



Patient and Client Council
5th Floor, 14-16 Great Victoria Street
Belfast
BT2 7BA

5th February 2025

By Email

[REDACTED]

Ref: FOI 2401

Dear [REDACTED]

I am writing to you in response to your Freedom of Information request received by the Patient and Client Council (PCC) on 10th January 2025 in which you requested the following information:

I refer to the PCC's review in 2022/23 of its handling of our complaints.

The review report recommendations included specific recommendations related to:

- 1. How our subject access requests were handled.**
- 2. The matter of a PCC staff member (Richard Dixon) who was involved in handling our complaint then moving to Belfast Trust Complaints Department and being involved in the handling of our complaint in his new post. The review report stated that this was inappropriate and changes should be made to prevent this from happening in future.**

I wish to request an update on what actions were taken as a result of these recommendations. Please provide copies of all relevant communications, dates etc and the outcomes of these recommendations.

Please find our response below and enclosed:

1. How our subject access requests were handled.

I should advise you that your subject access request (SAR) was processed via the standard operating procedure (SOP) below:

- SARs can be received by any means (for example phone, letter, and any individual or corporate Patient and Client Council email accounts). All SAR requests should be forwarded to the Business and Governance Manager PCC.

- All SAR requests for the Patient and Client Council are processed by the Business Services Organisation (BSO) who will acknowledge their communication within 2 working days on receipt. The Business and Governance Manager PCC will log the details on the Information Request Register. The Business and Governance Manager PCC will forward the applicants full request to the Compliance Department at BSO using the relevant email account. The email sent to BSO must contain the full details of the request, contact details of the requester and the date that request was received. The subject heading should include, 'Confidential'. BSO will log the request, allocate a reference number and send the requester an acknowledgment. BSO will advise the Business and Governance Manager PCC of the next steps around collation of information/scanning/forwarding the records/need for consent etc and confirm a timeframe for completion of the request (usually 20 working days).

- Where the Business and Governance Manager PCC or BSO need further information from the requestor, BSO will contact them and advise them that until further clarification is provided the statutory response date (that they were originally advised of) may be subject to change. In the event of a complex SAR, it may be deemed necessary to advise the requestor of an extension (longer than 20 days).

- The Business and Governance Manager PCC will also forward the updated Information Request Register to the Executive Management Team PCC to ensure they have visibility of all outstanding requests. The Business and Governance Manager PCC will send the request to the relevant manager in PCC to conduct the investigation and advise them of what is required from them and what date the response is due by. The Business and Governance Manager PCC will schedule regular updates with the investigating manager to ensure the request is progressing and assist where possible. Once the relevant information has been collated, it should be saved centrally where the Business and Governance Manager PCC can access it and forward to BSO. Where possible all records should be sent electronically to BSO. The subject heading should be marked 'Confidential'.

- The Business and Governance Manager PCC will update the Information Request Register with the date of return to BSO. Once BSO are content that the request has been sufficiently met, they will compile a final response (which the Head of Operations or the Business and Governance Manager PCC will sign and return to BSO) who will then issue the correspondence and close the request. The Business and Governance Manager PCC will save a copy of the letter on the requestors file for future reference.

2. The matter of a PCC staff member (Richard Dixon) who was involved in handling our complaint then moving to Belfast Trust Complaints Department and being involved in the handling of our complaint in his new post. The review report stated that this was inappropriate and changes should be made to prevent this from happening in future.

The PCC should address the arrangements as to how cases are brought on board, ensuring that everyone involved understands the mutual expectations and roles in addressing issues for clients.

This should include clarity as to whether the PCC staff are undertaking a signposting, administrative support or advocacy role and what goals /levels of support the client seeks.

In relation to actions undertaken by the PCC - Agency Workshop were arranged to share key findings and work through organisational learning 02 May 2023. Since 2021 the PCC has changed its practice model with increased numbers of practitioners and Service Managers. All calls and emails to the PCC are responded to daily and cases are allocated weekly unless there are safeguarding concerns. PCC Practitioners now use a toolkit that helps the practitioner fully understand the concerns of the client and any additional support they may require.

Additionally, the PCC now have a Positive Passporting network of other agencies and voluntary and community organisations that may be able to provide support to the client and the family or indeed may be best placed to support the client entirely. SAIs – Complex cases are now escalated to a Service Manager and the Principal Practitioner to raise the matter directly with the Trust involved.

Furthermore, an escalation Standard Operating Procedure (SOP) is now in place. Case complexity is also considered during allocation of casework with cases allocated depending on the level of experience of the practitioners and any specialist experience they may have.

The PCC should ensure that all staff know that the SAI process exists and the appropriate steps for internal escalation. Actions taken by PCC - Agency Workshop – Awareness Raising Training for all staff and Practitioner intensive training on SAI's, May 2023. The PCC should review the performance management arrangements to ensure that cases taking longer than expected are escalated to more senior staff for remedial action to conclude.

Actions taken by PCC – the formalisation of the escalation process and integration into the Complex Case Meetings. Service Managers address on 9th March 2023 and set an action plan. The PCC now employs a more robust supervision model. Within the review of cases between a practitioners and their Service Manager cases still open at 12 weeks are discussed and any delays are noted with remedial action taken if required.

The Advocacy Report generated quarterly within the PCC that is presented to the PCC Business Committee and PCC Council will now identify the longevity of all cases in the PCC and will highlight the reasons for delay.

The PCC should consider the implications of staff moving to the employment of other HSC organisations and how they can effectively manage potential conflicts of interest. Actions taken by PCC - Letter to Trust Chief Executive's raising matter and requesting Trust staff identify conflict of interest and appoint another Trust staff member.

3. I wish to request an update on what actions were taken as a result of these recommendations. Please provide copies of all relevant communications, dates etc and the outcomes of these recommendations.

Please refer to the above and the zip file enclosed.

Please note that redactions have been carried out to documents on the grounds of Sections 40 (2) and (3) (a)(i) (personal information) of the Freedom of Information Act 2000. This exemption is absolute and no public interest test is required. The identification of named individuals and personal contact details constitutes personal data as defined in the Data Protection Act 2018 (DPA) and disclosing it would breach the fair processing principle set out in the DPA.

I hope that the information provided assists you. If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter, as the PCC, along with all other public authorities are not obliged to accept internal review requests after this period has lapsed.

In the event that you require a review to be undertaken, you can do so by writing to The Business Services Organisation (BSO), which provides an Information Governance service on our behalf:

Post: Information Governance Manager,
2 Franklin Street,
Belfast,
BT2 8DQ

Email: foi.bso@hscni.net

If, following an internal review, carried out by an independent decision-making panel, you remain dissatisfied in any way with the handling of the request, you may make a complaint to the Information Commissioner's Office and ask that they investigate whether the PCC has complied with the terms of the Freedom of Information Act

You can contact Information Commissioner at:

The Information Commissioner's Office – Northern Ireland
10th Floor
Causeway Tower
9 James Street South

Belfast
BT2 8DN

Telephone: 0303 123 1114

Email: ni@ico.org.uk

In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out. However the Commissioner has the option to investigate the matter at his discretion.

Yours Sincerely,

Fionnuala Murphy
Business and Governance Manager
Patient and Client Council