

Data Provision Notice

KO41a Hospital and Community Health Services Written Complaints Collection

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Version: 1.0

Publication date: 23 June 2023

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Background

The Health and Social Care Act 2012 (**the 2012 Act**) gives [NHS England](#) statutory powers, under section 259(1)(a), to require data from health or social care bodies, or organisations that provide publicly funded health or adult social care in England, where it has been directed to establish an information system by the Secretary of State for Health and Social Care (**Secretary of State**).

The data, as specified by NHS England in this published Data Provision Notice (**DPN or Notice**), is required to support a direction from the Secretary of State to NHS England. Therefore, organisations that are in scope of the notice are legally required, under section 259(5) of the 2012 Act, to provide the data in the form and manner specified below.

Purpose

The Secretary of State has provided a direction to NHS England to establish and operate a system for the collection and publication of data relating to complaints received in secondary care settings.

Recording, managing and resolving complaints is an important part of modern service delivery and provides important feedback for service improvement. The data that is collected nationally serves multiple purposes, for example, it enables national bodies to discharge their respective legal duties and responsibilities in listening and responding to the public voice on the NHS. It also helps to focus improvement and support to the NHS, including providers of NHS funded services.

Data is collected on an ongoing basis at provider level and is submitted centrally on an annual basis on spreadsheets through the Strategic Data Collection Service (SDCS).

Data and related commentary are published as an Official Statistic and are used by commissioners to evaluate trends in complaints within their area. They also help to inform the public of complaint volumes within the sector and occasionally are used to answer parliamentary questions. The Official Statistic publications can be found on the following webpage:

<https://digital.nhs.uk/data-and-information/publications/statistical/data-on-written-complaints-in-the-nhs>

Benefits

The collected data can be used to deliver a number of benefits to the NHS:

- Long-term monitoring of complaint volumes and types
- Identification of specific types of complaints which can lead to service improvements
- Enables national bodies to discharge their respective legal duties and responsibilities in listening and responding to the public voice on the NHS
- Informs public opinion in providing confirmation that complaints are logged, assessed and resolved
- Provides commissioners with data to target areas for improvement.

Legal basis for collection, analysis, publication and dissemination

Collection and Analysis

NHS England has been directed by the Secretary of State under section 254 of the 2012 Act to establish and operate a system for the collection and analysis of the information specified for this service: the KO41a Hospital and Community Health Services Written Complaints Collection. The direction and accompanying requirements specification are published on the following webpage:

<https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/secretary-of-state-directions/workforce-information-directions-2019>

This information is required by NHS England under section 259(1)(a) of the 2012 Act.

In line with section 259(5) of the 2012 Act, all organisations in scope, in England, must comply with the requirement and provide information to NHS England in the form, manner and period specified in this Notice.

This Notice is issued in accordance with the procedure published as part of an NHS England duty under section 259(8).

NHS England is permitted to collect and analyse the specified personal data and special categories of personal data under the following provisions of the General Data Protection Regulation (GDPR):

- Article 6(1)(c) – Legal Obligation – by virtue of above direction under s254 of the 2012 Act
- Article 9(2)(g) – substantial public interest, supported by Schedule 1, Part 2, Paragraph of the Data Protection Act 2018 – by virtue of the direction.

Publication

In accordance with NHS England's duty under section 260(1) of the 2012 Act, NHS England will publish relevant data from this collection and, per section 260(4)(a), in the form, manner and timing specified in the Technical Specification. The Technical Specification can be found on the following webpage:

<https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/secretary-of-state-directions/workforce-information-directions-2019>

The publications may be found here:

<https://digital.nhs.uk/data-and-information/publications/statistical/data-on-written-complaints-in-the-nhs>

All information that is published is published in accordance with the Code of Practice for Statistics, published here: <https://code.statisticsauthority.gov.uk/>.

Dissemination

The data collected under this Notice may be disseminated in line with NHS England's powers under section 261 of the 2012 Act. To request dissemination of the data, an organisation would contact NHS England via email to request that the data be shared in its raw form. NHS England then reviews each request individually and respond accordingly. To date, no requests have been received by NHS England relating to the dissemination of the data.

Persons consulted

Following receipt of a direction to establish a system to collect KO41a Hospital and Community Health Services Written Complaints data, NHS England has, as required under section 258 of the 2012 Act, consulted with the following persons:

- Workforce Statistics Assistant Director at the Department of Health and Social Care, the directing organisation
- National Patient Experience Forums
- Data Submitters (Trust and Integrated Care Board (ICB) / Integrated Care System (ICS) organisations).

Scope of the collection

Under section 259(1)(a) of the 2012 Act, this Notice is served in accordance with the procedure published as part of NHS England's duty under section 259(8) on the following persons:

- NHS Trusts
- Integrated Care Boards

Under section 259(5) of the 2012 Act the organisation types specified above must comply with the Form, Manner and Period requirements below.

Form of the collection

Data is collected from organisations in aggregated format only, no patient or staff level identifiable items form part of the collection. The data items and types cover the following groupings:

- Organisation details
- Grouped age categories of complainants
- Complainant status
- Subject area of complaint
- Staff group.

Guidance documentation along with detailed specifications for organisations submitting data to NHS England have been made available on the following webpage:

<https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/hospital-and-community-health-services-complaints-collection-ko41a>

Manner of the collection

Submitting organisations are required to complete an annual return. The data is submitted to NHS England's SDCS by Trusts and ICB/ICSSs, which enter the data onto spreadsheets prior to submission.

Submission guidance is available on the following webpage:

<https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/hospital-and-community-health-services-complaints-collection-ko41a>

Period of the collection

The annual submission window will run for 6 weeks during June-July each year for the previous financial year's data. The 2022-2023 data collection window is as follows:

- Collection opens 26th June 2023
- Collection closes 4th August 2023

Future years' submission dates will be notified to data providers but are expected to run to a similar time frame each year.

As aforementioned, the data collected covers the previous financial year.

Publication timetables are yet to be confirmed.

Data quality

Given the aggregated nature of the data, numerous data quality checks are not necessary. However, there are some key validations that are carried out to ensure the integrity of the data set is maintained. These include:

- Correlation against complaints in previous years, for:
 - volumes
 - complaint types
 - organisational details
- Checking totals match aggregated component parts
- Checking totals are consistent across each category of aggregation
- Values submitted match the listed data item types.

Some validations are embedded within the collection spreadsheet, and others are carried out following submission of data.

Burden of the collection

Steps taken by NHS England to minimise the burden of collection

NHS England has a statutory duty under section 253(2) of the 2012 Act to seek to minimise the burden it imposes on others. In seeking to meet these obligations in relation to this collection, NHS England has:

- Written to data submitters to assess burden via means of approved templates
- Reduced collection frequency from quarterly to annual and liaised with data suppliers to ensure the transition to annual collections does not cause disruption.

In addition, in support of its obligation under 265(3) of the 2012 Act, NHS England has an assessment process to validate and challenge the level of burden incurred through introducing new information standards, collections and extractions.

This process is carried out by the Data Standards Assurance Service (DSAS) which assures burden assessment evidence as part of the overarching Data Alliance Partnership Board

(DAPB) approval process. The DAPB, acting under authority of the Secretary of State, oversees the assurance, approval and publication of information standards and data collections for the health and social care system in England.

Assessed costs

The associated burden of the data collection is:

Burden on all providers	£37,077	Year 1 costs (including set up costs)
Burden on all providers	£35,437	Year 2 and ongoing annual costs