

COMPLAINTS POLICY AND PROCEDURE



COMPLAINTS POLICY AND PROCEDURE - INTRODUCTION

This Complaints Policy and Procedure sets out the Practice's approach to the handling of complaints. It is intended as a guide for practice staff and any interested party who requests it.

From 1st April 2009 a common approach to the handling of complaints was introduced across the health and adult social care.

POLICY

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

- the complaints policy and procedure detailed in:
 - the practice website
 - the practice Complaints and Compliments leaflet
 - notices in reception
 - information for staff
- The role of NHS England and other bodies in relation to complaints about service under the contract. This includes the ability of the patient to complain directly to NHS England as an alternative to using the practice complaints procedure, and to escalate to the Ombudsman where dissatisfied with the outcome.
- The availability of independent advice and advocacy.

The Complaints Administrator for the Practice is Mrs Julie Eschalier. Every complaint is managed by a Lead GP or Nurse Manager.

A patient or their representative may make a complaint to the practice. Alternatively, they can ask NHS England to investigate a complaint. A complaint should not be made to the practice and NHS England at the same time. Complainants can request advice and support from independent advocacy services. Contact details for NHS England, local advocacy services and the Health Service Ombudsman are given in the Appendix.

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PROCEDURE

WHO CAN MAKE A COMPLAINT

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.

(c) Where the patient is capable of making a complaint, their consent will be sought if someone else complains on their behalf.

All complaints, written and verbal will be recorded, and written complaints will be acknowledged in writing within 3 working days of receipt. Patients will be encouraged to complain in writing where possible. The response to the patient should be made within 25 working days, or the patient should be provided with an update and an estimated timescale.

TIMESCALES FOR MAKING A COMPLAINT

The period for making a complaint is normally:

(a) 12 months from the date on which the event which is the subject of the complaint occurred; or

(b) 12 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.

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The Complaints Administrator or Lead GP or Nurse Manager 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 Complaints Administrator or the GP/Nurse 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 ON RECEIPT OF A COMPLAINT

Complaints may be received either verbally or in writing and must be forwarded to the Complaints Administrator or deputy who must:

- acknowledge in writing within the period of 3 working days beginning with the day on which the complaint was received by the practice or, where that is not possible, as soon as reasonably practicable. Include an offer to discuss the matter in person. The discussion will include agreement with the patient as to how they wish the complaint to be handled.
- Where the complaint is made verbally a written record will be taken.
- Ensure the complaint is properly investigated. Where the complaint involves more than one organisation the Complaints 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. If it is sent on, advise the patient of the full contact details.
- The NHS complaints regulations do not require complaints to be investigated within a set timescale. The practice will 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. Where a response is not possible within 25 working days the practice will provide an update report to the patient with an estimate of the timescale.

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MINOR COMPLAINTS

A complaint may be resolved on the basis of a telephone call or meeting within 24 hours provided that the complaint does not highlight any significant failure of administration or clinical care and the complainant agrees to an informal process. The complainant will in all cases be informed of their right to go through a formal process if they wish.

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:

- The complaint will be managed by one named individual at senior level who will be the only contact for the patient.
- Contact will be limited to one method only. (e.g. in writing)
- Keep detailed records.

THE 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 these right or prevent repetition.
- A focus on fair and proportionate outcomes for the patient, including any remedial action.
- A clear statement that the response is the final one, or that further action or reports will be sent later.
- An apology or explanation as appropriate.
- An offer of a meeting between the complainant, the Lead GP or Nurse Manager and relevant staff. The complainant will be informed that they may be accompanied by a friend or relative or an independent advocate not acting in a legal capacity.
- A statement of the right to escalate the complaint to the Health Service Ombudsman, together with contact information.

ANNUAL REVIEW OF COMPLAINTS

The practice will arrange a meeting once a year or more often if deemed necessary to review complaints. The learning points and action plans for each complaint will be reviewed. The practice will provide an annual complaints report which will include:

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- Statistics on the number of complaints received
- 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
- Detailed Proposed Actions Taken and Actions Completed Column

The report is to be made available to any person who requests it, and may form part of the Freedom of Information Act Publication Scheme.

CONFIDENTIALITY

All complaints must be treated in the strictest confidence.

Where the investigation of the complaint requires consideration of the patient's medical records, the Complaints Administrator 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. We do recognise that available call recordings may help to facilitate our investigations and we intend to inform patients at all times of our intention to use relevant call recordings as part of the investigation.

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

RESOURCES:

Complaint and Compliment Form
Complaint and Compliment Leaflet
Complaints Consent Form - third party
Website

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APPENDIX – USEFUL CONTACTS

MAKING A COMPLAINT TO NHS ENGLAND

The NHS England complaints website can be found at:

www.england.nhs.uk/contact-us/complaint

NHS England,
PO Box 16738,
Redditch
B97 9PT

Tel: 0300 311 22 33

email: england.contactus@nhs.net

INDEPENDENT ADVICE AND ADVOCACY

For residents of the London Borough of Greenwich:

Voiceability on 0300 330 5454

Email: nhscomplaints@voiceability.org

For residents of the Borough of Bexley:

Advocacy for All on 0845 832 0034 or

Email: Bexleynhscomplaints@advocasyforall.org.uk

PARLIAMENTARY AND HEALTH SERVICE OMBUDSMAN

Customer Helpline: 0345 015 4033 from 8:30am to 5:30pm, Monday to Friday.

Send a text to 'call back' service: 07624 813 005

Address:

Customer Services

Parliamentary and Health Service Ombudsman

Millbank Tower

Millbank

London SW1P 4QP