



The Linbury Doctors Ltd

Complaints and Comments Procedure

Policy

- Linbury Doctors will take all reasonable steps to ensure that its staff are aware of and comply with this Procedure.
- Linbury Doctors has nominated the Practice Manager as its Complaints Manager, to be responsible for managing the procedures for handling and considering complaints in accordance with the Policy and Procedure.
- Linbury Doctors has nominated the Practice Manager as its Responsible Person, to be responsible for ensuring compliance with the Policy and Procedure, and in particular ensuring that action is taken, if necessary, in the light of the outcome of a complaint.
- Linbury Doctors will take all reasonable steps to ensure that patients are aware of:
The Complaints and Comments Procedure
The roles of the Practice, NHS England and the Health Service Ombudsman with regard to patient complaints.
This includes the alternative facility for the patient to complain directly to the agencies listed below instead of making their complaint to the Practice, as well as their right to escalate their complaint to them.
N.B. ALL escalations can be made to the Patients' Association, Action against medical accidents, Independent Sector Complaints Adjudication Service, the GMC and the CQC.
Their right to assistance with any complaint from the Patient Advice and Liaison Service (PALS); The Independent Complaints Advocacy Service (ISCAS); Citizens Advice Bureaux, NHS Direct and the Care Quality Commission
- Linbury Doctors Complaints and Comments Patient Information Leaflet, the Practice Patient Information Leaflet / Booklet and the Practice Website will be the prime information sources for implementing this Policy and will be kept up to date and be made freely available to all Patients.
- All complaints will be treated in the strictest confidence.
- Linbury Doctors will maintain a complete record of all complaints and copies of all related correspondence. These records will be kept separately from patients' medical records.
- Complaints forms to be carried by home visit GPs.

Periods of time within which complaints can be made

The periods of time within which a complaint can be made is normally:

- 12 months from the date on which the event / incident which is the subject of the complaint occurred; or
- 12 months from the date on which the event / incident which is the subject of the complaint comes to the complainant's notice.

Initial action upon receipt of a complaint

All complaints, whether verbal or in writing must be forwarded immediately to the manager or, if unavailable to the lead partner.

Where the complaint is made verbally, a written record will be made of the complaint and a copy of this will be provided to the complainant.

A verbal or written acknowledgement of receipt of the complaint must be made not later than 3 working days after the day on which Linbury Doctors receives the complaint.

This written acknowledgement will include:

- The name and contact details of the member of staff who will be attending the meeting and investigating the complaint
- An offer to meet with the complainant, at a time and location convenient to them, to discuss the manner in which the complaint is to be handled and the response period within which the investigation of the complaint is likely to be completed and the full response is likely to be sent to the complainant.

As much of the following information as possible will be obtained at this initial meeting, to enable their concerns to be assessed correctly, resolved quickly if possible and build a good ongoing relationship with them:

- Ascertain they would like to be addressed – as Mr, Mrs, Ms or by their first name.
- Ascertain how they wish to be kept informed about how their complaint is being dealt with – by phone, letter, email or through a third party such as an advocacy or support service.
- If it's by phone, ascertain the times when it is convenient to call and verify that they are happy for messages to be left on their answerphone.
- If it's by post, make sure that they are happy to receive correspondence at the address given.
- Check if consent is needed to access someone's personal records
- Check if they have any disabilities or circumstances that need to be taken account of.
- Ensure they are aware that they can request an advocate to support them throughout the complaints process, including at the first meeting.
- Systematically go through the reasons for the complaint so that there is a clear understanding why they are dissatisfied.
- Ascertain what they would like to happen as a result of the complaint (for example, an apology, new appointment, reimbursement for costs or loss of personal belongings or an explanation).
- Advise them at the outset if their expectations are not feasible or realistic.
- Formulate and agree a plan of action, including when and how the complainant will hear back from Linbury Doctors.

If it is considered that the matter can be resolved quickly without further investigation, Linbury Doctors will do so, providing the complainant agrees and there is no risk to other service users.

In the event the complainant does not accept the offer of a discussion, Linbury Doctors will itself determine the response period and notify the complainant in writing of that period.

Investigation and response

Complaints should be resolved within a "relevant period" i.e. 6 months from the day on which the complaint was received.

However, at any time during the "relevant period", the Complaints Manager or Responsible Person has the discretion to liaise with the complainant to extend this timeframe to a mutually

agreeable date, provided it is still possible to carry out a full and proper investigation of the complaint effectively and fairly.

