

COMPLAINTS POLICY

INTRODUCTION

This policy sets out the Practice's approach to the handling of complaints. From 1st April 2009 a common approach to the handling of complaints was introduced across health and adult social care. This procedure complies with this.

POLICY

The Practice will take reasonable steps to ensure that patients are aware of:

- the complaints procedure
- the role of NHS England and other bodies in relation to complaints about services under the contract. This includes the ability of the patient to complain directly to NHS England and to escalate to the Ombudsman
- their right to assistance with any complaint from independent advocacy services.

The Practice Manager, Stacey Gill, is responsible for complaints handling.

The lead Partner for complaints handling is Dr Sohail Ahmed.

PROCEDURE

Receiving of complaints

The Practice may receive a complaint made by, or (with his/her consent) on behalf of a patient, or former patient, who is receiving or has received treatment at the Practice, or:

(a) Where the patient is a child:

- by either parent, or in the absence of both parents, the guardian or other adult who has care of the child;
- by a person duly authorised by a local authority to whose care the child has been committed under the provisions of the Children Act 1989;
- by a person duly authorised by a voluntary organisation by which the child is being accommodated.

(b) Where the patient is incapable of making a complaint, by a relative or other adult who has an interest in his/her welfare. A recognised advocate organisation such as Healthwatch may act on a patient's behalf, with patient consent.

All complaints, written and verbal will be recorded, and written complaints will be acknowledged in writing within 3 working days of receipt.

PERIOD WITHIN WHICH COMPLAINTS CAN BE MADE

The period for making a complaint is normally:

(a) 6 months from the date on which the event which is the subject of the complaint occurred; or

(b) 6 months from the date on which the event which is the subject of the complaint comes to the complainant's notice.

Complaints should normally be resolved within 6 months. The practice standard response time will be within 20 working days from receipt of the complaint. Should this timescale be unachievable then the complainant will be informed and permission to extend sought.

The Practice Manager or lead Partner has the discretion to extend the time limits if the complainant has good reason for not making the complaint sooner, or where it is still possible to properly investigate the complaint despite extended delay.

When considering an extension to the time limit it is important that the Practice Manager or the Partner takes into consideration that the passage of time may prevent an accurate recollection of events by the clinician concerned or by the person bringing the complaint. The collection of evidence, Clinical Guidelines or other resources relating to the time when the complaint event arose may also be difficult to establish or obtain. These factors may be considered as suitable reason for declining a time limit extension.

Action upon receipt of a complaint

Complaints may be received either verbally or in writing and must be forwarded to the Practice Manager who will:

- Acknowledge in writing within the period of 3 working days beginning with the day on which the complaint was made or, where that is not possible, as soon as reasonably practicable. Include an offer to discuss the matter in person and advise the patient of potential timescales and the next steps;
- Ensure the complaint is properly investigated. Where the complaint involves more than one organisation the Practice Manager will liaise with his / her counterpart to agree responsibilities and ensure that one coordinated response is sent;
- Where the complaint has been sent to the incorrect organisation, advise the patient within 3 working days and ask them if they want it to be forwarded on. If it is sent on, advise the patient of the full contact details;
- Provide a written response to the patient as soon as reasonably practicable ensuring that the patient is kept up to date with progress as appropriate. This will

include a full report and a statement advising them of their right to take the matter to the Parliamentary Ombudsman if required.

Unreasonable Complaints

Where a complainant becomes aggressive or, despite effective complaint handling, unreasonable in their promotion of the complaint, some or all of the following formal provisions will apply and will be communicated to the patient:

Final Response

This will include:

- A clear statement of the issues, investigations and the findings, giving clear evidence-based reasons for decisions if appropriate.
- Where errors have occurred, explain these fully and state what will be done to rectify this, and prevent repetition.
- A focus on fair and proportionate outcomes for the patient, including any remedial action or compensation.
- A clear statement that the response is the final one, or that further action or reports will be send later.
- An apology or explanation as appropriate.
- A statement of the right to escalate the complaint, together with the relevant contact detail.

Annual Review of Complaints

The practice will establish an annual complaints report, incorporating a review of complaints received, along with any learning issues or changes to procedures which have arisen. This report is to be made available to any person who requests it, and may form part of the Freedom of Information Act Publication Scheme.

This will include:

- Statistics on the number of complaints received.
- Justified / unjustified analysis.
- Known referrals to the Ombudsman.
- Subject matter / categorisation / clinical care.

- Learning points.
- Methods of complaints management.
- Any changes to procedure, policies or care which have resulted.

Confidentiality

All complaints will be treated in the strictest confidence.

Where the investigation of the complaint requires consideration of the patient's medical records, the Patient Services Manager must inform the patient or person acting on his/her behalf if the investigation will involve disclosure of information contained in those records to a person other than the Practice or an employee of the Practice.

The practice will keep a record of all complaints and copies of all correspondence relating to complaints, but such records will be kept separate from patients' medical records.