

Budbrooke Medical Centre

Complaints Policy and Procedures

From 1st April 2013 anyone wishing to make a complaint about a health care related matter will have the choice of making this direct to Budbrooke Medical Centre or NHS England. (Complaints received about primary care services or other services directly commissioned by NHS England should be directed to the NHS Commissioning Board Contact Centre – telephone 0300 311 2233 email nhscommissioningboard@hscic.gov.uk)

If the complainant wishes to submit a written complaint then it should be addressed to the Complaints Manager, (Practice Manager or Assistant Practice Manager), or any of **the Doctors**.

The procedures will apply to all complaints except those verbal complaints resolved within one working day, (see section 8.1 c);

Verbal complaints not resolved within one working day will be required to be put in writing by the responding body and forwarded to the complainant to ensure that it is an accurate account of the complaint

In acknowledgement Budbrooke Medical Centre will contact the complainant to determine how the complaint is to be handled and the timeframe in which to seek resolution, (section 13).

The practice, wherever possible, will manage the complaint through to local resolution. Conciliation will be offered at all times

If the complaint involves more than one organization we will work co-operatively in order to provide the complaint with a single complete response.

Patient complaints are an integral process of Clinical Governance in gaining valuable feedback from our patients regarding the service and standards of care that we offer and a learning format for reviewing, improving patient services and ensuring that the same event does not happen again.

Principles

Complaints are resolved as quickly as possible. This could be with immediate informal response by staff or subsequent investigation and conciliation with appropriately appointed staff.

The complaints procedure ensures that all people involved are able to communicate complaints, being assured that all concerns or observations will be managed and responded to in a fair and unbiased process.

Process Definitions

Local Resolution:

All Staff, including GPs and the Practice Manager will take all appropriate steps to resolve complaints – to provide the fullest opportunity for investigation and resolution of the complaint aiming to satisfy the complainant whilst being fair to all staff involved.

Complaints Manager

Within Budbrooke Medical Centre the Complaints Manager is the Practice Manager / Assistant Practice Manager.

The Complaints Manager is responsible for:

- Overseeing the operation of the complaints monitoring system at the practice
- Ensuring that all complaints are registered in accordance with the Complaints Procedure.
- Ensuring that trends in complaints are identified and reported the partnership
- Liaising with the NHS commissioning board
- Advising the practice partnership in respect of staff training identified for complaints handling.

Persons who may make Complaints

- A Patient
- Carers or relatives – any person who is affected by or likely to be affected by the action, omission or decision of the practice.

A complaint may also be made by a person acting on behalf of a person mentioned above in any case where that person:

- Has died
- Is a child
- Is unable, due to physical or mental incapacity, to make the complaint themselves.
- Has requested the representative to act on his behalf

In the case where the patient or person affected has died or who is incapable, the representative must be a relative or other person who, in the opinion of the Complaints Manager or GP has sufficient interest in the patient's welfare, trustee or executor of the estate, & is suitable to act as representative.

The Complaints Manager may seek in confirmation of this sufficient interest before the complaints procedure progresses.

If in any case the Complaints Manager is of the opinion, following legal consultation, that the representative does not have sufficient interest in the person's welfare or is unsuitable as a representative, they will be notified in writing detailing the reasons.

In the case of a child, the representative must be a parent, guardian or other adult who has care of the child.

Where the child is in the care of the local authority, the representative will be the person authorized by the authority.

Procedure for Handling Complaints

The patient or person may make a complaint to the Complaints Manager or any member of the practice staff.

Complaints may be made orally or in writing (this may be in electronic format).

In all cases, the Complaints Manager will make a written record of the complaint, details will include:

- Name of the complainant
- Subject Matter of the complaint
- Date on which the complaint was made and/or received

Where the complaint is made in writing it is treated as being made on the date on which it is received by the Complaints Manager.

All complainants will be able to express their concerns and views and as far as possible and will be involved in decisions about how their complaints are managed and considered – by being invited to discuss their concerns and agree a plan of action.

The Complaints Manager and staff will consider any special requirements of support and representation required to be offered to vulnerable groups making complaints.

Where a complaint received involves another NHS organization the Complaints Manager will contact a representative immediately on receipt of the complaint.

Time Limit for Complaints Management

A complaint will be received by the Complaints Manager within:

- 12 months but may be longer depending on the circumstances, (section 12);

Where the complaint is made after the expiry of the period mentioned the Complaints Manager may investigate it if he/she is of the opinion that:

- Considering all of the circumstances, the complainant had good reasons for not making the complaint within that period and
- Not withstanding the time that has elapsed it is still possible to investigate the complaint efficiently and effectively.

Acknowledging and Recording the Complaint

Where the complaint is made in writing it is treated as being made on the date on which it is received by the Complaints Manager:

- Acknowledge the complaint within three working days by telephone or in writing.
- Provide a written response with an explanation of how the complaint was investigated and considered within 23 working days. The conclusion reached including any actions that were taken
- The practice will monitor complaints and discuss monthly at clinical meetings held at the practice. On a yearly basis a report is produced for review.

A copy of the Complaints Procedure that includes information about the right to assistance from independent advocacy services will be offered to complainants.

Investigation

The Complaints Manager will investigate, with any staff involved, the complaint to the fullest possible extent and in the most appropriate manner to resolve it effectively.

