



Fionnuala Murphy
**Business and Governance
Manager, PCC**
Patient and Client Council
5th Floor, 14-16 Great Victoria Street
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BT2 7BA

19th April 2024

By Email

[REDACTED]

Ref: FOI 1955

Dear [REDACTED]

I am writing to you in response to your Freedom of Information request received by the Patient and Client Council (PCC) on 21st April 2023 in which you requested information relating to the management of complaints.

Please accept my apologies for the delay in providing a response, which is set out as below.

1) As PCC is an HSC organisation, why does it not use the Department of Health's (DoH) Regional HSC Complaints Procedure for this purpose?

I would draw your attention to section 1 of the Regional HSC Complaints Procedure, paragraph 1.1, which states,

This document is an updated version of the HSC Complaints Procedure which was first published in 2009 and sets out how HSC organisations should deal with complaints raised by people who use or are waiting to use their services. It replaces any previous or existing guidance with effect from 01 April 2022 and continues to provide a streamlined complaints process which applies equally to all HSC organisations, including the HSC Trusts, Business Services Organisation (BSO), Public Health Agency (PHA), NI Blood Transfusion Service (NIBTS), Family Practitioner Services (FPS), Out of Hours services, pilot schemes and HSC prison healthcare. As such, it presents a simple, consistent approach for both HSC staff who handle complaints and for the public who may wish to raise a complaint across all HSC services.

The role of the PCC in the HSC complaints procedure is set out in paragraphs 2.2, 2.42, 4.6, 4.10, 4.16, 5.6, 5.7, 5.8, and paragraph 3 Annex 7.

Notwithstanding that, the PCC has adopted the principles of the HSC Complaints procedure whenever complaints are made by service users or by others on their behalf about the work of the PCC. Given recent experiences of handling complaints about our services, we are now developing a more formal complaints procedure, which will be aligned with recent guidance about handling complaints issued by the Public Services Ombudsman.

2) Has the PCC always had a different policy for this purpose? If not, when did it adopt a different policy?

To my knowledge, the PCC has always used its own process for handling complaints.

3) Did the DoH approve PCC's adoption of a different policy for this purpose? If so, when?

The PCC do not require approval from the DoH for any policies or procedures.

4) Why is the complaints policy included on a document entitled 'WE WELCOME YOUR VIEWS' rather than as a distinct and clearly entitled 'complaints policy' document?

This was an attempt to simplify the communication message about our services. We recognise this has not been as successful as hoped and will establish a different process when the revised document is complete.

5) Why does the document not provide details on how the PCC investigates complaints about its own services?

In the past, the PCC would have taken a less formal approach, which in hindsight, was a mistake. However, I can confirm that currently when any complaint is made against the PCC, learnings/recommendations are discussed with the Executive and Leadership Management Teams, processed through a Service Improvement Process and presented to the Business Committee and Council.

6) Why is there currently no information available on the PCC website about this policy and how to make complaints about PCC services?

It is recognised that there is no clear signposting to a complaints process except through the Contact Us online link. A new PCC website is currently under construction and we intend to make the pathway to making a complaint more transparent in the future.

7) Please outline the process for PCC investigating complaints 'thoroughly', as stated on the above document.

It is unclear which document you are referring to if you can please clarify.

8) Following response to complaints, is a clarifications stage offered to complainants, prior to any potential escalation to NIPSO?

Our practice in recent years has been to offer a meeting with the complainant if additional information/clarification is required. In certain circumstances, the PCC may ask an independent associate to complete an investigation/report on their behalf. Escalation to NIPSO is a matter for the complainant.

9) Does PCC keep records of its investigation processes into complaints?

The PCC retains all records of its complaints and their outcomes. The number of complaints the PCC processes is published in the annual report. As noted in point 5, the PCC takes learnings from all received complaints.

10) Are complainants granted access to these records and to a copy of their complaint file, if requested? If not, why not?

Individuals are entitled to request and receive copies of their personal data, under Subject Access provisions, as set out within data protection legislation. This right is subject to exemptions, as also set out with this legislation.

11) How many complaints have been made to PCC about its own services since its establishment in 2009 until April 2023? Please provide a breakdown of the number of complaints per year.

The numbers are.

- 2022-23 8
- 2021-22 6
- 2020-21 7
- 2019-20 9
- 2018-19 2
- 2017-18 2

Information prior to 2017 is not held.

12) How many of these were escalated to NIPSO?

As information prior to 2017 is not held, you may wish to contact NIPSO at legalservices@nipso.org.uk

13) Is PCC under a duty to report any complaints received about its own services to the DoH or any other body?

Our Annual reports, which can be found on our website, and include details of the number of complaints received both as part of our core function and complaints about the service PCC provides, are provided to the DoH and laid before the NI Assembly. The PCC also co-operate with NIPSO should they wish to investigate any case further

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, [inset for FOI requests: 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:

Website: www.ico.org.uk
Phone: 0303 123 1113
Email: icocasework@ico.org.uk
Post: Information Commissioner's Office
3rd Floor, 14 Cromac Place
Belfast
BT7 2JB

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, PCC