



Healthwatch Isle of Wight GP Complaints Report 2015

Healthwatch Isle of Wight

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Contents

Introduction	3
Background	4
Methodology	5
What can I expect?	6-9
Findings	10-11
Recommendations	12
Review	13
References	14
Contact Us	15



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References

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 - http://www.legislation.gov.uk/uksi/2009/309/pdfs/uksi_20090309_en.pdf

NHS Choices—<http://www.nhs.uk/choiceintheNHS/Rightsandpledges/NHSConstitution/Pages/Overview.aspx>

NHS Constitution—https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/448466/NHS_Constitution_WEB.pdf

Ventnor Medical Centre (Figure 1) - http://www.ventnormedicalcentre.co.uk/Core/Ventnor-Medical-Centre/Pages/How_Do_I_1.aspx

Argyll House Surgery—http://www.argyllhousesurgery.nhs.uk/website/J84008/files/Complaints_leaflet.pdf

Esplanade Surgery—<http://www.theesplanadesurgery.co.uk/charter.asp#2>



Healthwatch is an independent consumer champion created to gather and represent the views of the public on health and social care. Healthwatch plays a role at both national and local level and will make sure that the views of the public and people who use services are taken into account.

Introduction

Healthwatch Isle of Wight is the “consumer champion” for local health and social care services. It was created in April 2013 through legislation bringing in a Healthwatch organisation in each local authority area of England. Feedback on services is received from local residents, and a number of topics identified each year through public engagement for further consideration. Healthwatch works with service providers to explore these topics in detail, helping uphold what works well and identifying improvements that may be needed. Healthwatch Isle of Wight is supported by a team of paid staff, and an enthusiastic group of volunteers.

Healthwatch Isle of Wight relates to all funded health and social care services for Isle of Wight residents.

The principal focus of this report is complaints processes within Isle of Wight GP Practices.

At a local level, Healthwatch Isle of Wight is helping Islanders get the best out of their local health and care services. Whether it's improving them today or helping to shape them for tomorrow.

Background

The Theme of Complaints became part of Healthwatch Isle of Wight's workplan for 2014/15 following public engagement.

Complaints processes was adopted as the focus of the work, in particular whether processes were understood by and advertised to the public.

When making an NHS Complaint it depends on who the provider is as to who will manage the complaint. This report relates to GP complaints as these are managed by individual practices or NHS England.

A separate report for IW NHS Trust complaints has also been undertaken and published by Healthwatch Isle of Wight.

There are 17 GP Practices on the Isle of Wight. Some of these have branch surgeries.

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Review

A follow up of all recommendations will be undertaken by Healthwatch Isle of Wight in September 2016



Recommendations

Healthwatch Isle of Wight Recommend the following for Island GP Practices:

1. Posters should be on display throughout the practice, outlining the complaints procedure. They should clearly state all the information a person would need to make a complaint, including advocacy support information and potential timescales involved.
2. Leaflets should be available containing detailed information related to making complaints, such as, timescales, advocacy support, the way the complaint will be handled, what to do if you are unhappy with the outcome of your complaint.
3. Leaflets should be available in other formats upon request.
4. All staff within the practice should have knowledge of their complaints procedures.
5. Practice websites should contain detailed complaints information to remove the need for complainants to visit the practice.
6. Staff should be aware of the statutory powers of the Healthwatch Enter and View Function.



Methodology

Healthwatch IW. has a flourishing group of trained volunteers who are authorised to undertake “Enter and View” visits under relevant legislation. As well as having undertaken required screening checks, they are chosen for excellent interpersonal skills and levels of empathy.

For this work plan, members of the volunteer group were invited to take part in a series of visits to 9 GP Surgery waiting areas. They were given an observation checklist and a scripted conversation.

The observation list was devised to ascertain whether complaints procedures were accessible and visible. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 states that ‘Each responsible body must make information available to the public as to:

- (a) its arrangements for dealing with complaints;
- and
- (b) how further information about those arrangements may be obtained’.

The script was to gain an insight into the level of staff knowledge surrounding their local complaints procedure.

Following on from the visits to 9 GP practices Healthwatch Isle of Wight have undertaken an analysis of each of the Isle of Wight GP Practice websites to look for complaints information.

