

CAMBERWELL GREEN SURGERY

COMPLAINTS PROCEDURE

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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.

From 1 April 2009 a common approach to the handling of complaints was introduced across health and adult social care. The Camberwell Green Surgery Complaints Procedure complies with The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 – SI 2009 No. 309 and its policy foundation derives from Department of Health guidelines, Ombudsman principles and Personal Medical Services Contract with the NHS.

The procedures and policy will be checked and reviewed by the Practice Lead Complaints GP and the Practice Manager bi annually in order that any relevant updates are incorporated into a revised procedure. This procedure will form part of the administrative checks conducted by the CQC from April 2013.

We always aim to resolve the issues behind the complaint and will invite the complainant to meet with the Practice Manager (or if absent, his Patient Services Manager) to discuss all the relevant issues, as in some cases this may help solve the concern and negate the need for any such complaint.

Making a complaint should not affect a patient's clinical care or the level of service they receive at this Practice.

POLICY

The Practice will take reasonable steps to ensure that patients are aware of:

- the complaints procedure
- the role of other bodies in relation to complaints about services under the contract. This includes the ability of the patient to complain directly to NHS England if the patient does not wish to complain directly to the practice; their contact details are:

NHS England, PO Box 16738, Redditch, Worcs. B97 9PT
Tel: 0300 311 22 33 Email: england.contactus@nhs.net

- *Note: There is no right of escalation to NHS England where a patient is dissatisfied with the practice response and all escalations are to the Ombudsman only.*
- With the advent of the Clinical Commissioning Groups (CCG) and deletion of the Primary Care Trusts in England (from April 2013) Southwark CCG have an advice page on complaints which can be referenced here:
<http://www.southwarkccg.nhs.uk/GetInvolved/Pages/CommentorComplaint.aspx>.
- their right to assistance with any complaint from independent advocacy services

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The principal method of achieving this is the Complaints Patient Information Leaflet, the Practice Leaflet and website incorporation.

The Complaints Manager for the Practice is Mr Christian Jennings MBE, Business & Practice Manager.

The lead GP Partner for complaints handling is Dr Tariq Khalil, unless he is the subject of the complaint whereupon it will be passed to Dr Helen Cotton.

PROCEDURE

Who can lodge a Complaint

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:

- 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 to 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

(b) where the patient is incapable of making a complaint, by a relative or other adult who has an interest in his/her welfare.

PERIOD WITHIN WHICH COMPLAINTS CAN BE MADE

The period for making a complaint is normally:

(a) 12 months from the date on which the event which is the subject of the complaint occurred; or

(b) 12 months from the date on which the event which is the subject of the complaint comes to the complainant's notice.

The Complaints Manager or lead GP has the discretion to extend the time limits if the complainant has good reason for not making the complaint sooner, or where it is still possible to properly investigate the complaint despite extended delay.

When considering an extension to the time limit it is important that the Complaints Manager or the GP 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.

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Please write your complaint on the official complaints form or a formal letter and post to the practice for “attention of the Practice Manager” at the usual address or you can email the complaint as an attachment on the form, a letter or a carefully worded email to:

Souccg.camberwellgreensurgery@nhs.net

Action upon receipt of a complaint

Complaints may be received either verbally or in writing and must be forwarded to the Complaints Manager (or the lead GP if the Complaints Manager is unavailable), who must:

- acknowledge in writing within the period of 3 working days beginning with the day on which the complaint was made or, where that is not possible, as soon as reasonably practicable.
- discuss with the patient how the matter will be handled and within what time scale.
- Where the complaint is made verbally a written record will be made and a copy will be provided to the complainant.
- Ensure the complaint is properly investigated. Where the complaint involves more than one organisation the Complaints Manager will liaise with his / her counterpart to agree responsibilities and ensure that one coordinated response is sent;
- Involve where possible all staff (clinical and admin) who have been involved in the basis of a Patient complaint. Where appropriate locums will be contacted through their employing organisation.
- Where the complaint has been sent to the incorrect organisation, advise the patient within 3 working days and ask them if they want it to be forwarded on. If it is sent on, advise the patient of the full contact details;
- Provide a written response to the patient within the time scale agreed, normally by or within 28 days from the date of receipt of the original complaint. This may be extended with prior notice to the complainant if for some reason evidence or information needed as part of the investigation into the complaint would delay the formal response letter.
- Make the patient/complainant aware of the Independent Complaints Advocacy Service (ICAS) which supports patients and their carers wishing to pursue a complaint about their NHS treatment or care. Their role as a free independent advocacy service is to try and assist the complainant in achieving a suitable agreement or conclusion to any such complaint issue to the satisfaction of the complainant. In SE London this service is provided by Voiceability. They can be contacted as such:

Tel: 0300 330 5454

Email: nhs.complaints@voiceability.org

Final Response

This will include:

- A formal apology where appropriate from the Practice and some acknowledgement of distress (condolences where appropriate).
- A summary of the main issues the complainant raised in their letter
- What action the Practice has taken to investigate the complaint (eg, spoken to the staff concerned, reviewed records/policies/protocols).

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- A clear explanation to the complainant in response to each of the issues raised. If this relates to a consultation then reference to the history taken; any examination and findings (including negative findings); treatment provided; advice given to the complainant and any follow up.
- Draw conclusions and where appropriate provide information on what action the practice is taking, as a result of the complaint, to reduce the risk of a similar occurrence.
- An invitation to meet or contact the Practice again if they were to have any further questions.
- Details of the complainant's redress, through the complaints procedure to the Ombudsman, and the complainant's right to use an independent advocacy service if they have not already done so.
 - About how to make a complaint, Pts can contact their helpline on 0345 015 4033, email on phso.enquiries@ombudsman.org.uk or fax 0300 061 4000.
Further information about the Ombudsman is available at www.ombudsman.org.uk.
 - Patients can write to the Ombudsman at:

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

Annual Review of Complaints

The practice will establish an annual complaints report, incorporating a review of complaints received, along with any learning issues or changes to procedures which have arisen. This report is to be made available to any person who requests it, and may form part of the Freedom of Information Act Publication Scheme.

This will include:

- Statistics on the number of complaints received
- Justified / unjustified analysis
- Known referrals to the Ombudsman
- Subject matter / categorisation / clinical care
- Learning points
- Methods of complaints management
- Any changes to procedure, policies or care which have resulted

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 Manager 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.

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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.

Multi Agency Complaints

In the case of Multi-Agency Complaints, a lead agency will be nominated who will coordinate the investigation and response. The Practice would wish to see any draft comment or report that mentions or deals with Camberwell Green Surgery and it is normally the duty of the Lead Agency to lead on all such matters, coordinating with all other inter-linked agencies.