the UK were engaged to attend the hearings, advise the panel during the course of the hearing, and then write their own separate reports afterwards. One further hearing had been called, and a date fixed, but this had not taken place by the end of the period covered in this report. All the hearing matters related to Noble's Hospital and the Panel and Assessors' reports were issued to the various parties. The organisation which is the subject of the complaint has to respond to the complainant, and the IRB, regarding steps taken to address recommendations made by the Panel.

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