

HEALTHWATCH ENGLAND STATEMENTS x 2 ON CITIZEN WHISTLEBLOWERS, 5 DECEMBER 2014

(1) STATEMENT 1:



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Those who witness poor care being denied right to complain by NHS

05/12/14

- 1 in 3 hospitals failing to listen to concerns raised by visitors, contractors and other 'citizen whistleblowers'
- Significant risk that cases of abuse, neglect and malpractice slipping under the radar
- Healthwatch calling on Government to stamp out variation and ensure all complaints are properly investigated and recorded

Our new evidence raises further concerns about the defensive and obstructive culture around complaints in the NHS.

A Freedom of Information request shows that more than a third of hospitals across England are turning away concerned citizens wishing to report incidents of poor care that they have witnessed.

Of the 164 trusts we approached, we received responses from 123. A worrying 46 of these answered 'no' when asked whether or not they formally record complaints made by third parties or 'citizen whistleblowers', i.e. members of the public, people visiting other patients and external non-medical contractors.

Under the current regulations anyone is allowed to make a complaint. Yet when we asked about each hospital's policies they received a variety of responses including:

- Many stating incorrectly that they can only look in to such complaints if the patient gives their consent
- Some reporting that such incidents are considered general feedback but are not formally investigated and they are not included in their official complaints figures reported to the Health and Social Care Information Centre
- Others simply said that they do not accept or record such complaints

In fact just 30 trusts said they do investigate such incidents and were able to provide details of how many cases they have had over the last three years.

Between 2011 and 2014 they collectively recorded 8,448 complaints made by 'citizen whistleblowers', a staggering 18 per cent of the 46,753 complaints made overall.

Such incidents clearly account for a significant number of cases in these trusts, and for others to simply turn away these sorts of complaints suggests many tens of thousands of incidents elsewhere across the country are simply not being addressed.

This is particularly troubling in light of research earlier this year that showed that almost two thirds of those who experience or witness poor care don't report it because they don't know how, find it too complicated or are scared of the consequences.

It is therefore vital that the NHS takes every opportunity to listen to complaints and concerns, whoever they are raised by, in order to drive improvement.

Our Chair, Anna Bradley, said:

"Hospital patients often feel incredibly vulnerable and too scared to complain when they receive poor care. And yet widespread misapplication of the rules is preventing concerned citizens standing up on their behalf.

"Our findings indicate that where trusts are recording complaints raised by these 'citizen whistleblowers' they account for a fifth of all cases, so to ignore them presents a huge risk in terms of addressing both the sheer number of individual incidents of poor care and the overall source of feedback they can offer.

"Whether it is someone visiting a friend or relative in hospital or a courier dropping off a parcel, everyone should be encouraged to help stamp out poor care by raising concerns whenever we witness people not getting the treatment they want, need or deserve."

Sir Robert Francis QC, said:

"The figures Healthwatch have uncovered are concerning. Public and patient complaints do not come within the remit of my review. However, it is vital that healthcare providers listen and act on concerns from whatever source they come. Unless they do so they are unlikely to

be fulfilling their commitment to be open and transparent learning organisations focussed on meeting the needs of their patients.”

(1) STATEMENT 2:

5.12.2014

Healthwatch England: “Witnesses of poor care being denied right to complain by NHS”

New evidence from Healthwatch England raises further concerns about the defensive and obstructive culture around complaints in the NHS and calls for the Government to stamp out variation and ensure all complaints are properly investigated and recorded

A Freedom of Information request shows that more than a third of hospitals across England are turning away concerned citizens wishing to report incidents of poor care that they have witnessed.

Of the 164 trusts Healthwatch England approached, they received responses from 123. A worrying 46 of these answered ‘no’ when asked whether or not they formally record complaints made by third parties or ‘citizen whistleblowers’, i.e. members of the public, people visiting other patients and external non-medical contractors.

- **South Devon Healthcare NHS Foundation Trust** (who run Torbay Hospital) however, said they did record complaints made by third parties and routinely publish complaints data. The number of complaints they have received so far in 2013/14 is 195, compared to 270 in 2012/13 and 203 in 2011/12.
- **Torbay and Southern Devon Health and Care NHS Trust** (who provide community health services in Torbay and Southern Devon) also said they recorded complaints by third parties and routinely publish complaints data, with 140 complaints received so far in 2013/14, compared to 157 in 2012/13 and 219 in 2011/12.

Under the current regulations, anyone is allowed to make a complaint. Yet when Healthwatch England asked about each hospital’s third party complaint policies they received a variety of responses including:

- Many stating incorrectly that they can only look into such complaints if the patient gives their consent
- Some reporting that such incidents are considered general feedback but are not formally investigated and they are not included in their official complaints figures reported to the Health and Social Care Information Centre
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<http://m.healthwatch.co.uk/news/those-who-witness-poor-care-being-denied-right-complain-nhs>