It is encouraging to see that all practices had made reference to complaints on their websites.

Complaints – What can I expect?

The NHS was founded on a common set of principles and values, and the NHS Constitution establishes the principles and values of the NHS in England. It sets out rights to which patients, public and staff are entitled, and pledges that the NHS is committed to achieving.

It also sets out responsibilities, which the public, patients and staff owe to one another to ensure that the NHS operates fairly and effectively. - NHS CHOICES.

Below is a list of relevant legal rights laid out in the NHS Constitution, that highlights the responsibilities of the GP provider in relation to complaints processes, and your rights when making a complaint;

- * You have the right to have any complaint you make about any NHS services acknowledged within three working days and to have it properly investigated.
- * You have the right to discuss the manner in which the complaint is to be handled, and to know the period within which the investigation is likely to be completed and the response sent.
- * You have the right to be kept informed of progress and to know the outcome of any investigation into your complaint, including an explanation of the conclusions and confirmation that any action needed in consequence of the complaint has been taken or is proposed to be taken.
- * You have the right to take your complaint to the independent Parliamentary and Health Service Ombudsman or Local Government Ombudsman, if you are not satisfied with the way your complaint has been dealt with by the NHS.
 - * You have the right to make a claim for a judicial review if you think you have been directly affected by an unlawful act or decision of an NHS body or local authority.
 - * You have the right to compensation where you have been harmed by negligent treatment.

The Legislation—Your Rights

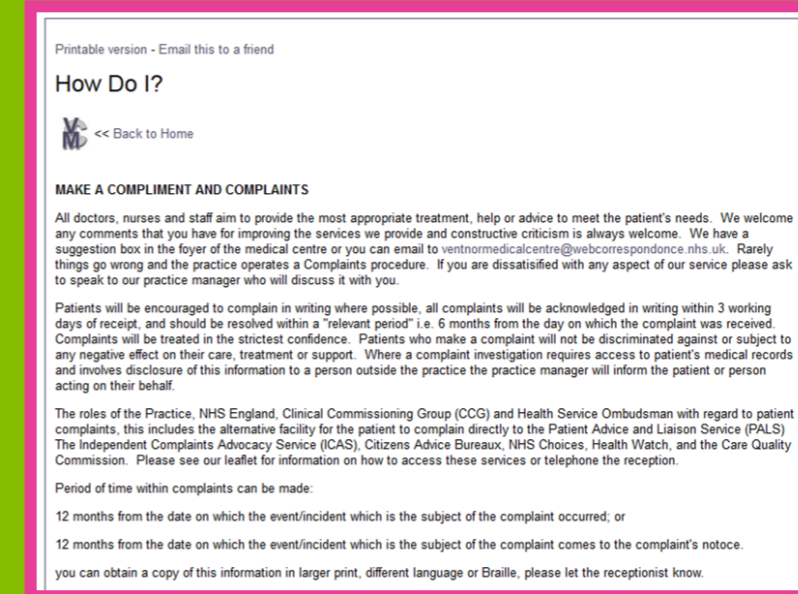


Figure 1—Ventnor Medical Centre

Following on from the visits to 9 GP practices Healthwatch Isle of Wight have undertaken an analysis of each of the Isle of Wight GP Practice websites to look for complaints information.

Healthwatch were pleased to see that all practices had made reference to complaints on their websites.

Of the 17 GP Practices Healthwatch were disappointed to see that 8 of these simply signpost people to the surgery if they would like complaints information. It was disappointing to note that 1 of the 8 were not displaying complaints information throughout their surgery during the Enter and View visit.



3 Practices provided very little information on their websites, with the remaining 6 practices publishing a substantial amount of information relating to complaints.

Taking into account what providers must do to in relation to complaints, Healthwatch would like to highlight the good practice examples demonstrated on the websites of the following practices;

- Ventnor Medical Centre
- Argyll House Surgery
- Esplanade Surgery

These practices published information such as;

- *the period in which to complain*
- * ombudsman information*
- *potential timescales*
- * advocacy services descriptions and contacts*
- * descriptions of complaints processes*
- * downloadable/printable leaflets*
- *healthwatch and other independent sources of advice*

Findings

As part of this work plan 9 GP surgeries were visited to look at how well they publicise their complaints information within their communal areas.

