

## **PSOW's approach to health complaints during the Covid-19 Pandemic**

COVID-19 and the public health measures which have been put in place to prevent the spread of infection have made it harder for health boards in Wales to provide treatment for non-COVID-19 related conditions. During times of peak infection and hospital admissions staff resources have been severely stretched to such an extent that treatments for other non-COVID conditions have been suspended for significant periods of time. Even when other treatments have been provided public health measures and the need for social distancing has significantly limited the capacity within health boards for treatment.

The Ombudsman's assessment and investigation of health complaints related to the Pandemic (from March 2020) will be carefully considered in this context. The Ombudsman will continue to use PSOW's Standards in Clinical Care to decide whether clinical care and treatment have been appropriate in the circumstances. This will include consideration of whether health boards/ trusts have appropriately reviewed cases and prioritised assessments or treatment. In doing so we will take account of any Guidance on how to monitor and prioritise waiting times for any urgent assessments or treatment during the Pandemic which may have been issued by organisations including the Welsh Government and the NHS in Wales, the National Institute for Health and Care Excellence (NICE), professional regulators' Codes of Practice and guidance from Royal Colleges.

We will consider the individual patient's needs and ask the clinician or organisation complained about to tell us what if any standards or guidance they based their practice on, whether they followed or departed from them and why. If there is a relevant "Covid related" standard or guidance and the clinical decisions, actions or judgements taken do not appear to have been in line with it, we will consider what evidence there may be to explain this. Where any complaint relates to a period of peak infection and hospital admissions in any particular area, we will consider the impact of this on the organisation's ability to balance the demands on its resources and capacity to provide treatment when reaching a decision about whether there has been appropriate care and treatment. In doing so, we will consider the explanations of those complained about and balance them against the relevant COVID related standards or guidance available at the time of the events complained about.

We will continue to also consider the 'Principles of Good Administration and Good Records' insofar as they apply to the clinical context of delivering treatment during the Pandemic.