

**Care Quality Commission (CQC)
FUNDAMENTAL STANDARDS**

Policy title:	Complaints.
Outcome:	People and those acting on their behalf, have their comments and complaints listened to and acted on effectively, and know that they will not be discriminated against for making a complaint.
Authorised by:	Liz Adams, CEO (CQC Nominated Individual & Registered Manager)
Approved by:	Dr Katharine Orton, Chair
Issue date:	1 February 2018
Review date:	31 January 2019 (or before if there is a change in practice or circumstances)

1. Policy statement

- 1.1 Patients attending the Uttlesford Health independent healthcare service will have access to a complaints procedure in the event they are unhappy with any aspect of the service being provided.
- 1.2 Patients' complaints and comments will be listened to and acted upon.
- 1.3 This policy outlines the different stages of the complaints procedure and includes arrangements to identify, receive, record, handle and respond to any complaint.
- 1.4 Uttlesford Health will take all reasonable steps to ensure that all staff are aware of and comply with this policy and procedure.

2. Making a complaint

- 2.1 Uttlesford Health is committed to providing a high quality healthcare service. However, if any patient is unhappy with any aspect of the healthcare service being provided, they will be invited to make a complaint.
- 2.2 Complaints can be made to any member of Uttlesford Health staff, either verbally or in writing.

- 2.3 If a patient wishes to make a complaint whilst they are in the clinic premises, then the member of staff in charge of the service will attempt to resolve the issue immediately.
- 2.4 No patient, or person acting on their behalf, will be discriminated against for making a complaint.
- 2.5 No person's care and treatment at Uttlesford Health will be affected in any way if a complaint is made by them or on their behalf.

3. Information given to patients about how to complain

- 3.1 Written information on the complaints procedure will be available for patients within the Uttlesford Health premises.
- 3.2 Information on how to make a complaint will be available as a separate patient information leaflet.
- 3.3 Patients will be assured that they will not be discriminated against for making a complaint.

4. Receiving and recording a complaint

- 4.1 Complaints can be made by a patient, a former patient, or someone acting on a patient's behalf.
- 4.2 If the complaint is from a child i.e. someone under 18 years old, the complaint may be made by the child, either parent of the child, the legal guardian, or other adult who is legally responsible for the care of the child.
- 4.3 All received complaints, whether written or verbal, will be recorded.
- 4.4 Recorded details will include:
 - the date and time the complaint was received
 - a description of the complaint
 - details of the investigation carried out
 - any actions taken, and
 - whether or not the complaint was upheld.
- 4.5 Where a complaint is received anonymously, Uttlesford Health will carry out an investigation as far as it reasonably can, depending on the content of the complaint.
- 4.6 Uttlesford Health will maintain a record of all complaints received and copies of all related correspondence. These records will be kept separately from patients' healthcare records.

5. Handling a complaint

- 5.1 All complaints received at Uttlesford Health will be treated in the strictest confidence.
- 5.2 All complaints, written or verbal, will be investigated.
- 5.3 All complainants will receive a written acknowledgement of their complaint within 3 working days. The written acknowledgement will include the name and contact details of the person investigating the complaint on behalf of Uttlesford Health.
- 5.4 Uttlesford Health will offer to meet with the complainant in order to discuss the manner in which the complaint is to be handled and how the issue/s might be resolved.

At this meeting, the following information will be obtained and/or provided (as far as is reasonably possible and as per the Uttlesford Health 'Duty of candour' policy):

- How the complainant wishes to be addressed e.g. Miss, Ms, Mr, Mrs or their first name.
 - How the person wishes to be kept informed e.g. in writing by letter or email, by telephone, or through an agreed third party representative or advocate.
 - Confirm with the person if they give their consent to access healthcare records (where appropriate) for the purposes of investigating the complaint.
 - Confirm if the person has any disabilities that need to be taken into account during the investigation.
 - Advise the person that they can have a representative to support them through the complaints process.
 - Ask the person what they are seeking as an outcome to the complaints investigation e.g. an apology, new appointment, reimbursement for costs or loss of personal belongings, or an explanation.
 - Agree a plan of action, including when and how the complainant will hear back from Uttlesford Health.
- 5.5 In the event that the complainant does not accept the offer of a meeting as set out at 5.4 above, Uttlesford Health will itself determine the response period and notify the complainant in writing of that period.
 - 5.6 Uttlesford Health will carry out an investigation of the nature of the complaint and provide a full written response to the complainant within 20 working days of the complaint being received.
 - 5.7 If a complaint is of a complex nature, an investigation and response may take up to 45 working days.

