



**University Hospitals  
Bristol and Weston**  
NHS Foundation Trust

# **ANNUAL COMPLAINTS REPORT 2020/2021**



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## **Executive Summary**

In accordance with NHS Complaints Regulations (2009), this report sets out a detailed analysis of the number and nature of complaints received by University Hospitals Bristol and Weston NHS Foundation Trust (UHBW) in 2020/21. The report also records other support provided by the Trust's Patient Support and Complaints Team during the year.

In summary:

- 1,665 complaints were received by the Trust in the year 2020/21, averaging 139 per month. Of these, 546 were managed via the formal investigation process and 1,119 through the informal investigation process. This is a very similar number to the 1,674 complaints received in 2019/20.
- In addition, the Patient Support and Complaints Team dealt with 1,419 other enquiries, including compliments, requests for support and requests for information and advice; this represents a significant 57.1% increase on the 903 enquiries dealt with in 2019/20. The team also received and recorded an additional 502 enquiries which did not proceed after being recorded (a decrease on the 618 reported in 2019/20). In total, the team received 3,586 separate new enquiries into the service in 2020/21; an increase of 12.3% on the 3,195 reported the previous year.
- In 2020/21, the Trust had nine complaints referred to the Parliamentary and Health Service Ombudsman (PHSO), representing a further 35.7% decrease on the 14 cases referred the previous year; which was in itself a 54.8% decrease on the 31 cases reported in 2018/19. During the same period, five cases were closed by the PHSO and at the end of the year 2020/21, 13 cases remained under investigation by the PHSO.
- 617 complaints were responded to via the formal complaints process in 2020/21 and 71.5 per cent of these (441) were responded to within the agreed timescale. This is a significant deterioration on the 88 per cent achieved in 2019/20, and does not meet the Trust target of 95 per cent. A total of 739 complaints were responded to in 2020/21 via the informal complaints process and 92.7 per cent of these (685) were responded to within the agreed timescale, an improvement on the 89.3 per cent achieved the previous year.
- The Trust continues to deal with a higher proportion of complaints via the informal process, which means that these issues are being dealt with as quickly as possible and by the specialty managers responsible for the service involved.
- At the end of the reporting year, 6.1 per cent of complainants had expressed dissatisfaction with the formal response they had received. This represents a total of 40 of the 653 first formal responses sent out during the reporting period and compares favourably with 9.1 percent in 2019/20 and 9.5 per cent in 2018/19.

## **1. Accountability for complaints management**

The Board of Directors has corporate responsibility for the quality of care and the management and monitoring of complaints. The Chief Executive delegates responsibility for the management of complaints to the Chief Nurse.

The Trust's Patient Support and Complaints Manager is responsible for ensuring that:

- All complaints are fully investigated in a manner appropriate to the seriousness and complexity of the complaint, in line with the complainant's wishes;
- All formal complaints receive a comprehensive written response from the Chief Executive or his nominated deputy, or a local resolution meeting with a senior clinician and senior member of the divisional management team;
- Complaints are resolved within the timescale agreed with each complainant at a local level wherever possible;
- Where a timescale cannot be met, an explanation is provided and an extension agreed with the complainant; and
- When a complainant requests a review by the Parliamentary and Health Service Ombudsman, all enquiries received from the Ombudsman's office are responded to in a prompt, co-operative and open manner.

The Patient Support and Complaints Manager line manages a team which consists of one full-time Deputy Manager (Band 6); six part-time complaints officers/caseworkers (Band 5) and two part-time administrators (Band 3). The total team resource, including the manager, is currently 8.12 WTE.

## **2. Complaints reporting**

Each month, the Patient Support and Complaints Manager reports the following information to the Trust Board:

- Total number of complaints received
- Percentage of complaints responded to within the agreed timescale (formal and informal)
- Percentage of cases where the complainant is dissatisfied with the original response

In addition, the following information is reported to the Patient Experience Group, which meets every three months:

- Validated complaints data for the Trust as a whole and also for each Division
- Quarterly Complaints Report, identifying themes and trends
- Annual Complaints Report (which is also received by the Board).

The Quarterly Complaints Report provides an overview of the numbers and types of complaints received, including any trends or themes that may have arisen, including analysis by Division and information about how the Trust is responding. The Quarterly Complaints Report is also reported to the Trust Board and is published on the Trust's website.

