

**COMPLAINTS,  
COMMENTS AND SUGGESTIONS**

**PATIENT INFORMATION  
LEAFLET**

**THE COLERIDGE MEDICAL CENTRE  
CANAAN WAY, OTTERY ST MARY,  
DEVON, EX11 1EQ**

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## **MAKING A COMPLAINT**

Most problems can be sorted out quickly and easily, often at the time they arise with the person concerned and this may be the approach you try first. You can also ask to speak to someone in the Management Team. This will often help to resolve your concerns straight away.

Where you are not able to resolve your complaint in this way and wish to make a formal complaint you should do so, preferably in writing as soon as possible after the event and ideally within a few days, as this helps us to establish what happened more easily. In any event, this should be:

- within 12 months of the incident;
- or within 12 months of you discovering that you have a problem.

State your problem clearly giving as much detail as you can.

If you are a registered patient you can complain about your own care. You are unable to complain about someone else's treatment without their written authority. See the separate section in this leaflet.

We are able to provide you with a separate complaints form to register your complaint and this includes a third-party authority form to enable a complaint to be made by someone else.

Raising a concern or complaint will not negatively affect how you are treated and complaints letters and records are not filed in your healthcare records. We have an open and honest approach to dealing with complaints and discussing learning points with the practice team.

Send your written complaint to our Complaints Manager: Sue Stokes, Practice Manager, Coleridge Medical Centre, Canaan Way, Ottery St Mary, Devon, EX11 1EQ

## **WHAT WE DO NEXT**

We look to settle complaints as soon as possible.

We will acknowledge receipt within 3 working days, and aim to give you an indication of the time scale for investigating and replying to your complaint. If you have not already done so you will be asked to sign a copy of our terms and conditions. You may then receive further contact from us or you may be invited to meet with the person(s) concerned to attempt to resolve the issue. If the matter is likely to take longer than anticipated we will let you know, and keep you informed as the investigation progresses.

When looking into a complaint we attempt to see what happened and why, to see if there is something we can learn from this, and make it possible for you to discuss the issue with those involved if you would like to do so.

When the investigations are complete your complaint will be determined and a final response sent to you.

The final response letter will include details of the result of your complaint and also your right to escalate the matter further if you remain dissatisfied with the response.

### **COMPLAINING ON BEHALF OF SOMEONE ELSE**

We keep to the strict rules of medical and personal confidentiality. If you wish to make a complaint and are not the patient involved, we will require the written consent of the patient concerned to confirm that they are unhappy with their treatment and that we can deal with someone else about it.

Please complete a complaints consent form, which contains a suitable authority for a patient to sign to enable the complaint to proceed.

Where a patient is incapable of providing consent due to illness or accident it may still be possible to deal with the complaint. Please provide the precise details of the circumstances which prevent this in your covering letter.

Please note that we are unable to discuss any issue relating to someone else without their express permission, which must be in writing, unless the circumstances above apply.

We may still need to correspond direct with the patient, or may be able to deal direct with the third party, and this depends on the wording of the authority provided.

### **VEXATIOUS COMPLAINTS**

Vexatious complaints (see definition page 6) that come directly to the practice can be rejected, with confirmation of the rejection and the reasons for the rejection. The practice may also inform Devon LMC and any other organisations as deemed necessary if we feel that our complaints system is being abused.

### **IF YOU ARE DISSATISFIED WITH THE OUTCOME**

If you are dissatisfied with the outcome of your complaint then we usually ask you to meet with the GP Partner responsible for complaints and the Complaints Manager.

You can also contact Patient Advisory Liaison Service (PALS). They can advise you on what to do next. Their contact details can be found in this booklet.

You also have the right to approach the Ombudsman. It reviews complaint handling by health or social care agencies. The contact details are:

The Parliamentary and Health Service Ombudsman, Millbank Tower,  
Millbank, London, SW1P 4QP Telephone: 0345 015 4033

### **FEEDBACK**

We encourage all patients to give us feedback. The more feedback we receive, the more we can learn about how we can improve. You can leave a comment or suggestion in our suggestion box, kept on reception or complete one of our feedback forms either online or in the practice. Otherwise please email us at [coleridgemedicalcentre@nhs.net](mailto:coleridgemedicalcentre@nhs.net) If you would like an acknowledgement please say so and include your name and contact details.

