Fellview Healthcare
3 Castle Meadows Whitehaven CA28 7QE

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Review Sheet

Last Reviewed 15 Jul 2024

Last Amended 15 Jul 2024

This policy will be reviewed as needs require or at the following interval: Annual

Business Impact:	MEDIUM
Reason for this Review:	Scheduled review
Changes Made:	Yes
Summary:	This policy provides information on how to handle complaints at Fellview Healthcare and how to receive compliments. The Forms section has been updated and now contains the following forms: Complaint Procedure Template for Patients, Complaint Acknowledgement Letter Template, Complaint Final Response Letter Template, Complaints, Suggestions and Compliments Register and Complaint Investigation Template. Underpinning Knowledge and Further Reading links have also been checked and updated.
Relevant Legislation:	• Equality Act 2010 • The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 • Human Rights Act 1998 • The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 • Medical Act 1983 • Data Protection Act 2018 • UK GDPR • Compensations Act 2006
	• Author: NHS, (2021), What is PALS (Patient Advice and Liaison Service)? [Online] Available from: https://www.nhs.uk/nhs-services/hospitals/what-is-pals-patient-advice-and-liaison-service/ [Accessed: 15/07/2024] • Author: GMC, (2021), How do I raise my comment or complaint? [Online] Available from: https://www.gmc-uk.org/about/get-involved/complaints-and-feedback-about-our-service/how-to-raise-complaint [Accessed: 15/07/2024] • Author: Parliamentary and Health Service Ombudsman (PHSO), (2021), How we deal with complaints [Online] Available from: https://www.ombudsman.org.uk/making-complaint/how-we-deal-complaints [Accessed: 15/07/2024] • Author: NHS, (2023), Friends and Family Test (FFT) [Online] Available from: https://www.nhs.uk/using-the-nhs/about-the-nhs/friends-and-family-test-fft/# [Accessed: 15/07/2024]

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Underpinning Knowledge:	• Author: The NHS England, (2018), Assurance of Good Complaints Handling for Primary Care - A toolkit for commissioners [Online] Available from: https://www.england.nhs.uk/publication/assurance-of-good-complaints-handling-for-primary-care-a-toolkit-for-commissioners/ [Accessed: 15/07/2024] • Author: NHS England, (2022), Feedback and complaints about NHS services [Online] Available from: https://www.nhs.uk/using-the-nhs/about-the-nhs/how-to-complain-to-the-nhs/ [Accessed: 15/07/2024] • Author: Parliamentary and Health Service Ombudsman, (2023), What to do before you come to us [Online] Available from: https://www.ombudsman.org.uk/making-complaint/before-you-come-to-us [Accessed: 15/07/2024] • Author: GMC, (2021), Vexatious Complaints Policy [Online] Available from: https://www.gmc-uk.org/-/media/documents/Vexatious_complaints_final_March_2017.pdf_69839920.pdf [Accessed: 15/07/2024] • Author: NHS England, (2023), Feedback and complaints about NHS services [Online] Available from: https://www.england.nhs.uk/contact-us/feedback-and-complaints/complaint/ [Accessed: 15/07/2024]
Suggested Action:	• Encourage sharing the policy through the use of the QCS App
Equality Impact Assessment:	QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due to regard to the need to eliminate lawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.

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1. Purpose

1.1 NHS GP Practices and Clinics - To comply with the General Medical Service's contractual obligation to follow the NHS complaints procedure.

Private GP Practices and Private healthcare clinics - To ensure that each private healthcare provider has its own complaints procedure for Patients to follow.

1.2 To operate an effective system for receiving and realising benefits from compliments and other feedback in order to identify good practice, strengths and weaknesses and highlight what Fellview Healthcare does well, together with suggestions for service developments and other improvements.

1.3 To operate an effective system for the management of Patient complaints that leads to the identification of areas for improvement, lessons learned and drive positive change through negative input.

1.4

Key Question	Quality Statements
RESPONSIVE	QSR4: Listening to and involving people

1.5 Relevant Legislation

- Equality Act 2010
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Human Rights Act 1998
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
- Medical Act 1983
- Data Protection Act 2018
- UK GDPR
- Compensations Act 2006

2. Scope

2.1 Roles Affected:

- All Staff

2.2 People Affected:

- Patients

2.3 Stakeholders Affected:

- Family

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- Advocates
- Representatives
- Commissioners
- External health professionals
- Local Authority
- NHS

3. Objectives

3.1 To have in place a comprehensive system for complaints, compliments, suggestions and other feedback that informs Patients of ways in which their views can be heard, how procedures work and why all feedback is important to Fellview Healthcare to ensure high quality of care and an excellent Patient experience.

3.2 To ensure that all complaints and suggestions are promptly addressed, resolved and shared within the agreed timescales to ensure that lessons are learnt and that the learning improves the service quality and delivery.

3.3 To ensure that all team members are trained and supported in the facilitation of complaints procedures and are fully compliant with their own professional, obligatory requirements within their scope of practice.