### 3. Total complaints received in 2020/21

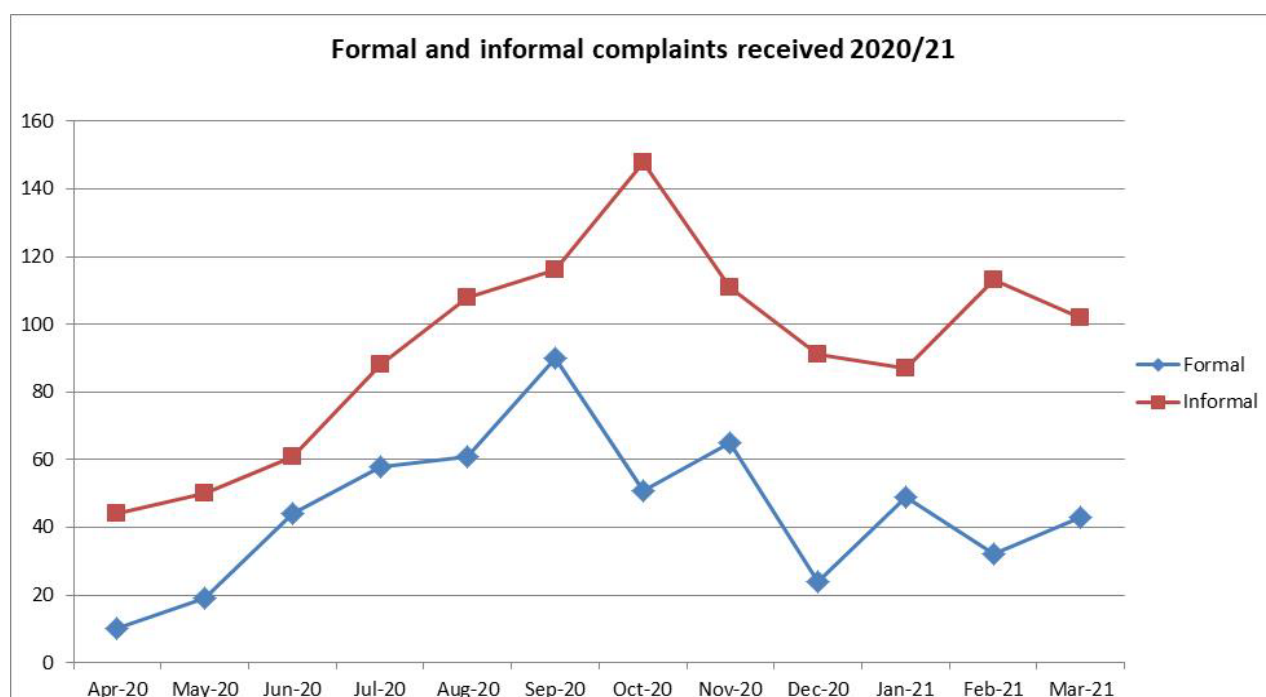
The total number of complaints received during the year was 1,665, a marginal decrease on the 1,674<sup>1</sup> complaints received the previous year. Of these, 546 (32.8%) were managed through the formal investigation process and 1,119 (67.2%) through the informal investigation process; this compares with 542 (32.4%) complaints managed formally in 2019/20 and 1,132 (67.6%) managed informally.

A formal complaint is classed as one where an investigation by the Division is required in order to respond to the complaint. A senior manager is appointed to carry out the investigation and gather statements from the appropriate staff. These statements are then used as the basis for either a written response to, or a meeting with, the complainant. The method of feedback is agreed with the complainant and is their choice. The Trust's target is that this process should take no more than 30 working days in total.

An informal complaint is one where the issues raised can usually be addressed quickly by means of an investigation by the divisional management team and a telephone call to the complainant. The Trust's target is that this process should take no more than 10 working days in total.

Figure 1 provides the annual view of complaints received per month that were dealt with via the formal investigation process compared to those dealt with via the informal investigation process, over the same period. The figures below do not include informal concerns which are dealt with directly by staff in our Divisions.

**Figure 1 – Numbers of formal v informal complaints**



<sup>1</sup> Please note that a figure of 1,785 was reported in the Annual Report 2019/20. This difference is due to a change in the way that complaints data was gathered during 2019/20, to exclude cases that did not proceed *after* the monthly data had been finalised. Data throughout this report has been adjusted to reflect this change.

Table 1 below shows the number of complaints received by each of the Trust's divisions compared with the previous year. Directional arrows indicate change compared to the previous financial year.

