

<b>Quality Control South East Fertility Clinic</b>		Ref No :	SEFC QC002
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**AIM:** To ensure an effective working model for complaints management, including written procedures and guidelines for handling and investigation complaints, is implemented organisation wide.

**SCOPE:** The effective and timely management of any complaint must be considered a vital component of Customer Care throughout the organisation.

**PROCEDURE:**

The organisation undertakes to investigate all complaints courteously, sympathetically, objectively, expeditiously and thoroughly, with a view to obtaining information that results in an honest and balanced resolution to the problem and provides a rapid response and appropriate reassurance for the complainant.

All staff will receive training and information on what constitutes a complaint, and the procedures for receiving and managing a complaint in the first instance.

**Confidentiality**

The names of the patient or complainant shall remain confidential except to facilitate the investigation of a complaint.

The names of all staff members or clinicians shall remain confidential except to facilitate the investigation of a complaint.


Complaints by a patient representative shall be addressed ensuring that the complainant is a legitimate representative and in doing so with the patient's knowledge and consent, but also recognising patient confidentiality. If the patient is not able to consent then the patients lawful representative shall be informed.

**Verbal complaints**

If a staff member receives a verbal complaint and is empowered to manage the complaint, good practice shall be adopted by staff:

- put the patient at ease, be supportive and empathetic
- listen carefully and understand the nature of the complaint
- ensure privacy and a relaxed atmosphere
- remain calm and respectful
- take responsibility for further action and communication

The staff member receiving the complaint should notify the Clinic Manager. A patient complaint

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form (see attached copy) should be completed immediately by the Clinic Manager. Depending upon the severity of the complaint, the Clinic Manager should inform the Consultant responsible.

The Clinic Manager must deal with complaints relating to staff members. The Clinic Manager is responsible for the investigation although he/she may delegate this. It is always preferable for the Clinic manager to resolve the complaint him/herself.

The Clinic Manager should:

- summarise the complaint to the patient, and resolve immediately if possible
- explain that the complaint is being investigated, who is carrying out the investigation, and who they should contact in the event of a query. The patient should be informed that a response will be provided within 48 hours.


The Clinic Manager will require an investigator (if delegated) to submit written results of the investigation. This should include a list and note of people spoken with in relation to the complaint. Any statements taken should be attached.

The investigation should be completed within 1 working day if the patient is in the clinic and within 20 working days if the patient has been discharged. The Clinic Manager or investigator should report back immediately any problems in completing the investigation, which should be communicated to the patient in writing by the Clinic Manager. Where there is no reason for delay the complaint should be dealt with within 20 working days. Responses to serious verbal complaints must be in writing. On completing the investigation the Practice Manager should evaluate the investigation and decide the action to be taken.

The Clinic Manager should discuss with the patient, if the patient is still in the clinic, the results of the investigation and indicate whether any further action will be taken or is required. If the patient has left the clinic the Clinic Manager should send a written response to the patient. The Clinic Manager should then update and complete the patient verbal complaint form.

The Clinic Manager should allocate a reference number and enter the following data into the patient complaints register:

- complaint reference number and date received
- surname and other names of patient
- type of complaint (verbal/written/patient survey response)
- name of person dealing with / last dealt with complaint
- date investigation was completed

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- date of final response

### **Written Complaints**

The member of staff who receives the written complaint should immediately, or at least within 24 hours:

- date stamp the letter
- forward the letter to the Clinic Manager

The Clinic Manager should immediately, or at least within 2 working days:

- ensure an acknowledgement to the complainant is made in writing; if the complaint letter is received from someone other than the patient and it relates to clinical treatment, the patient's written consent to disclose information about his/her case must be requested
- log the details on the patient complaint register
- complete a complaints investigation form
- pass a copy of the letter to the clinic legal representative immediately if it is a complaint being made against the hospital from a Solicitor (the letter may be in the form of a request for health records) and instruct an investigation.