3.4 NHS Practices:

To have an effective method of identifying and monitoring complaint patterns, trends and themes to share with NHS England, local Integrated Care Boards (ICB), Patients and stakeholders.

Private GP Practices/Clinics:

To have an effective method of identifying and monitoring complaint patterns, trends and themes, together with the evidence to be similarly shared, demonstrating change for service improvement and a better Patient experience based on feedback and suggestions received.

3.5 To implement an honest and open culture within Fellview Healthcare whilst actively seeking and acting upon Patient feedback.

4. Policy

4.1 Complaints

In relation to complaints received, Fellview Healthcare will demonstrate that the team:

- Understands the importance of dealing effectively with complaints in a timely manner, as well as acknowledging and acting on feedback received

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- Will ensure that all complaints are directed to the designated complaints manager, usually the business manager, with Professor John Paul Howarth as the responsible person
- Recognises that failure to deal with a complaint is a serious matter that could be considered a breach of the General Medical Services contract at Fellview Healthcare
- Will reduce the workload of Fellview Healthcare by resolving verbal complaints to the complainant's satisfaction within 24 hours in order to avoid a formal complaints process and, as it can be difficult to separate a complaint from a concern, this policy will be followed whenever dissatisfaction is clearly expressed
- Will acknowledge a complaint and offer a discussion about the handling of the complaint with the complainant within 3 working days of receiving a complaint
- Will keep the complainant informed if a response is delayed
- Has functional knowledge of how to deal with complaints which is equitably applied
- Considers the quality of care provided by putting themselves in the place of the Patient and assessing their expectations for the service
- Reviews services and how they are delivered in relation to complaints and feedback received
- Makes changes where necessary or appropriate to improve services and the Patient experience
- Monitors outputs from changes and developments as part of a continuous cycle of improvement
- Shares feedback and changes made with Patients, stakeholders, commissioners and local health networks (where applicable)
- Keeps accurate records and documentation for all complaints and feedback
- Provides access to Patients for information about how to make a complaint, the complaints process and timescales via the Patient leaflet, the website and in the surgery in appropriate or specific requested accessible formats
- Understands statutory obligations in respect of the Duty of Candour and will follow the agreed policy and procedure

4.2 Compliments, Suggestions and Feedback

Fellview Healthcare will ensure that services delivered are effective and responsive to the needs of Patients, carers and other users by encouraging and welcoming feedback from Patients about the service and their experiences.

Fellview Healthcare will comply with the April 2015 contractual requirement for all General Practices in England to establish and maintain a Patient participation group (PPG) and make reasonable efforts to:

- Identify areas of good practice, strengths and what Fellview Healthcare does well
- Identify areas for improvement, lessons learned and any changes to be made as a result
- Demonstrate that Fellview Healthcare values Patients' and others' concerns and comments about the work of the practice team by making changes in response to feedback received

Fellview Healthcare will reflect on compliments, suggestions and other feedback received formally and informally depending on the content. A record of all compliments, suggestions and other feedback will be maintained, together with the register of complaints at Fellview Healthcare and will be reviewed on a regular basis at practice meetings in addition to regular and annual complaints reviews.

Compliments, suggestions and feedback received will be explored by the team at Fellview Healthcare and a response provided to the individual as well as to the wider Patient and stakeholder population

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(via the usual communication methods and channels at Fellview Healthcare), in particular when changes have been made or developments are planned in response.

Where NHS services are being provided, Fellview Healthcare will submit annual data to NHS Digital for the KO41b primary care (GP and Dental) complaints collection.

5. Procedure

5.1 Summary of the NHS Complaints Process

- When a complaint is received by a staff member, they will endeavour to resolve the issue immediately (or within 24 hours) to the satisfaction of the complainant if it is within their role and realm of responsibility, or involve another colleague or more senior staff member if it is not within their role and realm of responsibility
- Staff will explain the complaints process as described in the procedure steps, and give the complainant a copy of the Complaint Procedure for Patients, which is available in the Forms section of this policy
- Staff will report the complaint to Anne Thompson & Diane Robertson where it will be assessed for further action and logged
- If a complaint can be resolved to the complainant's satisfaction within 24 hours, it is not necessary to go through the formal complaints process
- If it cannot be resolved to the complainant's satisfaction within 24 hours, the complaint will be recorded as a formal complaint. If the complainant is not the Patient, consent to investigate and resolve the complaint must be obtained from the Patient
- Acknowledgement of the complaint will be made to the complainant in writing within three working days detailing the complaint and that an investigation will be undertaken
- Where possible and appropriate, a discussion will take place with the complainant to understand their expectations and preferred outcome(s) and aim to manage their concerns to their preferred outcome(s), dependent on the nature of the complaint. An action plan and timescale will be agreed along with the complainant's preferred method of communication
- The complaint will then be investigated after which the complainant will receive a reply and response as agreed in the plan, and a meeting offered if necessary and appropriate
- Should the complainant be dissatisfied with the response, further discussion and efforts must be made to resolve the complaint, including local mediation and arbitration where appropriate, for example, via the Patient Advice and Liaison Service (PALS). Where all attempts to resolve the complaint locally have been unsuccessful, details of the ICB complaints team and Parliamentary and Health Service Ombudsman (PHSO) will be shared with the complainant
- Patients can also contact their local integrated care board (ICB) for complaints about primary care services (GPs, dentists, opticians or pharmacists) and secondary care, such as hospital care, mental health services, out-of-hours services, NHS 111 and community services like district nursing. Every ICB will have its own complaints procedure which is often displayed on its website
- For private practices/clinics: Where the complaints process has been followed, but despite this the Patient's issue has not been resolved, the Patient has the option to contact the GMC on 0845 357 0022 to discuss their complaint