**Table 1 - Breakdown of complaints by Division**

Division	Informal complaints 2020/21	Informal complaints 2019/20	Formal complaints 2020/21	Formal complaints 2019/20	Divisional total 2020/21	Divisional total 2019/20
Surgery	310 ↓	415	96 ↓	165	406 ↓	580
Medicine	264 ↑	209	120 ↓	127	384 ↑	336
Specialised Services	150 ↓	210	40 ↓	65	190 ↓	275
Women & Children	145 ↑	143	128 ↓	146	273 ↓	289
Diagnostics & Therapies	44 ↓	52	13 ↓	19	57 ↓	71
Weston	117	N/A	133	N/A	250	N/A
Trust Services (inc. Estates & Facilities)	89 ↓	103	16 ↓	20	105 ↓	123
<b>TOTAL</b>	<b>1,119 ↓</b>	<b>1,132</b>	<b>546 ↑</b>	<b>542</b>	<b>1,665 ↓</b>	<b>1,674</b>

Table 1 shows that most Divisions recorded an increase in the number of complaints managed via the informal complaints process. The Divisions of Medicine and Women & Children managed a higher number of complaints via the formal process than in the previous year.

The overall percentage of complaints managed both formally and informally, remained similar to 2019/20 with 30.9% dealt with via the formal process (32.3% last year) and 69.1% via the informal process (67.7% last year).

#### 4. Complaint themes

The Trust records all complaints under one or more of eight high-level reporting themes, depending upon the nature and complexity of the complaint. This data helps us to identify whether any trends or themes are developing when matched against hospital sites, departments, clinics and wards.

Table 2 shows complaints received in 2020/21 by theme, compared with 2019/20 and 2018/19.

**Table 2 - Complaint themes – Trust totals**

Complaint Theme	Total Complaints 2020/21	Total Complaints 2019/20	Total Complaints 2018/19
Appointments and Admissions	347 ↓	581 ↑	571 ↑
Clinical Care	501 ↑	492 ↓	519 ↑
Attitude and Communication	417 ↑	312 ↓	384 ↓
Facilities and Environment	120 ↓	122 ↓	176 ↑
Information and Support	137 ↑	82 ↓	107 ↓
Discharge/Transfer/Transport	67 ↑	40 ↑	36 ↓
Documentation	43 ↑	41 =	41 ↑
Access	33 ↑	4 ↓	11 ↓
<b>TOTAL</b>	<b>1,665 ↓</b>	<b>1,674 ↓</b>	<b>1,845 ↑</b>

In 2020/21, both the number and nature of the complaints received was influenced by the Covid-19 pandemic. There were increases in all categories, with the exception of ‘appointments and admissions’, for which there was a 40.3% decrease compared with the previous year. This significant decrease is at least partly explained by the impact of the Covid-19 pandemic, when all but urgent appointments and procedures were cancelled and/or delayed nationwide, and the majority of patients understood the reason for this so did not seek to complain about it. There was also a slight decrease in complaints recorded under the category of ‘facilities and environment’.

The largest increases were in complaints recorded under the categories of ‘attitude and communication’ and ‘information and support’. During the pandemic, complaints received in both of these categories were largely in respect of the failure of staff to communicate with families whilst their loved ones were in hospital, coupled with the impact of visiting restrictions; and a lack of information provided to patients whose appointments and operations were delayed, i.e. they did not complain about the cancellations, but did complain about not being informed when their appointment would be rescheduled.

The category of ‘access’ includes complaints about visiting hours. The increase of complaints in this category compared with previous years was due to the visiting restrictions implemented during the Covid-19 pandemic.

## 5. Performance in responding to complaints

In addition to monitoring the volume of complaints received, the Trust also measures its performance in responding to complainants within agreed timescales, and the number of complainants who are dissatisfied with responses.

### 5.1 Percentage of complaints responded to within timescale

The Trust’s expectation is that all complaints will be acknowledged within two working days for telephone enquiries and within three working days for written

enquiries. In 2020/21, 87.8% (1,462 of 1,665) of complaints were acknowledged within these timescales, compared with 99.7% in 2019/20. This deterioration in the timeliness of acknowledging complaints was due to a combination of the overall increase in new enquiries into the Patient Support and Complaints Team (see Section 7 below), together with significant episodes of staff sickness absence.

