

# Clinical Governance Assurance

NHS Professionals takes its responsibility for the clinical governance of its bank workforce seriously. We work closely with our client Trusts to also support them with meeting their temporary workforce clinical governance needs.

The clinical governance agenda runs through the heart of every NHS Professionals team. Dedicated support is split between the Flexible Worker HR and Clinical Governance departments.

The support services available from these teams extends beyond managing clinical complaints and incidents to include working with clients on issues such as infection prevention and control, and major incident preparedness.

Our Flexible Worker HR team focuses on managing the flexible workforce:

- NHS employment policies and compliance
- Transition of the Trust's bank workforce
- Ongoing bank workforce management
- Flexible worker benefits
- Behaviour management
- Health & safety and occupational health

Our Clinical Governance team leads on policies and processes under which flexible workers are recruited and managed. This includes responsibility for the following areas:

- Learning and development
- Development of rigorous recruitment processes
- Ensuring relevance of the flexible workers' knowledge based assessment
- Maintenance of core training content
- Ongoing training and development opportunities
- Complaints and incidents management\*
- Performance review (end of placement review)

\*A dedicated Complaints & Incidents Management team delivers a formal process for handling complaints and incidents of both a complex clinical and less complex non-clinical nature. This formal feedback mechanism can be used by either our clients or flexible workers to raise any concerns they have.

# Complaints & Incidents Management

## A guide to Complaints & Incidents handling

From your own experience of working at an NHS Trust you will already be aware that, with any service, especially one as critically important as patient care, things can sometimes go wrong. When this happens, a thorough investigation is crucial to inform understanding and learning so the appropriate course of action.

NHS Professionals has a dedicated Complaints & Incidents Management team that receives and processes all clinical and non-clinical feedback, both positive and negative, from our clients and flexible workers.

The structure of the team is designed to support clinical and non-clinical issues (Fig 1.0).

Feedback can be given using the feedback form located on the 'Contact Us' page of the NHS Professionals website: [www.nhsprofessionals.nhs.uk](http://www.nhsprofessionals.nhs.uk)

Depending on the nature of the feedback provided, the Complaints/Compliments Administrators will determine the most appropriate and timely course of action.

### Types of feedback can include:

#### Compliments

Flexible workers are a valuable support to a Trust's substantive workforce and similarly respond to plaudits when you are especially pleased with their performance.

We encourage you to commend flexible worker colleagues using the feedback form so that we can arrange for our Flexible Worker HR team to pass on your feedback.

#### Concerns

Concerns can be raised when there has been:

- An issue which the Trust has dealt with and is informing NHS Professionals so that the information can be noted
- Concern over the suitability of a worker for a particular area
- Concern over a performance deficit which is not related to a specific incident

Issues logged as concerns are discussed with the flexible worker and the Trust member who has logged the concern. An appropriate plan of action is then devised and agreed.

#### Complaints

Complaints are allocated to Nurse Leads, non-clinical investigators or in the case of any form of attendance and refusal to move ward issue, Flexible Worker Human Resources.

Any issue logged as a complaint will proceed through the NHS Professionals investigations process and may result in disciplinary action.

Complaints or concerns regarding agency workers will be forwarded to the appropriate agency to manage according to its contract/agreement with the Trust.

# The complaints handling process explained

## Complaints process

On receipt of a complaint, the Nurse Lead/Investigator will call the complainant within one working day to agree 'Terms of Reference'. In cases risk-ranked as serious, for example a safeguarding issue, the complainant will be contacted the same working day.

Investigators aim to conclude their investigation and respond to the complainant and the Trust Lead within 25 working days.

In order for investigators to deal effectively with formal complaints about attitude, behaviour or competency, one or more witness statements are essential. This evidence enables the investigators to make appropriate recommendations, for example, remedial action in the form of training and/or monitoring.

Guidelines to statement writing are provided by the investigator with every request for a witness statement. All witness statements should be dated, signed and include the job title of the witness.

If an issue raised is of a serious nature, for example a Serious Incident (SI), and there is evidence available to substantiate the allegation, the case will proceed to a disciplinary hearing. Dealing with the complaint in a timely and effective manner relies on the support and cooperation of the Trust staff who have witnessed and reported the incident. Without supportive evidence it may be difficult to take a case, which should be dealt with formally, to disciplinary hearing.

Effective complaints management requires partnership working between the NHSP and Trust teams. To this end, all clinical concerns and complaints will proceed through the investigations handling process outlined in (Fig 2.0).

