



Guide for Patients - Policy and Procedure for Complaints and Representations

If you need this information in larger print or in another language, please let us know.

INTRODUCTION

New Regulations governing NHS complaint handling came into effect in April 2009.

The Regulations were drafted to allow healthcare providers the flexibility to adopt a truly "patient-focused" approach to complaints handling. They form a statutory foundation on which to rest the principles of good complaint handling promoted by various bodies, such as the Parliamentary and Health Service Ombudsman and previously by the Healthcare Commission.

The regulations state that all healthcare providers within the NHS have legal, contractual and professional obligations to provide an accessible and suitably responsive complaints procedure for service users.

Stokes Medical Group view complaints positively and are committed to an effective procedure for handling complaints which is outcome driven. Our aim is to provide an accessible, flexible and responsive patient-centred complaints handling procedure which drives continuous service improvements and patient safety.

Complaints may be any indication of dissatisfaction about a decision made in regard to: service or care; a failure to reach a decision; the nature or quality of a service, or a failure to provide a service. We use complaints as a means of getting feedback on performance and monitoring the quality of services.

Patients, relatives or representatives can make complaints but, if the complainant is not the patient, written consent must be obtained from the patient to enable that person to act on behalf of the patient. Every complaint is unique and individual care and attention will be given to each complainant. We will treat your complaint in confidence.

What to Do When Something is Wrong?

Our aim is for procedures to be simple, widely publicised and easily understood.

If you need to complain, please tell us: what happened; when it happened; where you were; who was involved; what was the outcome and what you would like us to do to put matters right. If for any reason you experience difficulties in putting your complaint in writing Gavin Richards, the Business Manager, will be happy to arrange a meeting with you.

Key Things You Should Know

The practice has arrangements in place to handle complaints efficiently; investigating them properly and delivering a timely and appropriate response. We make information about these arrangements available to the public.

The practice will give complainants the support that they need to follow the complaints procedure or to inform them of advice available (such as Patient Advisory and Liaison Services - PALS or ICAS Independent Complaints Advocacy Services).

Complainants will be treated with respect and courtesy and will be told the outcome of the investigation.

The complaints-handling arrangements include procedures for ensuring that necessary actions are taken in light of the outcome of a complaint.

The Senior Partner is designated the "Responsible Person" who ensures that complaints are handled in compliance with the Regulations and that lessons learned from complaints are implemented

Mr Gavin Richards is the designated complaints manager and responsible for the progress of complaints in the practice.

Complaints can be made by patients or anyone affected by the actions, omissions or decisions of the practice, either on their own behalf or by a representative. In the case of a representative, the practice must be satisfied that he/she is acting in the best interests of the person on whose behalf he/she is complaining. If we decide that this is not the case, we will notify the complainant in writing, giving reasons for this decision.

Complainants can direct their complaints to the NHS Integrated Care Board (ICB) rather than the practice and the ICB may undertake the complaint handling itself or, if it deems it appropriate and has the complainant's consent, refer the complaint to the practice concerned. The ICB will notify the practice of the details of a complaint, provided it has the complainant's consent to do so.

All complaints – whether made orally or in writing – will be acknowledged, either orally or in writing, within three working days of receipt. If the complaint is made orally, it must be recorded in writing and a copy given to the complainant.

The acknowledgement letter will include the offer of a discussion (which might be by telephone or a meeting) to agree a plan of how the complaint will be handled and agree reasonable timescales for investigating and concluding the complaint.

If the complainant declines the offer to discuss the issue, the practice will decide how the complaint will be handled, based on the available information. A letter will be sent to the complainant setting out how the complaint will be investigated and the expected timescales.

The complaint will be investigated appropriately and speedily and the complainant will be kept informed of progress. Where possible, we will aim to formally respond within 10 working days. However, it is sometimes necessary to extend this in complex cases and where medical notes and clinical assessment of the care is required. When we write to acknowledge receipt of your complaint, we will indicate the likely response time and will keep you informed of any delays in our response.

Where a complaint involves one or more agencies the complainant will be given a co-ordinated response and the practice will co-operate with others to make this possible.

Once the investigation has been concluded, a letter will be sent to the complainant, setting out: how the complaint has been investigated; the evidence considered, and the conclusion reached. This letter will also include details of actions the practice has and will be taking as a result of its findings. Explanations of clinical matters will be written in accessible language.

The letter will be signed by the Senior Partner or Mr Richards or someone delegated by the practice to carry out this function on his/her behalf. It will confirm that the practice is satisfied with the way it has dealt with the complaint, making it clear that nothing more can be done at local level and that the complainant can take the complaint to the Ombudsman if he/she wishes.

The practice's complaints handling arrangements will be monitored to ensure that they are working effectively and that no discrimination against complainants has ensued.

A record will be kept of each complaint received, detailing the subject and outcome of the complaint and whether it was resolved within the agreed timescale.

The practice will supply the NHS with an annual report containing the following information:

- The number of complaints received
- The number of complaints that were upheld
- The number of complaints that are known to have been referred to the Health Service Ombudsman
- A summary of the reasons for the complaints
- A narrative about significant issues relating to the practice's experience of complaints during the year, including lessons learned and actions taken.

Legal obligations

The NHS Constitution sets out the following rights for patients:

- You have the right to have any complaint you make about NHS services dealt with efficiently and to have it properly investigated.
- You have the right to know the outcome of any investigation into your complaint.
- You have the right to take your complaint to the independent Health Service Ombudsman, if you are not satisfied with the way your complaint has been dealt with by the NHS.

The Health Act 2009 places a duty on NHS organisations (including contractors) to "have regard to the NHS Constitution".

Contractual obligations

From April 2009, all ICBs have to be registered with the Care Quality Commission, under the provisions of the Health and Social Care Act 2008. As a condition of registration, your ICB is required to ensure that "there are systems in place to ensure that the patient, their relatives and carers:

- have suitable and accessible information about, and clear access to, procedures to register formal complaints and feedback on the quality of services
 - are not discriminated against when complaints are made
 - are assured that organisations act appropriately on any concerns and, where appropriate, make changes to ensure improvements in service delivery."
- (Core standard C14, Standards for Better Health)

Health Service Ombudsman

In England, the Parliamentary and Health Service Ombudsman is now responsible for investigating second-stage complaints.

Ring complaints Helpline 0345 015 4033

Or email phso.enquiries@ombudsman.org.uk
Or fax us on 0300 061 4000

The Helpline is open 8:30am to 5:30pm Monday to Friday.

Or write to :

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

Contact Details

BNSSG ICB

Tel: 0117 900 2655 or 0800 073 0907 (freephone)
Email: bnssg.customerservice@nhs.net
Online contact form: <https://bnssg.icb.nhs.uk/contact-us/#module-3>

Customer Services Team
NHS Bristol, North Somerset and South Gloucestershire ICB
Floor 2, North Wing
100 Temple Street
Bristol
BS1 6AG

NHS England

PO Box 16738
Redditch
B97 9PT

Phone: 0300 311 22 33
Email: england.contactus@nhs.net
Visit [NHS England \(Contact us\)](#)

Independent Complaints Advocacy Services South West (ICAS)

This service covers: Bristol; Cornwall and the Isles of Scilly; Devon; Dorset;
Gloucestershire; Somerset Wiltshire
Tel: 0845 120 3782