8/9 surgeries were displaying leaflets/posters containing information on how to make a complaint - 5 of which included expected timescales.

Upon speaking with reception staff it was clear that all practices had a complaints procedure in place.

Although the regulations do not explicitly state that posters and leaflets must be available they do state that the information must be.

Healthwatch Isle of Wight would strongly encourage all GP Practices to display posters containing complaints guides, and are particularly keen to see leaflets available to allow people to take the information away with them.

It is important to remember that not everyone wants to tell the receptionist they wish to make a complaint and accessible leaflets would reduce this issue.

After the visits reports were sent to the 9 GP providers and these are available by visiting the reports section at;
www.healthwatchisleofwight.co.uk

Most staff spoken to during the visits were confident in their responses and knew their practices procedures very well.

St Helens Medical Centre were particularly knowledgeable and have created a fantastic complaints leaflet that is Available within the surgery.



Only 2 of the practices visited were displaying advocacy materials and unfortunately some of these were out of date and were directing people to PALS.

PALS are only for IW NHS Trust complaints and not for those relating to GP practices.



The Constitution also contains pledges that the NHS is committed to achieve. Pledges go above and beyond legal rights. This means that pledges are not legally binding but represent a commitment by the NHS to provide comprehensive high quality services.

Pledges as set out in the NHS Constitution that are relevant to GP complaints processes, have been listed below;

- * Ensure that you are treated with courtesy and you receive appropriate support throughout the handling of the complaint; and that the fact that you have complained will not adversely affect your future treatment (pledge).
- * Ensure that when mistakes happen or if you are harmed while receiving health care you receive an appropriate explanation and apology, delivered with sensitivity and recognition of the trauma you have experienced, and know that lessons will be learned to help avoid a similar incident occurring again (Pledge).
- * Ensure that the organisation learns lessons from complaints and claims and uses these to improve NHS Services.

The Legislation— Pledges

Legislation—Continued

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 - says GP Surgeries must;

- * Make arrangements for handling complaints.
- * Complaints may be made by 'a person who is affected, or likely to be affected, by the action, omission or decision of the responsible body which is the subject of the complaint'.
- * A complaint must be made not later than 12 months after -
 - (a) the date on which the matter which is the subject of the complaint occurred; or
 - (b) if later, the date on which the matter which is the subject of the complaint came to the notice of the complainant.
- * The time limit shall not apply if the responsible body is satisfied that -
 - (a) the complainant had good reasons for not making the complaint within that time limit; and
 - (b) notwithstanding the delay, it is still possible to investigate the complaint effectively and fairly.
- * Each responsible body must make information available to the public as to -
 - (a) its arrangements for dealing with complaints; and
 - (b) how further information about those arrangements may be obtained.
- * The arrangements for dealing with complaints must be such as to ensure that -
 - (a) complaints are dealt with efficiently;
 - (b) complaints are properly investigated;
 - (c) complainants are treated with respect and courtesy;
 - (d) complainants receive, so far as is reasonably practical -
 - (i) assistance to enable them to understand the procedure in relation to complaints; or
 - (ii) advice on where they may obtain such assistance;
 - (e) complainants receive a timely and appropriate response;
 - (f) complainants are told the outcome of any investigation of their complaint; and
 - (g) action is taken if necessary in the light of the outcome of a complaint.

What does it all mean?

GP providers are responsible for creating their own complaints policies and Procedures. However the legislation states the things they must do when handling complaints and these should be reflected within their policies.

Legislation explained :

GP Providers must;

- have a way of dealing with complaints;
- Make their complaints process available to you and take all reasonable steps to ensure you understand the process;
- Provide support throughout your complaint or signpost you to appropriate support services such as independent advocacy services;
- Respond appropriately and in a timely manner to your complaint.

NHS pledges to you;

- * You will be treated with respect and courtesy;
- * There will be no adverse effects on your future care as a result of making a complaint;
- * You will receive an apology.

Your rights;

- * A complaint must usually be made within 12 months;
- * You can complain to the Parliamentary Health Service Ombudsman if you are not happy with the response from your GP practice;
- * You should be told the outcome of your complaint and any actions that are taking Place as a result of your complaint.