

Can I help you?

Policy for the provision and management of patient feedback: comments, concerns or compliments, or complaints about NHS 24 and its services.

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Phone: 0800 22 44 88

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Can I help you? The NHS 24 Patient Feedback Policy

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This Policy is based on the Guidelines issued by the Scottish Government Health Directorates under CEL 7 (2012) and takes full consideration of the Patients Rights (Scotland) Act 2011.

Introduction

NHS 24 is committed to delivering, maintaining and improving standards of care. Feedback from persons who use the services of NHS 24 assists to identify where change might be required, and provides a valuable platform for growth, improvement and learning.

This Policy aims to deliver a high quality and equitable patient focused quality improvement process and encompasses the quality ambitions contained within the NHS Quality Strategy (2010). NHS 24 aims to deliver the best quality healthcare to the people of Scotland and seeks to demonstrate that the service provided is person centered, safe and effective. This policy supports the organisational commitment of NHS 24 to continuous improvement in patient safety.

Feedback, whether provided through comments concerns or compliments, or complaints, is encouraged and welcomed by NHS 24. This leads the way in transforming our service so that a positive patient experience is at the heart of what we do. Comments, concerns, compliments and complaints are monitored and used to identify areas of concern, improve performance, and identify and share best practice.

It is the intention of NHS 24 to process any feedback in an appropriate timeframe, and as closely to the point of contact as possible, with an emphasis on local accountability.

Policy Statement

NHS 24 will:

- receive all feedback (including complaints) respectfully
- deal with all concerns and complaints on a fair and equitable basis
- ensure a consistent and robust approach is taken to investigations
- ensure investigations are conducted in a supportive, just and fair manner which demonstrates the principles of fairness and consistency towards the complainant and staff members
- take every opportunity to improve patient safety
- respond in a transparent manner to complainants with the offer of a meeting with NHS 24 Senior Clinical Staff, if appropriate

Patient Feedback

Feedback to NHS 24 includes complaints, concerns, shared complaints, comments, enquiries and compliments. Definitions are set out below:

Complaint – feedback managed through the NHS Complaints Procedure including clinical investigation and acknowledgement within 3 working days and a response provided in writing.

Shared Complaint – complaint in which complainant has raised issues relating to the service provided by more than one Health Board or organisation. Lead responder Board identified and provides written co-ordinated response from all agencies concerned.

Concern – follows exactly the same process of clinical investigation as a complaint with outcome provided verbally with the agreement of the feedback provider.

Written response may be provided by the Director of Nursing & Care, if requested.

Comments – these can be a range of issues relating the services of NHS 24.

Some of these require a response and others do not.

Enquiries – enquiries received which may be managed locally or which may require re-direction to a partner Health Board or other organisation for progression.

Compliments – positive feedback received on the service provided by NHS 24.

These can be received verbally or in writing. All written compliments receive a written response from Patient Affairs and are distributed to staff members involved.

NHS 24 is committed to equality of opportunities and to ensuring that no complainant will be treated less equally than any other on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation.

Principles

The Scottish Public Services Ombudsman (SPSO) Statement of Complaints Handling Principles (approved by the Scottish Parliament January 2011) is set out below, and NHS 24 endorses and promotes the use of these principles:

User-focused: it puts the complainant at the heart of the process

Accessible: it is appropriately and clearly communicated, easily understood and available to all

Simple and timely: it has as few steps as necessary within an agreed and transparent timeframe

Thorough, proportionate and consistent: it should provide quality outcomes in all complaints through robust but proportionate investigation and the use of clear quality standards

Objective, impartial and fair: it should be objective, evidence-based and driven by the facts and established circumstances, not assumptions, and this should be clearly demonstrated

Seek early resolution: it aims to resolve complaints at the earliest opportunity, to the service user's satisfaction wherever possible and appropriate

Deliver improvement: it is driven by the search for improvement, using analysis of outcomes to support service delivery and drive service quality improvements

Can I help you? – Encouraging feedback: comments, concerns and compliments.

