**Elmhurst Practice**

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| **Version:** | **Review Date:** | **Edited by:** | **Approved by:** | **Comments:** |
| 1 | February 2024 | K Bean | L Chapman | Completed 13.02.24 |
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**Concerns, Complaints and Compliments Policy**

The complaints manager at The Elmhurst Practice is Lorraine Chapman. It is the duty of the Complaints Manager to manage the complaints handling procedure in compliance with the regulations.

The responsible person at The Elmhurst Practice is Lorraine Chapman. It is the duty of the Responsible Person to ensure that all aspects of regulations and constitutional rights have been complied with in respect of all complaints received by the practice.

**Introduction**

The Local Authority Social Services and National Health Service Complaints (North East London) Regulations 2009 oblige NHS organisations to have arrangements in place to deal with complaints.

The Health Act 2009 places a duty on NHS Organisations (including contractors) to ‘have regard to the NHS Constitution’.

The NHS Constitution sets out the following rights for patients:

• To have the right to have any complaint about NHS services dealt with efficiently

and to have it properly investigated

• To have the right to know the outcome of any investigation of a complaint.

• To have the right to take the complaint to the Independent Health Service

Ombudsman if not satisfied with the way the complaint has been handled by the

NHS organisation.

There are two stages of complaints handling:

• Local resolution at Practice or NHS ICB level

• Referral to the Ombudsman

**Policy Objectives**

The Elmhurst Practice will:

• Ensure patients are aware of the right to complain.

• Ensure patients know how to complain and who to complain to

• Ensure patients understand how their complaint will be handled and the time frame.

• Ensure there is a robust system to respond, record and review complaints.

**Main Provisions of the Regulations**

• Patients wishing to complain may do so orally, in writing or electronically to either

the practice or the ICB as commissioner.

• Complaints can be made within 12 months of an incident occurring or them

becoming aware of the problem. The time limit can sometimes be extended (so

long as it's still possible to investigate the complaint). An extension might be

possible, for instance in situations where it would have been difficult for the patient

to complain earlier, for example, if grieving or undergoing trauma.

• Oral complaints that are satisfactorily resolved no later than the next working day

are not subject to the regulations.

• Complaints can be made by patients, or anyone affected by the actions, omission

or decisions of the Practice, whether 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 the complaint is being raised. If the

practice decides this is not the case, the complainant will be notified in writing and

an explanation given.

• Complainants can complain directly to the ICB or NHS North East London rather

than to the Practice. You can contact the ICB directly by

o Telephone - 020 8221 5750 (It will have a voicemail facility for people to leave

messages)

o Email - nelondonicb.complaints@nhs.net

o Write to them at; **Complaints Team, NHS North East London ICB, 4th Floor,**

**Unex** **Tower, 5 Station Street, London E15 1DA**

• The ICB or NHS North East London is obliged to notify the Practice.

• All NHS organisations (including voluntary and independent sector organisations

under contract) are all governed by the same legislation therefore coordinated

complaint handling should be easier. If a complaint is received that involves other

organisations, the Practice should, with the patient’s consent, copy the complaint

and the acknowledgement letter to the organisations concerned.

**Procedure**

* Patients will be encouraged to give feedback to the practice. The process for

doing so will be advertised in the Practice Leaflet and also on signage in the waiting room. An information leaflet is also available for patients to take away which gives details of how and to whom the complaint can be made.

* Where a complaint is made orally, the complaint shall be recorded, and a copy of the written record given to the complainant.
* The complaint shall be acknowledged within 3 working days of receipt and may be made orally or in writing.
* When acknowledging the complaint, we will offer to discuss the complaint, with the complainant, at a time to suit them. We will advise the manner in which the complaint will be investigated and the likely timescale for this investigation and when the complainant is likely to receive a response.
* If the complainant does not accept the offer of a discussion, then we will determine the response time and notify the complainant in writing.
* The investigation of the complaint will be made in the most appropriate manner and shall be conducted efficiently, at all times keeping the patient up to date with progress. As soon as possible after completion of the investigation, the complainant will be sent a written response.
* The response will include an explanation of how the complaint has been considered, conclusions reached and how they may affect the complainant. It will confirm any actions that need to be taken as a consequence of the complaint. If local resolution has not been reached, it will identify the right to take the complaint to the Health Service Ombudsman.

**Reporting**

The Elmhurst

Practice will undertake an annual review of complaints

An annual report will be produced giving details of:

• The number of complaints received

• A summary of subject matter

• A summary of outcomes

• Lessons learned and any improvements made

• The way complaints were handled

• The number of complaints passed to Ombudsman

**The Health Service Ombudsman**

**The Ombudsman is completely independent of the NHS and Government. The Ombudsman can be contacted at Millbank Tower, Millbank, London SW1P 4QP, Tel: 0345 015 4033 or by emailing** [phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk) or by accessing [www.ombudsman.org.uk](http://www.ombudsman.org.uk)

Updated February 2024

Reviewed by: Kim Bean – Assistant Practice Manager

Approved by: Lorraine Chapman – Practice Manager