



Northern Ireland

Public Services

Ombudsman

Learning from Complaints

**White Paper - Complaints Conference
Belfast**

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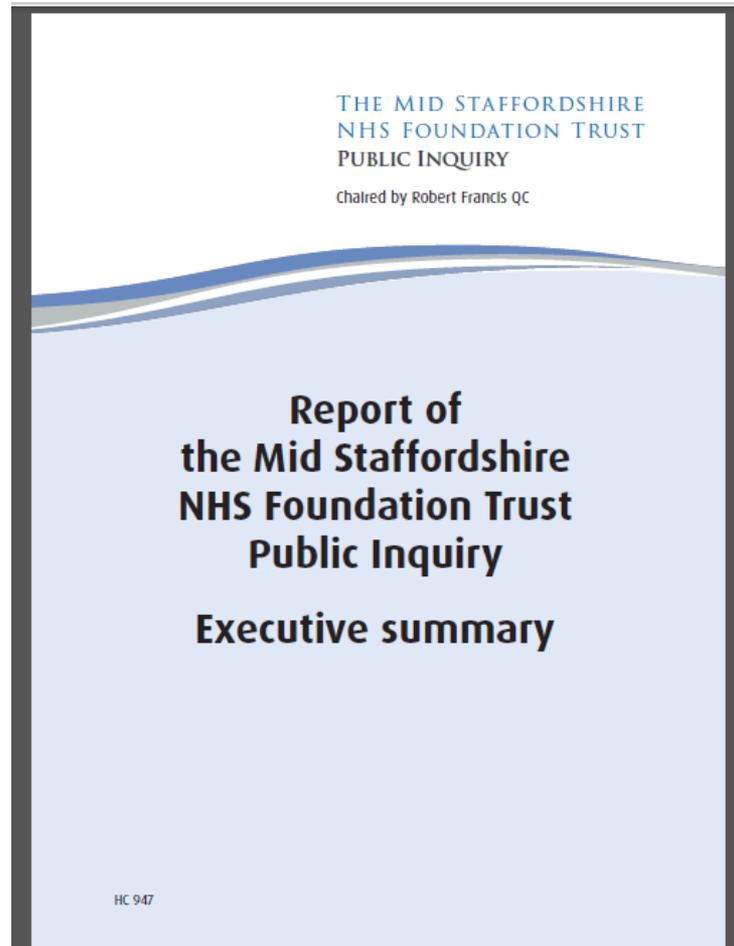
The Importance of Learning

- Citizen insight is invaluable
- Complaints give service users a voice – listen to it
- Relying on repeat quick fixes – repeat same tasks over and over
- Fighting fires Vs taking time to think and tackle causes
- Failure to learn means opportunities to learn and improve services are lost
- For public services, its more serious - people are suffering injustice
- Complaints are an early warning system – alerting individual staff and the organisation to any unintended consequences of policies or decisions
- At a time when difficult decisions need to be made about future funding for public services, learning from service users through scrutiny can strengthen public trust and involvement.

Why we find it hard to learn

- We are not hearing all the voices – Complaints are rising but reluctance by key groups of service users to complain
- People don't know how/who to complain and/or fear not being taken seriously (or worse).
- Combined with failures in complaints handling and defensiveness/reticence from organisations to hear/address concerns
- Staff fear blame culture for admitting failing by themselves, colleagues or by their employer – **clam up**
- Lack of focus on **meaningful** complaints information
- We find it difficult to apply learning easily across our organisations, or across public services/sectors.

'This remote approach'



The Trust Board was limited in the learning it received from complaints. In particular, it did not receive details of any individual complaints and, indeed, The Chair of the Trust, did not review any of them personally. Her reason for this remote approach was that:

“As far as complaints are concerned, ... individual complaints always risk giving a biased and partial view of what’s happening in the trust. A complaint that’s investigated properly and resolved is then put to bed and doesn’t need to come to the attention of the hierarchy in the organisation, actually.”

Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, volume one, page 250



“However, it is far from certain that a more penetrating look at complaints would have shaken her confidence in the management of the Trust because her instinctive reaction to complaints appears to have been a combination of scepticism about their substance and a tolerance, borne of a belief that such complaints were not uncommon in the NHS.”

Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, volume one, page 250-251

Snazzy statistics and bar graphs aside, how do you truly learn from complaints?

Complaints about Complaints handling

Common Pitfalls

General process:

- Barriers to complaining
- Difficult to access
- Complex and confusing, for staff too
- Multiple stages

Individual:

- Delay
- Not answering the question, or failure to respond to important issues
- Equivocal language & sitting on the fence

- Getting key facts wrong, statements not supported by the records
- Unclear communication (e.g. jargon /technical language)
- Defensiveness – complaints simply an opportunity to defend practice or policy
- Failure to identify evident failings
- Failure to apologise, meaningfully
- Silo approach to complaints investigations and responses

Investigating complaints

- Give it the time it deserves - this can stop a complaint escalating and help understand the underlying emotions / failures
- Speak to the complainant (start, middle and/or end)
- Consider each complaint in context. The circumstances of the person can be just as relevant as the facts/ service
- Be reflective and self-critical (individually and as an organisation)
- Assess the draft final response from the customer's eyes
- Quality assure responses (or parts of responses from service teams)

What motivates a complainant?