1. How to provide feedback or complain to NHS 24

- 1.1 NHS 24 is committed to listening, understanding and acting to improve the experience for persons who use its services. NHS 24 seeks to actively engage with individuals, will respond to all feedback and is committed to delivering person centered care to support continuous service improvement.
- 1.2 NHS 24 welcomes feedback from anyone who uses any of the NHS 24 services, whether from patients, or from anyone nominated by them to act on their behalf, or from anyone with an interest in how NHS 24 services are planned or delivered.
- 1.3 There are a number of ways to communicate, both written and orally, with NHS 24 and these are listed below:
 - Individuals can speak directly with a member of staff in the Patient Affairs Team, who will be pleased to discuss any concerns and they may be able to deal with matters straight away. The Patient Affairs Team is available Monday to Friday, 9am to 5pm and can be contacted on 0141 337 4501
 - A comment or complaint may be made via an electronic form that can be accessed on: www.nhs24.com/ContactUs/Comments
 - If individuals prefer to make a written comment or complaint the address to write to is:

Patient Affairs Service
NHS 24
Caledonia House
Cardonald Park
Glasgow
G51 4EB
 - ‘Patient Opinion’ is an independent organisation endorsed by the Scottish Government to provide a vehicle for reporting experiences about healthcare. The ‘Patient Opinion’ website is available at www.patientopinion.org.uk
- 1.4 There are a number of ways that NHS 24 may respond to the information provided, and this can differ whether the information is to be treated as feedback, or as a complaint. A member of the Patient Affairs Team will communicate with feedback providers to clarify how they wish their feedback to be managed. The following sections of this policy provide further information on how feedback and complaints are managed, and what those who provide feedback to NHS 24 can expect of the process.

2. Feedback: comments, concerns and compliments

- 2.1 Feedback may describe a patient or carers individual experience of the service provided by NHS 24, and may include suggestions for elements that could have been done better, or to identify areas of good practice.
- 2.2 Undertake a full, impartial, objective and proportionate investigation
- 2.3 Comments from service users may, or may not, require a response. They may simply be observations that may reflect how someone felt about the service provided by NHS 24, or in which a suggested improvement is provided.
- 2.4 Concerns may be expressed directly to staff or through the Patient Advice and Support Service. Clarity, reassurance, or further explanation or information may be all that is required to help an individual understand how NHS 24 managed their contact with the service.
- 2.5 Compliments provide a positive indication of contact with NHS 24 and these will be communicated generically to staff groups and to individual staff members where possible.
- 2.6 When feedback is provided, NHS 24 staff should ensure that:
 - feedback is acknowledged openly, and with demonstrated sensitivity and understanding:
 - any immediate health care needs are met before dealing with the issue
 - the nature of the feedback has been clarified where necessary
 - demonstrate that the feedback has been listened to and understood
 - the outcome expected by the feedback provider is established
 - open dialogue is encouraged
 - an honest and objective response is provided
 - clarification is gained as to whether the feedback provider wishes their feedback to be treated as a complaint

3. Responding to feedback: comments, concerns and compliments

- 3.1 Responses to comments or concerns may be provided orally or in writing. There may be instances where it is not always appropriate or necessary to provide a response; however where it is possible and appropriate to give an oral response at the time of receiving the feedback, this should be provided. Where this is not possible, a response should be provided within seven working days or within a timescale agreed with the person providing the feedback.
- 3.2 Where staff are unable to provide an immediate response, this should be escalated to an NHS 24 senior staff member or to the Patient Affairs Manager.

The emphasis is on de-escalation of the issue as close to the point of contact as possible to avoid the possibility of causing anxiety to those involved.

- 3.3 Responses should include an explanation, an apology if appropriate, and indicate improvements or learning identified. Any oral or written responses about a clinical matter will be reviewed by an NHS 24 senior clinician.
- 3.4 If a person raising a concern remains unhappy after receiving an oral or written response, further options will be discussed with the person by a senior staff member or by the Patient Affairs Manager. Discussion should focus on actions that will meet the needs of the person providing the feedback, such as organising a meeting with NHS 24 Senior Clinical Staff, or whether the concern would be more appropriately managed as a complaint.

4. Complaints

- 4.1 The Scottish Public Service Ombudsman's Office (SPSO) Model Handling Complaints Procedure defines a complaint as *'an expression of dissatisfaction about an action or lack of action or standard of care provided'*.
- 4.2 Complainants may not wish to put their complaint in writing; and it is important to acknowledge that complaints may be made orally. If an oral complaint is made, it is important for NHS24 staff to clarify that the complainant wishes their feedback to be treated as a complaint so that the complaint can be dealt with appropriately.