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5.2 Receiving a Complaint

A complaint can be received either verbally or in writing and can be made by:

- Patients
- Someone acting on behalf of a Patient with their written consent, for example a relative, advocate or Member of Parliament
- Someone acting on behalf of a Patient who is unable to represent his or her own interests provided this does not conflict with the Patient's right to confidentiality or a previously expressed wish of the Patient

Once a complaint is received, it must be managed using the formal process. Fellview Healthcare will acknowledge the complaint in writing within three working days of the complaint being received.

The acknowledgement is not required to address any of the issues relating to the detail of the complaint itself but is to advise and reassure the complainant that the matter will be investigated.

Fellview Healthcare will establish a practical plan and direction for the investigation at an early stage as this will be beneficial for all involved in the long run.

5.3 Investigating Complaints

Before beginning an investigation, Fellview Healthcare will assess the seriousness of the complaint. If a complainant does not wish to pursue an issue, Fellview Healthcare will investigate the issue to identify what led to the complaint so that Fellview Healthcare can use complaints as part of the learning and improvement cycle to assist in service improvement.

The complainant may be invited to meet with Anne Thompson & Diane Robertson to discuss the complaint. This may be done face to face, online, or over the telephone if appropriate. It is important to establish, at the earliest opportunity, what outcome the complainant expects, and to let the complainant know whether this is a realistic and possible expectation.

Complaints can be made either by Patients or by someone who is affected or likely to be affected by the action, omission or decision of the responsible body that is the subject of the complaint. This means that potential complainants can be almost anyone, which in turn can present the risk of a vexatious complaint.

When a complaint is made on behalf of a child, Fellview Healthcare must be satisfied that there are reasonable grounds for the complaint being made by the complainant, rather than the child. Fellview Healthcare must also be satisfied that the complaint is being made in the best interests of the child. If Fellview Healthcare is not satisfied that this is the case, written notification of this decision must be sent to the complainant.

As there is a single complaints procedure for all health and social care services, it is usual for the organisation with the largest part in the complaint to be considered the lead responder and, therefore, to be responsible for co-ordinating the investigation and responses. Further information can be found on the Parliamentary and Health Service Ombudsman website.

Fellview Healthcare will support all members of staff involved in the complaints process.

5.4 Anonymous Complaints

Anonymous complaints received online via the company website or social media will be investigated in the same way as named complaints. They will be logged and any corrective action necessary will be taken and recorded and, if appropriate, the response will be displayed anonymously in reply to the complaint. The complainant may be asked to make contact with Fellview Healthcare in order to fully investigate and resolve the complaint.

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5.5 Vexatious Complaints

Occasionally, Fellview Healthcare may receive complaints that are vexatious in that they cause considerable disruption to the work at Fellview Healthcare, disproportionate cost and time to handle and impact the wellbeing of staff (because of the way the complaint is made or because of its repetitive nature).

Fellview Healthcare will ensure that it meets the requirements of the Equality Act 2010 to make 'reasonable adjustments' for disabled customers. In some circumstances, customers may have a disability that makes it difficult for them to either express themselves or communicate clearly and/or appropriately. Where there is an indication that this may be the case, Fellview Healthcare will consider the needs and circumstances of the Patient or complainant in the first instance and use this information to inform any decisions that are made.

Where appropriate, Fellview Healthcare will consider complaints to be vexatious but would not label an individual complainant as vexatious. Even if Fellview Healthcare decides that an individual's complaint about the service is vexatious, that does not preclude that person from making a formal complaint. Fellview Healthcare would still consider any such complaints in line with the usual procedures.

To help decide whether a complaint is vexatious, Fellview Healthcare will consider the full history and context of interactions with the individual making the complaint and will look at both the nature of the complaint and the manner in which it is made. The particular issues that will inform a decision will include whether:

- The primary purpose and/or effect of the complaint is to disturb, disrupt and/or pressurise Fellview Healthcare, its staff or an individual member of staff
- The primary purpose and/or effect of the manner in which the complaint is made is to disturb, disrupt and/or pressurise Fellview Healthcare, its staff or an individual member of staff
- The complaint is otherwise clearly unreasonable

If at any point in the handling of a complaint, a member of staff believes it meets the criteria to be deemed vexatious it must be referred to Professor John Paul Howarth with a summary of why it is thought to be vexatious.

