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0.1	070617	Sena Shah		
0.2	120617	Sena Shah		Added Appendix A, complaints form
0.3	130617	Sena Shah		Revised wordings, added DoC, revised forms, added 16/17 data
0.4	190617	Sena Shah		Added TBD stats, risk schedule, keeping records, holding letter template.
0.6	280617	Sena Shah		Following 1:1 with PL -Slight change to page 6 and also OOH complaints recording
0.7	220817	Sena Shah		Review of SW comments and changes following discussion with Pamini, Tabitha. Merged outcomes of 2016/7 review and shared learning to indicating this is across three sites. Removed audit form. Specified no PID in meeting notes.
0.8	91117	Chris Adams	Clinical Governance Committee Jan-18	Updated key names throughout

## Key staff at each site with responsibility for complaints

	<b>Brook Green Medical Centre</b>	<b>The Bush Doctors</b>	<b>North End Medical Centre</b>
<b>Site Manager</b>	<b>Kerry Howard</b>	<b>Eva Krenova</b>	<b>Denise McDonnell</b>
<b>Back-up</b>	<b>Farhida Majid</b>	<b>Tabitha Buchanan</b>	<b>TBC</b>
<b>Lead GP (responsible person)</b>	<b>Dr Sharon Kaye</b>	<b>Dr Pamini Ledchumykanthan</b>	<b>Dr Michele Davison</b>

## **COMPLAINTS PROCEDURE**

This policy sets out the approach of the H&F Partnership's Practices to the handling of complaints. It will be reviewed annually by the Lead GP Partner and Quality and Compliance Manager. Site specific information can be found within the complaints folder kept in the Site Manager's office.

H&F Partnership takes the handling of complaints extremely seriously and sees it as an opportunity from which to receive feedback and improve our service for patients. The H&F Partnership believes that failure to listen to or acknowledge complaints will lead to an aggravation of problems, patient dissatisfaction and possible litigation. Most complaints, if dealt with early, openly and honestly, can be resolved between the complainant and the practice.

Our open approach and honest to support patients and deal with complaints also recognises our commitment to the NHS **Duty of Candour**. This Duty has been created to ensure that NHS providers are open and transparent with people who use services and other relevant persons (people acting lawfully on their behalf) in relation to care and treatment. For us, a key thrust of this Duty is for H&F partnership to support a culture of openness and transparency and this is supported by our Duty of Candour, Complaints, Bullying and Harassment and Whistleblowing Policies.

In line with the [The NHS Constitution](#), any individual has the right to:

- have their complaint dealt with efficiently, and be properly investigated
- know the outcome of any investigation into their complaint
- take their complaint to the independent [Parliamentary and Health Service Ombudsman](#) if they are not satisfied with the way the NHS has dealt with their complaint
- make a claim for judicial review if they think they have been directly affected by an unlawful act or decision of an NHS body
- receive compensation if they have been harmed

## **Making a complaint**

Complaints can be made either orally or in writing (see form as Appendix A). Where a patient is unable to communicate a complaint by either means on their own, arrangements will be made to facilitate the giving of a complaint.

Complaints can be made by patients, former patients, someone who is affected, or likely to be affected, by the action, omission or decision of individuals working at the practice, or by a representative of a patient who is incapable of making the complaint themselves.

Where the patient is a child, a representative of the child may complain as long as the practice is satisfied that there are reasonable grounds for the complaint being made by the representative and not the child.

If the complainant is not the patient, the consent of the patient must be sought if your reply involves revealing any personal information about the patient. Where the patient has died or his/her health is such that s/he is unable to give written consent, the practice should proceed with an investigation as long as the complainant is a suitable person (such as next of kin or has their agreement).

## **Time Limit for making a complaint**

Complaints can be made up to 12 months after the incident that gave rise to the complaint, or from when the complainant was made aware of it. Beyond this, it is at the discretion of the Site Manager and Lead Partner as to whether to investigate the matter.

## **Process**

### ***Initial Handling of Complaints:***

- 1) If a complainant would like to make a complaint orally, they should be taken to a quiet area in the surgery to discuss their concerns.
- 2) If a complaint can be resolved informally by the next working day, it need not be recorded as a formal complaint. However, the complaints procedure remains open to complainants if they so wish.