5. Acknowledging a complaint

- 5.1 All complaints will be normally acknowledged within 3 working days by the Patient Affairs Manager, using the complainants preferred method of communication.
- 5.2 In the acknowledgement communication, complainants will be provided with the details of the NHS 24 Patient Affairs Manager, informed of the support available through the Patient Advice and Support Service (PASS) and provided with information on the role of the Scottish Public Services Ombudsman.
- 5.3 Complainants will also be provided with a hard copy of, or a web link to, the NHS Inform leaflet 'Giving feedback or making a complaint about the NHS' which provides details for the process of complaint investigation and clarifies the timeframes for response, reflecting the information contained within this NHS 24 'Can I Help You' policy.
- 5.4 A statement will be included within the acknowledgement letter confirming that a response will be provided within twenty working days. Where this is not possible due to the complexities of a complaint, the complainant will be provided within twenty days with an explanation for the delay and provided with a revised timescale for a response.

6. The Investigation of complaints

- 6.1 Complaints requiring a full clinical investigation are typically those which are complex or require examination to establish the facts prior to a response being provided. NHS 24 will:
- Undertake a full, impartial, objective and proportionate investigation
 - The investigation will be conducted in a supportive, open and transparent process which demonstrates the principles of fairness and consistency for both the complainant and any staff members involved
 - Clinical Investigations will be reviewed by the relevant NHS 24 Associate Director of Operations & Nursing or General Manager to ensure that all necessary investigations have been undertaken and to ensure factual accuracy of any clinical references
- 6.2 Where it becomes evident during the course of an investigation that another process should be used, (e.g. disciplinary process, litigation process), the complaints procedure will be immediately suspended. The complainant will be advised of the new process in which the issue will now be managed. Any outstanding unresolved element of the complaint may recommence when the other investigation process has concluded
- 6.3 Staff who are involved in the investigation of a complaint may access support through the Employee Assistance Programme at www.sq.helpeap.com, by phone on 0800 587 5670, or from their line manager.

7. Responding to complaints

- 7.1 NHS 24 will respond to complainants in an open and transparent manner, in a way that reports the conclusions of the investigation, provides an apology if appropriate, and details any remedial actions undertaken. The final complaint response letter will be signed by the Chief Executive (or appropriate deputy) and the response will:
- be clear, easy to understand, person-centered and non confrontational
 - will be written in plain English and will address all issues raised, demonstrating that each element has been fully investigated
 - offer a meaningful apology, where appropriate
 - highlight any area of disagreement and offer an explanation of why no further action will be taken

- detail any remedial actions or identified individual or organisational learning
- provide details of the NHS 24 Patient Affairs Manager who might clarify, or seek clarity from NHS 24 Clinical Staff, on any aspect of the complaint
- explain how the complainant can take the issue forward, if they remain unhappy with the response provided
- provide details on how to contact the Scottish Public Services Ombudsman

8. Who can complain?

- 8.1 A patient, or a person nominated by them to act on their behalf, or by anyone who is, or is likely to be affected by an action or omission by NHS 24.

9. Consent

- 9.1 NHS 24 will progress a complaint from a third party, provided the relevant consent is received. When someone acting on behalf of a patient (e.g. MP, MSP, or other authorised agent) raises a complaint, NHS 24 will ensure that any such complaint is correctly managed, preserving confidentiality by ensuring that relevant consent has been received from the patient (or his or her next of kin) in order that the complaint can be progressed on their behalf. This allows the complainant to receive a response letter which may contain patient confidential information.

10. Complaints not considered under this Policy

- 10.1 Some complaints cannot be handled under this policy. Complainants will be supported to understand the rationale for this decision and to identify the most appropriate route to channel their concerns if appropriate. Examples of complaints that must be handled through other procedures and processes are listed below:

- a complaint made by an employee of NHS 24 in relation to a matter relating to the employment contract
- a complaint which is being investigated by the Scottish Public Services Ombudsman (SPSO)
- a complaint arising from an alleged failure to comply with a Freedom of Information (Scotland) Act 2002 request
- a complaint in which the complainant has stated in writing they intend to take legal proceedings

- a complaint in which NHS 24 is taking or proposing to take disciplinary proceedings in relation to an employee
- a complaint which has already been investigated under the NHS Complaints Procedure
- a complaint relating to services provided by another NHS Board (these should be raised directly with that NHS Board)
- a complaint relating to services provided by a Care Home (this should be referred to the Care Inspectorate)
- a complaint relating to Private Healthcare (this should be raised directly with the provider)
- a complaint relating to Private dental services (this should be referred to the Dental Complaints Service)

