

Our ref: NB/LJ/MA



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1 September 2017

Sent by email: Mr Steve Moore, kathryn.thomas2@wales.nhs.uk

Dear Mr Moore

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 **Hywel Dda 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 Betsi Cadwaladr University Health Board. The special report, issued against your 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 the number of complaints received by my office increased this year (from 98 in 2015/16 to 113). I also issued the first ever Health Board Section 22 report against Hywel Dda. Clinical Treatment in Hospital (71) and Complaint Handling (15) received the most complaints. PSOW intervention was required in 36% of the cases.

At the end of my Improvement Officer's (IO) first year working with Hywel Dda we commented on how pleased we were to see your Health Board significantly increase its agreement to Early Resolutions, which was a positive experience for all concerned in drawing complaints to a close. In reflecting on what is now the second year (2016/2017), it would be fair to say the year did not begin well for your Health Board.

In May 2016, a Special Report (under s22 of the PSOW Act 2005) was issued against your Health Board for failing to implement agreed recommendations on a previous Early Resolution. This was the first such report issued against a health body, but is a reminder about the importance of recommendations made by my office. It reinforced the message that failing to implement agreed recommendations – whether in an Investigation Report or Early Resolution – can result in serious consequences. However, I am pleased that your Health Board met the report's issue with both honesty and a willingness to learn from the experience. It took positive action by a further review of its structures.

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 large, sweeping flourish at the end.

Nick Bennett

Public Services Ombudsman for Wales

CC: Bernardine Rees, Chair

Roger Smith, Contact Officer

Factsheet

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

| Health Board | Complaints Received | Average | Complaints Investigated | Average |
|--|---------------------|---------|-------------------------|---------|
| 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

| Hywel Dda University Health Board | Complaints Received | Health Board Average |
|---|---------------------|----------------------|
| Complaints Handling - Health | 15 | 9 |
| Health - Appointments/admissions/discharge and transfer procedures | 4 | 5 |
| Health - Clinical treatment in hospital | 71 | 56 |
| Health - Clinical treatment outside hospital | 2 | 6 |
| Health - Continuing care | 2 | 7 |
| 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 | 1 | 1 |
| Various Other - Rudeness/inconsiderate behaviour/staff attitude | 2 | 1 |

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

| Health Board | Out of Jurisdiction | Premature | 'Other' cases closed after initial consideration | Discontinued | Early Resolution / Voluntary Settlement | S16 Report - Upheld - in whole or in part | Other Report Upheld - in whole or in part | Other Report - Not Upheld | Withdrawn | Total Cases Closed |
|---------------------------------|----------------------------|------------------|---|---------------------|--|--|--|----------------------------------|------------------|---------------------------|
| Hywel Dda | 15 | 21 | 23 | 1 | 31 | 0 | 6 | 5 | 0 | 102 |
| Health Board Average (adjusted) | 10 | 16 | 22 | 1 | 16 | 1 | 15 | 5 | 0 | 85 |

D. Number of cases with PSOW intervention

| Health Board | Number of cases with PSOW intervention | Total number of closes cases | % of cases with PSOW intervention |
|--|---|-------------------------------------|--|
| 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 the 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 or matthew.aplin@ombudsman-wales.org.uk