



## Lavant Road Surgery

### Complaints and Comments Procedure

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This Policy and Procedure complies with The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, introduced on 1<sup>st</sup> April 2009 across health and social care.

#### Policy

- The Practice will take all reasonable steps to ensure that all staff are aware of and comply with this Procedure.
- The Practice has nominated Tiffany Boulton (Practice Manager) as the Complaints Manager, to be responsible for managing the procedures for handling and considering complaints in accordance with the Policy and Procedure.
- The Practice has nominated Dr Linda Williams, Senior Partner, as its Responsible Person, to be responsible for ensuring compliance with the Policy and Procedure, and in particular ensuring that action is taken if necessary in the light of the outcome of a complaint.
- The Practice will take all reasonable steps to ensure that patients are aware of:
  - The Complaints and Comments Procedure
  - The roles of the Practice, NHS Sussex and the Health Service Ombudsman with regard to patient complaints.

This includes the alternative facility for the patient to complain directly to the NHS Sussex instead of making their complaint to the Practice, as well as their right to escalate their complaint to the Health Service Ombudsman when they are dissatisfied with the initial response.
  - Their right to assistance with any complaint from the Patient Advice and Liaison Service (PALS); The Independent Complaints Advocacy Service (ICAS); Citizens Advice Bureaux, NHS Direct and the Care Quality Commission
- The Practice Complaints and Comments Patient Leaflet, the Practice Patient Information Leaflet / Booklet and the Practice Website will be the prime information sources for implementing this Policy and will be kept up to date and be made freely available to all Patients.
- All complaints will be treated in the strictest confidence.
- Patients who make a complaint will not be discriminated against or be subject to any negative effect on their care, treatment or support.
- Where a complaint investigation requires access to the patient's medical records and involves disclosure of this information to a person outside the Practice, Tiffany Boulton (Practice Manager), the Complaints Manager, will inform the patient or person acting on their behalf.
- The Practice will maintain a complete record of all complaints and copies of all related correspondence. These records will be kept separately from patients' medical records.

## **Procedure**

### **Complaint initiated on Practice Premises**

- In the event that a Practice staff member notices that a patient appears to be distressed / upset on the Practice Premises, they should immediately contact Tiffany Boulton, who will attempt to identify and resolve the problem personally at that time.
- In the event of a Practice staff member being advised that a patient wishes to make a complaint, the patient should be passed a copy of the current Practice Complaints and Comments Leaflet.
- The patient should be asked if they intend to complete the form in this leaflet there and then, or do they intend to complete it later.
  - If they intend to complete it later, the Practice staff member should provide them with an envelope.
  - If they intend to complete it there and then, the Practice staff member ask if they require assistance in completing it – if so, Tiffany Boulton should be contacted to provide such assistance.
- Whichever option is chosen, the patient will be assured that their complaint will be acknowledged within 3 working days from receipt of the form.

### **Receipt and acknowledgement of complaints**

The Practice may receive the following complaints:

- A complaint made directly by the patient or former patient, who is receiving or has received treatment at the Practice;
- A complaint made on behalf of a patient or former patient (with his/her consent), who is receiving or has received treatment at the Practice;
- 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 into 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.
- Where the patient is incapable of making a complaint, by a representative who has an interest in his/her welfare.
- All complaints, whether written or verbal will be recorded by Tiffany Boulton in the dedicated complaints record.
- All written complaints will be acknowledged in writing within 3 working days of receipt.
- If the Practice identifies that the complaint will involve an additional provider it will agree with that provider which organisation will take the lead in responding and communicating with the complainant.

### **Periods of time within which complaints can be made**

- The periods of time within which a complaint can be made is normally:
  - 12 months from the date on which the event / incident which is the subject of the complaint occurred; or
  - 12 months from the date on which the event / incident which is the subject of the complaint comes to the complainant's notice.

