

# West End Clinic

## Complaints Policy

### 1. Introduction

This policy outlines the practice commitment to dealing with complaints. The practice aims to deliver High Quality Care for all patients and we aim to adhere to NHS England's "Complaints Policy principles when dealing with complaints.

<https://www.england.nhs.uk/wp-content/uploads/2016/07/nhse-complaints-policy-jul16.pdf>

### 2. Procedure

#### 2.1 General provisions

The Practice will take reasonable steps to:

- publicise complaints procedures
- acknowledge receipt of a complaint and offer to discuss the matter within three working days
- deal efficiently with complaints and investigate them properly and appropriately
- write to the complainant on completion of a complaint investigation explaining how it has been resolved, what appropriate action has been taken, and reminding them of their right to take the matter to the Health Services Ombudsman if they are still unhappy
- assist the complainant in following the complaints procedure, or provide advice on where they may obtain such assistance
- ensure there is a designated manager for complaints
- have someone senior who is responsible for both the complaints policy and learning from complaints
- produce an annual report about complaints that have been received, the issues they raise, and any matters where action has been taken or is to be taken to improve services as a result of those complaints.

The Practice will take reasonable steps to ensure that the complaints procedure is accessible to all patients

#### 2.2 Receiving of complaints

If a complaint is made orally and is resolved to the complainant's satisfaction within 24 hours, it need not be responded to formally

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. The complainant:

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- can choose to complain to a commissioner instead of the service provider, ie, NHS England
- 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; or
  - by a person duly authorised by a voluntary organisation by which the child is being accommodated
- where the patient is incapable of making a complaint, by a relative or other adult who has an interest in his/her welfare.
- If the complaint involves two or more organisations, the complainant should be sent a single, co-ordinated response. The organisation which has the most serious complaint or large number of issues about it would normally take the lead.

### **3. Period within which complaints can be made**

People wishing to make a complaint must do so within 12 months of an incident happening or of becoming aware of the matter complained about.

### **4. Complaints handling**

- **Chris Jones** is the practice's complaints manager, responsible for managing the procedures for handling and considering complaints and
- is responsible for ensuring compliance with the NHS complaints procedure (responsible person) and in particular ensuring that action is taken if necessary in the light of the outcome of a complaint; and
- is responsible for the effective management of the complaints procedure and for ensuring that action is taken in the light of the outcome of any investigation

### **5. Action upon receipt of a complaint**

Complaints may be received either verbally or in writing and must be forwarded to the Complaints Officer (or his/her stand-in if the Complaints Officer is unavailable), who must:

- Acknowledge the complaint within 3 working days verbally or in writing and at the same time,
  - offer to discuss, at a time to be agreed with the complainant
  - the manner in which the complaint is to be handled,
  - the period within which the investigation of the complaint is likely to be completed and the response is likely to be sent to the complainant.
- From the discussion, a complaint action plan, agreeing the timescale, should be created – it is important to:
  - Understand what the issues are
  - Find out what the patient would like to happen as a result of the complaint

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- Maintain regular communication

If the complainant does not accept the offer of a discussion, the practice must determine the response period and notify the complainant in writing of that period. Guidance is given in the Department of Health's 'a guide to better customer care'.

## **6. Complaints Action Plan**

If the practice can agree a clear plan and a realistic outcome with the person complaining from the start the issue is more likely to be resolved satisfactorily. Having a plan will help the practice respond appropriately. It also gives the person who is complaining more confidence that the practice are taking their concerns seriously.

Having a clear understanding of the complaints process is also crucial in helping managers decide on the best response.

If someone makes a complaint, the person making the complaint will want to know what is being done – and when. However, accurately gauging how long an issue may take to resolve can be difficult, especially if it is a complex matter involving more than one person or organisation. To help judge how long a complaint might take to resolve, it is important to:

- address the concerns raised as quickly as possible
- stay in regular contact with whoever has complained to update them on progress
- stick to any agreements the practice make – and, if for any reason the practice can't, explain why.

It is good practice to review any case lasting more than six months, to ensure everything is being done to resolve it.

A copy of the practice complaints action plan is attached at Appendix E.