### **Extract from NHS choices (July 2015)**

'Most issues can be resolved without you having to make a formal complaint. Try having an informal chat with your doctor or a member of staff first. A formal complaint takes time and minor issues are resolved quicker if you just speak to a person on site. For example, if you have problems booking a GP appointment speak to the practice manager about it. If you are worried about something during your hospital outpatient appointment talk to one of the nurses or the clinic manager.'

<http://www.nhs.uk/choiceintheNHS/Rightsandpledges/complaints/Pages/NHScomplaints.aspx>

- 3) It is important to understand how the complainant or patient feels about what has happened. How the complainant or patient feels should be acknowledged. An apology should also be provided if the practice is deemed to be at fault.
- 4) If a complaint is made orally and cannot be resolved within 24 hours, a record shall be made, a copy of which will be given to the complainant.

### **Complaining on Behalf of Someone Else**

We keep to the strict rules of medical and personal confidentiality. If a person wishes to make a complaint and they are not the patient involved, we will require the written consent of the patient to confirm that they are unhappy with their treatment and that the person can deal with the issue on the patient's behalf.

A copy of the Third Party Consent Form is available at each Practice site.

Where the patient is unable to provide consent due to illness or accident it may still be possible to deal with the complaint. The precise details of the circumstances which prevent consent should be within the person's covering letter.

We may still need to correspond direct with the patient, or may be able to deal direct with the third party, and this depends on the wording of the authority provided (see Appendix B).

### ***Acknowledging the Complaint:***

- 5) In a formal complaints process where a complaint is made either in writing, or an oral complaint has not been resolved within 24 hours, the practice will contact the complainant within **three working days to acknowledge their complaint.**
- 6) The practice will acknowledge that the complaint has been received, agree how the complaint will be dealt with, and where necessary, clarify any issues arising from the complaint. This will include an offer to discuss the complaint with the complainant and provide details of the independent complaints advocacy service. (Appendix C)
- 7) A risk assessment of the complaint should be carried out.

### ***Investigation:***

- 8) If the complainant would like to meet in person, this will be arranged. It will be made clear that the complainant can be accompanied at this meeting if they would prefer this. Minutes should be taken.
- 9) The Lead GP or Site Manager will discuss the complaint with the implicated member of staff. All locum staff should be asked and agreed to participate in the complaints procedure if required to do so.

10) The timescale to respond to a complaint will be agreed with the complainant (up to but no longer than 10 working days) and documented.

11) The investigator needs to consider the seriousness of the complaint and the likelihood of the issue recurring. (see NHS Complaint Procedure Guidance for GP Practices Aug 2015 BMA for full list –extract below).

Seriousness	likelihood of recurrence				
	Rare	Unlikely	Possible	Likely	Almost Certain
Low	Low				
Medium	Moderate				
High			High	Extreme	

### Deciding best course of action

<b>Low</b>	
<ul style="list-style-type: none"> <li>• Front line staff or site manager response, verbal or written</li> <li>• Offer advocacy to complainant</li> </ul>	<ul style="list-style-type: none"> <li>• Possible involvement of independent advocacy or support</li> </ul>
<b>Medium</b>	
<ul style="list-style-type: none"> <li>• Site manager /GP to investigate</li> <li>• Meeting with complainant</li> <li>• Offer advocacy to complainant</li> <li>• Follow up call to complainant to ensure resolution</li> </ul>	<ul style="list-style-type: none"> <li>• Offer conciliation /mediation</li> <li>• Seek advice from LMC/ defence organisation</li> <li>• Written response</li> </ul>
<b>High</b>	
<ul style="list-style-type: none"> <li>• Reply to the Complainant</li> <li>• Offer advocacy to complainant</li> <li>• Seek advice from LMC/ defence organisation</li> </ul>	<ul style="list-style-type: none"> <li>• Send written response</li> <li>• Involve GMC officer</li> <li>• Trigger Significant Event Procedure</li> </ul>
<b>Extreme</b>	
<ul style="list-style-type: none"> <li>• Discuss with NHS Complaints Manager</li> <li>• Offer Advocacy to complainant</li> <li>• Meet complainant before and after investigation</li> <li>• Seek advice from LMC and involve GMC</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Involve designated partner</li> <li>• Initiate Significant Event Procedure</li> <li>• Send written response via NHS England</li> </ul>

12) A full response will be discussed with the complainant or sent to the complainant, signed for or on behalf of the responsible person and the Senior Partner/Lead GP. The response will include:

- a. An explanation of how the complaint was considered.
- b. The conclusions reached in relation to a complaint and any remedial action that will be needed (i.e. was the complaint upheld)
- c. Confirmation as to whether the practice is satisfied that any action has been or will be taken.

