

Our ref: NB/LJ/MA



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1 September 2017

Sent by email: Mr Gary Doherty, [Gary.Doherty@wales.nhs.uk](mailto:Gary.Doherty@wales.nhs.uk)

Dear Mr Doherty

### **Annual Letter 2016/17**

Following the recent publication of my Annual Report I am delighted to provide you with the Annual Letter (2016/17) for **Betsi Cadwaladr University Health Board**.

Overall my office's caseload has increased by 13% this year, with public body complaints seeing a 3% increase.

Once again there has been a further rise in the percentage of health complaints, from 36% to 38%.

As expected, most complaints about the health sector related to Clinical Treatment in Hospital whilst there has been a drop in the number about Clinical Treatment Outside Hospital for the second year running.

It is concerning that of the seven health boards, compliance with the timescales for providing my office with evidence that agreed recommendations had been completed varied from 53% to just 33% provided within the targets set. My office will be looking closely at compliance levels over the coming year.

During 2016/17, I produced six public interest reports and one 'special report'. All but one of the investigations were health related and, worryingly, three of the cases were against the same hospital – Ysbyty Glan Clwyd run by your Health Board. The special report, issued against Hywel Dda University Health Board for failing to implement my recommendations following an early resolution, was the first of its kind against a health board, and underlines the need to comply with commitments made through early resolution in the same way as I would expect for recommendations arising from upheld complaints.

The remaining public interest report related to a local authority's role in overseeing the savings of looked after children.

Earlier this year I issued a thematic report entitled [Ending Groundhog Day: Lessons from Poor Complaint Handling](#). This highlighted cases from across devolved public services in Wales where investigations by public bodies have been inadequate and failed the service user. The report emphasised the need for effective governance across the Welsh public sector, robust staff training and improved methods of data collection. If you have not considered the report I would encourage you to do so.

In June, my office held a seminar for the health sector on complaint handling. The seminar brought together complaints staff from health boards and trusts across Wales to share their experiences and best practice in complaint handling. The main outcome of the day was support for the establishment of a complaint handling network similar to that seen in Scotland, and we hope to see this established over the coming months.

I continue to place importance on the improvement function of my office. Last year I assigned Improvement Officers to several bodies and this will continue in 2017/18. In engaging with these bodies we hope to see ongoing improvements in complaints handling, learning and putting things right, along with the governance arrangements necessary for continuous improvement.

I am hopeful that the National Assembly will shortly be introducing new Ombudsman legislation that will help drive up standards. It is important Wales continues to adopt best practice in complaint handling and public service improvement and does not get left behind.

In reference to your Health Board, complaints received increased significantly again this year from 156 in 2015/16 to 192. Three of the public interest reports I issued this year were against your Health Board, and, worryingly, all about the same hospital. Clinical treatment in hospital accounted for over half the complaints received (109), whilst Complaint Handling was the second most complained about area (27). PSOW intervention was required in 47% of cases, which suggests there is still a lot work to be done before improvements are seen.

I am extremely concerned about the high number of complaints about your Health Board we received and upheld in the last year. Both these sets of figures exceeded the next highest health board by some distance, while nearly half of the cases closed required intervention by my office.

In addition, as mentioned above, of the six public reports issued by my office this year, three were against your Health Board and all concerned the same hospital – Ysbyty Glan Clwyd.

On a more positive note, the Health Board has been taking steps to reduce its backlog of old complaints. It has also agreed to amend how it deals with further correspondence received from complainants after the initial Putting Things Right response has been sent. This should mean that unless the complainant raises a new issue, or it is simply a request for clarification, the complainant will now be directed to complain to me if they remain dissatisfied. This should hopefully mean that complaints are now made to my office in a timely manner and the whole complaints process will be shortened for complainants. It should be evident by this time next year whether these measures have proved effective.

It is also fair to point out that in its dealings with my office the Health Board is generally efficient in providing records and responses in a timely manner.

You will find below a factsheet giving a breakdown of complaints data relating to your Health Board. This year we have included a new set of statistics regarding Ombudsman interventions. These include all cases upheld by my office as well as early resolutions and voluntary settlements.