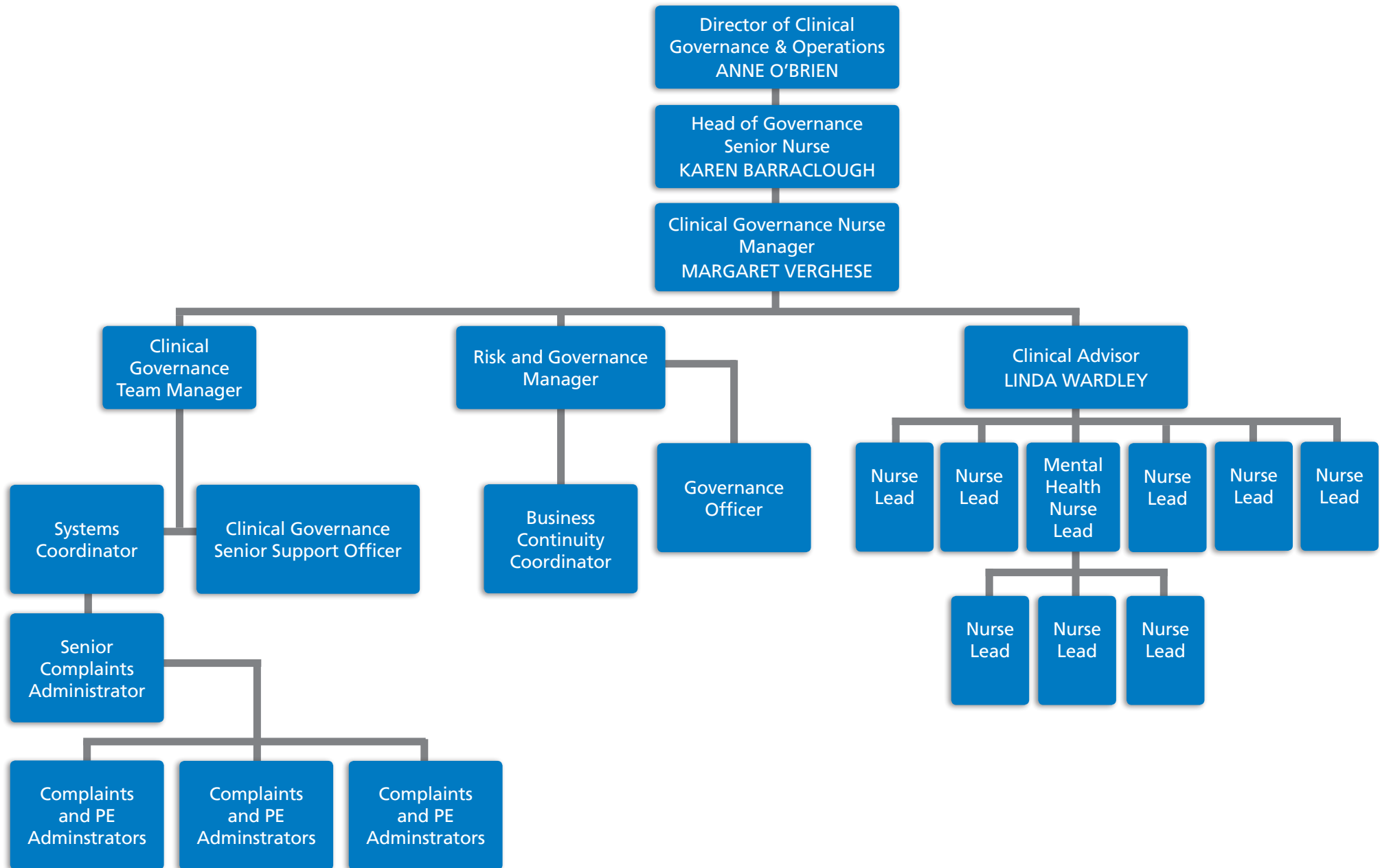


FIG 1.0

# The investigation handling process

25 DAYS TIMEFRAME

## PROVIDING FEEDBACK ABOUT FLEXIBLE WORKER PERFORMANCE TO NHS PROFESSIONALS

### STEP 1 Informing NHS Professionals

#### Fill in the feedback form on the NHS Professionals website

Go to the Contact Us page and click the link for 'feedback'.

#### Be clear about what type of information you are providing

##### Compliment

Informing us when a flexible worker (FW) has done something that deserves recognition.

##### Concern

Informing us when a flexible worker is not suitable for your area of work or where there is a general competency issue.

##### Complaint

Informing us when there has been a specific incident involving a flexible worker which requires formal investigation.

### STEP 2 The Investigation (obtaining evidence)

#### First contact - Day 1

Nurse Lead contacts the complainant, agrees Terms of Reference and requests statements.

#### 2nd Request - Day 5

If information not received, second request sent by email. Information receipt requested within five working days.

#### 3rd Request - Day 10

If information not received, final letter sent to Trust Lead or Unit Matron. Information receipt requested within five working days.

#### Day 15 - Information still not received

Two possible actions:

##### Action 1

If the Trust has failed to supply further information and the FW has complied, the case will be considered for closure, not upheld with Continuous Professional Development (CPD) in place.

##### Action 2

If the allegation is too serious to consider for closure a letter will be dispatched to the Director of Nursing / Chief Executive Officer at the Trust requesting assistance to obtain the relevant information.

### STEP 3 Complaint Outcome

#### Discussion and Closure

The outcome of the complaint will be discussed with the complainant (Sister, Ward Manager, Matron). If the case has been risk-ranked as serious and/or a Trust exclusion has been in place, the outcome will be discussed with the Trust Lead.

