**BALMORAL SURGERY**

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**Manager: Mrs R Seaman**

**06.05.21, 23.05.22, 07.11.22, 21.12.22, 10.01.23, 14.07.23, 07.09.23, 05.04.24, 01.04.25**

# Practice Based Complaints Policy

**(Including Practice Based Complaints Procedure and Listening, Responding, Improving leaflet)**

**Introduction**

All GPs are required under their Terms of Service, to participate in NHS Complaints Procedures. Local resolution and a patient centred approach are encouraged. The Practice understands the importance of listening to patients and making changes when things have not gone as they (or we) would wish.

The Practice recognises that patients who complain about the care or treatment received have a right to expect a prompt, open, constructive and honest response including an explanation and if appropriate, an apology.

**Aims**

To ensure all complaints are investigated in an unbiased, transparent, non-judgemental and timely manner with a detailed response aimed at resolving issues to the satisfaction of all parties.

Communicate effectively with the complainant, agreeing a way forward for handling their complaint and meeting agreed timescales.

Ensure patients’ concerns are heard and acted upon; encourage and train front line staff to play an active role to resolve issues and where appropriate, to refer matters to the Complaints Manager in a timely manner.

The organisation aims to design and implement policies and procedures that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the [Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents). Consideration has been given to the impact this policy might have with regard to the individual protected characteristics of those to whom it applies.

**Publishing the Scheme**

Details of the Practice’s Complaints Procedure are published in the Practice’s Complaints leaflet, in the waiting room, in the Practice Leaflet and on the website. Details of an advocacy services, the NHS England support for patients with complaints and the role of the Parliamentary and Health Service Ombudsman are contained within the leaflet.

**Scope**

* This policy is concerned with **formal complaints** defined as “an expression of dissatisfaction from a patient or their duly authorised representative, or any person who is affected by or likely to be affected by the action omission or decision of the Practice, whether justified or not”.
* Patients can opt to complain either verbally or in writing. No matter what the cause of the complaint, all staff are to offer empathy when entering into discussions with the complainant. All staff at Balmoral surgery must fully understand the complaints process (see copy of in-house procedure in Appendix 1).
* If a patient wishes to complain verbally and if the patient is content for the person dealing with the complaint to deal with this matter, and if appropriate to do so, then complaints should be managed at this level. After this conversation, the patient may suggest that no further action is needed. If this should be the case, then the matter can be deemed to be closed, although the management team should still be informed. If they would rather have their complaint handled via letter then they should address a letter to the management team or they can email secretary.balmoral@nhs.net The management team will then continue the communication with the complainant via letter/email.
* Complaints will be investigated if they are made within 12 months of the event(s) concerned or within 12 months of there being a discovery that there was a cause for complaint. (The Practice may waive these timescales if there is good reason for the complaint not being made earlier and it is still possible to investigate the complaint effectively and efficiently.)
* The complaints process will be managed by the management team under the Practice’s Complaints Procedures and in accordance with NHS Complaints Regulations. Once all investigations are complete, the Practice’s response to the complainant will advise them of their right to request a review by the Parliamentary and Health Service Ombudsman should they remain dissatisfied. Contact details will be included (see copy of Complaints Leaflet in Appendix 2).
* Where a complainant also identifies issues with another organisation eg a hospital department, where possible the Practice will liaise with that organisation in order to respond to all aspects of the complaint. Where the complaint only relates to that organisation, the Practice will seek permission from the patient to pass the complaint to that organisation for their response.
* All complaints will be acknowledged within 3 working days of receipt and agreement reached with the complainant about the expected time scale and outcome of the investigation.
* Confidentiality will be respected at all times and the patient’s consent will be sought where complaints are made by anybody other than the patient themselves.
* A thorough investigation of events will be undertaken to address all aspects of a patient’s complaint; taking advice and where beneficial, arranging meetings with the complainant if necessary.
* The Practice will also ensure that links are established with Social Services and other agencies to ensure a seamless response to complaints where possible.
* Every effort will be made to keep the complainant informed of progress and for a final response to be sent to the complainant within the agreed timescale.
* Should any complaint be received and the content states that legal action has been sought then, prior to any response, consideration should be given to contacting the defence union for guidance.
* Issues raised by patients will be routinely discussed at Practice meetings and there will also be an annual review of complaints received.
* A separate file should be kept for complaints records and these should not be filed with the patient’s records. These are kept in the Practice Manager’s office.
* The management team will keep a record of all complaints received together with timescales and outcomes. This information will contribute to the identification of service improvements, staff training needs as well as providing anonymised reports to NHS England.

