

Complaints & Pitfalls for GPs – GPNI Zoom Jan 2023



Complaints are a fact of life. Reply,
reflect & move on

(Easier said than done for
professionals)

Important references/ materials- short version

[Family Practitioner Service HSC Complaints eLearning package - DOH/HSCNI Strategic Planning and Performance Group \(SPPG\) – formerly HSCB](https://online.hscni.net/resources/fps-complaints-elearning-package/)

PHP Gecko

The screenshot shows a web browser displaying the URL <https://online.hscni.net/resources/fps-complaints-elearning-package/>. The page features the HSCNI logo (Health and Social Care) and a navigation menu with items like 'In Your Area', 'Our Work', 'About Us', 'Networks and Partnerships', 'News', and 'Contact us'. A search bar is present with the text 'Enter your search here'. Below the navigation, there is a breadcrumb trail: 'Resources > Family Practitioner Service HSC Complaints eLearning package'. A 'Quick Links' section is visible at the bottom of the page. A yellow callout box at the bottom of the page contains the quote: *"To err is human. To cover up is unforgivable. To fail to learn is inexcusable."* attributed to Sir Liam Donaldson, NHS Chief Medical Officer 1998-2012.



Department of
Health

An Roinn Sláinte

Mánnystrie O Poustie

www.health-ni.gov.uk

**GUIDANCE IN RELATION
TO THE
HEALTH AND SOCIAL CARE
COMPLAINTS PROCEDURE**

Important references/
materials- long version

ANNEX 13: UNREASONABLE OR ABUSIVE COMPLAINANTS

Examples

4 replies

Clearly mentally unwell with little insight

Requesting alteration of notes

**COMPLAINT
DEPARTMENT**
PLEASE TAKE A NUMBER



What does a Practice need?

A policy

A complaints leaflet

A way to store these (dummy pt?); that way needs to be separate from pt clinical notes

An annual review

Leaflet

COMPLAINTS LEAFLET ELMWOOD MEDICAL Jan 2022

The Elmwood Medical practice would like patients to be aware of the complaints procedure. As of Jan 2015 Dr MacDonagh & Mrs McBride will generally be the persons responsible for handling complaints. The purpose of this leaflet is to ensure that complainants are aware of the process.

We will

listen carefully to the substance of your complaint . Ideally these should be in writing to avoid any misunderstanding but we will facilitate

acknowledge in writing your complaint generally within 3 working days

collect the facts

aim to resolve your complaint promptly generally within 10 working days

give you information on any change from expected timescales if necessary to involve external agencies

apologise where appropriate

allow you to discuss our response and actions therefrom

advise you where to seek further advice at that point including external agencies

We also need you to understand that modern healthcare may involve multidisciplinary teams and other professionals outside the practice. This may in some cases slow a response ; we aim to let you know if this is the case

ELMWOOD PRACTICE POLICY – COMPLAINTS JAN 2015 1 of 2

UNDERSTANDING THE CONTEXT OF COMPLAINTS

“A complaint is not a request for information or for a service; it is not a comment or suggestion; neither is it purely when someone is unhappy. e.g. we have done something and done it badly in the person’s opinion or we said we would do something but did not.

Why do people complain? E.g. unmet need; unprofessional manner; difficulty obtaining information; limited choice; frustration; delays”

PRINCIPLES OF AN EFFECTIVE COMPLAINTS PROCEDURE THAT WE AIM TO ACHIEVE

Accessibility

Responsiveness –an appropriate and proportionate investigation and response;

Fairness and Independence – early resolution ; promote objectivity

Learning and Improving an aspect of user feedback ; sometimes we need to learn the lessons; all to be discussed at governance meetings & staff meetings.

PROCESS & NOMINATED INDIVIDUALS

Personnel DMD as clinical complaints lead; MF/JL as alternates ; administrative MMB/LM

Acknowledgement of complaint in 3 wds, full response in 10 w/days

Stages

Gather and review all relevant information, e.g. notes, relevant policies & standards; records- training records, electronic information

Engage with people involved (such as staff, complainant, carers/family, other agencies).

Information Mapping – involves ‘ordering’ the information gathered into a useful way – sequence of events. Generally narrative timeline . .

Problem identification and prioritisation - categorised into Care Delivery Problems (CDP) and/or Service Delivery Problems (SDP). [CDP – a problem related to direct provision of care, usually actions or omissions by staff (active failure) or absence of guidance to enable action to take place (latent failure), e.g. fail-ure to monitor, observe or act; an incorrect decision (with hind-sight); **not** seeking help when necessary.SDP – acts and omissions identified that are not associated with direct care provision. They are generally associated with decisions, procedures and systems that are part of the whole process of service delivery, e.g. equipment failure]

Analysis – The need to prioritise the problems; The 5 ‘W’s’ - what happened? When? Where? Why? Who? What can we learn? and What changes should be made?