Professor John Paul Howarth will consider the complaint, seek external advice if appropriate, and will either declare the complaint as being vexatious, or not. Where a complaint is not deemed to be vexatious it will be returned to the appropriate point in the complaints handling process.

If a complaint is deemed to be vexatious, Professor John Paul Howarth will respond directly to the complainant explaining why it is thought to be so and explain that the complaint will be closed with no further action. Professor John Paul Howarth will also consider if the making of a vexatious complaint also requires the application of a restriction on communication following unreasonable behaviour.

The decision to declare a complaint as vexatious will be recorded in the complaints register for future reference.

Any declaration that refers to the specific complaint being vexatious and any further complaints from the same individual will still be considered.

If any individual wishes to challenge a decision made in relation to this policy, and all attempts to resolve the complaint locally have been unsuccessful, details of the ICB's complaints team and Parliamentary and Health Service Ombudsman (PHSO) will be shared with the complainant.

5.6 The Complaints Register

This will contain all correspondence from each complaint received including the following:

- Details of the complaint including subject matter, date of receipt and method of receipt

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- Date and method of acknowledgement
- Notes from any meetings with the complainant wherever possible agreed with the complainant by countersignature
- Details of any reason for delay where investigations took longer than any agreed response period and evidence of keeping the complainant informed of any delay
- The date the response letter was sent to the complainant
- Dates when the complaint was discussed in Fellview Healthcare internal meetings
- Changes or developments made in response to the complaint as a result of the complaints investigation, including how and when these were shared
- Learning from the complaint to improve quality of care
- Dates of formal complaints reviews

Where complaints are raised by telephone, the log will include the date and time of the call and the content of the conversation.

Complaints to be shared for learning purposes will be anonymised by removing all identifiable Patient information or details and information pointing to the identity of the complainant.

A complaints register, which will also assist the completion of the KO41b Primary Care (GP and Dental) Complaints Collection, is available in QCS resources.

5.7 PALS and Healthwatch

The Patient Advice and Liaison Service (PALS) is available to help and support Patients if they are unhappy about any health related matters but do not want to lodge a complaint. Patients can be put in touch with PALS or may contact PALS independently to ask for help.

The main aims of PALS is to:

- Help resolve problems when they arise by working with the staff concerned to negotiate a mutually agreed solution
- Provide information about local health services

Local Healthwatch was introduced by the Health and Social Care Act 2012 with the aim of building on the existing functions of LINks (Local Involvement Networks), including the provision of information and advice to help people make choices about health and care services as well as the possibility of providing an advocacy service for people making a complaint using local complaints processes.

5.8 Parliamentary and Health Service Ombudsman (PHSO)

The PHSO is the final stage for unresolved complaints and usually expects complainants to complain to the organisation they are unhappy with first and is only likely to get involved if the initial approach proves unsuccessful. The PHSO does not investigate every complaint that it receives and is not required to do so, and it has legal criteria that must be satisfied before it can take any complaint forward.

If it does proceed, the PHSO will check whether the local complaints process has been completed. Public organisations are given the opportunity to put things right before the PHSO will consider the matter. If they have not had that opportunity, the investigation is usually declined at that point and the complainant asked to make full use of the complaints process at Fellview Healthcare. The PHSO will consider:

- If the complainant has been affected personally by what happened

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- Whether the complainant contacted the PHSO (or an MP) within a year of knowing about the issue
- Whether the complainant has (or had) the option of taking legal action instead
- Whether Fellview Healthcare potentially got things wrong that have had a negative effect on the complainant that has not been put right

If these preliminary checks are satisfied a formal investigation will follow.

The PHSO may talk to Anne Thompson & Diane Robertson or Professor John Paul Howarth to try and resolve the issue or it may carry out an investigation and look in detail at the event or occurrence that led to the complaint. The steps taken will vary depending on the nature of the complaint which may involve gathering additional evidence and information by speaking to the complainant and Fellview Healthcare, or they might obtain expert advice.

The following are the possible outcomes from the PHSO:

- Fellview Healthcare has acted correctly
- That there was a problem, but Fellview Healthcare has already done enough to put things right, or
- Fellview Healthcare has been found to have done something wrong that needs to be put right in which case the PHSO will work with Fellview Healthcare to achieve this. This may mean asking Fellview Healthcare to acknowledge the mistake, apologise, pay compensation and prevent any recurrence of the same error or omission

5.9 Time Limits for Submitting a Complaint

Complaints will normally be made within 12 months after the incident that gave rise to the complaint, or from the time the complainant was made aware thereof. It is possible to extend this timescale if there are good reasons for the complainant not to have raised the matter sooner, and a fair investigation can be carried out.

5.10 Complaints About Locums, Agency or Temporary Staff

Fellview Healthcare will obtain agreement from locum GPs, locum nurses and other temporary clinical staff members for them to participate in the complaints procedure if required, as it is possible that complaints will arise after the locum or temporary member of staff has moved on.

Fellview Healthcare will give locums and temporary members of staff involved in the complaints process every opportunity to respond to complaints with no discrepancy between the way the process treats locums, temporary staff, salaried GPs, GP partners or any other permanent staff members.

