

THE LEEDS TEACHING HOSPITALS NHS TRUST

POLICY FOR HANDLING COMPLAINTS FROM OR ON BEHALF OF PATIENTS

1. POLICY STATEMENT

The Leeds Teaching Hospitals Trust is committed to patient centred care and to continuous service improvement. As part of this process the Trust will deliver efficient and effective complaints procedures, that involve a thorough investigation and which endeavour to reach a successful conclusion of formal complaints. The Trust will ensure that complaints are used to identify and implement service improvements.

2. RATIONALE

The National Health Service (Complaints) Regulations 2004 No. 1768 and the Health and Social Care (Community Health and Standards) Act 2003, provides the statutory framework for the NHS complaints procedure. The Trust has a duty to comply with these regulations.

3. AIMS

- To ensure the Trust is compliant with the Regulations
- To ensure that complainants receive a qualitative service in respect of processing their complaint
- To learn lessons from complaints in order to improve the quality of services provided

4. DEFINITION OF FORMAL COMPLAINT

“An expression of dissatisfaction requiring a written response.”¹

5. DEFINITION OF INFORMAL COMPLAINT

“Concerns about issues such as services, or information requests that do not require a written response”²

6. WORKING PRINCIPLES

- The requirement to maintain confidentiality during the complaints process and procedure will be absolute
- All complaints will be dealt with in a timely and efficient manner
- All complainants will be treated respectfully, courteously and sympathetically
- As far as possible, complainants will be involved in decisions about how their complaints are handled and considered
- The Trust Complaints Procedure will be open, fair, flexible and conciliatory, encouraging communication on all sides

¹Quoted from Citizen's Charter Complaints Task Force

²Taken from Department of Health Good Practice Toolkit for Local Resolution

- Anyone who is a patient (including members of staff who are patients) can make a complaint, as can any relative, friend or advocate on behalf of a patient, with their consent
- Violence, racial, sexual or verbal harassment will not be tolerated
- The Trust Complaints Procedure³ will incorporate all procedural aspects of the NHS (Complaints) Regulations, including time limits for initiating complaints and performance standards
- The Trust's Complaints Procedure will link to the Trust's quality strategy, clinical governance processes, risk management strategy and governance arrangements
- The Trust will aim to resolve complaints within the Trust as part of local resolution (first stage of the national complaints procedure), wherever possible
- Information in respect of the Trust's Complaints Procedure will be widely publicised and made available in various formats
- The Trust will co-operate with other organisations when a complaint involves other outside bodies

7. RESPONSIBILITIES AND ACCOUNTABILITIES

7.1 Role of the Trust Board and Nominated Member

A nominated Trust Board Member, either executive or non-executive, will take responsibility for ensuring compliance with arrangements made under the National Health Service (Complaints) Regulations 2004 and for ensuring that action is taken in the light of the outcome of any investigation. The Trust Board has a monitoring role and must receive and consider a quarterly complaints report.

7.2 Role of the Chief Executive

The Chief Executive, will take responsibility for signing all complaint response letters, or in his absence this will be undertaken by a nominated Executive Director. The Chief Executive or his nominated Executive Director will also be responsible for determining necessary action in the case of 'vexatious or persistent' complaints.

7.3 Role of Patient Relations Department

Staff within the Patient Relations Department, led by the Patient Relations Manager, will take responsibility for: -

- Ensuring effective and timely handling of all complaints received within the Trust
- Developing and supporting the implementation of the Trust's complaints policy and procedures
- Ensuring complainants who wish to make a formal complaint are supported
- Undertaking training with staff in complaints handling and investigation

7.4 Role of Clinical Management Teams (CMTs)/Corporate and Operational Services

This level of the Trust's organisation is fundamental to the delivery of the Trust Complaints Policy and it is their responsibility, led by the relevant Head of Department and Matron to: -

³Copies of the Trust's Complaints Procedure are available from the Patient Relations Department

- Ensure a complaint is fully investigated in accordance with the Trust's complaints procedure
- Provide an appropriate qualitative response to a complaint in accordance with the Trust's complaints procedure
- Be accountable for performance in relation to responding to a complaint
- Provide appropriate support to staff who are involved with a complaint
- Ensure that appropriate action is taken as a result of a complaint, to review procedures, learn lessons and improve quality by implementing service changes
- Ensure all lessons learned are widely disseminated

7.5 Role of Risk Management

It is the responsibility of Risk Management to support the Patient Relations Department by advising on potential risk management issues including the use of appropriate medical terminology and the identification of potential medical negligence cases.

8. LINKS TO OTHER POLICIES AND DOCUMENTS

- National Guidance to support the implementation of the NHS (Complaints) Regulations 2004 – accessible on the Department of Health website
- The National Health Service (Complaints) Regulations 2004 – Statutory Instrument 2004 No. 1768 – accessible on the Department of Health website
- Leeds Teaching Hospitals NHS Trust Complaints Procedure – available from the Patient Relations Department and Trust Intranet
- Leeds Teaching Hospitals NHS Trust Procedure for Handling Vexatious or Persistent Complaints – available from the Patient Relations Department and Trust Intranet
- Leeds Teaching Hospitals NHS Trust, Patient Relations Department Complaints Process/Pathway – available from the Patient Relations Department
- Leeds Teaching Hospitals NHS Trust 'Complaints Pack' – available from the Patient Relations Department
- Leeds Teaching Hospitals NHS Trust Risk Management Strategy/Policy – accessible on Trust Intranet
- Leeds Teaching Hospitals NHS Trust Clinical Governance Annual Report 2003/04 – accessible on Trust Intranet
- Leeds Teaching Hospitals NHS Trust Incident Reporting and Investigation Procedure – available from Risk Management Department
- Leeds Teaching Hospitals NHS Trust Violence and Aggression in the Workplace Policy – accessible on Trust Intranet
- Leeds Teaching Hospitals NHS Trust Training and Development Directory – Complaints' Training – accessible on Trust Intranet

9. REVIEW DATE

This policy will be reviewed every three years, or sooner should there be any amendment to the NHS (Complaints) Regulations in the intervening period.