11. Unreasonably demanding or persistent complainants

11.1 In times of trouble and distress, it is accepted that people may act out of normal character. NHS 24 will respond with patience and empathy to those who raise complaints, however when there is nothing further which can reasonably be done to assist a complainant, to rectify a real or perceived problem, it is possible that these complaints will no longer be managed through the NHS 24 Complaints procedure. Where complainants:

- persistently refuse to accept explanations relating to what can or cannot be done about a decision or a complaint
- continue to pursue a complaint without presenting any new information
- display behaviour that may result in unreasonable demands on the time and resource of NHS 24 staff
- display aggressive or intimidating behaviour towards staff,

Consideration may be given to NHS 24 adopting a decision-making process that would support the management of the unreasonable or persistent demands. NHS 24 will provide further details in an associated policy document to outline the decision-making, review and appeals process in line with other NHS Scotland Boards.

12. Complaints that span more than one NHS Board

- 12.1 Some complaints may span the services provided by NHS24 and another NHS Board. In order to ensure that a complainant does not have to await individual responses from each NHS Board involved, NHS 24 will actively engage with the other Board(s) to identify a lead responder and co-ordinate a single response to the person providing the feedback
- 12.2 Where a single response can be provided, the person providing the feedback will be advised accordingly and advised which NHS Board will be the lead responder.
- 12.3 Any identified learning and opportunities for improvement will be shared by NHS 24 with partners or other Health Boards.

13. Patient Advice and Support Service (PASS)

- 13.1 NHS 24 will signpost persons who wish support to raise a complaint to the Patient Advice and Support Service. PASS provides a free, inclusive and accessible, confidential advice and support service. It can be contacted through any Citizen's Advice Bureau. More information can be found on www.cas.org.uk
- 13.2 NHS 24 will include the relevant PASS information leaflet in all acknowledgement correspondence to persons who raise a complaint.

14. Alternative Dispute Resolution (mediation or conciliation)

- 14.1 Where considered appropriate, NHS 24 will provide alternative dispute resolution services, such as mediation or conciliation to help to resolve complaints. This facility is intended to help the complainant to voice their concerns in a safe and respectful setting, whilst offering the opportunity for NHS 24 to explain its actions and offer an apology, where appropriate. This facility may be offered at any point in the process

15. Monitoring, learning and improvement

- 15.1 NHS 24 will capture all complaints and monitor these to identify organisational or individual learning to inform overall service improvement. Where trends and themes are identified, these will be highlighted within regular reporting and governance mechanisms to raise awareness and monitor the implementation of recommendations and actions.

16. Reporting

16.1 Quantitative and qualitative information will be provided within a quarterly report to inform NHS 24's Clinical Governance Committee of activity levels and contributions to quality improvement. The report will include details of compliments, concerns and complaints received.

16.2 We will produce an Annual Report detailing:

- the number of complaints received
- a breakdown of total complaints to show numbers of oral and written complaints
- the number of oral and written complaints upheld, partly upheld, or not upheld
- the number of complaints where Alternative Dispute Resolution was used
- compliance with 3 day acknowledgement and 20 day response
- a summary of key themes and subsequent actions
- a summary of actions undertaken to improve services as a result of feedback, comments and concerns

17. National Monitoring

17.1 NHS 24 will submit annual complaint statistics to the Information Services Division (ISD) of NHS National Services Scotland.

18. Implementation of the Policy

18.1 This policy will be reviewed every two years or sooner if required, to incorporate any opportunities for learning from staff and user feedback, and any statutory or legislative changes.

19. Useful links

The Patient Rights (Complaints Procedure and Consequential Provisions (Scotland) Regulations 2012

http://www.legislation.gov.uk/ssi/2012/36/pdfs/ssi_20120036_en.pdf

Better Health Better Care

<http://www.scotland.gov./Publications/2007/11103453/0>

NHSScotland Quality Strategy

<http://www.scotland.gov.uk/Publications/2010/05/10102307/0>

Scottish Public Services Ombudsman model complaints handling process

<http://www.valuingcomplaints.org.uk/wp-content/uploads/2011/03/Guidance-on-a-Model-Complaints-Handling-Procedure-pdf>

Better Together

[http://bettertogetherscotland.com?bettertogetherscotland/CCC First page.jsp](http://bettertogetherscotland.com?bettertogetherscotland/CCC%20First%20page.jsp)