- 5.8 If a full response cannot be given within 20 working days of receiving the complaint (or 45 days if the complaint is of a complex nature), Uttlesford Health will write to the complainant to explain the reason for the delay.
- 5.9 A full written response will be made within 5 days of a conclusion and outcome being reached.

6. Receiving and handling unreasonable complaints

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

- Ensure contact is being overseen by an appropriate senior member of Uttlesford Health 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 Uttlesford Health will not respond to correspondence that is abusive.
- Make contact through a third person such as an independent advocate (where appropriate).
- 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 dated and timed record of each contact with the complainant during the ongoing relationship.

7. Escalating and appealing against the outcome of a complaint

7.1 If a complainant is not satisfied after a complaint has been investigated and a response provided, Uttlesford Health will provide further information to the

complainant in terms of potentially escalating the complaint to the Parliamentary Health Service Ombudsman (PHSO). The PHSO makes final decisions on complaints that have not been resolved by the NHS in England and UK government departments and other public organisations.

The PHSO can be contacted at the following address:

Parliamentary Health Service Ombudsman
Millbank Tower
Millbank
London SW1P 4QP

Telephone: 0345 015 4033

Email: phso.enquiries@ombudsman.org.uk

Internet: <https://www.ombudsman.org.uk/>

Uttlesford health will co-operate with any independent review of a complaint that has been escalated to the PHSO.

8. Annual review of complaints

8.1 Uttlesford Health will review all complaints on an annual basis in terms of:

- the number of complaints received
- the issues that these complaints raised in terms of any trends or areas of risk that might need to be addressed
- whether complaints have been upheld, and
- improvements or changes to the healthcare service that were made.

9. Learning opportunities

9.1 Uttlesford Health will review all complaints received with a view to continuous quality improvement of the independent healthcare service.

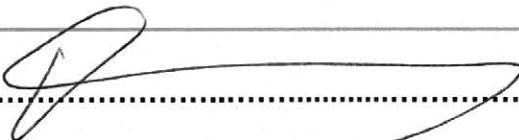
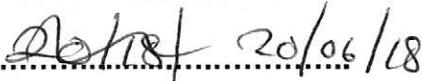
9.2 All complaints received will be used as a learning exercise to consider improving aspects of the healthcare service provided to patients.

10. Review of the policy

10.1 Uttlesford Health will review this policy on annual basis. Any changes made to the policy will be communicated to all staff.

11. Guidance and further reading

- Being open – communicating patient safety incidents with patients and their carers (NPSA, 2009).
- The EU General Data Protection Regulation
<https://www.eugdpr.org/>
- Department of Health guidance *Complaints in the NHS*
<https://www.gov.uk/government/publications/nhs-hospitals-complaintssystem-review>
- Listening, improving, responding: a guide to better customer care (DH, 2009)
- MIND – complaining about health and social care
<http://www.mind.org.uk/information-support/legal-rights/complainingabout-health-and-social-care/>
- NHS Constitution
<https://www.gov.uk/government/publications/the-nhs-constitution-for-england>
- NHS Litigation Authority guidance about complaints
- Principles of Good Complaint Handling (PHSO, 2009)
<http://www.ombudsman.org.uk/reports-and-consultations/reports/health>
- Public Interest Disclosure Act 1998
<http://www.legislation.gov.uk/ukpga/1998/23/contents>

Signature  Date 

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Uttlesford Health Limited