### **Initial action upon receipt of a complaint**

- All complaints, whether verbal or in writing must be forwarded immediately to the Tiffany Boulton (Practice Manager), the Practice Complaints Manager or, if unavailable to Lesley Kent, Business Manager.
- Where the complaint is made verbally, a written record will be made of the complaint.
- A verbal or written acknowledgement of receipt of the complaint must be made not later than 3 working days after the day on which the Practice receives the complaint.
- This verbal or written acknowledgement will include: (only if the verbal complaint has not been satisfactorily concluded at the time of the complaint)
  - The name and contact details of the Practice member of staff who will be dealing with the complaint
  - The response period within which the investigation of the complaint is likely to be completed and the full response sent to the complainant.
- If it is considered that the matter can be resolved quickly without further investigation, the Practice will do so, providing the complainant agrees and there is no risk to other service users.

### **Investigation and response**

- Complaints should be resolved within a “relevant period” i.e. 6 months from the day on which the complaint was received.
- However, at any time during the “relevant period”, the Practice Complaints Manager or Responsible Person has the discretion to liaise with the complainant to extend this timeframe to a mutually agreeable date, provided it is still possible to carry out a full and proper investigation of the complaint effectively and fairly.

When an extension to the 6 months timeframe is being considered, it is essential that the Complaints Manager or Responsible Person takes into account that either party may not be able to remember accurately the essential details of the event / incident and also the feasibility of being able to obtain other essential evidence specific to the time of the event.
- The Practice will investigate the complaint speedily and efficiently and as far as reasonably practicable, keep the complainant informed of the progress of the investigation.
- After the investigation is completed, the Practice will write to the complainant with a response to include:
  - A summary of the investigation
  - Conclusions of the investigation
  - An apology, if one is needed
  - Information on what the person complaining should do if they are still unhappy and wish to escalate the complaint, including full contact information on the Health Service Ombudsman.

### **Handling Unreasonable Complaints**

- In situations where the person making the complaint can become aggressive or unreasonable, the Practice will instigate the appropriate actions from the list below and will advise the complainant accordingly:
  - Ensure contact is being overseen by an appropriate senior member of staff who will act as the single point of contact and make it clear to the complainant that other members of staff will be unable to help them.
  - Ask that they make contact in only one way, appropriate to their needs (e.g. in writing).
  - Place a time limit on any contact.
  - Restrict the number of calls or meetings during a specified period.

- Ensure that a witness will be involved in each contact
- Refuse to register repeated complaints about the same issue.
- Do not respond to correspondence regarding a matter that has already been closed, only acknowledge it.
- Explain that you do not respond to correspondence that is abusive.
- Make contact through a third person such as a specialist advocate.
- Ask the complainant to agree how they will behave when dealing with your service in the future.
- Return any irrelevant documentation and remind them that it will not be returned again.
- When using any of these approaches to manage contact with unreasonable or aggressive people, provide an explanation of what is occurring and why.
- Maintain a detailed record of each contact during the ongoing relationship.

### **Complaints Register**

To ensure the Practice monitors, handles and reviews complaints in a logical and timely manner, and to keep an audit trail of steps taken and decisions reached, the Practice records all complaints received on a dedicated complaints register (see [Appendix A](#)).

### **Annual Review of Complaints**

- In line with National Guidance, the Practice will supply the following information to CWS CCG:
  - The number of complaints received;
  - The issues that these complaints raised;
  - Whether complaints have been upheld;

### **Reporting a Summary of Complaints to the Care Quality Commission**

The Practice will adhere to the Care Quality Commission's requirement of producing a summary of complaints at a time and in a format set out by the CQC and then send the summary within the timeframe specified.

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## Complaints Register

Patient Details	Complaint Received Date	Complaint Details (Main Points)	Investigation Results	Informed Patient / Representative of Results	Date Resolved
<b>Name:</b>				(e.g. 20.04.12 by letter)	
<b>Address:</b>	<b>Acknowledgement Letter Sent Date</b> (must be within 3 working days of receipt)				
<b>Tel:</b>					
<b>DOB:</b>	<b>Type of Complaint</b> (e.g: Clinical; Communication and Attitude; Premises; Practice Management; Practice Administration; Safety; Other.)				
<b>Clinical System No:</b>					
<b>Contact Name (if different to patient):</b>					