5.11 Complaints Files and Records

A separate file will be kept for complaints records and letters. These must never appear in a Patient's electronic or paper medical records or that of a complainant who is not the Patient who is a registered Patient of Fellview Healthcare.

Any complaint resolved by Fellview Healthcare via the formal complaints procedure will be kept on record for 10 years - the same length of time as for litigation cases.

Fellview Healthcare will comply with Data Protection legislation and UK General Data Protection Regulations in relation to complaint handling, recording, storing and archiving.

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5.12 Suggestions

Suggestions can be made verbally or in writing using all the feedback and communication channels at Fellview Healthcare (Friends and Family Tests, Healthwatch, Patient participation or other engagement groups, direct to Fellview Healthcare). These are usually made by Patients or users seeking to improve Fellview Healthcare, meet needs or respond to changes and trends.

Suggestions are not complaints. However, they will be recorded, reviewed and actioned to prevent any risk of a future complaint in relation to the suggestion made. Suggestions will be managed in the same way as other feedback and informal complaints and included in reports in meetings together with other feedback.

5.13 Compliments

Receiving compliments via any feedback or ad hoc voluntary method is an opportunity to celebrate and recognise success. Fellview Healthcare will ensure:

- All compliments are shared with members of the team at Fellview Healthcare formally or informally
- Compliments will be anonymised, or permission sought from the Patient or representative before being published, put on display or shared via internal communication channels
- Numbers of compliments received are logged as with complaints and other feedback via the register at Fellview Healthcare
- Verbal positive feedback from Patients and users will be recorded and shared. The Patient or representative can be asked if their compliments can be reproduced on a named basis with their consent, or anonymously
- Compliments, together with complaints, suggestions and other feedback, will be taken as a standing agenda item at relevant internal meetings

5.14 Friends and Family Test (FFT)

Since 1 December 2014, it has been a contractual requirement for every NHS GP practice in England to offer Patients the Friends and Family Test (FFT). The FFT is a quick and simple feedback tool which enables Patients to indicate how likely they would be to recommend Fellview Healthcare to their friends and family if they required similar care or treatment. Patients can also provide a free text comment to explain the reason for their response. The FFT is not a replacement for the complaints procedure.

The NHS website displays published provider FFT scores for General Practice and other providers using the FFT data collected and submitted.

There is flexibility in how the FFT can be offered to Patients (e.g. completion of a postcard, SMS text message, website, touchpads, tablets or kiosks, smartphone app or online) as different methods work better in different types of practice and enable the FFT to fit in with existing practice Patient engagement activities.

All Patients are provided with the opportunity to provide feedback via the FFT regardless of their needs. The NHS England published guidance contains resources to help practices make the FFT accessible for Patients with different needs (e.g. dementia, hearing loss, children and young people), and the FFT is available in 20 of the most commonly spoken languages.

The FFT offers the facility for Patients and users to leave free-text comments which provide real-time feedback for Fellview Healthcare to analyse and act upon. FFT free-text can be used as an element of the overarching practice feedback system to monitor positive and negative feedback, identify notable trends and inform practice and service development.

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Fellview Healthcare is required to submit the following data through the Calculating Quality Reporting Service (CQRS):

- The total number of responses in each response category
- The number of responses collected through each collection method

Fellview Healthcare will submit data as soon as possible after the month end and has until the twelfth working day (inclusive) to make the submission.

5.15 Audit and Evaluation

Fellview Healthcare will record, monitor, review and analyse all complaints and other feedback received about the service as part of the practice continuous improvement cycle to identify and inform performance, effectiveness, quality, safety and trends. Fellview Healthcare will investigate or explore what has been received and act on the findings that emerge.

Fellview Healthcare will:

- Share themes and trends with the practice team and relevant external stakeholders, for example, commissioners, secondary care, community and primary care providers as required by NHS England (where required) and as appropriate in the interests of the development and dissemination of best practice
- Carry out and submit complaints reviews to NHS England (where required), commissioning bodies and statutory bodies as required
- Review complaints, compliments and other feedback received, together with the outputs and outcomes from the management process, as a standing agenda item at practice meetings
- Ensure that staff members are trained to deal with complaints, compliments, suggestion and feedback and understand the complaints procedure so that they can advise complainants with accuracy

5.16 Annual Complaints Return - NHS Practices

Fellview Healthcare will report all written complaints received via the KO41b Primary Care Data Collection. This information is made available through an annual publication on the NHS Digital website. The data collection refers to written complaints received between 1 April and 31 March each year. It is a statutory requirement to declare complaints information as detailed in the 2009 Complaints Regulations.

