

BLAKEWATER HEALTHCARE

COMPLAINTS POLICY

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Version	

General provisions

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

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

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

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:
 - (i) by either parent, or in the absence of both parents, the guardian or other adult who has care of the child,
 - (ii) 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
 - (iii) 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.

Written complaints will be acknowledged by letter within 3 working days of receipt.

Period within which complaints can be made

The period for making a complaint is:

- (a) twelve months from the date on which the matter which is the subject of the complaint occurred; or
- (b) twelve months from the date on which the matter which is the subject of the complaint comes to the complainant's notice.

Complaints should normally be resolved within 6 months. The practice standard will be 10 days for a response.

The Complaints Manager or lead GP 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 Manager or the GP 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.

Complaints handling

The practice will nominate:

(a) a person (the 'Complaints Manager') to be responsible for the operation of the complaints procedure and the investigation of complaints. The nominated Complaints Manager is Jane Grogan, Practice Manager. In the absence of the Complaints Manager Sheila Whiteoak will assume responsibility.

The practice will nominate:

(b) a Partner, or other senior person associated with the practice, to be 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. The nominated person is Dr Ian Timson.

Action upon receipt of a complaint

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

- acknowledge in writing within the period of three working days beginning with the day on which the complaint was made or, where that is not possible, as soon as reasonably practicable
- Where the complaint is made verbally a written record will be taken and a copy will be provided to the complainant
- 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 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. Where a response is not possible within 10 working days provide an update report to the patient with an estimate of the timescale. The final reply will include a full report and a statement advising them of their right to take the matter to the 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:

- 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)
- Place a time limit on each contact
- The number of contacts in a time period will be restricted
- A witness will be present for all contacts
- Repeated complaints about the same issue will be refused
- Only acknowledge correspondence regarding a closed matter, not respond to it
- Set behaviour standards
- Return irrelevant documentation
- Keep detailed records

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 the 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

Resolution

We hope that, if you have a problem, you will use our practice complaints procedure. We believe this will give us the best chance of putting right whatever has gone wrong and an opportunity to improve our practice. If for any reason you feel that the practice complaints procedure has not resolved your problem you can forward your complaint to:

The Parliamentary and Health Service Ombudsman
Millbank Tower
Millbank
London
SW10 4QP

Tel: 0345 015 4033

Email: phso.enquiries@ombudsman.org.uk

Website: www.ombudsman.org.uk

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 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 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.

Statistics and reporting

The Practice must submit the number of complaints received and actioned at agreed intervals/periodically to NHS England.