13) If the complainant is dissatisfied with the way the complaint has been handled, they will be advised of their right to contact the Parliamentary & Health Service Ombudsman. The practice will facilitate access to this by providing contact information (available at end of this policy, within leaflets in reception, on the Patient website or on the staff Intranet).

A summary flowchart simplifying these stages can be found at the end of this policy.

### **Recording Complaints**

A record is kept of all complaints that can be found in the Patient Complaints Folder on each site and should be kept for 10 years. Complaint records (Appendix A) should contain:

- The subject matter of the complaint;
- The steps and decisions taken during an investigation;
- The outcomes of each investigation;
- When the practice informed the complainant of the response period, and how long this was;
- A record of the report (if) sent to the complainant at the outcome of investigations.
- Whether a complaint has been referred to the CCG or Parliamentary & Health Services Ombudsman.

Complaints and responses must not be filed in patients' medical records on SystemOne.

Complaints for Out of Hospital Services should be noted as such for separate submission (numbers of complaints per month relating to those services) to the GP Federation and CCG.

### **Review of Complaints and Learning – within site/ practice meetings**

A review of all complaints will take place monthly at practice based meetings to keep learning points fresh and to implement changes and improvements as soon as possible. Identified changes in processes or other actions will be recorded at each site within practice meeting minutes. **The minutes must not contain any patient identifiable information.**

Information from complaints will be reviewed formally every quarter at the Partnership **Clinical Governance Committee** to identify any patterns/themes that could help improve systems and service across the Partnership.

## **Note on Unreasonable Complaints**

If a patient becomes aggressive or abusive when making a complaint, take them to one side away from other patients. Make sure another member of the practice staff knows where you are and what you are doing.

If you go into another room with the patient always make sure you take another member of staff with you. They can act as a witness to what is said, if the circumstances become difficult, written notes must be taken as soon as possible following the incident. Ensure that you keep the door of the room ajar where you are interviewing the patient, and position yourself between the patient and the door so that you can make a quick exit if necessary.

Keep calm, listen carefully to the complaint and if possible attempt to give a reasoned explanation for his/her dissatisfaction. If the situation cannot be diffused, you will have to enlist the help of the site manager, or, in extremis, from the police.

Clinicians should remember to alert their Medical Defence Union about complaints and seek advice if necessary.

## **Comments submitted on NHS choices or other websites.**

Each contracted GP Practice will have an entry on NHS Choices. Patients are able to leave comments (complaints or compliments) on this website run by NHSE.

Each Site Manager will be set up to be notified when a comment has been made. The site manager is expected to share the comment with the site partners and draft a response for the lead Partner to approve before being submitted on NHS Choices. These comments are often left anonymously and therefore do not constitute as a written or formal complaint. There may be learning and improvements to be made and therefore these comments and actions should be shared within the practice.