### **COMPLIMENTS**

It is also helpful for us to know what is working well and if any person in our team has provided you with an excellent service, beyond what you would usually experience. Please write to the Practice Manager or email us at [coleridgemedicalcentre@nhs.net](mailto:coleridgemedicalcentre@nhs.net) or complete one of our feedback forms. Compliments are shared with any named individuals and the practice team.

### **SHARING YOUR INFORMATION**

Where your complaint involves more than one organisation we will liaise with that organisation so that you receive one coordinated reply. We may need your consent to do this. Where your complaint has been sent initially to an incorrect organisation, we may seek your consent to forward this to the correct person to deal with.

All our medical and managerial staff are indemnified either with the Medical Protection Society, Medical Defence Union or MDDUS. The nature of your complaint may prompt us to seek legal advice from any of these organisations. In doing so we will share with them details of your complaint and supporting information including relevant medical information.

Any learning points as a result of your complaint are shared with the practice team at our significant event meetings. If we do this your personal information will be anonymised.

We also share comments, suggestions and praise with individuals and with the practice team. We will anonymise your suggestion, comment or praise if you ask us to.

## **OTHER SERVICES THAT CAN HANDLE CONCERNS AND ANSWER QUESTIONS ABOUT YOUR NHS CARE**

A patient or carer can raise issues either with the service provider direct, or with the commissioner of the service.

For GPs, dentists, pharmacies and community opticians and their staff and systems, the commissioner is NHS England. If you wish to make a comment or complaint about these services, and it cannot be resolved locally with the practice, please contact the NHS England at [england.contactus@nhs.net](mailto:england.contactus@nhs.net) or 0300 311 22 33.

All other local services are commissioned by a Clinical Commissioning Group. If you have an issue with any other local service commissioned by Northern, Eastern and Western Devon Clinical Commissioning Group e.g. physiotherapy, accident and emergency, mental health services, hospital care, children's healthcare, the issues can be raised with the service manager, the PALS and Complaints team at the service, or with the commissioner's PALS and Complaints team at [pals.devon@nhs.net](mailto:pals.devon@nhs.net), 0300 123 1672 or 01392 267665., or text 07789 741 099.

### **Patient Advisory Liaison Service (PALS): What do we do?**

Working for the commissioners of local services we can help deal with problems about any local provider, and with decisions made by the CCG. You can contact us for help about :Patient Transport, Delays and cancellations, Support with multi agency service problems, Referral problems, Help with Health costs, Individual funding process and information, Continuing Health Care funding disputes and retrospective review, Criteria for access to services, Care pathway confusions, Policy on service provision, Discharge planning, Concerns and complaints where the patient does not want to talk to the service provider, or doesn't really know which service to start with. For contact details of other PALS in local providers, see: <http://www.newdevonccg.nhs.uk/information-for-patients/pals-and-complaints-team/100081>

Write to: PALS, FREEPOST EX184, County Hall, Topsham Road, Exeter, EX2 4QL

Telephone: 0300 123 1672 or 01392 267665

SMS: text on 07789 741099 for a call back

Email: [pals.devon@nhs.net](mailto:pals.devon@nhs.net) or [complaints.devon@nhs.net](mailto:complaints.devon@nhs.net)

### **OUT OF HOURS**

Should you wish to make a complaint concerning the GP out of hours service, please contact:

Head of Governance, Devon Doctors on Call, Unit 8 Manaton Court, Manaton Close, Matford Business Park, Exeter, Devon, EX2 8PF

Telephone: 01392 823636  
Fax: 01392 824749  
Email: [ddocs.patientfeedback@nhs.net](mailto:ddocs.patientfeedback@nhs.net)

### **CARE QUALITY COMMISSION (CQC)**

The Care Quality Commission monitors all providers of health and social care. Anyone can raise concerns direct with them. Their telephone number is 03000 616 161.

### **SEAP ADVOCACY SERVICE**

SEAP Advocacy service provides support, advice and advocacy for individuals who are considering, or in the process of, making a complaint about NHS funded services. SEAP can be contacted on the telephone: 0300 3435707 Email: [Devon@seap.org.uk](mailto:Devon@seap.org.uk) Text: 80800 keyword SEAP.

### **HEALTHWATCH**

Healthwatch is the consumer watchdog which monitors health and social care services. Healthwatch gathers feedback to influence service improvement and provides advice, information and signposting to individuals. The number to call for Devon is 0800 520 0640.

