



Health and Social Care Ombudsman Body

INVESTIGATION SUMMARY

The Health and Social Care Ombudsman Body (HSCOB) for the Isle of Man is an independent statutory body set up to review unresolved complaints about health and care services which are provided by or paid for by Manx Care.

The Body is independent to both the Department of Health and Social Care and Manx Care. Further information about the Body can be found **here**.

Investigation of complaints is the responsibility of the service provider, and it is expected that a thorough investigation will have been completed before your complaint is referred to the HSCOB.

HSCOB reviews will therefore consider how the complaint has been handled by Manx Care or services commissioned by them, and whether or not the decision reached in the complaint is fair and reasonable in the circumstances.

However, in some circumstances, the HSCOB may decide to conduct its own enquiries. This may happen where there are concerns about the quality of local complaint handling, or where an investigation is necessary to establish important facts.

HSCOB considers a thorough investigation to be one which:

- Provides structure and focus to the process of investigation, and is consistent with the HSCOB methodology summarised in this document
- Is undertaken by an appropriately skilled person, who is independent of the service area which is being investigated – that is, is not directly involved in, or managing, that service. This does not necessarily mean someone independent of Manx Care.
- Has an agreed terms of reference – that is, has a clear statement of the matter to be investigated, and the issue (s) to be addressed, including any defined complaints and other issues to be considered
- Brings focus and clarity to what is often an emotive and difficult issues, and allows for the investigator(s) to be clear about which issues or complaints are upheld and which are not upheld.
- Is completed in a timely manner, taking account of the complexity of issues raised, and where further information is required.

Guide to HSCOB Investigations

The HSCOB will conduct its own investigation in the circumstance laid out in the Social Service Act 2011 (Amendment) Regulations 2022 section 26A: Health and Social Care Ombudsman Body (Constitution) Regulations and About Us.

The HSCOB will firstly establish whether your complaint meets the key thresholds specified in its 'Fit for HSCOB' tool. You can find a copy **here**.

The investigation report will contain the following sections

1. A summary of the complaint and/or matter to be investigated.
2. A definition of the scope of the investigation, documented in the Terms of Reference. Sometimes additional information emerges during an investigation. It will be for the investigators to determine whether this additional information is relevant to be included in the report.
3. Documentation of the findings and conclusions of the investigation – which accurately and concisely lays out:
 - a. What actions were undertaken
 - b. How were these actions undertaken
 - c. What evidence was obtained
 - d. An analysis of this evidence and what is the outcome from the analysis, and
 - e. A final decision based on this analysis.

Investigators may also wish to retain records of:

1. A plan of the investigation – who the investigators expect to see, the documents they will require – a statement of the lines of inquiry to be included.
2. Clearly collated relevant evidence, statements, documents and comparators/expert advice
3. Summary of the review and analysis of the information collected – this should be undertaken in an objective manner, and should clearly indicate which evidence substantiates and which does not substantiate the complaint.

These may be included as appendices if required, or retained by HSCOB.