Complaints Standards Authority
<http://www.valuingcomplaints.org.uk>

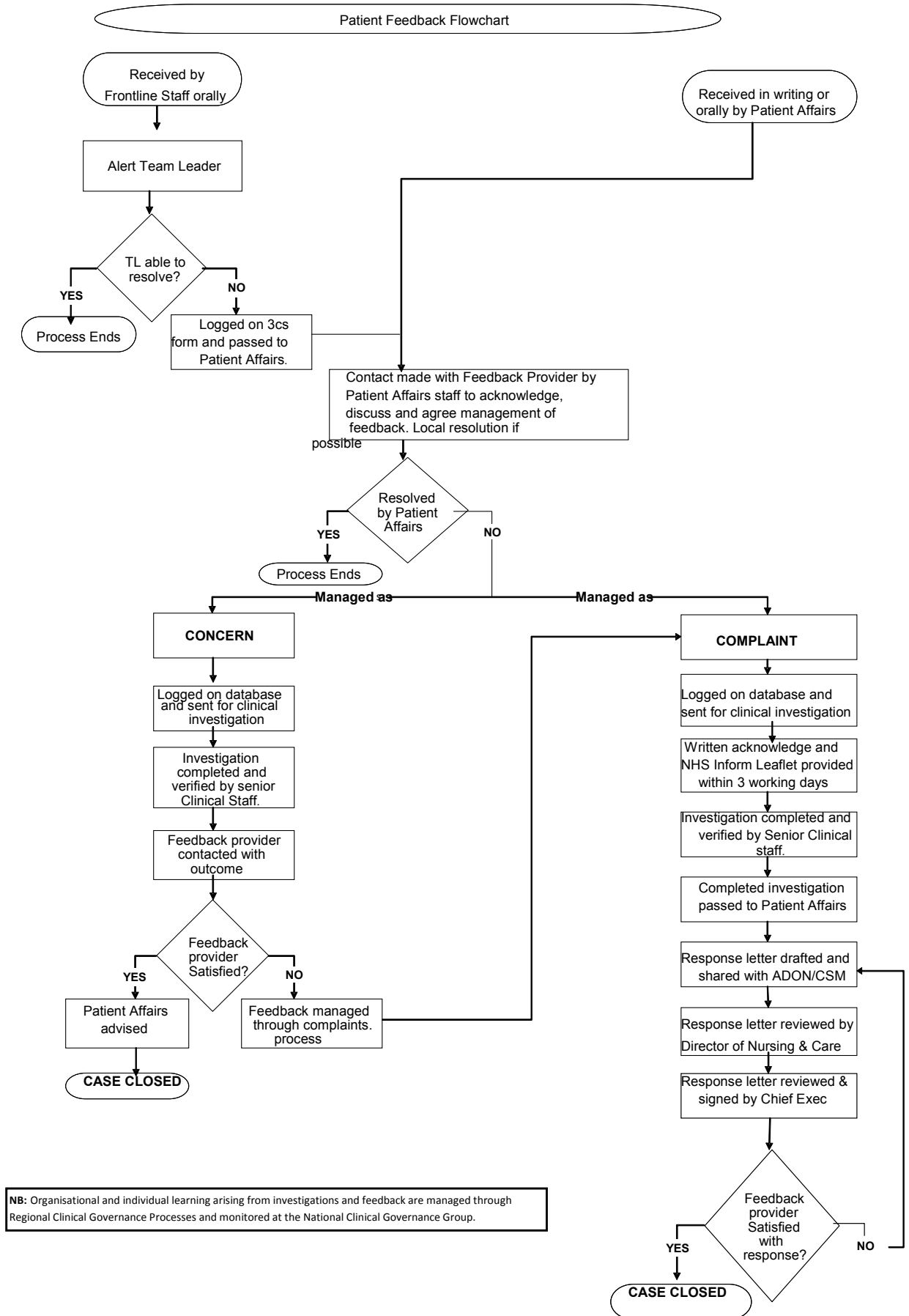
Patient Advice and Support Service
www.cas.org.uk/Projects/patientadvice

Scottish Mediation Network
www.scottishmediation.org.uk

Scottish Public Services Ombudsman (SPSO)
www.spsso.org.uk

Patient Opinion
www.patientopinion.org.uk

NHS Inform
www.nhsinform.co.uk



Appendix 1