Fellview Healthcare will refer to NHS Digital Guidance Notes for GP collection. The guidance gives information about the data which must be reported including:

- Complaints brought forward (from the previous period)
- New complaints
- Total complaints resolved
- Number of complaints upheld
- Number of complaints partially upheld
- Number of complaints not upheld
- Total carried forward
- Age (the number of complainants in each age group)
- Complainant (the number of new complainants in each complainant type group e.g. Patient, parent, carer)

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- Service area (e.g. GP surgery)
- Subject area (e.g. appointment availability or length, clinical treatment errors, confidentiality breach)
- Staff Group (e.g. admin staff, locum practitioner, practice nurse)

The template for recording this information, for the submission of the annual complaints return, is available in the user documents section of the KO41b Primary Care (GP and Dental) Complaints Collection webpage.

6. Definitions

6.1 Compliment

- A compliment is an expression of satisfaction about a service the {Service_user_text} has received
- Compliments are positive feedback that can be received verbally or in writing and can include expressions of praise, admiration, congratulation and encouragement

6.2 Complaint

- A complaint is an expression of dissatisfaction, disappointment or discontent. This could be in response to an act of omission, decision or act
-
- Complaints can be made in various ways and include:
-
  - Verbally
  - Writing
  - Electronically
  - Local feedback channels

6.3 Suggestion

- An idea or plan put forward for consideration, usually to achieve some type of improvement, to solve a problem or introduce positive change for service development

6.4 Written Complaint

- A written complaint is one that is made in writing to any member of staff or is originally made orally and subsequently recorded in writing. Once it is recorded, a complaint should be treated as though it was made in writing from the outset

6.5 Vexatious Complaint

- A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted

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7. Key Facts - Professionals

Professionals providing this service should be aware of the following:

- When a complainant does not wish to pursue an issue, Fellview Healthcare will investigate the matter raised in the usual way and take the decision whether to feed back any findings to the complainant on an informal basis
- Fellview Healthcare will seek agreement from locum GPs/nurses/other clinical staff members that they will participate in the complaints procedure if required for complaints that may arise after they have left
- The complaints procedure can run simultaneously with a disciplinary or legal procedure where such procedures will not be compromised by the complaints process
- Fellview Healthcare will explore and identify themes from all compliments, complaints and other feedback received for the purpose of quality improvement planning. All changes, developments and improvements, some of which will arise from feedback received, will be shared through the communication channels at Fellview Healthcare
- Before an investigation begins, it is important to assess the seriousness of the complaint in order to inform what to do next
- Patients can also contact their local integrated care board (ICB) for complaints about primary care services (GPs, dentists, opticians or pharmacists) and secondary care, such as hospital care, mental health services, out-of-hours services, NHS 111 and community services like district nursing. Every ICB will have its own complaints procedure, which is often displayed on its website
- NHS England's complaints policy is currently being reviewed and updated to reflect both the transfer of the primary care complaints handling function to integrated care boards (ICBs) and the bringing together of NHS England, NHS Digital and Health Education England. From 1 July 2023 complaints to the commissioner are made to directly to the local ICB rather than NHS England
- A separate file must be kept for complaints records and letters. Under no circumstances are these permitted to be filed in any Patient's electronic or paper medical record
- If a verbal complaint is resolved to the complainant's satisfaction within 24 hours, then it will not be necessary to embark upon the formal complaints process. This will often be an immediate or simple operational issue to resolve
- There is a single complaints procedure for all health and social care services. The organisation with the largest element of a multi-layer complaint will operate as the agency responsible for leading and coordinating the investigation and response
- Staff members will be supported during the investigation of complaints
- For NHS providers - Fellview Healthcare will complete and submit an annual complaints return via the NHS KO41b collection
- Compliments will be recognised and celebrated
- Receiving complaints and compliments, including other feedback and suggestions, is everyone's responsibility. Therefore, all members of the practice team must know how to handle any kind of feedback so the person who complained or otherwise fed back understands that there is a process Fellview Healthcare will follow

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8. Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- You can also contact your local integrated care board (ICB) for complaints about primary care services (GPs, dentists, opticians or pharmacists) and secondary care, such as hospital care, mental health services, out-of-hours services, NHS 111 and community services like district nursing. Every ICB will have its own complaints procedure, which is often displayed on its website
- You have the right to make a complaint, raise a concern, make a suggestion or give a compliment
- The process for making a complaint or giving any kind of feedback is straightforward. There is a right to anonymity, unless there is consent to share the issues raised or feedback provided wider than the relevant members of the practice team
- All feedback is explored in order to improve the quality of care and your experience at Fellview Healthcare
- There are many ways by which to provide feedback of any kind or to make a complaint and receive a response from Fellview Healthcare

Further Reading

Parliamentary and Health Service Ombudsman - Changes to the way we handle complaints about the NHS:

https://www.ombudsman.org.uk/service-update

Parliamentary and Health Service Ombudsman - Principles of Good Complaint Handling:

https://www.ombudsman.org.uk/about-us/our-principles/principles-good-complaint-handling

Care Quality Commission (CQC) - Regulation 16: Receiving and acting on complaints:

https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-16-receiving-acting-complaints

NHS Digital - KO41b Primary Care (GP and Dental) Complaints Collection:

https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/primary-care-gp-and-dental-complaints-collection-ko41b

