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**DELAY IN THE IMPLEMENTATION OF THE COMPLAINT REVIEW SYSTEM
IN THE HEALTH AND SOCIAL SERVICES NETWORK**

Québec City, June 7, 2007 – The Québec Ombudsman is concerned about the consequences of the delay in implementing measures to reinforce the complaint review system in the health and social services network, one year after the entry into force of new provisions of the law. An effective complaint review system is essential to ensuring users' rights are respected.

The results of the survey

Progress in implementing the new complaint review system was measured by a survey conducted in February and March 2007. Two hundred and twenty eight of the 296 chairpersons of boards of directors of institutions answered the survey, for a 76% participation rate. The 16 managers of the complaints assistance and support centres from all regions of Québec, who work with users of the network every day, also took part.

The consultation dealt mainly with the appointment of service quality and complaints commissioners, now attached to the board of directors, and with the appointment of members of the Monitoring and Quality Committee, which is the first body responsible for the quality of services to the board of directors. The methods the commissioners use in exercising their duties, that is, in examining complaints and reports and promoting the system, was also the subject of questions.

The chairpersons of the boards of directors of institutions

The survey revealed delays in hiring service quality and complaints commissioners in 45% of institutions. The large majority of commissioners hired, or 73%, are new to this position, and 60% hold the position part time. They devote an average of 11 to 12 hours per week to the activity. Half of

commissioners are responsible for three or more facilities, the average being five to six facilities. Furthermore, 91% of members of Monitoring and Quality Committee should have been appointed on April 1, 2007.

The complaint review system is promoted mainly through flyers, posters and institution Web sites. The large majority of institutions publish the names and responsibilities of commissioners and medical examiners. Information on recourse by appeal is included in the acknowledgement of the complaint and in the information flyer.

Managers of complaints assistance and support centres

The managers of complaints assistance and support centres made a number of comments. They also report delays in hiring commissioners. According to 62.5% of them, these delays and the transition resulted in delays in the processing of complaints. The failure to replace commissioners during absences and leaves appears to contribute to longer delays in processing complaints. For 81% of respondents, the part-time and contract status of the commissioners and the fact that they are assigned to several facilities at once makes it impossible for them to fulfill all of their duties. The promotion of the rights of users and the complaint review system appears to be particularly neglected.

The two groups have a similar reading of the situation

The two groups agree that delays in hiring commissioners and the part-time status of most of them resulted in delays in the processing of complaints in 2006-2007. The limited availability of commissioners and the number of facilities they are responsible for suggests that they do not have time to perform all of their duties, and this also compromises the rate of retention of these employees.

Further, given the insufficient visibility of the complaint system, it is not surprising that almost 2,000 citizens reported difficulties to the Québec Ombudsman in obtaining a response from the first instance. It should be remembered that the law provides that the commissioner is appointed by the board of directors of each health and social services institution, and that he exercise his functions independently from the administration of the institution.

The commissioner is responsible for receiving and processing, as a first instance, user complaints and reports, which can be filed by a third person. The Québec Ombudsman has second instance jurisdiction, in the event that the situation has not been resolved by the first level.

Given these facts, The Québec Ombudsman believes that the Ministère de la Santé et des Services sociaux must immediately take steps to finalize the implementation of new measures for the complaint review system so that the system works properly. Three measures should be taken:

- allow the local and regional service quality and complaints commissioners to exercise their duties, that is, processing complaints and reports, and promoting users' rights and the complaint review system;
- increase the ability of local and regional commissioners to respect the 45-day time frame for handling complaints;
- improve and increase information to the public regarding the complaint review system, and the rights of users of health and social services.

The Québec Ombudsman believes that, without these corrective measures, it will be impossible to ensure equity in accessing the complaints system and complaint processing, regardless of the region or institution. "The quality control that the complaint review system is part of is essential to the ongoing improvement of services to users. The complaints offer valuable lessons. The delays in implementing the system deprives users of available recourse and the authorities of opportunities to improve the quality of care and services to users," Ms. Saint-Germain said.

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Source: The Québec Ombudsman

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