Whenever a complaint is managed through the formal resolution process, the Trust and the complainant agree a timescale within which we will investigate the complaint and write to the complainant with our findings, or arrange a meeting to discuss them. The timescale is agreed with the complainant upon receipt of the complaint and is usually 30 working days. When a complaint is managed through the informal resolution process, the Trust and complainant also agree a timescale and this is usually 10 working days.

The Trust's target is to respond to at least 95% of complaints within the agreed timescale and this applies to both formal and informal complaints.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, together with guidance from the Parliamentary and Health Service Ombudsman, indicate that the Trust must investigate a complaint 'in a manner appropriate to resolve it speedily and efficiently and keep the complainant informed.' When a response is not possible within the agreed timescale, the Trust must inform the complainant of the reason for the delay and agree a new date by which the response will be sent.

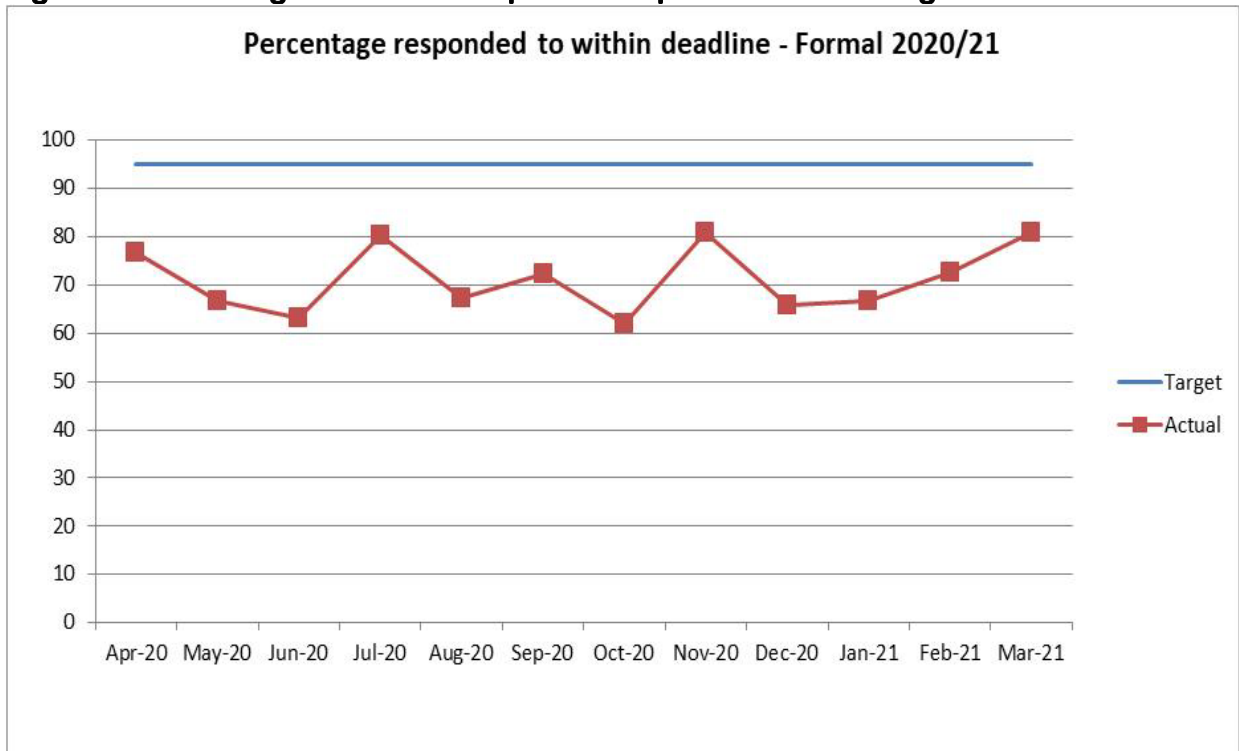
The Trust captures data about the numbers of complaints responded to within the agreed timescale. The Trust's performance target continues to be 95% compliance, for both formal and informal complaints.

Over the course of the year 2020/21, 71.5% of formal responses were responded to within the agreed timescale (441 of 617), compared with 88% in 2019/20 and 87% in 2018/19. Of the 739 complaints responded to via the informal complaint process in 2020/21, 92.7% (685) were responded to within the agreed timescale, an improvement on the 89.3% reported the previous year.