NHS - Guidance on Implementing the Friends and Family Test:

https://www.england.nhs.uk/fft/fft-guidance/

NHS - Friends and Family Test Frequently Asked Questions:

https://www.england.nhs.uk/fft/friends-and-family-test-development-project-2018-19/faqs/

The Patients Association - Improving Complaints:

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https://www.patients-association.org.uk/complaints-management

NHS - Find your local integrated care board (ICB):

https://www.nhs.uk/nhs-services/find-your-local-integrated-care-board/

Other Policies and Resources:

- Duty of Candour Policy and Procedure
- Advocacy Policy and Procedure
- Significant Event Policy and Procedure
- Safeguarding Adults Policy and Procedure
- Safeguarding Children and Child Protection Policy and Procedure
- Complaints Register

Outstanding Practice

To be "outstanding" in this policy area you could provide evidence that:

- Patients are consulted on the complaint handling process and can input into the future design and development of internal procedures
- For NHS practices - there is evidence of annual practice to practice peer review as a means of commitment to transparency and quality. Prepare and publish an annual report detailing the number of complaints, compliments and suggestions, and actions taken as a result to be shared wider than with NHS England
- All complaints are logged, investigated and the outcome is provided for the complainant in a response letter within the agreed timescales and, where there are delays, these are explained, and the complainant kept updated on amended timescales for the final response
- Trends in complaints are identified and converted into developments to improve service delivery and reported to commissioners and other providers as appropriate, keeping the Patient at the centre
- The wide understanding of the policy is enabled by proactive use of the QCS App
- Locums and temporary staff formally agree to participate in complaints investigations that are required after they have left Fellview Healthcare
- Complaints and all other feedback appear as regular agenda items at relevant practice meetings with learning and proposed developments identified, shared, implemented and reviewed as part of the practice quality improvement cycle
- There is a strong culture throughout the practice team that is focused on resolving complaints within 24 hours wherever possible in order to respond to Patients' dissatisfaction and to avoid complaints taking up time that could be used more productively and proactively. The complaint will be recorded in The practice complaints register and processed according to the complaints procedure whether it is dealt with formally or informally
- There is always a member of staff available and designated to receive and deal with complaints, or to respond to Patients with feedback of any sort, to avoid the dissatisfaction or frustration that can result from leaving Patients to wait unattended

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Forms

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
Complaint Acknowledgement Letter Template - GQQ03	To assist with acknowledging complaints in a timely manner and setting expectations.	QCS
Complaint Final Response Letter Template - GQQ03	To inform the complainant of the results of the complaints investigation and any subsequent actions.	QCS
Complaints, Suggestions and Compliments Register - GQQ03	To record complaints, suggestions and compliments.	QCS
Complaint Investigation Template - GQQ03	To record a complaint and investigation.	QCS
Complaint Procedure for Patients - GQQ03	To be displayed in a prominent position in the building/unit and given to Patients prior to admission.	QCS

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[Insert date]

[Insert name]

[Insert address]

Our ref: [Insert reference]

Your ref: [Insert reference]

Our contact details: [Insert name, email address and phone of the person managing this complaint]

Dear [Insert title and name]

[Insert heading. For example, Complaint about.....]

Thank you for bringing your concerns to my attention as set out in [your letter/your email/our conversation] of [date]. I am sorry that you feel you have reason to complain about the service you have received/provided by Fellview Healthcare.

I understand you are concerned that [Insert your understanding of the issues of concern, using a bulleted or numbered list if there is more than one point]. Please let me know as soon as possible if I have misunderstood your concerns in any way.

I am happy to meet you to discuss the issues you have raised and our investigation procedure if that will be helpful. [Suggest a date and/or ask them to contact you to arrange].

I am looking into the issues you have raised as a matter of urgency and shall be in touch with you with a full response by [insert anticipated response time – timescale to be negotiated but for the purpose of this letter not longer than 28 working days].

Please do contact me again, in the meantime, if I can be of further assistance. My email address and phone number are provided above/below.

Yours sincerely,

[Insert name and job title]

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[Insert date]

[Insert name]

[Insert address]

Our ref: [Insert reference]

Your ref: [Insert reference]

Our contact details: [Insert name, email address and phone of the person managing this complaint]

Dear [Insert title and name]

[Insert heading. For example, Complaint about.....]

My investigation into the concerns you raised on [insert date] is now complete.

I will address each of the points as outlined in my earlier acknowledgement letter to you.

[Repeat each individual point of the complaint and follow each one with what you found in the investigation. Put this as a numbered list if there is more than one issue.]

Point one, I have found that...

Point two, I have found that...

Outcome

As a result of your complaint, we have taken the following action (if not already mentioned above).

[action one]

[action two]

[action three]

I would like to thank you for bringing these matters to our attention. We welcome comments from people who use our services and aim to use these to improve our services.

If you are not fully satisfied with the way we have handled your complaint, you have the right to take your complaint to the Parliamentary and Health Service Ombudsman, who you can contact at:

https://www.ombudsman.org.uk/about-us/contact-us

- Visit their 'Making a Complaint' page at https://www.ombudsman.org.uk/making-complaint and click on 'Can we look into your complaint?'
- Call their Customer Helpline on 0345 015 4033 from 8:30am to 5:00pm, Monday to Thursday, and Friday from 8.30am to midday, except bank holidays. Calls are

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charged at local or national rates.