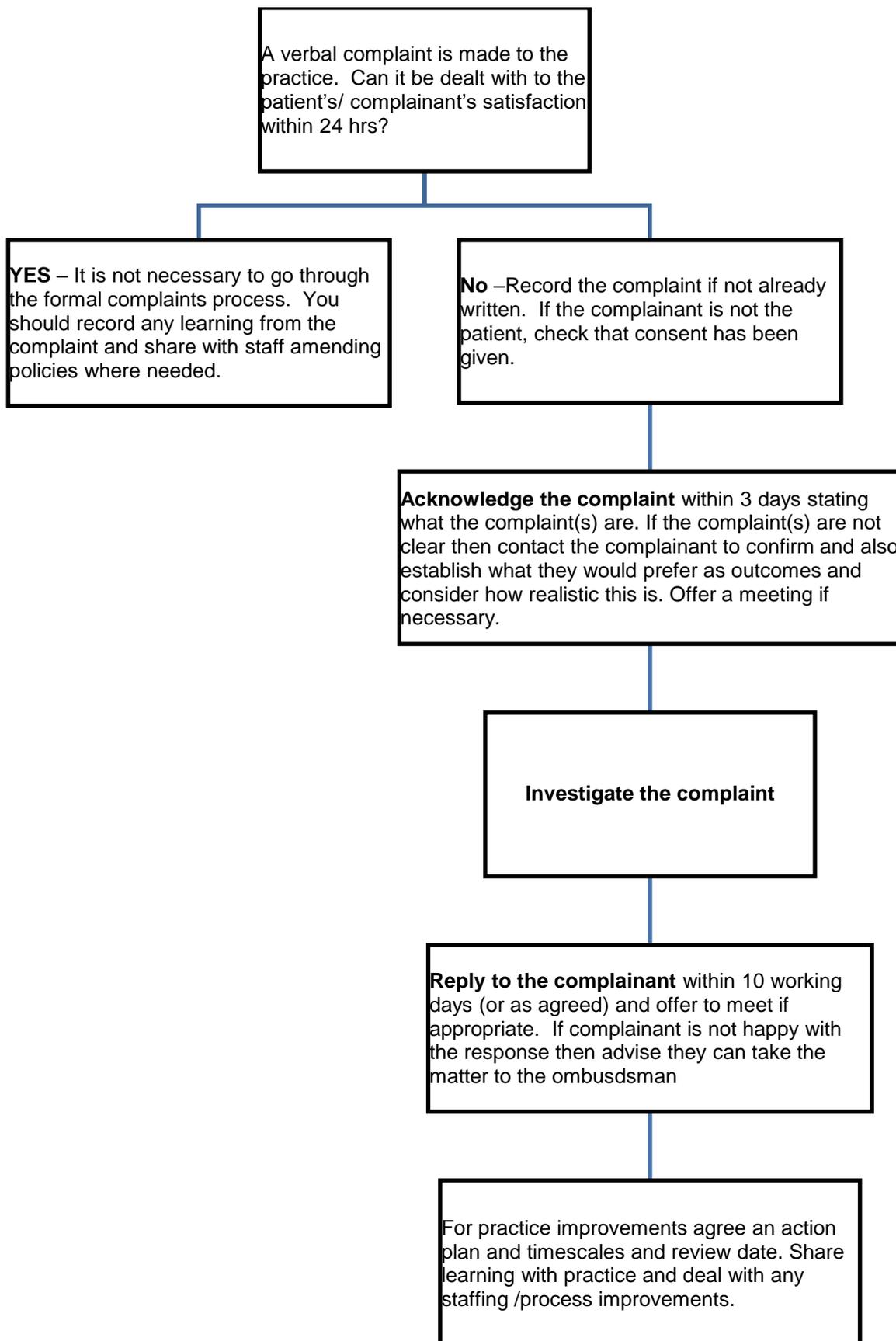
## Useful Contacts

<b>Name</b>	<b>Phone/Email/ Address</b>
Hammersmith & Fulham CCG Complaints Manager	020 3350 4567 / 020 8630 2943 <a href="mailto:cwhh.complaints@nhs.net">cwhh.complaints@nhs.net</a>  Complaints Manager, CWHH CCG Collaboration 15 Marylebone Road, London NW1 5JD  <a href="http://www.hammersmithfulhamccg.nhs.uk/contact-us/comments-and-complaints.aspx">www.hammersmithfulhamccg.nhs.uk/contact-us/comments-and-complaints.aspx</a>
Parliamentary & Health Service Ombudsman	0345 015 4033 <a href="mailto:phso.enquiries@ombudsman.org.uk">phso.enquiries@ombudsman.org.uk</a>  The Parliamentary & Health Service Ombudsman Millbank Tower, London SW1P 4QP  <a href="http://www.ombudsman.org.uk">www.ombudsman.org.uk</a>
Complaints Advocacy Service	0300 330 5454 <a href="mailto:nhscomplaints@voiceability.org">nhscomplaints@voiceability.org</a>  <a href="http://www.nhscomplaintsadvocacy.org">www.nhscomplaintsadvocacy.org</a>
NHS England	0300 311 2233 <a href="mailto:england.contactus@nhs.net">england.contactus@nhs.net</a>  NHS England, PO Box 16738, Redditch, B97 9PT  <a href="http://www.england.nhs.uk">www.england.nhs.uk</a>

## References:

An opportunity to improve –General practice complaints handling across England: a thematic review –March 2016.

