



HELPING YOU TO
ACHIEVE IN LIFE

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Private Clinics in Central London and Wilmslow, Cheshire
NHS NE Manchester Adult ASD/ADHD Service clinic in Heywood



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Complaints Policy

1. Introduction

This policy outlines our commitments to handling complaints about the service.

2. Scope

This policy applies to the handling of complaints for both NHS and Private aspects of the service.

For the purpose of this policy, a complaint is defined as an expression of dissatisfaction about an act, omission or decision, either verbal or written, and whether justified or not, which requires a response.

3. How to make a complaint

Complainants about any aspect of the service, care and treatment provided are requested to contact a staff member so that they can be given the complaints policy. Complaints can be submitted verbally, or in writing to the Director/Registered Manager, either via letter or email, detailing their complaint.

A complaint can be made by:

Telephone - 01403 240002

Email: Reception@lanc.uk.com

By Post: LANCuk
Admin Office, Independence House
Adelaide Street
Heywood
OL10 4HF

British Sign Language (BSL) users can talk to us via a videocall to a BSL interpreter. Currently this needs to be booked. In future this will be available via an App or through the NHS England website. We will seek to make the necessary reasonable adjustments in order to handle any complaint.

For people whose first language is not English, we have access to a translation and telephone interpreting service. We can also handle complaints in alternative formats such as Braille.

When receiving an inbound call to the regional complaint's teams, an offer should be made to call the complainant straight back so that they do not incur excessive costs. If the regional complaints team make an outbound call to a complainant, for reasons of security and confidentiality, they should withhold the telephone number.

Where possible freepost/pre-paid envelopes should be provided to complainants if asking them to return any papers by white mail.

4. Advocacy

You can obtain information about your local advocacy service by contacting your local Healthwatch:

Healthwatcholdham.co.uk

Healthwatchrochdale.org.uk

Healthwatchbury.co.uk

5. Roles and Responsibility

The Director/Registered Manager will discuss with the complainant the type of action required. The Director/Registered Manager will be responsible for completing any investigation that is needed regarding the complaint. The Director/Registered Manager will be responsible to contact the complainant to ensure that the complaint has been fully resolved.

6. Who can make a complaint?

A complaint may be made by a “person who receives or has received a service” or a person who is affected, or likely to be affected by the action, omission or decision which is the subject of the complaint”.

A complaint may be made by a representative acting on behalf of a person mentioned above who:

a) Has died

The complainant would usually be the personal representative of the deceased. In order to respond to the personal representative, LANCuk may request some formal documentation from this person such as copy of a will (to demonstrate their role as executor) or a lasting power of attorney relating to health care.

b) Is a child

LANCuk must be satisfied that there are reasonable grounds for the complaint to be made by a representative of the child (rather than by the child themselves), and that the representative is making the complaint in the best interest of the child (a child is considered anyone up to the age of 18).

c) Has physical or mental incapacity

In the case of a person who is unable to make the complaint themselves because of either physical incapacity or who lacks capacity within the meaning of the Mental Capacity Act 2005, LANCuk needs to be satisfied that the complaint is being made in the best interest of that person. In relation to points a, b and c above, where LANCuk is satisfied that the representative is not conducting the complaint in the best interests of the person on whose behalf the complaint is made, the complaint will not be considered under this policy. LANCuk must notify the representative in writing of this decision and state the reason for that decision.

d) Has given consent to a third party acting on their behalf.

In this case LANCuk will require the following information:

- Name and address of the person making the complaint

- Name and either date of birth or address of the person who is the subject of the complaint
- A consent form signed by the person who is the subject of the complaint This information is recorded as part of the complaint file.

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 Where the constituent is not the patient or the person who is the subject of the complaint, we will pursue consent in the usual way.

7. Time limit for making a complaint

A complaint must be made no later than 12 months after the date on which the matter, which is the subject of the complaint occurred, if later, the date on which the matter which is the subject of the complaint came to the notice of the complainant.