The investigation will depend upon the type of complaint. Complaints may be classified as:

- Clinical – Serious harm / death
- Clinical – Minor
- Non-clinical


For clinical complaints, it will be necessary to involve the patient's Consultant. The Clinic Manager should only ever deal with complaints relating to staff members.

The Clinic Manager should objectively evaluate the investigation and decide what action to take, consulting with relevant members of staff as appropriate. The Clinic Manager should write to the patient explaining the outcome of the investigation within 20 working days (or if the investigation is still in progress, within 7 days of a conclusion being reached). In any event, a 'holding letter' should be sent every 20 working days pending a conclusion being reached. The Clinic Manager should then update the complaint investigation response form.

### **Written Complaints - Consultants**

Consultant-related complaints will fall into two types:

- complaints about treatment
- complaints about conduct, ethics or professional incompetence

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Such complaints may include:

- a complaint about the clinical judgment of a consultant
- an incident where the health or well being of a patient has been seriously put at risk or harmed
- any allegation of physical abuse to patients
- allegations of possible criminal offences
- death in unforeseen circumstances or suicide

The member of staff who receives the written complaint should immediately date stamp the letter and forward it directly to the Practice Manager.

### **Complaint about Treatment**

Consultants are not typically employees of independent clinics. The relationship between the two is based upon agreed practising privileges. The Clinic Manager will send a letter to the Consultant and acknowledge the patient's letter within 2 working days. The Practice Manager will discuss the complaint with the Consultant and the Consultant will be asked to formally reply, as he/she is responsible for the treatment of his/her patients. The Consultant will be asked to respond to the patient within 20 working days and the Clinic Manager must be copied the reply. It is preferable that the Clinic Manager is granted access to the reply letter before it is forwarded to the patient to ensure comments made by the Consultant are in line with the complaint procedure of the organisation.


### **Complaint about Conduct / Ethics**

The Clinic Manager will investigate the complaint and will acknowledge the patient's complaint letter within 2 working days. Following an investigation, the Clinic Manager will respond to the patient within 20 working days or if the investigation is still in progress within 7 working days of a conclusion being reached. In any event a 'holding letter' should be sent every 20 working days pending a conclusion being reached. This policy is not intended to restrict the right of Consultants to review complaints against them with a medical defence organisation or otherwise take advice.

### **Independent External Appeal**

The preferred outcome of a complaint is a resolution within the clinic. However, if a patient remains dissatisfied after the clinic response, he/she may direct the complaint to the Healthcare Commission. This should normally be done within 6 months of the date of the event. The reason for this is to ensure that proper investigations can be made whilst the recollection of those involved is still reasonably clear.

An acknowledgement to any appeal received will be sent within 7 working days of receipt. The Clinic Manager will ensure that the Healthcare Commission has access to all documentation

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relating to the complaint, including correspondence between the clinic and complainant.

It is also possible for complainants to exercise a right of appeal to the Independent Healthcare Association (IHA). This should be done directly to the IHA. The Clinic Manager will ensure all documentation (as above) is made available for review.

**General**

Complaints are unavoidable in all organisations and should be seen as an opportunity for the organisation to improve its care and services to an even higher standard. It is vital that complaints are viewed and used in a positive way and are handled constructively.

Records relating to patient complaints for clinical matters must be retained for 7 years, and for non-clinical matters, 3 years.

All complaints should be considered with sympathy and show a genuine concern for the complainant and their concern(s).

Staff must be aware of limits on their ability and authority to manage complaints, and be able to recognise when it is necessary to pass a complaint to a higher level. Staff must take responsibility for ensuring that information is passed on to relevant personnel and follow up action is taken to resolve the problem.

It is important that staff do not make promises that they, or the clinic cannot keep. Members of staff must not make statements accepting responsibility or admitting liability. (Note: an expression of regret that the patient has felt the need to complain is not in itself an admission of liability and will often bring a complaint to an end).

**REFERENCES:**

- Core Standard 14 – Complaints Process
- Healthcare Commission Guidelines for Complaints Management
- Patients Charter
- Information for Patients policy

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