## Summary of HF Partnership's Complaints Procedures



**Appendix A**

**H&F Partnership  
Brook Green Medical Centre/ The Bush Doctors / North End Medical Centre**

**COMPLAINT/ COMPLIMENTS / SUGGESTION FORM**  
*(Complaints procedures available on our websites)*

Your Full Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Contact number: \_\_\_\_\_

Complaint or Compliment details:

(Include dates, times, and names of practice personnel, if known)

.....  
.....  
.....  
.....  
.....  
.....

SIGNED.....Print name.....(Continue overleaf if necessary)

**Please leave this in the box provided or hand to a receptionist  
PATIENT THIRD-PARTY CONSENT**

IF YOU ARE COMPLAINING ON BEHALF OF A PATIENT OR YOUR COMPLAINT OR ENQUIRY INVOLVES THE MEDICAL CARE OF A PATIENT AT THIS PRACTICE THEN THAT PATIENT'S CONSENT MAY BE REQUIRED TO BE ABLE TO DISCUSS THEIR CARE WITH YOU.

WE WILL CONTACT THE PATIENT TO OBTAIN THEIR CONSENT IF NEEDED.

PATIENT'S NAME: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

ADDRESS:

ENQUIRER / COMPLAINANT NAME: \_\_\_\_\_

## Appendix B

### PATIENT THIRD-PARTY CONSENT

PATIENT'S NAME: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

PATIENT'S NAME: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

ENQUIRER / COMPLAINANT NAME: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

**IF YOU ARE COMPLAINING ON BEHALF OF A PATIENT OR YOUR COMPLAINT OR ENQUIRY INVOLVES THE MEDICAL CARE OF A PATIENT THEN THE CONSENT OF THE PATIENT WILL BE REQUIRED. PLEASE OBTAIN THE PATIENT'S SIGNED CONSENT BELOW.**

I fully consent to my Doctor releasing information to, and discussing my care and medical records with the person named above in relation to this complaint only, and I wish this person to complain on my behalf.

This authority is for an indefinite period\* / for a limited period only

(\*delete as appropriate)

Where a limited period applies, this authority is valid until..... (insert date)

Signed: ..... (Patient only)

Date: .....

## Appendix C: HOLDING LETTER TEMPLATE

# H&F Partnership

Brook Green Medical Centre, North End Medical Centre, The Bush Doctors

SITE ADDRESS

DATE OF LETTER

Dear PATIENT NAME,

Re: Complaint received on DATE

Thank you for taking the time to inform me about your complaint(s) regarding our services.

(Following discussion with you) I have listed the areas that I will now investigate:

- 1) .
- 2) .
- 3) .

The investigation will be conducted by the site manager / Lead GP and we will work towards providing you with a written response within 10 days /by INSERT DATE.

If you would like to speak to me in the meantime regarding your complaint/s then you can contact me in \_\_\_\_\_ or by email on: \_\_\_\_\_.

A copy of our Complaints Policy is on our website and indicates other bodies you may wish to contact if you feel your complaints are not resolved to your satisfaction.

Yours sincerely

NAME

Site Manager (BGMC/ TBD / NEMC)\* \*delete as appropriate

Dr Jenan Ahmad Dr James Cavanagh Dr Shelina Chatoo Dr Neville Daruwalla Dr Michele Davison Dr Sarah Douglas  
Dr Joanna Huddy Dr Sharon Kaye Dr Pamini Ledchumykanthan  
Dr Ben Loud Dr Beera Patel Dr Deepa Patel Dr Faisal Samji Dr Emilie Strawson Dr Anna Wilson  
Dr Kapila Wimalasundera Dr David Wingfield

*Providing high quality healthcare across Hammersmith & Fulham*