Complainants want –

- Apology
- Acknowledgement

And, to know –

- What happened?
- Why it happened?
- How it happened?
- What can be done to stop it from happening to someone else / again?

Give complainants what they want

- What happened - Capture, understand and record the evidence
- Why/How it happened - Analyse the reasons for the failures
- Describe what was found, referencing any deviation from accepted standards and guidelines
- Provide an acknowledgement and unequivocal apology for failures and their impact
- Provide an explanation of what will be done to help ensure that the failures don't happen again
- Provide a timeframe for when this action will be taken
- Have a system for capturing this to help inform wider learning (learning form)

Organisational Learning

What are we getting wrong and why?

- Record and report on all complaints
- You can't learn from unrecorded complaints
- Root cause analysis – look beneath the surface
- Understand significant complaints, or repeating complaints
- Understand the customer story, journey - not just a case file
- Also the stories of those who have been the subject of the complaint- key source of untapped learning

Making the same mistakes

- Excessive delay
- Failure to follow policy, procedure, guidance or any statutory requirements
- Failure to have adequate processes or guidance
- Poor record-keeping
- Poor communication
- Failure to explain decisions clearly
- Unfair decision-making – how the decision was made
- Failures of respect and dignity

Organisational Learning

Root cause analysis

- Look deeper than the symptoms – what went wrong with underlying systems, processes, service design?
- Trace back the steps and actions, one by one
- Consider how they are related
- Discover where problem started and grew into the symptom which has arisen in the complaint (or which keeps arising)
- Human causes – people did something wrong or did not do something that was needed (no-one assessed the patient for hydration)
- Organisational causes – a system, process or policy that people use to make decisions or do their work is faulty. (change in shift rotation policy meant that no one person was responsible for patient check, everyone assumed someone else had done this)

Organisational Learning

How do we improve?

- Put complaints on the agenda – from board room to team meetings
- Share and act on regular reports – identify significant RCA learning from cases, action and review
- Share customer stories of poor service, and common understanding of how service can be better
- Empower, be flexible, allow staff to make quick changes to service delivery – Think ‘Yes’
- Publicly report complaints outcomes, trends and action taken – demonstrate you value complaints
- Have the issues raised in complaints to your organisation (or complaints to the Ombudsman) remained the same over the years? What can you do about it?

Board “..did not listen sufficiently to its patients or its staff or ensure the correction of deficiencies brought to the Trust’s attention”



Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, volume one, page 250-251

Organisational Learning

■ Senior Management and Board

- Taking an active role in monitoring and reviewing quality information and analysis
- Not just the 20 day targets.
- Not all about low / high numbers – dig beneath
- Speak to complainants and staff to understand the journey. Review closed case files. Understand how failures occurred and how they have been addressed.
- **‘What did we get wrong and why?’**
- **Critical or systemic** service failures – what are the key flags and are they well understood?
- Providing the necessary **challenge**, without seeking or encouraging blame
- **Are connections made between complaints and other parts of the governance process** - risk management , adverse events analysis, service design, business planning, preventative areas of work?
- Shift the culture from defensive to open, from a focus on blame to a focus on putting things right

Blame Vs Valuing Complaints Culture

Blame

- Individual who make mistakes are “careless, at fault, reckless”
- Staff are concerned about the impact of a complaint, on them
- Defensive / closed approach
- Complaints team Vs service team
- Employee emotions/ professional pride affect complaints responses
- Complaints ‘bad’, keep numbers low.
- We all make mistakes – poor organisational design sets people up to fail
- All involved feel safe to be open and honest in analysing complaints
- Admitting mistakes, not worrying about sanction
- Staff are engaged in the process from the investigation of a complaint to implementation of lessons learned
- Say ‘Sorry’ & ‘How can we stop this happening again?’
- Welcome complaints, report numbers, findings and learning publicly

The Role of Complaints Handlers

- Are complaints handlers given sufficient status and weight in the organisation?
- Are they a credible and integral part of managing and improving?
- Do they have the authority to challenge, to ascertain what happened and assess underlying reasons for failures?

How do you bring people with you?

- Provide the required support for those complained about
- Open discussion in non-blame culture
- Understanding that collective responsibility
- System / human factors approach to learning
- 'Learning' is something that should take place at both the individual and organisational levels
- Commitment, at both levels, to engage in a feedback and a lessons learned approach

Networks of complaints handlers

- **Support good complaints handling**
 - Sharing experiences and challenges – complaints ‘surgery’
 - Complaints handling developments and good practice resources
 - Key issues – learning, customer satisfaction, systems and reporting
 - Common challenges – Unacceptable actions, mental health
- **Benchmarking complaints performance**
 - Analyse and compare complaints performance
 - Where can we improve?
- **Learning from complaints**
 - Discuss complaints outcomes
 - Key cases / journeys
 - Common, consistent themes
 - Significant RCA

The Ombudsman's role

- **A standardised, simplified Model Complaints Handling Procedure for each sector**
 - Make complaining easier, simpler and more consistent for all
 - Consistent process and standards across public sector
- **Training & best practice**
 - Working with each sector to develop and share best practice in complaints handling
 - Networks
- **Learning**
- **Ombudsman reporting**



**Public Services
Ombudsman
Act
(Northern Ireland)(2016)**

**"Keep looking below surface appearances.
Don't shrink from doing so (just) because
you might not like what you find."**

Colin Powell, 65th US Secretary of State