

KH-CP-010 COMPLAINTS PROCEDURE POLICY

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Introduction

Kleyn Healthcare recognises that suggestions and complaints provide valuable insights into services that they provide. Patients, relatives, and carers have the right to have their views heard and acted upon.

We will:

- Listen.
- Respond.
- Improve.

The outcome of any complaint's investigation will form part of our continuous quality improvement processes.

Information on how to make a complaint will be readily available to patients and their relatives and carers on the Kleyn website <http://www.kleynhealthcare.co.uk>, and as leaflets.

Scope of the Policy

Included in this policy:

A concern or complaint may be raised under this policy by anyone who is:

- Receiving, or has received, treatment and/or services which are provided by Kleyn Healthcare.
- A relative or friend acting on behalf of the patient, providing they have been given permission by the patient.

Not included in this policy:

A concern, complaint or grievance may not be raised under this policy by:

- Members of staff if the issue is relating to their contract of employment.
- Third party organisations, if the issue is relating to commissioned contracts with Kleyn Healthcare.

Complaints Procedure

Complaints should normally be made within one year of the event/s complained about. However, this requirement can be waived if there have been exceptional circumstances, such as bereavement or illness.

A complaint may be made in writing (email, letter, fax) or verbally. If the complaint is made verbally, the person accepting the complaint should record this in writing. Where possible the complainant should sign this record to confirm accuracy.

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The person making the complaint must be treated with respect and sensitivity and be encouraged to be open about their concerns.

All staff must ensure that patients, carers, and relatives are not discriminated against as a result of having raised a concern or complaint.

The complaints procedure can continue even if the complainant indicates an intention to take, or does indeed take, legal action and makes a claim for clinical negligence.

Principles

Kleyn Healthcare will ensure that complaints are viewed in a positive way and used to identify any area for quality and service improvement. Communication with complainants will be open, fair, and conciliatory.

A key principle of this policy is to ensure that all complainants will be treated equally and will not be discriminated against because of race, ethnic origin, nationality, gender, culture, religion or belief, sexual orientation, age, disability, or marital status.

Kleyn Healthcare will apply the Parliamentary and Health Service Ombudsmen Principles for Remedy in investigating and handling complaints:

- Getting it right.
- Being customer focussed.
- Being open and accountable.
- Acting fairly and proportionately.
- Putting things right.
- Seeking continuous improvement.

In dealing with complaints we will use techniques and procedures designed to uphold quality and improvement, such as the National Patient Safety Agency's Incident Decision Tree (IDT) and the Root Cause Analysis (RCA) technique, wherever applicable. We also aim to use the Institute for Healthcare Improvement's (IHI Boston) SBAR technique for reporting. Overall, we will focus on establishing the root cause of any complaint, to better understand what happened, how and why, and what should be done to address it.

Informal Resolution of Complaints within 24 Hours

A complaint does not have to be dealt with under the formal Kleyn Healthcare complaints procedure if it is resolved to the complainant's satisfaction no later than the next working day after the complaint was made. However, it is important that the organisation learns from all feedback, and the person who resolves the complaint informally must provide the Operational Manager with the details of the complaint and the actions they have taken to resolve it.

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Formal Complaints Process

First Stage - Local Resolution

The first stage of the complaint's procedure is 'Local Resolution.' Local resolution aims to resolve complaints quickly, and as close to the source of the complaint as possible using the most appropriate means; for example, use of conciliation.

All formal complaints should be notified to the Operational Manager and the Clinical Director of the service which is subject of the complaint.

All complaints must be acknowledged within three working days by letter.

A clear written record should be maintained of the investigation, detailing any meetings or discussion with staff and complainant, covering what was asked and the responses given. Copies of all correspondence and associated file notes should be kept securely and separately from medical records.

The complainant should be provided with a response in writing. This should be prepared by the investigating senior manager and signed off by the Lead Director before being sent to the complainant. The response should include an apology in recognition of the concern caused to the complainant - as well as for any service shortfall experienced - and comprehensively cover each aspect of the complaint, with explanations of actions being taken. The response should be written in plain English and be free from any unnecessary jargon.

The Lead Director will prepare a closing report and will close the complaints file four weeks after the final response has been sent, if there is no further communication from the complainant. However, this can be re-opened at a later date if there is further communication from the complainant.

Regardless of the method used to resolve the complaint, an action plan should be put into place by the service for any improvements that are identified.

Second Stage – The Ombudsman

Referral to the Ombudsman is the second and final stage of the complaint's procedure. However, all efforts should be made locally to resolve a complaint before the complainant is directed to the Ombudsman.

