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| Policy Name: | Complaints Policy |
| Next Review Date | July 2021 |
| Policy Author | Alison Tones |
| Policy summary: | Dealing with complaints |

The key issues taken into consideration when formulating this policy are that a complainantneeds to:

* Know how to complain;
* Feel confident that their complaint will be dealt with seriously.
* Understand that their concerns will be investigated and they will be informed of the findings of that investigation.
* Trust that practice will learn from complaints, feedback and praise and apply those lessons whilst also learning from and sharing best practice.

**Aims**

We are committed to high quality care for allas a core principal of our vision and purpose.

We will ensure that patients and their representatives can seek advice, provide feedback or make a complaint about the services we commission or the policies we have developed and implemented.

When dealing with complaints we aim to adhere to the practice value’s principles.

* Openness and Transparency - well publicised, accessible information and processes, and understood by all those involved in a complaint.
* Evidence based complainant led investigations and responses. This will include providing a consistent approach to the management and investigation of complaints.
* Logical and rational in our approach.

**Definition of a complaint or concern**

A complaint or concern is an expression of dissatisfaction about an act, omission or decision by the practice, either verbal or written, and whether justified or not, which requires a response

**Scope**

This policy applies to the handling of complaints or concerns relating to directly commissioned services or services provided by Victoria Medical Centre.

**Who can make a complaint?**

A complaint may be made by the person who is affected by the action, or it may be made by a person acting on behalf of a patient in any case where that person: OFFICIAL

* Is a child; (an individual who has not attained the age of 18)

In the case of a child, we must be satisfied that there are reasonable grounds for the complaint being made by a representative of the child, and furthermore that the representative is making the complaint in the best interests of the child.

* Has died;

In the case of a person who has died, the complainant must be the personal representative of the deceased. Victoria Medical Centre needs to be satisfied that the complainant is the personal representative. Where appropriate we may request evidence to substantiate the complainant’s claim to have a right to the information.

* Has physical or mental incapacity;

In the case of a person who is unable by reason of physical capacity, or lacks capacity within the meaning of the Mental Capacity Act 2005, to make the complaint themselves, Victoria Medical Centre needs to be satisfied that the complaint is being made in the best interests of the person on whose behalf the complaint is made.

* Has given consent to a third party acting on their behalf;

In the case of a third party pursuing a complaint on behalf of the person affected we will request the following information:

1. Name and address of the person making the complaint;
2. Name and either date of birth or address of the affected person; and

Contact details of the affected person so that we can contact them for confirmation that they consent to the third party acting on their behalf.

This will be documented in the complaint file and confirmation will be issued to both the person making the complaint and the person affected.

* Has delegated authority to act on their behalf, for example in the form of a registered Power of Attorney which must cover health affairs.
* Is an MP, acting on behalf of and by instruction from a constituent.

If the Partners or Practice Manager is of the opinion that a representative does or did not have sufficient interest in the person’s welfare, or is not acting in their best interests, we will notify that person in writing.

**Complaints that cannot be dealt with under this policy**

The following complaints will not be dealt with under the Local Authority Social Services and National Health Service Complaints (England) Regulations (2009):

* A complaint made by any NHS organisation or private or independent provider or responsible body.
* A complaint made by an employee about any matter relating to their employment.
* A complaint, the subject matter of which has previously been investigated under these or previous NHS Regulations.
* A complaint which is made orally and resolved to the complainant’s satisfaction no later than the next working day.
* A complaint arising out of an NHS body’s alleged failure to comply with a request for information under the Freedom of Information Act 2000.
* A complaint which relates to any scheme established under Section 10 (superannuation of persons engaged in health services) or Section 24 (compensation for loss of office) of the Superannuation Act 1972 or to the administration of those schemes.