

# **COMPLAINTS PROCEDURE PATIENTS**

If you have a complaint or are dissatisfied with the services provided by doctors or staff working in our clinic, please let us know. As part of the NHS care system, we have put in place a complaints procedure to help you resolve your issues. Our complaints system meets national criteria.

## **How can I make a complaint?**

We believe that most issues can be resolved easily and quickly as soon as you report the problem with the affected person. If it is not possible to resolve your problem in this way and you still wish to make a formal complaint, please let us know immediately – this will allow us to establish the circumstances more quickly.

Complaints should be addressed to Practice Manager. The complaints procedure will be clarified to you and your problems will be resolved as soon as possible.

Please let us know more about your complaint.

## **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 Health watch 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 28 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**

We ask that complaints are submitted in writing to ensure we have all the relevant information required to be able to complete a full and thorough investigation. Complaints must be forwarded to the Practice Management Team, 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. 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 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 put this right, or 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 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.

If you feel unable to raise your complaint with us directly or if you believe this is not appropriate, you can raise your complaint with the ICB who commission and pay for the NHS services you use by:

**Email:** [wyicb.pals@nhs.net](mailto:wyicb.pals@nhs.net)

**Telephone:** 01924 552150 (Monday to Friday 9–4:30 pm, excluding bank holidays)

Please note that the team receives a high number of telephone calls daily and may not be able to respond instantly to each one.

**In writing:** Patient Advice and Liaison Service, West Yorkshire Integrated Care Board, White Rose House West Parade, Wakefield WF1 1LT

**Please note:** The ICB is unable to consider or reconsider the same concerns or complaints you have raised with us.

**Citizens Advice Bureau** also provides information and advice about making complaints.

### **Take it Further.**

If you remain unhappy after receiving our final reply, you can ask the Health Service Ombudsman to review your complaint independently.

The Ombudsman is independent of the NHS and free to use. It can help resolve your complaint and tell the NHS how to put things right if it has got them wrong.

The Ombudsman only has legal powers to investigate certain complaints. You must have received a final response from the Practice before the Ombudsman can look at your complaint. Unless there are exceptional circumstances, it will generally not investigate your complaint if it happened more than 12 months ago.

*All post should be sent to their main office in Manchester.*

Parliamentary & Health Service Ombudsman

**Citygate, Mosley Street**

**MANCHESTER**

**M2 3HQ**

**Tel: 0345 015 4033**

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

**Making a complaint on behalf of someone else**

Please note that all patient information is treated by us as strictly confidential. If you are making a complaint on behalf of another person, we need to make sure that you are authorised to do so. To do this, we require you to provide such authorisation in writing signed by the person concerned, unless they are unable (due to illness) to do so (please see the example below).

**Example of a complaint made by a person other than the patient.**

I \_\_\_\_\_ authorise \_\_\_\_\_ to lodge a complaint on my behalf and I agree that the clinic will share (only to the extent necessary to respond to the complaint) confidential information that I have provided.

Patient signature \_\_\_\_\_

Date \_\_\_\_\_