When an extension to the 6 months' timeframe is being considered, it is essential that the Complaints Manager or Responsible Person takes into account that either party may not be able to remember accurately the essential details of the event / incident and also the feasibility of being able to obtain other essential evidence specific to the time of the event.

Linbury Doctors will investigate the complaint speedily and efficiently and as far as reasonably practicable, keep the complainant informed of the progress of the investigation.

Internal investigation of complaints will be carried out by the next Senior person to the person the complaint is raised against. The person who is subject to the complain will never investigate the complaint themselves. Should this not be possible i.e. the complaint is about both Directors, then the business will engage the contracted services of Peninsula Business Services Limited whom Linbury Doctors have an agreement with for such circumstances.

After the investigation is completed, Linbury Doctors will compile a written report which incorporates:

- A summary of each element of the complaint
- Details of policies or guidelines followed
- A summary of the investigation
- Details of key issues or facts identified by an investigation
- Conclusions of the investigation: was there an error, omission or shortfall by your organisation? Did this disadvantage the complainant, and if so, how?
- What needs to be done to put things right
- An apology, if one is needed
- An explanation of what will happens next (e.g. what will be done, who will do it, and when)
- Information on what the person complaining should do if they are still unhappy and wish to escalate the complaint, including full contact information on the Health Service Ombudsman.
- Linbury Doctors will send the complainant a response within the 6 months "relevant period", signed by the manager, the Responsible Person. The response will incorporate:
 - The written report
 - Confirmation as to whether Linbury Doctors is satisfied that any necessary action has been taken or is proposed to be taken;
 - A statement of the complainant's right to take their complaint further to the Patients' Association, Action against medical accidents, Independent Sector Complaints Adjudication Service, the GMC and the CQC.

If Linbury Doctors does not send the complainant a response within the 6 month "relevant period", it will:

- Notify the complainant in writing accordingly and explain the reason why;
- Send the complainant in writing a response as soon as reasonably practicable after the 6 month "relevant period".

If the complainant is unhappy with the response they receive from Linbury Doctors, they will be provided with the details of the following organisations whom they may contact to take their complaint further:

General Medical Council (GMC)
0161 923 6602
www.gmc-uk.org
gmc@gmc-uk.org

Care Quality Commission (CQC)
03000 616161
www.cqc.org.uk

Independent Sector Complaints Adjudication Service (ISCAS)
020 7536 6091
www.iscas.cedr.com
info@iscas.org.uk

Independent Doctors Federation (IDF)
020 3696 4080
www.idf.co.uk
info@idf.co.uk

Handling Unreasonable Complaints

In situations where the person making the complaint can become aggressive or unreasonable, Linbury Doctors will instigate the appropriate actions from the list below and will advise the complainant accordingly:

- Ensure contact is being overseen by an appropriate senior member of staff who will act as the single point of contact and make it clear to the complainant that other members of staff will be unable to help them.
- Ask that they make contact in only one way, appropriate to their needs (e.g. in writing).
- Place a time limit on any contact.
- Restrict the number of calls or meetings during a specified period.
- Ensure that a witness will be involved in each contact
- Refuse to register repeated complaints about the same issue.
- Do not respond to correspondence regarding a matter that has already been closed, only acknowledge it.
- Explain that you do not respond to correspondence that is abusive.
- Make contact through a third person such as a specialist advocate.
- Ask the complainant to agree how they will behave when dealing with your service in the future.
- Return any irrelevant documentation and remind them that it will not be returned again.
- When using any of these approaches to manage contact with unreasonable or aggressive people, provide an explanation of what is occurring and why.
- Maintain a detailed record of each contact during the ongoing relationship.

Complaints Register

To ensure Linbury Doctors monitors, handles and reviews complaints in a logical and timely manner, and to keep an audit trail of steps taken and decisions reached, Linbury Doctors records all complaints received on a dedicated complaints register.

Annual Review of Complaints

In line with National Guidance, Linbury Doctors will supply the following information to NHS England:

- The number of complaints received;
- The issues that these complaints raised;
- Whether complaints have been upheld;
- The number of cases referred to the Ombudsman.

Reporting a Summary of Complaints to the Care Quality Commission

Linbury Doctors will adhere to the Care Quality Commission's requirement of producing a summary of complaints at a time and in a format set out by the CQC and then send the summary within the timeframe specified.

