

# CLEVELAND LOCAL MEDICAL COMMITTEE

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Dear Doctor

## Dealing with Complaints or Investigations

Your Local Medical Committee has arranged with the Primary Care Trust (PCT) for this letter to be sent to you if the PCT needs to contact you in relation to a complaint or an investigation.

Obviously this is an entirely confidential matter, and I shall only know that you have received a complaint if you choose to inform me yourself.

As you know, it is now a contractual requirement to have in place a practice based system for handling complaints, and to co-operate with the PCT's procedures if under investigation.

It is always sensible to take advice when dealing with a complaint or investigation, so do feel free to write, fax or telephone the LMC Office for help, if you wish. My team and I are more than willing to try and help you.

It is also worth bearing in mind the following points:

1. Whatever you do, don't panic, don't ignore the approach from the PCT, and don't feel ashamed, you are not alone in receiving a complaint or investigation. Complaints and investigations against general practitioners are growing in number and frequency. As you have been approached by the PCT, it probably means that the first attempt to sort out the matter at practice level has not succeeded. Before putting anything further in writing either to the PCT or the complainant, it would probably be sensible to take advice, either from us or from your medical defence organisation. Don't rush into replying, but don't delay your response beyond the time limit – these are designed to help everyone. If you need more time, ask.
2. The PCT's procedure will involve a review by a panel upon which the LMC has nominated GPs to ensure clarity, reasonableness and fairness.
3. When dealing with any complaint or investigation, it is very helpful, at an early stage, to collect together all relevant records, including the patient's clinical records, visit logs, telephone message log, appointment sheet etc. **Do not under any circumstances alter any of these records, even for the sake of clarification.** Leave them completely unaltered. If there are additional matters that you wish to record while your memory is still relatively fresh, then do so separately and keep it as an aide-memoire for yourself and for your advisers.
4. Similarly, complaints or investigations often involve matters concerning members of your practice team. It is very helpful to get them to provide a simple statement of their memory of events for you to retain. Complaints or investigations concerning community staff working within your practice should be dealt with by the community trust concerned.

5. You may be asked to return the patient's medical records to the PCT. If so, you should forward them as soon as possible, having taken copies if you need them. Remember to keep a record of the complaint or investigation quite separate from the patient's medical records.
6. Finally, do remember that however irritating, trivial or vexatious the complaint or investigation may appear to be, there are some simple golden rules:
  - Try to be sympathetic in your response
  - Avoid jargon and use plain English
  - Don't be afraid to say sorry – an apology is not an admission of negligence
  - Protect the confidentiality of the patient and of the staff
  - It is counterproductive to request the removal of the patient from your list simply because they have made a complaint
  - Above all, do ask for advice, and ask for it early

I hope that you will find these general guidelines helpful.

We are here to try to help you. In addition, we have contacts with other agencies and services to support you if you feel your require them.

Yours sincerely



**Dr John Canning**  
**LMC Secretary**