### **SAFEGUARDING**

Safeguarding teams carry out assessments of concerns about the safety of children and vulnerable adults who may be being abused or neglected. They can take fast action to prevent harm if abuse is identified. Anyone can contact them. For concerns about adults please telephone 0845 155 1007 and for concerns about children please telephone 0345 155 1071.

### **NHS CHOICES**

NHS Choices [www.nhs.uk](http://www.nhs.uk) is a website where you can find quality controlled information and advice on NHS services, medical information, carers' services and much more.

### **DEFINITION OF VEXATIOUS COMPLAINTS**

Complainants (and/or anyone acting on their behalf) may be deemed to be vexatious, habitual or unreasonably persistent where current or previous contact with them shows that they have met at least two of the following criteria, where the complainant:

- Has insufficient or no grounds for their complaint and are making it for reasons that they do not admit or make obvious.
- Refuses to co operate with the complaint investigation process, whilst still wishing their complaint to be resolved.
- Insists on their complaint being dealt with in ways that are incompatible with NHS procedure or good practice or are disproportionate to the complaint.

- Adopts and excessively 'scattergun' approach, for instance, in pursuing a complaint with multiple organisations/individuals.
- Makes the same complaint repeatedly, perhaps with minor differences, after the complaint has been investigated. This would include where people insist that the minor differences constitute new complaints.
- Persists in pursuing a complaint where the NHS complaint procedure has been fully and properly implemented.
- Seeks to prolong contact by changing the substance of a complaint or by continually raising new issues and/or questions whilst the complaint is being addressed. (Care will be taken to recognise new issues which may arise and should be dealt with under a new complaint).
- Is unwilling to accept evidence of treatment given as being factual eg clinical records.
- Denies receipt of a response, despite evidence of correspondence specifically answering their questions/concerns.
- Does not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- Does not identify clearly the precise issues they want investigated, despite reasonable efforts by staff to help them to do so and/or the input of PALS or NHS England or the SEAP Advocacy Service.
- Focuses on a peripheral matter to an extent that is out of proportion to its significance with regard to the complaint and continues to focus on this point. We recognise that determining what is peripheral can be subjective and careful judgement will be used in considering this aspect.
- Uses physical violence or threats towards staff or their families/associates at any time. This will in itself cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be pursued through written communication. All such incidents will be documented and may be reported to the Police.
- In the course of pursuing a complaint, has made an excessive number of contacts (or made multiple complaints) with the practice, placing unreasonable demands on staff. Such contacts may be in person, by telephone, letter, fax or electronically.
- Has harassed or been abusive or verbally aggressive on more than one occasion towards staff dealing with their complaint – directly or indirectly – or their families and/or associates. If the nature of the harassment or aggressive behaviour is sufficiently serious, this could in itself be sufficient reason for classifying the complainant as vexatious.

- Displays unreasonable demands or expectations and fails to accept that these may be unreasonable after a clear explanation has been provided about what constitutes an unreasonable demand. For example, insisting on responses to complaints or enquiries being provided more urgently than is reasonable or recognised practice.

Once it is clear that the complainant meets any one of the above criteria, the practice retains the right to inform the complainant verbally and/or in writing that they are at risk of being classified as vexatious/habitual/unreasonably persistent and what the outcome of this would be.

Patients are reminded that the NHS operate a zero tolerance policy with regard to violence and abuse and the practice has the right to remove violent patients from the list with immediate effect in order to safeguard practice staff, patients and other persons. Violence in this context includes actual or threatened physical violence or verbal abuse which leads to fear for a person's safety. Furthermore the Health and Safety Executive (HSE) defines violence at work as "any incident in which an employee is abused, threatened or assaulted in circumstances related to their work." This covers any actions by patients leading to stress or anxiety, thereby damaging an employee's health. In this situation we will notify the patient in writing of their removal from the list and record in the patient's medical records the fact of the removal and the circumstances leading to it.

Resources:

The NHS Complaints Procedure (England Only) Guidance for Primary Care  
BMA Aug 2015

The NHS Complaints Procedure (England Only) BMA Aug 2009

Devon Partnership Trust Appendix 5 Vexatious Complaints Procedure

NHS Zero Tolerance Policy

Devon LMC

Mount Pleasant Health Centre Complaint Contract, Terms and Conditions