

**Royal College of Nursing evidence to the The National Assembly for Wales's Health and Social Care Committee inquiry into the NHS complaints process.**

**Terms of reference for the Inquiry**

The aim of this work is to seek to inform the Minister's future work on the complaints process in NHS Wales, including how the recommendations of the report on the Review of Concerns (Complaints) Handling within NHS Wales are taken forward.

The terms of reference for this inquiry are to consider the effectiveness of arrangements for handling complaints in NHS Wales, and what can be learnt from the recent reviews of complaints handling in Wales and England.

---

1. The RCN agrees that all complaints need to be received, acknowledged and responded to in an open, transparent and timely manner. Those who complain need to be given clear information about the complaints process, the likely timescales and what access they will be given to the findings of the complaints process. There needs to be greater clarity of what happens with the 'report' that is produced by the NHS organisation in response to the complaint.
2. We must have a system in Wales that emphasises a timely explanation, apology and application of improvements in response to complaints coupled with a culture within the NHS that learns from errors and system failure and is honest, transparent and supportive.
3. Nurses need to be supported in order to manage complaints in an appropriate manner. Handling complaints can be a stressful and difficult irrespective of whether nurses are the subject of a complaint, are receiving a complaint or are supporting patients and carers to make complaints. The Royal College of Nursing is publishing guidance for nurses on Handling Complaints this year.
4. Nurses and Health Care Support Workers have a key role in gathering concerns and complaints from patients, service users and carers. Whilst nurses don't want to react

defensively to complaints sometimes they may feel that they are being disloyal to colleges or their organisation. In some cases nurses may feel that complaints may result in blaming individuals.

5. It is vital that Health Boards create an environment where raising concerns and complaints are regarded as valuable feedback as part of organisational learning and improvement. Directors of Nursing also need to be supported to take an active role in the management of complaints, ensuring that a 'ward to board' approach is adopted across an organisation. Staff need to be reassured at every possible point that pointing out errors or risks and being open is a praiseworthy activity.
6. In April 2013 the RCN published the results of a survey of 8262 nurses across the UK, approximately 65% of nurses in Wales said that they have had to raise concerns about patient safety with their employer. Of the concerns raised, more than half of nurses surveyed in Wales (54 per cent) citing concerns about staffing levels, and 18% were about patient safety. Worryingly, just under half (44 per cent) of nurses in Wales said worries about victimisation or reprisals would make them think twice about whistle blowing with only 34% saying that they would be confident about whistle blowing.
7. Evidence for the last NHS Wales Staff Survey suggests that staff generally feel that they have the opportunity to raise concerns. However, the results of the survey suggest that many staff are unconvinced that appropriate action is taken when concerns are raised. Some RCN members have indicated that they are "discouraged" from raising concerns about unsafe staffing, and are sometimes told not to complete incident reports into such matters. The RCN believes that this issue must be addressed so that patient safety is not compromised.
8. We have called for all healthcare organisations to hold a register of staff concerns that must be reported to their board regularly since 2009 and reiterated this in our response to the Welsh Government's consultation on the Public Services (Workforce) (Wales) Bill 2014.

9. The Welsh Government Regulation and Inspection of Care and Support in Wales proposes that social care providers should be required to produce annual reports to include:

- Evidence about expectations and outcomes for users and carers;
- Staff employed and their development
- Records of complaints and action taken – from staff and citizens
- Appropriate financial information.
- Corporate governance arrangements and
- Contingency planning arrangements

The RCN is of the view that healthcare providers should provide the same to the regulators and to ensure that this information is available to the public in a meaningful way.

10. The impact of poor staffing levels and inappropriate skill mix in clinical areas has on patient outcomes is well known. Our Time to Care Campaign launched in 2012 and successive RCN Employments Surveys show a nursing workforce under immense pressure. AN ICM survey for the RCN published in 2013 identified that nurses were spending an estimated 2.5 million hours a week on non-essential paperwork and clerical tasks, more than double the figure in 2008. Eighty one percent of nurses working in every setting surveyed said that having to complete non-essential paperwork prevented them from providing direct patient care.

Nurses are less likely to have sufficient time to develop high quality relationships with patients and to respond to immediate patient concerns, which then may unnecessarily turn into a complaint. It is crucial to ensure that nurses are provided with a working environment that includes:

- a) Sufficient numbers, with knowledge and skill of staff so that they are have the time to give the care that they are required to deliver.
- b) Protected time in their working week to fulfil their continuous professional development, essential clinical supervision of junior staff and mentoring responsibilities to other nursing staff. (RCN Employment Survey 2013 revealed that

attendance at Mandatory training is lower for nurses in Wales than the rest of UK – e.g. 49.9% in Wales had attended infection control training compared to 68.9% in the rest of the UK).

11. With sufficient time and access to appropriate training nurses are able to spend time with patients and relatives providing both parties with appropriate information about the proposed treatment, care and likely clinical outcomes which will ensure that all parties have realistic expectations of the care and treatment received.

#### ABOUT THE ROYAL COLLEGE OF NURSING (RCN)

The RCN is the world's largest professional union of nurses, representing over 415,000 nurses, midwives, health visitors, nursing students and health care support workers, including over 24,000 members in Wales. The majority of RCN members work in the NHS with around a quarter working in the independent sector. The RCN works locally, nationally and internationally to promote standards of care and the interests of patients and nurses, and of nursing as a profession. The RCN is a UK-wide organisation, with its own National Boards for Wales, Scotland and Northern Ireland. The RCN is a major contributor to nursing practice, standards of care, and public policy as it affects health and nursing.

The RCN represents nurses and nursing, promotes excellence in practice and shapes health policies.