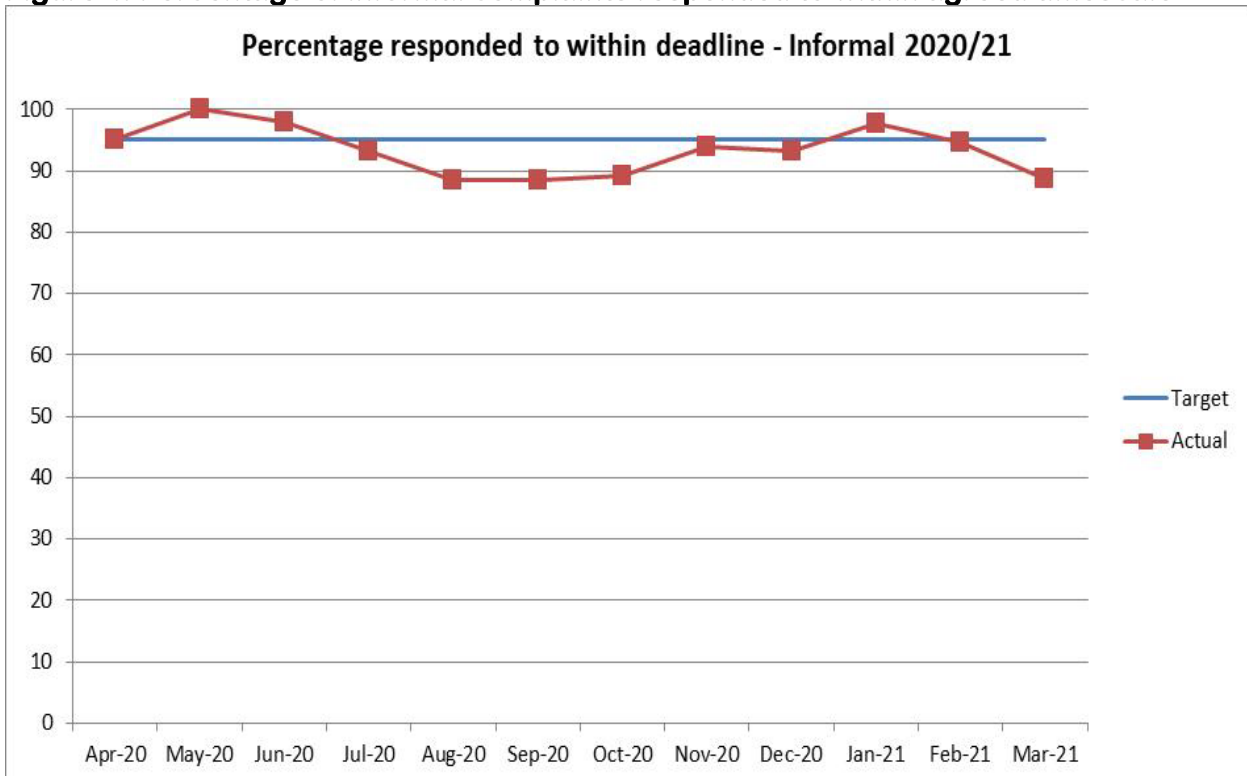
Two main factors contributed to the deterioration in performance in respect of formal complaints responses. The first factor was the capacity for operational staff to investigate and respond to complaints during a national pandemic. The second factor has been the merger with Weston Area Health NHS Trust and a necessary review of the complaints structure and processes at Weston General Hospital. A plan has now been put in place to address the backlog of complaint responses, by allocating each overdue case to a senior manager in the Division of Weston, who will be responsible for contacting the complainant and ensuring a suitable response is provided to them within a newly agreed timescale. The new Complaints Coordinator for the Division will therefore be able to concentrate on ensuring that all new complaints received by the Division are responded to in a timely manner.



**Figure 3. Percentage of formal complaints responded to within agreed timescale**



**Figure 4. Percentage of informal complaints responded to within agreed timescale**



## 5.2 Numbers of complainants who are dissatisfied with our response

The Trust also measures performance in respect of the number of complainants who are dissatisfied with the response provided to their complaint due to the original investigation being incomplete or inaccurate (which we differentiate from follow-up enquiries where a complainant raises additional questions).

At the end of the reporting year, 6.1% of complainants had expressed dissatisfaction with the formal response they had received. This represents a total of 40 of the 653 first formal responses sent out during the reporting period and compares favourably with 9.1% in 2019/20 and 9.5% in 2018/19.

## 6. Parliamentary and Health Service Ombudsman (PHSO)

If a complainant is unhappy with the way in which their complaint has been dealt with by the Trust and feels that local resolution of their complaint has not been satisfactory, they have the option of asking the PHSO to carry out an independent review of their complaint.

