

## PRACTICE COMPLAINTS PROCEDURE



### 1. INTRODUCTION

This procedure sets out the Practice's approach to the handling of complaints and is intended as an internal guide which should be made readily available to all staff. A leaflet for patient use is given at Appendix A.

### 2. PROCEDURE

#### 1. 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; and
- (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

#### 2. 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

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

The period for making a complaint is:

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

(b) six months from the date on which the event which is the subject of the complaint comes to the complainant's notice (provided that the complaint is made no later than 12 months after the date of the event).

GPs and/or Complaints Managers have the discretion to extend the time limits if the complainant has suffered particular distress that prevented them from acting sooner. When considering an extension to the time limit it is important that the GP or Manager 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.

### **4. Complaints handling**

The practice will nominate:

(a) a person (the 'Complaints Officer') to be responsible for the operation of the complaints procedure and the investigation of complaints; and

(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

### **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 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.

- ensure the complaint is properly investigated

- within an agreed period with the complainant beginning with the day on which the complaint was received by the Complaints Officer where that is not possible, as soon as reasonably practicable, the complainant must be given a written statement of the investigation and its conclusions

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## **6. REVIEW OF COMPLAINTS**

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

- Complaints received during the month will be reviewed at meetings of practice staff to ensure any actions required are put into practice.
- A full review of all complaints will be carried out annually to identify any trends or additional actions/learning points.

## **7. 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.

## **8. Discrimination**

The practice has a non-discriminatory approach to complaints. Patients, their relatives and carers, will not be treated adversely as a result of having complained

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## PRACTICE COMPLAINTS PROCEDURE

This Practice will do whatever it can to make sure you are treated properly and promptly. However, there may be times when you feel this has not happened. Below explains what to do if you have a complaint about the services we provide for you

### **Informal Complaints**

As a patient, relative or carer, you may wish to raise a concern about any aspect of your care but do not want to make a formal complaint. We aim to respond to those complaints at the time, but if you are not satisfied, then you are entitled to make a formal complaint. You may also make a complaint on behalf of someone else, provided you have their consent and the practice is satisfied you are acting in their best interests (see Appendix 1). If the practice decides this is not the case, you will be notified in writing and an explanation given.

### **Verbal Complaints**

Patients unable or unwilling to put their complaint in writing may make their formal complaint verbally.

### **Formal Complaints**

It is important that you contact us as soon as possible after the cause of the complaint. We will usually only investigate complaints that are made within 12 months of the cause of the complaint. However, the time limit can be waived if there are good reasons you could not have complained sooner. Please put your complaint in writing to either the practice or NHS England.

### **What we will do**

Our complaints procedure is designed to make sure that we settle any complaints as quickly as possible.

We shall acknowledge the complaint within 3 working days of receipt verbally or in writing and will start looking into your complaint as soon as possible. We will endeavour to respond as soon as we can but the time taken to properly investigate and respond to a complaint will vary depending on the nature of the complaint, usually within 28 days. We will let you know if it is likely to be longer than this, and keep you updated with the progress of your complaint. When we look into your complaint, we shall aim to:

- Find out what happened and what went wrong
- Make it possible for you to discuss the problem with those concerned, if you would like this
- Make sure you receive an apology, where appropriate
- Identify what we can do to make sure the problem doesn't happen again.

At the end of the investigation your complaint will be discussed with you in detail, either in person or in writing.

Please be assured that patients, carers and relatives will not be treated adversely as a result of having complained.

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## **Complaining on behalf of someone else**

Please note that we keep strictly to the rules of medical confidentiality. If you are complaining on behalf of someone else, we have to know that you have his or her permissions to do so. A letter signed by the person concerned will be needed, unless they are incapable (because of illness) of providing this.

## **What else you can do**

We hope that, if you have a problem, you will use our practice complaints procedure. We believe that this will give us the best chance of putting right whatever has gone wrong and the opportunity to improve our practice.

However, this does not affect your right to approach NHS England if you feel you cannot raise your complaint with us. To contact NHS England:

- By Post: NHS England, PO Box 16738, Redditch, B97 9PT
- Telephone: 0300 311 22 33
- Email: [england.contactus@nhs.net](mailto:england.contactus@nhs.net)

**You can also contact the Patient Experience Team, for confidential advice and support.**

Telephone: 0800 0283 693 press option 1

- Email: [NSHCCG.Pet-North@nhs.net](mailto:NSHCCG.Pet-North@nhs.net)
  - By Post: Patient Experience Team, NHS Mansfield and Ashfield CCG and NHS Newark and Sherwood CCG, Balderton Primary Care Centre, Lowfield Lane, Balderton, Newark, Nottinghamshire, NG24 3HJ
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## Support with your complaint

The NHS Complaints Advocacy Service (POhWER) can help you to use the NHS complaints process. For more information visit their website at [www.powher.net](http://www.powher.net) . To Contact POhWER:

- Telephone: 03000 200093
- Text: send the word 'pohwer' with your name and number to 81025
- Email: [yourvoiceyourchoice@pohwer.net](mailto:yourvoiceyourchoice@pohwer.net)
- Post: POhWER, PO Box 14043, Birmingham B6 9BL

If you remain dissatisfied with the responses to your complaint, you have the right to ask the Health Service Ombudsman to review your care. The Ombudsman is independent of government and the NHS. This service is confidential and free. There are time limits for taking a complaint to the Ombudsman, although they can waive them if they think there is a good reason to do so. To contact the Ombudsman:

- Telephone 0345 015 4033
  - Write to: The Parliamentary and Health Service Ombudsman, Millbank Tower, Millbank, London, SW1P 4QP
  - Go to website: [www.ombudsman.org.uk](http://www.ombudsman.org.uk).
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**Consent Letter**

I ..... **(full name of Patient)** of: .....

.....**(address)** hereby

authorise .....**(name of person making the complaint)**

of .....**(address)** to act on my behalf and to

receive any and all such information as may be relevant to my complaint.

I understand that any information given about myself is limited to that which is relevant to the investigation of the complaint and only disclosed to those people who have a need to know it in order to investigate the complaint.

Patient's Signature: ..... Date: .....

COMPLAINT FORM



Complainant's Details:

Name:	
Address:	Postcode:
Contact Tel No:	(Daytime) (Evening)

I am the patient / relative / friend / carer (please circle)

If you are making a complaint on behalf of another patient please ask the patient to complete this section wherever possible.

I, \_\_\_\_\_ hereby give me consent for \_\_\_\_\_

To make a complaint regarding the care and treatment received by Orchard Medical Practice and herewith consent to the disclosure of confidential information to them for the purpose of providing information in response to this complaint only.

Signed \_\_\_\_\_ Print Name \_\_\_\_\_

If they are unable to complete this, please tell us why

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Office Use:

Has written consent been obtained?

YES (attach copy of written consent)

NO (written consent from patient concerned must be obtained)



