

Integrated Care Board

Date of meeting	17 July 2024
Title of paper	Complaints Annual Report 2023/24
Presented by	Sarah O'Brien, Chief Nursing Officer
Author	David Brewin, Head of Patient Experience
Agenda item	18
Confidential	No

Executive summary

All NHS organisations with a duty to handle complaints are required to submit a Complaints Annual Report to the Department of Health and Social Care (DHSC) each year. The legislation stipulates what should be included. The report for 2023/24 is below and satisfies those requirements for the ICB.

2023/24 has seen significant changes in the volumes and types of complaints the ICB has handled. In particular, the delegation of primary care complaints from NHS England in July 2023 has led to a considerable increase in activity as set out in the report. This has led to operational pressures in the team, but we continue to deliver a service which fulfils our legal duties.

A Complaints and Patient Experience Report is considered at each meeting of our Public Involvement and Engagement Advisory Committee (PIEAC).

The report seeks to:

- **Assure** Board that we have a Patient Experience function which discharges our ICB statutory duties relating to complaints, and we have produced an Annual Report for 2023-24 that can be submitted to the DHSC.

Recommendations

ICB Board is asked to:

- Note the contents of the Annual Complaint Report 2023/24 for submitted to DHSC.

Which Strategic Objective/s does the report relate to:

		Tick
SO1	Improve quality, including safety, clinical outcomes, and patient experience	✓
SO2	To equalise opportunities and clinical outcomes across the area	
SO3	Make working in Lancashire and South Cumbria an attractive and desirable option for existing and potential employees	
SO4	Meet financial targets and deliver improved productivity	

SO5	Meet national and locally determined performance standards and targets			
SO6	To develop and implement ambitious, deliverable strategies			
Implications				
	Yes	No	N/A	Comments
Associated risks		✓		
Are associated risks detailed on the ICB Risk Register?			✓	
Financial Implications			✓	Not directly arising from the Annual Report.
Where paper has been discussed (list other committees/forums that have discussed this paper)				
Meeting	Date		Outcomes	
PIEAC	26 June 2024		It was agreed that the report should be considered by Board and approved for submission to DHSC.	
Conflicts of interest associated with this report				
Not applicable				
Impact assessments				
	Yes	No	N/A	Comments
Quality impact assessment completed			✓	
Equality impact assessment completed			✓	
Data privacy impact assessment completed			✓	
Report authorised by:	Sarah O'Brien, Chief Nursing Officer			

Integrated Care Board – 17 July 2024

Complaints Annual Report 2023/24

1. Introduction

1.1 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 require that each NHS 'Responsible Body' produces an Annual Complaints Report and sends it to the Department of Health and Social Care. Regulation 18 sets out what the report must cover. This report satisfies those requirements for NHS Lancashire and South Cumbria (LSC) Integrated Care Board (ICB).

2. Complaints and MP Letters – Background and Introduction

2.1 All patients or their representatives who are dissatisfied with a service funded or provided by the NHS have a right to complain. LSC ICB welcomes complaints as an opportunity to learn and improve and we encourage our residents to complain when are unhappy with the service, care, or treatment they receive. Some complaints to the ICB are about something we have done or a decision we have made. Others will be about the services that we commission for our population.

2.2 People who use NHS services in our local hospitals, primary care practices or in their own homes can choose to make a complaint to the ICB rather than the provider. The role of commissioners is covered in the 2009 Regulations and is reinforced by national guidance. On 1 July 2023, our duties were extended to include complaints about primary care (General Practice, dentistry, community pharmacy and ophthalmology) made to commissioners. This led to considerable increases in incoming volumes as set out in this report. We have a published Complaint Policy which supports us in managing complaints well, learning and using findings to improve. It commits to being accessible, open, and transparent. A new policy was approved in March 2024 and is published on our website. The Patient Experience section explains how to complain by telephone, post, email, or an online form.