Write Report - in line with local guidance

Draft a Response – read by 2 Drs before sending

Send response & cc anonymised version to HSCB

If complaint is complex or there is a dysfunctional GP-patient relationship HSCB “honest broker” may become necessary - ‘honest broker’ is where the complaints manager at the Health and Social Care Board (the Board) acts as an intermediary in an attempt to resolve the complaint locally.

Checklist for Preparing a Draft Response

Consider the complaint from the complainant's perspective

Thank them for bringing it to your attention

Simple, plain English, no jargon

Acknowledge their view / concern

Express regret for misunderstandings

Apologise for errors

Make sure your response is accurate and answer all points raised

Explain what went wrong and the result of the investigation

Deal with facts / don't try to justify / avoid defensive tone

Describe action taken to put right and any service improvements

Offer meeting (if appropriate) and contact details

Explain options if they are dissatisfied with the outcome

If complaint is complex or there is a dysfunctional GP-patient relationship HSCB "honest broker" may become necessary - 'honest broker' is where the complaints manager at the Health and Social Care Board (the Board) acts as an intermediary in an attempt to resolve the complaint locally.

Role of NIPSO

2nd stage - above local resolution

NIPSO do not take on all cases that complainants escalate * They make ask a practice for the paperwork . If one hasn't heard from NIPSO some weeks later NIPSO isn't taking the case on

Ensure you are procedurally right – acks, timescales etc

Since 2016 can in theory invoke a legislative privilege overriding your LLP with your MDO (not yet tested AFAIK)

Until 2019 practice could invoke NIPSO to review the case , now only complainant (or HSCB/SPPG) can escalate

Pitfalls & things to be aware of

Common pitfalls:

Check consent/ best interests if complaint not from competent adult

Litigation brake ; SAI partial brake

6 & 12 months window for complaints

3d to ack & 10 d to reply - can be extended but need to flag

Must redact and send to HSC complaints within 3 days (an MA will look at complaint and response)

Things to be aware of

When is it completed ? Offer local mtg or signpost to NIPSO – model text

Role of HSCB as honest broker

Role of PCC (support)

Private care inc DLA, DVA forms are not covered by HSC complaints procedure
(but beware the alternative)

Use your MDO for very complex complaints ... (mask example)

Ack

Thank you for conveying your concerns. We take all complaints seriously and with an open attitude, as we know that things sometimes can go wrong. This is an acknowledgement letter to say that we are investigating what has happened in this case and a formal response should be issued within 10 days. If there are matters that will take longer than 10 days we will let you know.

Yours Sincerely,

MACDONAGH, Donagh (Dr)

Minnie Mouse
2 Bubble Street
Belfast

H&C: 987 654 3210

Dear Miss Mouse
The practice has investigated your complaint of #####

To recap on events :

We understand your upset and wish to see matters addressed. We have read the complaint carefully and have structured our response to the main questions .

End Paragraph for Responses to Complaints, where the practice wishes to leave it open for complainant to come back to practice :

I hope this response has addressed the issues that you have raised. However, if you are##### unhappy with this response / have any remaining queries / wish to meet to discuss your concerns further, please do not hesitate to contact either the practice manager or the complaints lead GP on (028) 90204248. If we do not hear from you within one month, the practice will consider the complaints process concluded.

I would like to thank you for bringing your complaint to our attention and providing us with the opportunity to address your concerns.

If Complaint Exhausted, practice to Signpost to Ombudsman:

This response has been provided after thorough consideration of the issues you raised and I hope it has ##### addressed them to your satisfaction ##### or at least communicated our position and understanding of the issues.

Our review of this complaint has now concluded. Should you remain dissatisfied you may refer your complaint to the Northern Ireland Public Services Ombudsman (NIPSO) within 6 months of the date of this letter. The Ombudsman's contact details are Progressive House, 33 Wellington Place, Belfast, BT1 6HN or Freephone number 0800 342 424.

Thank you for conveying your concerns. We take all complaints seriously and with an open attitude, as we know that things sometimes can go wrong. On this occasion, the practice has carefully evaluated the facts on records. The conclusion is that no inappropriate or negligent care has been identified

The practice would point out that your option if not satisfied with local resolution of the complaint at practice level is to contact the Ombudsman. Contact details are:

The Ombudsman
33 Wellington Place
Belfast
BT1 6HN