**Final formal response to a complaint**

A final response should only be issued to the complainant once the letter has been agreed by the Partners and management team. Following this and upon completion of the investigation, a formal written response will be sent to the complainant and will include the following as per NHS Resolution.

* Be professional, well thought out and sympathetic
* Deal fully with all the complainant’s complaints
* Include a factual chronology of events which sets out and describes every relevant consultation or telephone contact, referring to the clinical notes as required
* Set out what details are based on memory, contemporaneous notes or normal practice
* Explain any medical terminology in a way in which the complainant will understand
* Contain an apology, offer of treatment or other redress if something has gone wrong
* The response should also highlight what the organisation has done, or intends to do, to remedy the concerns identified to ensure that the problem does not happen again
* The response should inform the complainant that they may complain to the

Parliamentary and Health Service Ombudsman (PHSO) if they remain dissatisfied

Consideration must be given to the fact that the response is likely to be read by the complainant’s family and possibly legal advisers.

**Summary**

The care and treatment delivered by Balmoral Surgery is done so with due diligence and in accordance with current guidelines. However, it is acknowledged that sometimes things can go wrong. By having an effective complaints process in place, this organisation is able to investigate and resolve complaints in a timely manner, achieving the desired outcome for service users, whilst also identifying lessons learned and ultimately improving service delivery.

**Appendix 1 – In-house complaints procedure**

Practice Based Complaints Procedure

1. A sign is posted in the reception area of the Practice inviting people to make comments, complaints and suggestions to the Receptionist or the Management Team. There is also a section regarding making complaints on our Practice Website
2. If you wish to make a complaint, patients can either write into the practice or they can speak to one of the Reception Team who will listen to the patient’s complaint either on the telephone or in a private room. We will need to have the full details of the complaint submitted to the practice either verbally to the reception team or in writing to the practice so a thorough investigation can take place.
3. A record of the details of the complaint will be sent to the Management Team, or the patient will be asked to put their complaint in writing. Patients can also email the practice by sending an email to secretary.balmoral@nhs.net. An explanation should be given to the patient that the matter will be investigated by the Practice and a report given within 10 working days. All complaints will be acknowledged within three working days by one of the Management Team.
4. Depending upon the nature of the complaint, the Management Team will endeavour to resolve the complaint to the satisfaction of the patient.
5. If your complaint involves either a clinical matter or a doctor’s attitude the Management Team will, with your agreement, involve the Doctor concerned or the lead partner for the Practice.
6. If you are making a formal complaint you should be informed of the outcome via a letter and you may be given the opportunity to meet with a member of the Management Team or a Partner if you remain dissatisfied. Minor matters may be dealt with by telephone.
7. If you do not wish to meet with the Practice, or remain dissatisfied following this, information about the NHS England/Health Commissioner procedures should be volunteered and explanation given of the next steps to be taken, with details of whom to contact provided.
8. National time limits for complaints will be kept in mind, and if the time limit is approaching you should be informed.
9. Issues raised by patients will be routinely discussed at Practice meetings and there will also be an annual review of complaints received.
10. An analysis of complaints will be provided to Kent & Medway ICB annually.

**Appendix 2 – Practice complaints leaflet**

**Listening, Responding, Improving**

A brief guide on how to voice your appreciation, complaints or concerns

**Compliments, Comments, Concerns and Complaints**

We aim to provide our patients with the best care we can and would like to hear from you if you think we have done something well, or if you have suggestions on how we could do something differently. Equally we know that there will be times when we fall short of the mark and want to know if you are unhappy with our service.

If you have a complaint please do not be afraid to say how you feel. We welcome feedback to help us improve our standards and you will not be treated any differently because you have complained. We will do our best to put right anything that has gone wrong and this leaflet aims to help you to make your views known to us.

**Who can make a complaint?**

Complaints can be made by patients either on their own behalf or by a representative (with the patient’s consent).