8. Acknowledgement

All complaints receive a verbal acknowledgement within 48 hours to establish the issue/complaint and to gather more information. If the complaint can be resolved, we will offer an apology and ask if they wish to pursue a formal complaint. We would also offer a letter of apology. If a formal complaint is requested, we will follow our formal complaints procedure and discuss a reasonable timeframe with the complainant. If the formal complaint is regarding a serious issue or safeguarding issue it will be added to the Serious Incident database and the Serious Incident Procedure will be followed. If the complaint is informal, we will offer a response within 5 days. If the complaint is a formal complaint we will agree a timeframe with the complainant.

9. Investigation

An investigation into a complaint will usually involve a discussion with relevant personnel and the complainant. Patient records are reviewed. Findings from any investigation are used to implement positive changes to the service we provide. A timeframe for the investigation will be agreed with the complainant and in the event that an investigation is likely to take longer than the original timeframe identified the complainant must be contacted and advised of a new timeframe for responding and a reason given for this delay.

In the event that our investigation is likely to take longer than the original timeframe identified at the acknowledgement stage, the complainant must be contacted to be advised of a new timeframe for responding and an explanation given as to the reason for the delay

10. Response

A timeframe for a response will be agreed with the complainant, or where the investigation is still in progress, a letter explaining the reason for the delay is sent to the complainant. A full response is made within 5 days of a conclusion being reached. The complainant receives written confirmation of the stages of investigation and actions taken.

A register of complaints is kept by the Director/Registered Manager.

11. Confidentiality and Consent

LANCuk has a legal duty to maintain confidentiality of personal information. LANCuk will not access or share information pertaining to complaints without following our standard operating procedure in relation to consent for complaints.

All personal data received is recorded and stored on a secure server with limited authorised access.

12. Resolution

In the event of a complaint not being satisfactorily resolved, conciliation should be attempted.

If the complaint is still unresolved, then the complainant may take their complaint to the Care Quality Commission or to the relevant professional body, i.e. the GMC, British Psychological Society, etc.

If a complaint is to be made against the Director/Registered Manager in relation to NHS funded care, the complainant should contact their local Healthwatch to find their local NHS Complaints Advocacy provider.

If a complaint is to be made against the Director in relation to private funded care, the complainant can contact the Independent Healthcare Sector Complaints Adjudication Service as follows:

Independent Healthcare Sector
Complaints Adjudication Service

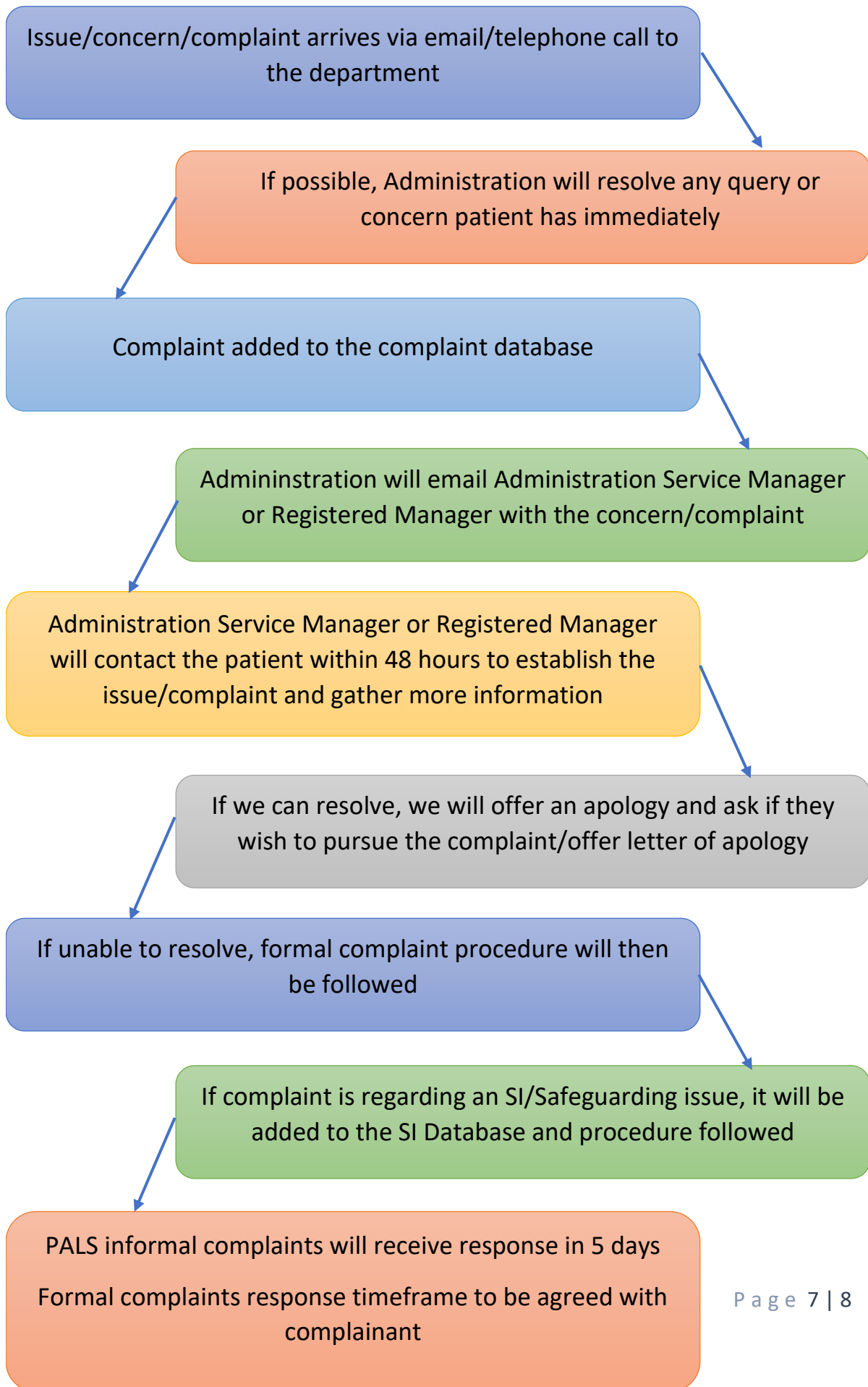
Location and Contact Details

100 St Paul's Churchyard, London, EC4M 8BU

Note: These offices are administrative only and do not receive visits from members of the public.

- info@iscas.org.uk
- 020 7536 6091

Complaints flow chart - LANCuk



References

The Local Authority Social Services and National Health Services Complaints (England) Regulations 2009 No. 309. Office of Public Sector Information. Available at: www.opsi.gov.uk

The Principles of Good Complaint Handling (Parliamentary and Health Service Ombudsman) 2009. Available at: www.ombudsman.org.uk

The Patients Association – How to make a complaint. Available at: www.patients-association.org.uk

Listening, Improving, Responding – A Guide to Better Patient Care (Department of Health 2009). Available at: www.dh.gov.uk/publications

The NHS Constitution for England (Department of Health 2009). Available at: www.dh.gov.uk/publications

Health and Social Care Act 2012. Available at: www.legislation.gov.uk

Being Open – communicating patient safety incidents with patients and their carers (NPSA, 2009). Available at: www.npsa.nhs.uk/beingopen

Review of the NHS Hospital Complaints System – Putting Patients Back in the Picture (Department of Health, 2013) (The Clwyd Report). Available at: www.gov.uk

The Francis Report. Available at: www.midstaffpublicinquiry.com/report

Regulation 20: Duty of Candour, Care Quality Commission. Available at: www.cqc.org.uk

NHS England Serious Incident Framework. Available at: www.england.nhs.uk
Access to Health Records Act 1990. Available at: www.legislation.gov.uk

Data Protection Act 2018 and General Data Protection Regulations. Available at: www.legislation.gov.uk or www.gov.uk/data-protection

Mental Health Capacity Act 2005. Available at: www.legislation.gov.uk or www.gov.uk

NHS Complaints Procedure. Available at: www.england.nhs.uk

Freedom of Information Act 2000. Available at: www.gov.uk