## **7. Investigation and Responses to Complaints**

During the investigation, the complainant will be kept informed of progress either verbally or in writing as agreed with the complainant. The response must be signed by the 'responsible person' and include:

- an explanation of how the complaint has been considered;
- the conclusions reached in relation to the complaint, including any remedial action to be taken
- details of the complainant's right to take their complaint to the Health Service Ombudsman

## **8. Review of complaints**

Complaints received by the practice will be reviewed to ensure that learning points are shared with the whole practice team:

- A full review of all complaints will be carried out annually to identify any trends or additional actions/learning points, and

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- We are required to provide an annual report on complaints which should include the action taken and should be made available to any person on request.

## **9. 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 Officer 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 must 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.

Appendix A – Patient Information Leaflet

Appendix C – Complaints Form

Appendix D - Complaint Form Third Party Authorisation

Appendix E – Complaints Action Plan

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## Patient Information Leaflet

### Practice Complaints Procedure

If you have a complaint or concern about the service you have received at this practice please let us know. Most problems can be sorted out easily and quickly often at the time they arise and with the person concerned. For problems that can't be sorted out in this way we operate a practice complaints procedure as part of a NHS system for dealing with complaints.

If you have a problem you have the right to raise your complaint directly with the service provider or alternatively with the commissioner of the service. We hope that you will use our practice complaints procedure as we believe this will give us the best chance of putting right whatever has gone wrong and will provide an opportunity to improve our practice.

NHS England is the commissioner of primary care services (such as GP and dental practices) and, if you prefer, or if you do not feel able to raise your concerns direct with the practice, you can send your complaint about these services to NHS England at the address below:

Tel: 0300 311 22 33

Email: [england.contactus@nhs.net](mailto:england.contactus@nhs.net)

In writing: NHS England, PO Box 16738, Redditch, B97 9PT

If you wish to make a formal complaint you should do so, preferably **in writing** as soon as possible after the event and ideally within a few days, as this helps us to establish what happened more easily. In any event, this should be:

Within 12 months of the incident,

or within 12 months of you discovering a cause for complaint

and that you give as much detail as you can.

If you are a registered patient you can complain about your own care. You are unable to complain about someone else's treatment without their written authority.

Complaints should be addressed to our Practice Manager;

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Mrs Chris Jones, Practice Manager

Alternatively, you may wish to speak informally to the practice manager in order to discuss your concerns. She will explain the complaints procedure to you and will make sure that your concerns are dealt with promptly.

### **What we do next**

We look to settle complaints as soon as possible. We will acknowledge receipt within 3 working days, and aim to have investigated the matter within 10 working days. You may then receive a formal reply in writing, or you may be invited to meet with the person(s) investigating the complaint to attempt to resolve the issue. If the matter is likely to take longer than this we will let you know, and keep you informed as the investigation progresses.

When looking into a complaint we attempt to see what happened and why, to see if there is something we can learn from this, and make it possible for you to discuss the issue with those involved in investigating your complaint if you would like to do so.

When the investigations are complete your complaint will be determined and a final response sent to you.

Where your complaint involves more than one organisation (e.g. hospital, social services etc) we will liaise with that organisation so that you receive one coordinated reply. We may need your consent to do this. Where your complaint has been sent initially to an incorrect organisation, we may seek your consent to forward this to the correct person to deal with.

The final response letter will include details of the result of your complaint and also your right to escalate the matter further if you remain dissatisfied with the response.

### **Complaining on Behalf of Someone Else**

We keep to the strict rules of medical and personal confidentiality. If you wish to make a complaint and are not the patient involved, we will require the written consent of the patient to confirm that they are unhappy reception for the Complaints Form which contains a suitable authority for the patient to sign to enable the complaint to proceed.

Where the patient is incapable of providing consent due to illness or accident it may still be possible to deal with the complaint. Please provide the precise details of the circumstances which prevent this in your covering letter.

Please note that we are unable to discuss any issue relating to someone else without their express permission, which must be in writing, unless the circumstances above apply.

We may still need to correspond direct with the patient, or may be able to deal direct with the third party, and this depends on the wording of the authority provided.

### **Who can help you to make a complaint?**

The Independent Complaints Advocacy (ICA) team can guide and support you through the complaints process. They can help you put your complaint in writing and attend meetings with you. However, the ICA team does not investigate complaints. ICA can be contacted 0330 440 9000 email [info@seap.org.uk](mailto:info@seap.org.uk), website [www.seap.org.uk](http://www.seap.org.uk)

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## **Taking your complaint further**

If you remain dissatisfied at the end of local resolution you can put your complaint to the Health Services Ombudsman. The Ombudsman can carry out independent investigations into complaints about poor treatment or service provided through the NHS in England, The Ombudsman's services are free.

