The Swineshead Medical Group

**COMPLAINTS PROCEDURE**

**INTRODUCTION**

Most NHS care and treatment goes well but sometimes things can go wrong. If you are unhappy with your care or the service you have received, it is important to let us know so we can improve.

This procedure sets out the Practice approach to the handling of complaints and is intended as an internal guide for all staff. On 1 April 2009 new regulations came into effect, introducing a common approach to the handling of complaints across health and adult social care. The practice procedure complies with the new regulations.

This information is available in the Complaints Procedure Information Leaflet for patients.

The role of Complaints Manager at Swineshead Medical Group is carried out by the Practice Manager, Mr David Harding

The lead GP Partner for complaints handling is Dr Nirosha Whitfield.

**PROCEDURE**

**Receiving of complaints**

The Practice may receive a complaint in writing or verbally

All complaints, written and verbal will be recorded in the practice Complaints register.

Written complaints will be acknowledged in writing within 3 working days of receipt. Patients will be encouraged to complain in writing where possible.

If a patient has difficulty making a complaint in writing the practice will make arrangements for the complaints process to be explained in person and for details of the complaint to be taken in writing by the Complaints Manager or their deputy.

**Period within which complaints can be made**

The period for making a complaint is normally:

* 12 months from the date on which the event occurred; or
* 12 months from the date when to the person complaining found out about the event.

The practice standard will be 10 days for a response, unless circumstance prevents this.

Complaints should normally be resolved as soon as possible or within 6 months.

The complainant will be kept aware of any delays.

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.

**Action upon receipt of a complaint**

Complaints will 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.
* Where the complaint is made verbally a written record will be taken and if the Complainer requests a copy this will be sent within 3 working days.
* The compliant will be investigated, and a reply will be sent to the complainer within 10 working days.
* If circumstances prevent the reply being sent within the above timescale the Complaints Manager will inform the Complainer and give a new, agreed timescale.
* If the complaint involves more than one organisation the Complaints Manager will liaise with their counterpart to agree responsibilities and ensure that one coordinated response is sent.
* 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
* If the Complainer is not happy with the response, they may be invited to attend a face-to-face meeting.
* The Complainer has the right to involve the Ombudsman at any time. Contact details of the Ombudsman will be provided to the Complainer by the Complaints Manager if required.

**Final Response**

The final written response to the complainant will include:

* A clear statement of the issues, investigations and the findings, giving clear evidence-based reasons for decisions if appropriate
* Where errors have occurred, explain these fully and state what will be done to put these right, or prevent repetition
* A focus on fair and proportionate outcomes for the patient, including any remedial action or compensation
* A clear statement that the response is the final one, or that further action or reports will be sent later
* An apology or explanation as appropriate
* A statement of the right to escalate the complaint, together with the relevant contact detail

**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.

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.

**GETTING HELP WITH A COMPLAINT**:

Patients who do not wish to complain directly to the practice you can make their complaint by contacting NHS England:

**NHS England**

**PO Box 16738**

**Redditch B97 9PT**

**Telephone: 0300 311 2233**

**E-mail**: **England.contactus@nhs.net**

If you are not satisfied with the practice response to your complaint, you have the right to approach the Ombudsman. The contact details are:

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

**Tel: 0345 0154033**

**Website:** [**www.ombudsman.org.uk**](http://www.ombudsman.org.uk)

If you would like support with making your complaint, you may wish to contact POhWER who provide the NHS Complaints Advocacy Service in Lincolnshire.  The service is free, confidential and independent of the NHS.

POhWER can be contacted on 0300 200 0084 or by email [pohwer@pohwer.net](https://mail.xlincs.nhs.uk/owa/redir.aspx?C=Xu5bByJ4YkajRr3c0eZqN0w4j5ghUNBI1lvBcwRJvzKNsf5ftAf-pYiiXeWNLnYbs5J9LrJ5Mg0.&URL=mailto%3apohwer%40pohwer.net)

You may also approach PALS for help or advice at any time;

The Patient Advice and Liaison Service (PALS) provides confidential, practical advice and support, helping you to sort out any concerns you may have about the care you receive from the NHS.

Tel: 0845 602 4384

Email: info@lincspals.nhs.uk

Website : www.lincspals.nhs.uk