There may be cases where it is appropriate to involve other professional organizations when investigating a complaint. The investigating officer will be responsible for ensuring that appropriate organizations are involved at the relevant stage of the investigation and the complainant informed of this.

Where a complaint relates to clinical judgment, appropriate professional advice may be sought where necessary.

Staff are advised to seek appropriate professional advice if required to provide a written statement.

Staff who are the subject of a complaint will be fully informed of any allegation at the outset and given the fullest opportunity to respond.

All staff have a professional responsibility to co-operate with internal and external investigations.

The Complaints Manager may, where he thinks it is appropriate to do so and with the agreement of the complainant, make arrangements for conciliation or mediation for the purposes of resolving the complaint.

This may be offered if appropriate at the practice.

The Complaints Manager will take all reasonable steps to ensure that the complainant is kept informed about the progress of the investigation.

Response

The Complaints Manager will ensure that a written response is prepared to the complainant that will include:

- How the complaint has been considered and in the case of clinical complaints, may mean the individual concerned may provide the response.
- What conclusions have been reached and what actions, if any, have or will be taken as a result.

Before the final draft response is completed the practice may seek advice on the contents of the response.

The response may be signed by the Complaints Manager, Senior GP Partner, or particular clinician as appropriate.

Copies of the response will be sent to any other person to whom the complaint was sent, the complainant will be informed of this.

On completion of the investigation a report on the outcome of the investigation and response will be prepared by the Complaints Manager, detailing any actions taken and learning points for practice and staff.

Lack of Resolution

If on receiving a response the complainant is still not satisfied they may seek an Independent Review by writing to the Health Service Ombudsman. They will need to be advised of the contact details. The address is:

The Parliamentary and Health Service Ombudsman
Millbank Tower,
Millbank,
London,
SW1P 4QP

www.ombudsman.org.uk ,
Complaints telephone number; 0345 015 4033
Fax number: 0300 061 4000
E-Mail: phso.enquiries@ombudsman.org.uk

Useful Contacts

The National Customer Contact Centre

Phone 0300 311 22 33

Email nhscommissioningboard@hscic.gov.uk

Postal address:
NHS Commissioning Board
PO Box 16738
Redditch
B97 9PT

Patients Advisory Liaison Service (PALS)

PALS is available to assist and advise patients and carers should they have any concern about care or services provided, assisting them through the Complaints procedure.

Contact Address:

PALS, Warwick Hospital
Janet Bonser
Tele: 01926 600054 or 01926 495321 Ext 8020 Monday to Friday
Email: pals@swarkpct.nhs.uk

HealthWatch Warwickshire – Independent advice in Warwickshire

HealthWatch Warwickshire is an independent organization based in Clemens Street, Leamington Spa. Healthwatch Warwickshire has been formed through a consortium that comprises Warwickshire Community and Voluntary Action, Age UK Warwickshire and Warwickshire Citizens Advice Bureaux

Tele: 01926 422823
Email: info@healthwatchwarwickshire.co.uk

Website: www.healthwatchwarwickshire.co.uk

Independent Complaints Advocacy Service (ICAS)

The charity, POhWER, provides the ICAS service to help people who want to make a complaint about the NHS through the NHS Complaints Procedure. Their service is free and independent from the NHS whatever level of support you require from them.

Coventry, Warwickshire, Herefordshire & Worcestershire ICAS

POhWER
County Buildings
St Mary's Street
Worcester
Worcestershire
WR1 1LT
Tel: 0300 456 2370
Minicom: 0300 456 2364
Fax: 0300 456 2365

Complaints Review

In support of ensuring safe and best practice at Budbrooke Medical Centre a review of complaints received will be undertaken quarterly.

Annual reports will be produced, including information on the numbers of complaints, their outcomes, and how many remained unresolved and subsequently were referred to the Ombudsman.

Full account of the reviews will be maintained and any learning outcomes or actions following the review will be implemented.

Data Protection Act

The main elements of the 1988 Data Protection Act came into force on 1st March 2000, and its main purpose is to protect the fundamental rights of individuals in relation to the processing of personal data and emphasises that all NHS agencies and all staff working for the NHS have a common duty of confidence to patients.

The GP's and staff within the practice are aware of the need for confidentiality and will treat any complaint or concern in a confidential way.

Access to Medical Records

The access to Health Records Act gave patients a right of access to their medical records recorded from 1st November 1991 other than on computer (these were already accessible to patients as a result of the Data Protection Act 1984).

The practice suggest you make a routine appointment to request access to your medical records which will enable the doctor to go through the notes with you and address any questions you may have.

A fee will be charged by the practice for photocopying your records, however this will not exceed £50.00 and where records are fully automated or records made with the intention of automating them this will not exceed £10.00.

Should there be an occasion where the complainant is not satisfied with the outcome of an investigation, action taken and response offered then the individuals would be advised to contact the The Parliamentary and Health Service Ombudsman.

Budbrooke Medical Centre

Reviewed April 2014, Prepared by Sarah Davies, Authorised by Jenny Creighton PM. Reviewed April 2015, SAD. Review Date: April 2017.

Sarah Davies: Assistant Practice Manager.....

Dr H White (Budbrooke Senior Partner).....

Date: 08/08/2016