In 2020/21, the Trust had nine complaints referred to the Parliamentary and Health Service Ombudsman (PHSO), representing a further decrease of 35.7% compared with the 14 cases referred in 2019/20 and 31 in 2018/19.

During the same period, five cases were closed by the PHSO. Of these five cases, none were 'upheld' or 'partly upheld'; one was 'not upheld' following a full investigation; three fell into the category designated by the PHSO whereby they carried out an initial review but then decided not to investigate and closed their file, citing 'no further action'. The final case was closed without a full investigation, with the sum of £200 paid to the complainant to cover the cost of some scans carried out on a private basis, at the suggestion of the PHSO as a "quick resolution". At the end of the year 2020/21, 13 cases remained under investigation by the PHSO.

## 7. Information, advice and support

In addition to managing complaints, the Patient Support and Complaints Team also deal with compliments and with requests for advice, information and support. The team also records a number of enquiries which did not proceed after being recorded, either due to insufficient information or withdrawal of the complaint/enquiry.

The total number of enquiries received during 2020/21 is shown below, together with figures from 2019/20 and 2018/19 for comparative purposes:

**Table 3:**

Type of enquiry	Total received 2020/21	Total received 2019/20	Total received 2018/19
Request for information/advice/support	1,149 ↑	732 ↓	780 ↑
Compliments	270 ↑	171 ↓	185 ↑
Did not proceed	502 ↓	618 =	618 ↑
<b>Total</b>	<b>1,921 ↑</b>	<b>1,521 ↓</b>	<b>1,583 ↑</b>

## **8. Learning from complaints**

The Trust continues to be proactive in its management of complaints and enquiries, recognising that the way we respond to concerns and complaints is part of our commitment to excellence in customer service and acknowledging that all complaints are a valuable source of learning.

Learning from complaints can be measured by the actions taken as a result of the complaints received. Some examples of actions completed in 2020/21 are as follows:

- Following the discharge of a patient from the Bristol Heart Institute (BHI), her daughter went through the paperwork her mother had been sent home with and discovered a completed ReSPECT form. The form included a statement that the patient did not want to be resuscitated and included DNR and DNACPR orders. Despite the form stating that this had been discussed with the patient by a doctor, this took the family completely by surprise. As a result of this complaint, the Head of Nursing discussed this with the staff involved on this occasion to ensure that they understood the correct process for completing the ReSPECT form. In addition, an article was published in the divisional Patient Safety, Governance and Complaints Newsletter and on the Bristol and Weston intranet pages, reminding all staff of the correct process. (Specialised Services)
- A number of actions were identified and actioned following a complaint from a patient's daughter following her mother-in-law's numerous admissions to Weston General Hospital. These actions included the implementation of a checklist to ensure patient allergies are recorded on their drug chart and the patient is wearing a red wristband to denote that they have an allergy; a change of process to ensure that contact with the patient's next of kin in respect of the discharge arrangements is clearly documented; and 'Focus of the Month' posters are clearly displayed to remind staff of the importance of the correct handling of patient data and information. (Weston Division)
- As a result of a complaint regarding a midwife contacting a patient, not knowing that she had experienced a miscarriage, a daily transfer of information to the Community Midwifery team was implemented regarding confirmed or possible miscarriages. This simple and prompt action will prevent additional upset and anxiety for future patients at such a difficult time. (Women & Children)
- A patient who has contact lenses supplied by Bristol Eye Hospital (BEH) made a complaint following confusion over what was included in her annual payment. She had previously been told that the annual payment covered any replacement lenses but when she was due to make a new payment, she was told that replacement lenses were not included and she was left without any lenses whilst this was resolved. As a result of this complaint, the Service Lead Optometrist developed a new patient information leaflet providing clarity for users of the contact lens service. The leaflet explains the contact lens purchase process, including eligibility criteria, trial lenses, payment details, how the department manages patient enquiries and a list of FAQs. (Surgery)

## 9. Looking ahead

Looking ahead to 2021/22, the Patient Support and Complaints Team's focus will be on working with all Divisions to improve performance in responding to complaints within the timescale agreed with complainants, maintaining the low numbers of complainants who are dissatisfied with our response to their concerns and sharing learning from complaints with staff Trustwide. Our aim is to provide an exemplary integrated complaints service across all locations, including the newly formed and restructured service at Weston General Hospital, to ensure our complaints service is easily accessible to all of our patients and their families.