The Ombudsman can be contacted at the following address:

NHS complaints
Health Service Ombudsman
Millbank Tower
Millbank
London SW1 4QP

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Telephone helpline: 0345 015 4033

E-mail: OHSC.Enquires@ombudsman.gsi.gov.uk

Website: www.ombudsman.org.uk

Monitoring, Reviewing and Informing Quality

All complaints will be presented and discussed quarterly at the Kleyn Clinical Governance Committee in order to:

- Consider trends in complaints.
- Monitor implementation of agreed actions/recommendations following complaints.
- Review outcomes from investigations as a tool for continuous quality improvement.

Where necessary the complaints will be shared with the commissioners of the service and the referring clinician. This will be done in line with the contractual requirements and following good practice about Confidentiality and Being Open.

Appendix 1: Patient Information Sheet, to be Adopted for Each Service/Location

How to make a complaint

If you are unhappy with any aspect of your care you have the right to complain, have your complaint investigated, and be given a full and prompt reply.

What is the time limit for making a complaint?

Complaints should be made as soon as possible or within 12 months of the event concerned. The time limit can sometimes be extended (so long as it is still possible to investigate the complaint). An extension might be possible, such as in situations where it would have been difficult for you to complain earlier, for example, when you were grieving or undergoing trauma.

Who should I complain to?

In writing:

Individuals wishing to make a complaint about any member of staff, or any service provided by Kleyn Healthcare should in the first instance write to: -

Julia Markendale
Deployment Manager
Kleyn Healthcare
5 Allen Street
Warrington, WA2 7JE

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Over the telephone

Individuals wishing to put forward their complaint orally should telephone Julia Markendale at Kleyn Headquarters **Tel:** 01925 582976.

To a third party

You can also raise the matter with your local Clinical Commissioning Group (CCG). The address and contact details for your local group can be found on the NHS England website: <http://www.england.nhs.uk/ccg-details/>

Alternatively, the contact details can be provided by Kleyn Healthcare, please contact as above.

Who else can help?

The **Independent Complaints Advocacy Service (ICAS)** is a national service that supports people who wish to make a complaint about their NHS care or treatment. They can provide you with a Self-Help Information Pack to help you make a complaint. You can choose to make your complaint with, or without, the support of an ICAS advocate and you can request an ICAS advocate at any stage of the NHS Complaints Procedure. Contact your local ICAS office on **0808 802 3000**.

If you are not satisfied with the way the NHS has dealt with your complaint you can refer the matter to the **Parliamentary and Health Service Ombudsman** independent of the NHS. Address: Health Service Ombudsman, Millbank Tower, Millbank, London SW1 4QP who is independent of the NHS call **0345 015 4033**.

- All complaints verbal / written shall be held digitally by a Senior Administrator and shall be added to a complaints table that shall be kept on a shared drive.

- The risk owner of all of the complaints associated processes is the Deployment Manager. They shall hold ultimate ownership from receipt to completion or escalation.

- All complaints will be acknowledged from Senior Administrator to the complainants, but all responses to the complaints must be sent out by the Deployment Manager and most importantly in the Deployment Manager's name. This way patients will be happy that their complaint is being taken seriously and being dealt with at the Senior most level.

- In my Clinical Governance role , shall personally review all complaints with Dav and Kelly over an hour every Friday or Tuesday (when I am at the practice) and ensure that there is highest Clinical Governance oversight. The intention is that , where possibly I shall intervene the same week to nip things in the bud and prevent escalation where possible. I shall also ensure that any accused individual in the practice is informed immediately and asked to respond.

- If clinicians are asked to send a response to a complainant or a reflective statement , it needs to be addressed to the Deployment Manager and not the patient . The Deployment

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Manager will not necessarily share the clinician's response with the patient. But shall instead write back with interpreted extracts from the same. So please be mindful of the language and tone and it helps to always acknowledge the patients' distress / concerns and need to complain and to maintain a conciliatory tone even if we haven't been in the wrong.

- If clinicians or admin team members are asked for a statement, please ensure that it is done the same week and in a timely manner, as delayed responses have worse outcomes as it causes upset and anxiety with patients .

- From my perspective, my priority will be in protecting patients and our teams. But equally if there was something that went amiss, I shall dedicate time to supporting our practice colleagues with their actions and if there is any learning I shall work with them on the same.

- A summary of appropriate and relevant complaints that has learning for the Kleyn team, shall be shared with the wider team at SMT.