#### Case Progression

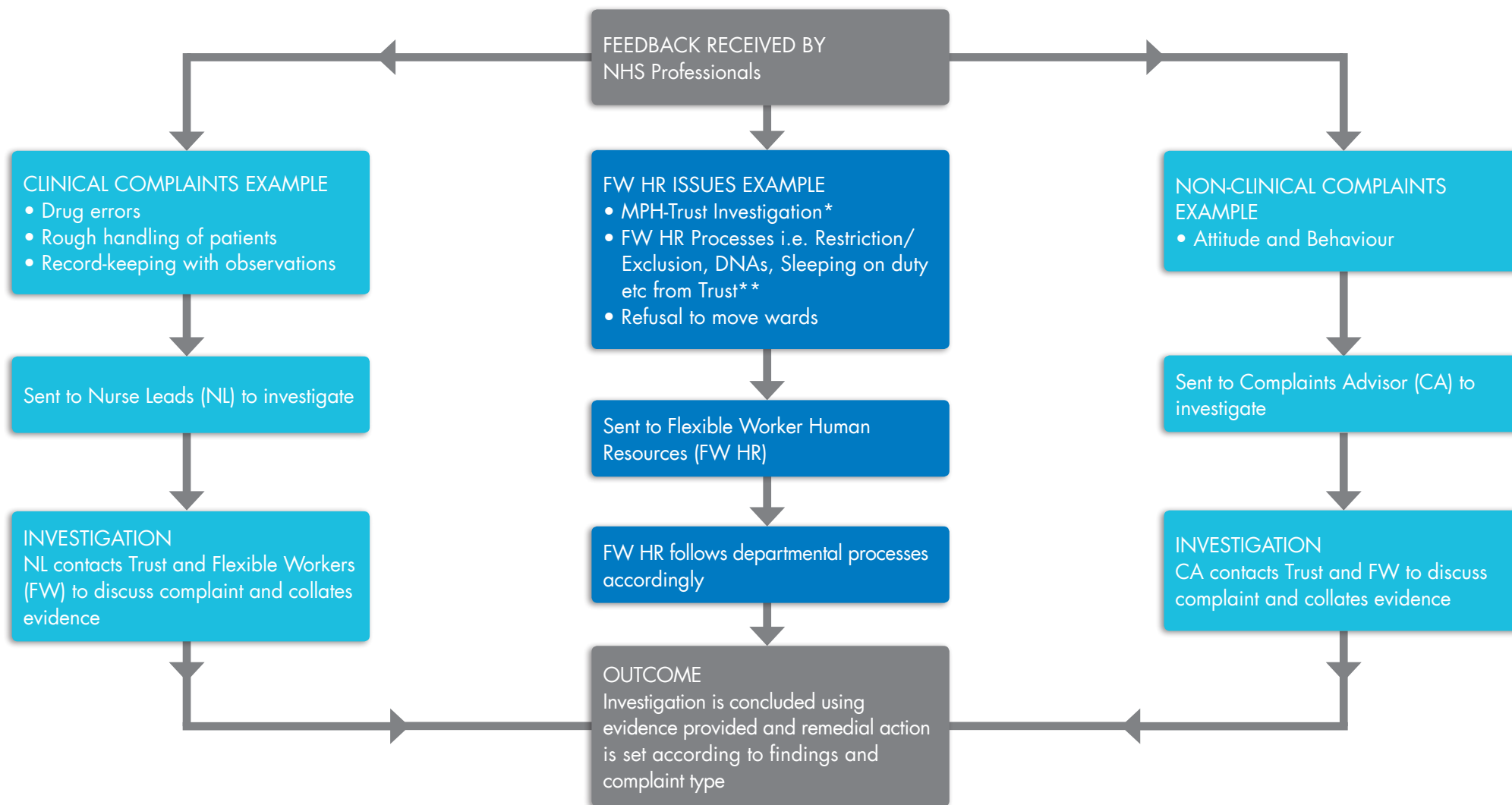
- Closed with Remedial Action Plan
- Closed without Remedial Action Plan
- Closed with CPD in place
- Proceeding to Disciplinary Hearing
- Proceeding to Statutory Body Referral
- Instant Dismissal (rare)

#### Review of Ward Restrictions or Trust Exclusion

Any restrictions or exclusions sanctioned by the Trust Lead at the outset of the investigation will be discussed between the Trust Lead and the Nurse Lead/Investigator before the flexible worker is allowed back to work in the Area/Trust.

#### Formal Outcome

Following discussion with the Trust a formal closure letter is sent to the Trust Lead and the complainant (Sister/Ward Manager/Matron).



\* MPH-TRUST INVESTIGATION: Where the bank worker is employed by the Trust and registered to work through NHSP:Bank and the Trust has agreed to undertake investigation of their employee. The complainant is informed that the complaint has been passed to the Trust Lead. The complaint details (System Report) are sent to the Trust Lead and the FW HR department.

\*\* FW HR PROCESSES: These are logged onto the system and sent to the FW HR department, which applies its processes.