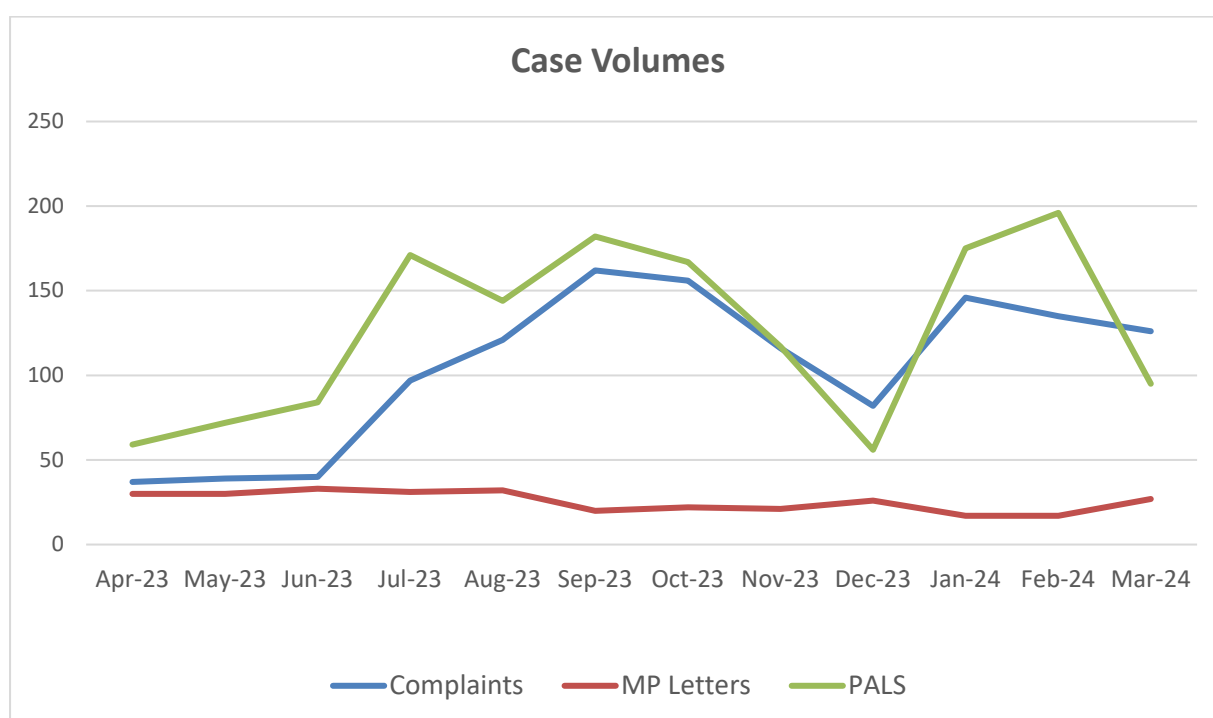
2.3 We also receive correspondence from our local MPs. This comes in three types. Firstly, enquiries that come directly from MPs about any aspect of local health policy, funding, or services. They are responded to in a letter with the information and explanations requested. Secondly, some constituents approach their MP with an enquiry or concern about the NHS and these are forwarded to the ICB for us to respond. Thirdly, our residents make formal complaints through their MPs. We treat these in the same way as a complaint directly from a patient and they are investigated and responded to in line with the legislation.

3. Complaints

3.1 The number of complaints and MP letters received during 2023/24 by quarter was:

Quarter	Complaints	MP Letters
Quarter One	116	93
Quarter Two	380	83
Quarter Three	354	69
Quarter Four	406	64
Total for ICB	1256	309

The breakdown by month can be shown as a graph.



3.2 This is a substantial considerable increase from the totals recorded for 2022/23. We also have access to the historical data for LSC dating back to 2026/17 which shows a year-on-year increase in both complaints and PALS. MP activity shows more variation with both increases and decreases over the period.

Total Complaints and MP Letters 1 July 2022 – 31 March 2023.	Total Complaints and MP Letters 2022/23 Full Year Equivalent	Total Complaints and MP Letters 2023/24
582	776	1565

3.3 The delegation of primary care cases resulted in much higher volumes. The average number of complaints received by the ICB each month during the first year of operation (1 July 2022 to 30 June 2023) was 41. For the period 1 July 2023 to 31 March 2024 this more than trebled to an average of 127. Complaints received

can be broken down into four categories. Some complaints span several organisations but for this report we have selected the main category recorded.