This correspondence is copied to the Chair of your Health Board for consideration by the Board. I will also be sending a copy to your Contact Officer within your organisation and would again reiterate the importance of this role. Finally, a copy of all annual letters will be published on my website.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Bennett', with a stylized flourish at the end.

Nick Bennett

Public Services Ombudsman for Wales

CC: Peter Higson, Chair

Denise Williams, Contact Officer

## Factsheet

### A. Complaints Received and Investigated with Health Board average adjusted by population

<b>Health Board</b>	<b>Complaints Received</b>	<b>Average</b>	<b>Complaints Investigated</b>	<b>Average</b>
Abertawe Bro Morgannwg University Health Board	94	115	26	31
Aneurin Bevan University Health Board	90	127	26	35
Betsi Cadwaladr University Health Board	192	151	61	41
Cardiff and Vale University Health Board	91	106	26	29
Cwm Taf University Health Board	76	65	23	18
Hywel Dda University Health Board	113	84	23	23
Powys Teaching Health Board	20	29	0	8

### B. Complaints Received by Subject with Health Board average

<b>Betsi Cadwaladr University Health Board</b>	<b>Complaints Received</b>	<b>Health Board Average</b>
Adult Social Services - Services for vulnerable adults (e.g. with learning difficulties or with mental health issues)	2	0
Complaints Handling - Health	27	9
Health - Ambulance Services	1	0
Health - Appointments/admissions/discharge and transfer procedures	8	5
Health - Clinical treatment in hospital	109	56
Health - Clinical treatment outside hospital	16	6
Health - Confidentiality	2	1
Health - Continuing care	5	7
Health - Medical records/standards of record-keeping	3	1
Health - Other	14	8
Health - Patient list issues	1	1
Various Other - Other miscellaneous	1	1
Various Other - Poor/No communication or failure to provide information	3	1

**C. Comparison of complaint outcomes with average outcomes for health bodies, adjusted for population distribution**

<b>Health Board</b>	<b>Out of Jurisdiction</b>	<b>Premature</b>	<b>'Other' cases closed after initial consideration</b>	<b>Discontinued</b>	<b>Early Resolution / Voluntary Settlement</b>	<b>S16 Report - Upheld in whole or in part</b>	<b>Other Report - Upheld in whole or in part</b>	<b>Other Report - Not Upheld</b>	<b>Withdrawn</b>	<b>Total Cases Closed</b>
Betsi Cadwaladr	20	27	44	5	46	3	42	6	1	194
Health Board Average (adjusted for population)	18	29	40	2	28	1	27	9	0	154

#### D. Number of cases with PSOW intervention

<b>Health Board</b>	<b>Number of cases with PSOW intervention</b>	<b>Total number of closed cases</b>	<b>% of cases with PSOW intervention</b>
Abertawe Bro Morgannwg University Board	42	107	39
Aneurin Bevan University Health Board	29	95	31
Betsi Cadwaladr University Health Board	91	194	47
Cardiff and Vale University Health Board	23	93	25
Cwm Taf University Health Board	24	71	34
Hywel Dda University Health Board	37	102	36
Powys Teaching Health Board	4	24	17

## **Appendix**

### **Explanatory Notes**

Section A compares the number of complaints against the Health Board which were received and investigated by my office during 2016/17, with the Health Board average (adjusted for population distribution) during the same period.

Section B provides a breakdown of the number of complaints about the Health Board which were received by my office during 2016/17 with the with the Health Board average for the same period. The figures are broken down into subject categories.

Section C compares the complaint outcomes for the Health Board during 2016/17, with the average outcome (adjusted for population distribution) during the same period. Public interest reports issued under section 16 of the Public Services Ombudsman (Wales) Act 2005 are recorded as 'Section 16'.

Section D provides the numbers and percentages of cases received by PSOW in which an intervention has occurred. This includes all upheld complaints, early resolutions and voluntary settlements.

### **Feedback**

We welcome your feedback on the enclosed information, including suggestions for any information to be enclosed in future annual summaries. Any feedback or queries should be sent to [lucy.john@ombudsman-wales.org.uk](mailto:lucy.john@ombudsman-wales.org.uk) or [matthew.aplin@ombudsman-wales.org.uk](mailto:matthew.aplin@ombudsman-wales.org.uk)