**What are the time limits for making a complaint?**

As soon as you can whilst you can remember the details clearly. Usually the NHS Complaints Procedure only deal with complaints made within 12 months of the event or within 12 months of finding out that there is something that you should complain about. This time limit might be waived if there are good reasons why you were not able to let us know earlier and we can still carry out an effective investigation.

**Confidentiality**

Balmoral Surgery will ensure that all complaints are investigated with the utmost confidentiality and that any documents are held separately from the patient’s healthcare record.

**When something goes wrong**

Patients can opt to complain either verbally or in writing. No matter what the cause of the complaint, all staff are to offer empathy when entering into discussions with the complainant. All staff at Balmoral surgery must fully understand the complaints process.

If you are complaining verbally, a receptionist will either record details of the complaint and send this to the Management Team, or the patient will be asked to put their complaint in writing. Patients can also email the practice by sending an email to secretary.balmoral@nhs.net An explanation should be given to the patient that the matter will be investigated by the Practice and a report given within 10 working days. All complaints will be acknowledged within three working days.

We will need to have the full details of the complaint submitted to the practice either verbally to the reception team or in writing to the practice before a a thorough investigation can take place.

**What happens next?**

A member of the management team will acknowledge your complaint and make an early contact with you (within 3 days).

Your complaint will be investigated within an agreed timescale and you will be kept informed of progress. You may be invited to a meeting to discuss the complaint.

**What other options do I have?**

From 01.07.23 NHS complaints have been hosted by NHS Frimley Integrated care Board on behalf of all ICBs across the south east. Complaints can be directed to the South East Complaints Hub rather than the Practice and they may undertake the complaint handling, or in some cases with your consent, they may refer the complaint back to the Practice. The Complaints Hub is obliged to notify the Practice about any complaints it receives with your consent.

If you have a concern or complaint about a GP or Practice that can’t be resolved locally within the Practice, please contact:

* **Email:** kmicb.patientexperience@nhs.net
* **Phone: 01634 335095 Option 7**
* **Postal address: Patient Experience Team, 2nd Floor, Gail House, Lower Stone Street, Maidstone, Kent, ME15 6NB**

**The Patient Experience Team is available from 8am to 4pm, excluding weekends and Bank Holidays, and will aim to respond as soon as possible within three working days. Each complaint that is received will receive an acknowledgement within three working days.**

**What happens if the complaint involves a hospital?**

Where other organisations such as hospitals are involved in the complaint, we will aim to provide you with a co-ordinated response covering all aspects of your complaint. Where a complaint is solely about a third party, we may seek your agreement to pass the complaint to them.

**And finally…**

Once the investigation has been concluded a letter will be sent to you setting out how we investigated your complaint as well as details of the actions taken or to be taken as a result of our findings. We hope that your complaint will be resolved at this stage, but if not, we may invite you to discuss what else might be done. If you remain unhappy, we will write to advise you that we are satisfied with the way the complaint has been investigated and to provide you with details of the Parliamentary and Health Service Ombudsman to whom you will then have recourse.

**Who can help with your complaint?**

Independent advocacy services include:

1. [POhWER](https://www.pohwer.net/) – a charity that helps people to be involved in decisions being made about their care. POhWER’s support centre can be contacted via 0300 456 2370
2. [Advocacy People](https://www.theadvocacypeople.org.uk/) – gives advocacy support. Call 0330 440 9000 for advice or text 80800 starting message with PEOPLE or write to: PO Box 375, Hastings TN34 9HU.
3. [Age UK](https://www.ageuk.org.uk/) – may have advocates in the area. Visit their website or call 0800 055 6112
4. Local councils can offer support in helping the complainant to find an advocacy service. Visit <https://www.gov.uk/find-your-local-council>

If you remain dissatisfied with the response from the Practice (or NHS England where your complaint was investigated by them) then you have the right to refer your complaint to the Health Service Ombudsman. They would require a clear statement of what issues remain outstanding.

**The Parliamentary and Health Service Ombudsman**

**Millbank Tower, Millbank, London, SW1P 4QP**

**Tel: 0345 015 4033**

**Email: phso.enquiries@ombudsman.org.uk**