- Send a text to their 'call back' service: 07624 813 005 with your name and mobile number.

Yours sincerely,

[Insert name and job title]

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Date	Name of Person Making Complaint, Suggestion or Compliment	Summary of Complaint, Suggestion or Compliment	Action Taken

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Complaint Reference:			
Name (who does the complaint relate to?):		**Date of Birth** **(Patient ID):**	
Address:			
Date of Complaint:		**Date Complaint Acknowledged:**	
Name of Complainant:		**Date Response Required by:**	
If the complainant is not the Patient, what evidence was provided of the Patient's consent to complain on their behalf?			
Overview of Complaint (complaint letter or notes of verbal complaint to this form):			
Investigation Plan (outline the planned activities to investigate the complaint):			
Findings of Investigation (add interview notes to this form):			
Proposed Response:			
Approved by:			
Response Provided by:			
Method (attach any written communication to this form)**:**			
Date:			

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1. Introduction

Our Patients' views are important to us and help to ensure our services are consistently meeting people's needs. If you are unhappy with any of our services, it is important that you let us know.

If a complaint alerts us to possible abuse or neglect, we will tell 's Adult Safeguarding Team. The Safeguarding Team will decide how to investigate and monitor outcomes.

2. Making a Suggestion

Often people feel more comfortable suggesting improvements than complaining formally. Suggestions can be made by anyone receiving services, or their friends/family. To make a suggestion you can:

- Speak to the manager or their deputy
- Utilise available comments or suggestion boxes if you would rather make your suggestion that way

If the suggestion is something that Fellview Healthcare needs to consider, you can send it to:

Registered Manager

Fellview Healthcare

3 Castle Meadows
Whitehaven

CA28 7QE

01946692173

3. Making a Complaint

We aim to handle complaints quickly, effectively and in a fair and honest way. We take all complaints seriously and use valuable information from investigating to help us improve the service we provide. We treat all complaints in confidence.

Fellview Healthcare assures Patients and their families that it will not withdraw or reduce services because someone makes a complaint in good faith.

4. Who can Complain?

Anyone affected by the way Fellview Healthcare provides services can make a complaint.

A representative can make a complaint for the affected person if they:

- Cannot make a complaint themselves, or
- Have given consent for the representative to act on their behalf
- Have died

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If you are not happy about making a complaint yourself and you do not know someone who can talk or write to us on your behalf, we will be happy to find someone from an independent organisation to act as an advocate for you.

5. How you can Make a Complaint

You can complain:

- In person
- By telephone
- Through a member of our staff
- Through an advocate or representative

Where someone complains verbally, we will make a written record and provide a copy of it within 3 working days:

- By letter
- By email

6. Anonymous Complaints

We deal with anonymous complaints under the same procedure. However, it should be noted that, if you provide contact details, we can update you on the outcome of our investigation.

7. Responsibility

Professor John Paul Howarth has overall responsibility for dealing with all complaints made about the service.

We will provide, as far as is reasonably practical:

- Any help you need to understand the complaints procedure
- Advice on where you may get that help
- Information about making a complaint in a way you can understand

8. How we Handle Complaints

Professor John Paul Howarth may ask one of the management team to investigate the complaint. That person will have enough seniority and experience to deal with the issues raised by the complainant.

We will acknowledge a complaint within **3** working days and give you the name and contact details of the person investigating it.

We will keep you informed about the progress of the investigation. We aim to have all complaints finished within **28 working days** unless we agree a different time scale with you.

When we have finished investigating, we will arrange to meet with you to discuss the outcome, and write to you with:

- Details of the findings

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- Any action we have taken
- Our proposals to resolve your complaint

9. Time Limits

You should complain as soon as you can after the date on which the event occurred or came to your notice. If you complain more than 12 months later, we may not be able to investigate properly. However, we will consider whether you had a good reason for not making the complaint sooner and whether, despite the delay, it is still possible to investigate the complaint effectively and fairly.

10. Further Steps

At any stage during the process, if you are not happy with the way the service is dealing with your complaint, you can contact the Registered Manager at:

Fellview Healthcare

3 Castle Meadows
Whitehaven

CA28 7QE

01946692173

Once we have dealt with your complaint, if you are not happy with the outcome, you can refer your complaint to the local authority.

The provider has had an opportunity to respond and resolve matters.

The services of Fellview Healthcare are registered with, and regulated by, the Care Quality Commission. The CQC cannot get involved in individual complaints about providers but is happy to receive information about services at any time.

You can contact the CQC at:

Care Quality Commission National Correspondence

Care Quality Commission
National Correspondence
Citygate, Gallowgate
Newcastle upon Tyne NE1 4PA
Tel: 03000 616161
Fax: 03000 616171

Website: www.cqc.org.uk

***We can provide this policy in other languages or in other formats on request**

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