

# Hopwood House Medical Practice

## Complaints Procedure

### A. Confidentiality Notice

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### B. Document Details

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## CONCERNS, COMPLIMENTS AND COMPLAINTS

**CONCERNS:** Our aim is to give the patients the best possible care, with this in mind if you have any suggestions on ways this service can be improved please let us know.

**COMPLIMENTS:** If you have any compliments about the service we provide please let us know.

**COMPLAINTS:** We have to respect our duty of confidentiality to patients'. Consent will be necessary if someone other than the patient wishes to complain on their behalf, unless they are incapable (because of physical or mental illness) of providing this.

### Verbal Complaint

Should you have a complaint about the care you receive please let one of our staff know, we will endeavour to deal with your complaint promptly. If your complaint can not be rectified within 24 hours we will write to you with details of your complaint and agree a timescale within which we hope to resolve the problem to your satisfaction.

### Written Complaint

Should you wish to put your complaint in writing we are obliged to acknowledge receipt of your complaint within 3 working days. The acknowledgment may be made verbally or in writing. Upon acknowledgement we will inform you of :

- a) the manner in which the complaint is to be handled, and
- b) the period within which the investigation is likely to be completed and when the response will be sent.

If for any reason you are unable to make your complaint in writing but wish to do so a member of staff can assist you, please contact the Practice for this to be arranged. Full details will be taken regarding the complaint in order to investigate the problem. A written acknowledgement will be sent to you as above.

The aim is to resolve the situation speedily. In normal circumstances, therefore, you will be offered either an oral or written response or an appointment for a meeting to discuss your concern. We will aim to resolve your complaint in a timely manner.

We will always try to address your concerns fully, provide you with an explanation and discuss any action that may be needed.

We take all complaints seriously and hope that you will feel satisfied that we have dealt with the matter thoroughly.

### **Vexatious complainers**

The need for a robust but fair policy has become more important recently, following Data Protection and Freedom of Information legislation and the receipt of requests for excessive amounts and types of information.

### **Impact -**

- Cost - inefficient use of officer time repeatedly re-investigating the same issues
- Time wasting - duplication of effort as vexatious complaints are often widely copied via e-mail to several officers simultaneously

- Staff morale - frustration and stress at feeling powerless to deal with vexatious complainants

### **Aim of the procedure –**

It is expected that only a very small minority of complaints will be found to be vexatious or repetitious. In these few instances, there is nothing further that can be done to assist the complainant, or a real or perceived problem cannot be resolved without taking up an unwarranted amount of practice resources

The main aims of the procedure are:

To identify the point when a complaint or complainant could justifiably be considered habitual or vexatious

To outline a strategy to deal with vexatious complaints and complainants

Habitual/vexatious complainants may be removed from the practice list should a breakdown in relationship occur due to persistent/repetitious complaints

### **Definition of a vexatious complainant**

*“Someone who pursues a complaint where it is not reasonable do so because of the subject matter, its history, or the manner in which the complaint is being pursued and the complaint has been adequately dealt with under the complaints procedure”*

It is important to distinguish between people who make a number of complaints because they genuinely believe that things have gone wrong, and those who are just being unreasonable

### **Characteristics of a vexatious complainant**

There are a number of characteristics that may identify a complainant as vexatious. These can include, but are not limited, to any one or a combination of the following:

The complainant has already exhausted the complaints procedure, or Freedom of Information and Data Protection Complaints procedures, yet remains unsatisfied with the response and continues to raise the same issue where it is unreasonable to do so (providing no new evidence to support their complaint)

The complainant insists they have not had an adequate response despite the practice being satisfied that the complaint has been dealt with fully under the complaints procedure

The complainant is unwilling or unable to specify the precise issues they wish to be investigated, or provide the evidence required to investigate their complaint, despite efforts to help them do so by staff or advocacy groups

The complainant has excessive contact with a staff members

The complainant changes the substance of the complaint by persistently raising new issues or further questions after receiving a response, but the essence of the complaint remains the same

The complainant makes unreasonable demands or has unrealistic expectations (e.g. insisting on a response being provided more urgently than is reasonable, possible, or appropriate)

The subject matter of the complaint is beyond the practice's remit, and the complainant has been advised of the appropriate channel for resolving their issue

#### IF YOU ARE NOT SATISFIED

If you remain dissatisfied after receiving the response to your complaint, you may contact the Ombudsman, at the address below, to request an Independent Review to re-examine your case.

The Parliamentary & Health Service Ombudsman  
Millbank Tower  
Millbank  
London  
SW1P 4QP

Tel: 0345 015 4033

Email: [phso.enquires@ombudsman.org.uk](mailto:phso.enquires@ombudsman.org.uk)

Website: [www.ombudsman.org.uk](http://www.ombudsman.org.uk)

For independent advice contact - ICA – Independent Complaints Advocacy – 0300 330 5454,  
Fax: 0330 088 3762 or email [nhscomplaints@voiceability.org](mailto:nhscomplaints@voiceability.org)

Contact telephone numbers as below:

NHS England  
PO Box 16738  
Redditch  
B97 9PT  
Tel - 033 311 2233  
Email [England.contactus@nhs.net](mailto:England.contactus@nhs.net)