

Health & Wellbeing Scrutiny Commission

Appendix 1 – Complaints, a case study for scrutiny (by Brenda Cook, Centre for Public Scrutiny)

– Following the commission meeting in January 2014 – The commission needs to reflect on how best to scrutinise NHS Complaints and Leicester City Council Complaints.

Key issues of how complaints might be dealt with differently in the future?

1. Why is the Commission looking at complaints now?

Francis Report, timely

2. What does the Commission need to know?

A background report could have been provided as a briefing paper for Members to read before the meeting explaining the requirements for complaints in the NHS and social care, the differences in the way complaints are handled within the different NHS and social care organisations (if there are differences), the role of lay people/advocates, the stages of complaints systems, the role of PALS, how complaints data is used to inform improvement within the organisations. Whilst this requires officer input, an overarching briefing paper would reduce time for presentation in the Commission.

3. What briefing was given to the NHS bodies and social services about what the Commission was looking for?

If they are provided with a clear briefing it can focus discussion. If they go beyond that in the report or presentation of the data, the Commission has an opportunity to 'pull back' to the brief and stay focused.

4. Is there an opportunity for commissioners and the providers to deliver a joint report?

This may not always be appropriate but in some cases it may be helpful to encourage commissioners and providers to work together.

5. What if a large number of representatives turn up to present a report.

Sometimes the Commission will need to have a number of people present to answer questions, but often one or two people are all that is needed. The Chair can ask key people to the table with others sitting in the public space but who can be called upon if needed. Remember the aims and principles of scrutiny.

6. What if they take too long?

It can be helpful at the beginning of an item to set a time limit for presenting information and then another for questioning. Whilst there should always be flexibility if a line of inquiry highlights issues of concern or where further probing is needed, it is good to stay focused on time and keep questions succinct. Planning in a pre-meeting can help here.

7. What if they don't answer the questions?

There are a number of questioning techniques that can be used to try and elicit information. CfPS has downloadable guides on effective questioning on its website. If the representatives are unable to answer questions, asking for a written response in a specified time can be useful.

8. What outcome is the Commission looking for?

It may be helpful to start with this question. The outcome may be reassurance that the commissioners and providers are learning from complaints, or may be that scrutiny will lead to recommendations for improvement based on intelligence already identified by Members. If the aim of looking at the issue is to educate Members to understand how complaints are dealt with, it may be more appropriate to do this in a different way, for example through a briefing session prior to a meeting rather than through scrutiny.

9. A way forward

By investing time and both officer and Member resources in planning an agenda item such as complaints, in developing a briefing on the context and requirements, in Members having time to read the briefing and as a result plan the questioning, it is likely that the time spent in scrutiny will be reduced.