If you have any questions about whether the Ombudsman may be able to help you or about how to make a complaint please contact their helpline on 0345 015 4033, email: [phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk) or fax 0300 061 4000. Or you can write to them at:

The Parliamentary and Health Service Ombudsman

Millbank Tower

Millbank

London

SW1P 4QP

Further information about the Ombudsman can be found on [www.ombudsma](http://www.ombudsma)

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## West End Clinic Complaint Form

This practice has a formal complaints procedure. In order to ensure that every complaint receives fair and prompt attention, please complete the form below.

<b>Complainant's Details</b>	
<b>Name</b>	<b>Date of Birth</b>
<b>Address</b>	<b>Tel. No.</b>
<b>Patient's Details (where different from above)</b>	
<b>Name</b>	<b>Date of Birth</b>
<b>Address</b>	<b>Tel. No.</b>
<b>Details of Complaint (including date(s) of events and persons involved)</b>	
<b>Complainant's signature</b>	<b>Date</b>

<i>(If the complainant is not the patient)</i>	
<p>I _____ authorise the complaint set out overleaf to be made on my behalf by _____</p> <p>And I agree that the practice may disclose information to _____ (only in so far as is necessary to answer the complaint) confidential information about me which I provided to them.</p>	
<b>Patient's signature</b>	<b>Date</b>



**West End Clinic**

**COMPLAINT FORM THIRD PARTY AUTHORISATION**

**Where the complainant is not the patient:**

I ..... authorise the complaint noted overleaf to be made on my behalf by ..... , and I agree that the practice may disclose to the complainant confidential information sufficient only to answer the complaint.

Patient's signature: .....

Date: .....

Name: .....

Address: .....

.....

.....

## COMPLAINT RESOLUTION PLAN -

Date of receipt:     /     /

Reference No.

<b>Patient details</b> <hr/> <b>Date of Birth</b> <b>Date of Death (if app)</b> <b>Next of Kin (if app)</b>	<b>Name:</b>  <b>Address:</b>  <b>Telephone number:</b> <b>E-mail address:</b>
<b>Complainant's details (if different)</b> <hr/> <b>Relationship to patient</b>	<b>Name:</b>  <b>Address:</b>  <b>Telephone number:</b> <b>E-mail address:</b>
<b>Capacity/consent issue?</b>	<b>Date consent received:</b>
<b>Joint Agency ?</b>	<b>Agreed Lead:</b>
<b>Forwarding on of complaint to relevant agency</b>	<b>Date letter forwarded on:</b>
<b>Defence Union informed? Yes    No</b>	<b>Date</b>
<b>Complaint Grading/Risk Assessment</b>	<b>High:</b>  <b>Medium:</b>  <b>Low:</b>
<b>Date of discussion/agreement on actions with complainant</b>	<b>Date:</b>
<b>Acknowledgement letter sent</b>	<b>Date:</b>
<b>Summary of complaint issues</b>	

<b>Complainant's Desired Outcome</b>	
<b>Additional information - including special contact arrangements/non-availability etc</b>	
<b>Additional support arrangements e.g. ICAS</b>	
<b>Details on agreed investigation method/s eg:</b> <i>Deal directly (with minor issues)</i> <i>Formal investigation/written response</i> <i>Meetings with staff</i>	
<b>Details of agreed dates for progress updates (if requested)</b>	
<b>Preferred feedback method, e.g.</b>  <b>Telephone</b> <b>Letter</b> <b>By email</b> <b>Face to face</b> <b>Through advocate etc</b> <b>Third party e.g. relative, MP, Lawyer</b>	<b>Details for feedback e.g. telephone number if different from above</b>
<b>Agreed timescale/response date</b>	
<b>Response sent/made (main action themes to be fed back via telephone/face to face)</b>	<b>Date</b>
<b>Confirmation of agreement by complainant</b>	<b>Date:</b>
<b>Complaint closed</b>	
<b>Final response signed off by appropriate individual</b>	<b>Date:</b>
<b>Confirmation of final response including actions sent to complainant</b>	<b>Date:</b>
<b>Client satisfaction questionnaire</b>	<b>Date Sent:</b>  <b>Date Received:</b>