

FOI 0379 2024 Response

Dear Birmingham and Solihull Mental Health NHS Foundation Trust,

Please would you communicate your current procedure for complaints to be made regarding Persons without Cognisance of their mental illness, as in the following:

Clarification: Persons without cognisance [of their illness] is a term heard in mental health settings (and in BSMHFT dealings) in professional's attendance involving mental illness observation, diagnosis, and responses in matters and means of subsequent treatments and care where the patient is incapable of accepting, or unwilling (reluctant), to accept they have a discernible illness.

To clarify also, I advance that the condition may be any form of mental illness—in young or old, for instance, as with dementia—and the patient's rejection of such illness may be from fear of what it may mean to them, or out of fear of a diagnosis or a 'label' of such illness. Otherwise, they may not be aware they demonstrate mental illness, despite being 'capable' in other abilities, or may be beyond such recognition of illness. In any of those cases as appreciated by others be it medical professionals or patient's companions—family, friends, carers—who may be suffering due to the patient's condition with, potentially, distress or harm to themselves.

When persons without cognisance of their illness are upset or dismissed or abused by attendant NHS staff, to any degree which might cause detectable unease, annoyance or exacerbation to the patient and their condition; then:

(1) Who can speak for them?

All service users under BSMHFT can access support and help from an Advocate. With consent, family members and carers can also complain on their behalf.

(2) Where is this defined in your Policy?

Section 3.2, 3.6, 3.17.1 in the Complaints Policy.

(3) What is the contact mechanism in complaint?

Complaints can be made by:

- Raising them directly with the clinical team
- Calling the Customer Relations Team on: 0800 953 0045
- Emailing the Customer Relations Team at: bsmhft.customerrelations@nhs.net
- Writing to the Customer Relations Team at: Customer Relations Team, The Barberry Centre, 25 Vincent Drive, Birmingham, West Midlands, B15 2FG
- Filling in an online contact form at: www.bsmhft.nhs.uk/contact-us/
- Filling out a Customer Relations booklet (which will be on display within clinical areas), and handing it to a member of staff, putting it in the locked box provided in inpatient areas, or posting it to the afore mentioned address.

Once a complaint is received the team will confirm the individuals preferred method of contact.

The Trust recognises that some complainants may not use English as their first language or may have other communication or learning difficulties.

In these circumstances the Trust will ensure that such Complainants have access to adequate support to enable them to fully participate in the complaints process.

The Customer Relations Team will make the necessary arrangements on an individual case-by-case basis, after discussion with the Complainant or their Advocate or Representative.

(4) What is the Trust response path for acknowledging / taking the complaint? (from whom to whom?) Clarification: How can their carer / minder / go-between, make a complaint of Trust actions or inaction in that service-user's care?

All contact with the Customer Relations Department is acknowledged within three working days.

Local resolution is offered in the first instance to give the service the opportunity to put things right and resolve concerns.

If the client wishes to continue through the complaints process formal complaints are registered and acknowledged within 5 working days.

Complaints can be taken from anyone however, we always seek to gain consent from the service users prior to complaint responses being issued to prevent breaches in service users' confidentiality.

If the patient does not have capacity to consent, then we follow guidance regarding 'right of access' as set out in the Data Protection Act 2018.

(5) What are the involvement paths for getting more information / clarification, and action?

Customer Relations can be contacted at anytime during the complaint process.

(5) What was the 'effective from' date for your current policy on this?

The most recent complaint policy is dated December 2024.

(6) Policy history: What were your previous policies and effective dates(s) since Year 2000?

Please see below for the Complaints Policy History:

V6 – Ratified December 2024

V5 - Ratified in December 2019, this version was extended twice, once to March 2023 and the other to November 2023

V4 – Ratified October 2012

V3 – Ratified September 2007

V2 – Ratified June 2005