Date	ICB - All Age Continuing Care	ICB – Other	Secondary Care Provider	Primary Care
2023/24	95	101	402	658

4. Complaint and MP Outcomes

Outcome of Complaints	Number
Complaint Not Upheld	227 (45%)
Complaint Partially Upheld	198 (33%)
Complaint Upheld	134 (22%)
Totals	132

4.1 In total we closed 1444 Complaints and MP letters during 2023/24. Some are closed for administrative reasons such as being unable to get consent to continue, withdrawn by the complainant or passed to another organisation to investigate. There were 609 cases with a recorded outcome. Of these, 277 (45%) were not upheld and 332 (55%) were either fully or partly upheld. This is a small increase in the proportion of complaints upheld compared to 2022/23. Regulations require that we report the number of complaints that are ‘well founded’ in the Annual Report. For these purposes, we consider that complaints that are fully or partly upheld meet that definition. This decision is made by each complaint handler with support from their manager and recorded on the complaint file.

4.2 When compared to 2022/23, there was a significant decrease in the proportion of complaints upheld – from 51% to 22%. The 2023/24 percentages are broadly in line with the last national published data.

5. Patient Advice and Liaison Service

5.1 Our Patient Advice and Liaison Service (PALS) has two functions. It is the ‘front door’ to our complaints team and allows us to resolve complaints quickly and informally where we can. It is also a confidential, help and advice service for patients, their families, and unpaid carers. Our PALS team received a total of 1495 enquiries in 2023/24 up from 657 in 2022/23. This included supporting the ICB with patient and public enquiries about changes to local primary care services such as closure of practices, procurement exercises or dentists not continuing with NHS work. In April 2024, we made the decision to stop providing a full PALS offer as we had to prioritise our statutory duty to respond to the greatly increased numbers of complaints.

6. Learning from Complaints

- 6.1 Lancashire and South Cumbria ICB views complaints as an opportunity to learn and improve. When we resolve a case, we always try to identify tangible changes because of a complaint. This could be a change for that individual patient or a wider improvement to a service. We share it with complainants as part of the response letter and it is held on the complaint file. The learning could either be for LSC ICB or for a commissioned provider organisation. During 2024/25 we plan more work to capture and implement learning from dissatisfied patients.
- 6.2 Learning from complaints is reported in a 'You Said, We Did' format to each meeting of our Public Involvement and Engagement Advisory Committee which is a sub-committee of the Board.

7. The Parliamentary and Health Service Ombudsmen (PHSO)

- 7.1 The NHS complaints process in England has two stages. The first is 'local resolution' and includes our response, any meetings we hold with complainants and cases that are reopened and considered a second time. When local resolution ends, every complainant can approach the PHSO to request a review of how a complaint was handled. The PHSO will then decide whether to consider the case.
- 7.2 During the year we received six contacts from PHSO requesting documents or case details. All are now closed. In one instance, we were asked to provide an additional apology as an alternative to a full investigation.

8. Patient Experience Team

- 8.1 2023/24 was a year of change for our Patient Experience Team who handle complaints, MP letters and PALS enquiries. On formation of the ICB, a small group of staff were aligned to this function. From 1 July 2023 they were joined by colleagues from Midlands and Lancashire Commissioning Support Unit and NHS England. From the outset, we adopted a model of a single, integrated team, one front door, all data held on the same case management system, aligned processes where possible and combined reports. All our staff now handle all types of complaint case.

9. Summary

- 9.1 This report is a short summary of activity and outcomes for 2023/24. More work is planned for 2024/25 to focus on learning, improving quality and working with complainants to move from sending responses to genuine resolution of the complaints we receive. We also plan to better understand complaints and Patient Experience across our system and make improvements in partnership with our providers.

David Brewin
Head of Patient Experience
5 July 2024