

1 Introduction

This document outlines our policy for managing complaints about the services provided by Primary Care Support England (PCSE) on behalf of NHS England.

PCSE treats complaints seriously and ensures that complaints, concerns and issues raised by PCSE service users are properly investigated in a transparent, timely and appropriate manner. The outcome of any investigation, along with any resulting actions will be shared with the complainant either by email or written response.

The key issues taken into consideration when formulating this policy are to ensure that you:

- Understand how to raise a complaint
- Feel confident that your complaint will be dealt with seriously
- Understand that your complaint will be investigated and that you will be informed of the findings of that investigation
- Understand how long you can expect for a complaint to be resolved
- Trust that PCSE will learn from complaints and ensure that this learning informs service improvement

2 Aims

PCSE aims to resolve all complaints within 40 calendar days but will ensure regular updates are provided to you should we be unable to fully resolve the complaint within these timescales.

3 Scope

This policy applies to the handling of complaints received from PCSE service recipients relating to the PCSE service provided on behalf of NHS England. Service recipients are defined as *Primary Care Practitioners (Including GPs, GP Registrars, Pharmacists, Opticians, Dentists, Ophthalmic Medical Practitioners and trainees), Clinical Commissioning Groups, Public Health England and MOD.*

4 Definition of a complaint or concern

PCSE defines a complaint as an expression of dissatisfaction about the provision of or failure to provide a PCSE service.

A complaint from a PCSE service recipient can only be logged if a query has already been raised with the relevant service line and sufficient time allowed for them to resolve it.

Relevant case reference numbers relating to your complaint must be provided to ensure it can be dealt with effectively.

5 Who can make a complaint

Only PCSE service recipients, or their representatives, may complain about a service they have received. If a representative complains on behalf of a service recipient PCSE complaints staff must obtain the consent of the service recipient first before releasing any confidential information to the representative.

The exception to this consent is when the service recipient is deceased or unable to provide consent due to their condition or circumstances. In this event the PCSE complaints staff will use discretion to decide whether it is reasonable and appropriate to share any information or whether further evidence is required to verify the person making the complaint. Any known wishes of the service recipient and/ or their other representatives should be considered when making this decision.

Patient complaints and queries should always be directed to the relevant GP practice who can raise any relevant queries on their behalf. The only exception to this is patient / member of the public complaints relating to medical records:

Complaints relating to GP paper medical record movements between GP Practices can be raised with the patient's GP practice, NHS England Complaints team or PCSE.

Complaints about Access to Health record applications made to PCSE should be made directly to PCSE.

Patient / member of the public complaints relating to patient registrations should be raised with either the patient's GP practice or NHS England Complaints team. PCSE will then work with the GP practice or NHS England to answer any queries raised by them in relation to the complaint.

6 Confidentiality

Complaints will be handled in the strictest of confidence in accordance with the PCSE' information security policy. Care will be taken to ensure that information should only be disclosed to those who have a demonstrable need to have access to it.

Suitable arrangements are in place for the handling of personal identifiable data to meet the compliance of the Data Protection Act 2018, General Data Protection Regulations (GDPR) 2018 and other legal obligations such as the Human Rights Act 1998 and the common law duty of confidentiality.

7 What we cannot deal with

- Complaints about hospitals, GP practices and other NHS services including NHSE policies and decisions.
- Complaints about processes that are not within PCSE's contractual scope of service.

In these circumstances we will help the complainant understand where to direct their complaint where possible.

7 How to complain

Information about making a complaint can be found on PCSE's website

A complaint can be made:

By email: PCSE.complaints@nhs.net

By post: Primary Care Support England PO Box 350 Darlington DL1 9QN

PCSE will endeavour to make the necessary reasonable adjustments in order to receive, investigate and respond to any complaint.

8 What information will PCSE need to review your complaint?

- A clear, detailed description of your complaint
- Your email address or postal address so we can reply to your complaint
- Any relevant correspondence / case reference numbers – these usually start with CAS
- Copies of any supporting documentation
- Copies of any letters or emails about the matter

9 Timescales for making a complaint

Complaints must be made no later than:

- twelve months after the date the complaint occurred; or
- twelve months after the date the complaint came to the notice of the complainant.

If there are good reasons for not having made the complaint within the above timeframe and, if it is still possible to investigate the complaint effectively and fairly, PCSE can decide to consider the complaint although it may take longer to respond and the response may be limited in content.

10 The PCSE complaint process

All complaints will be acknowledged within three working days and a unique case reference will be provided.

The acknowledgement will usually be on email or in writing but can be verbal in some circumstances.

Once the processing of the complaint begins you will also be assigned a named PCSE individual who will be your main point of contact going forwards.

PCSE will aim to resolve all complaints within 40 calendar days

What you can expect:

- You will be kept up to date with the progress of your complaint.
- If a case has passed the 40 day target (or the timescale agreed with you if different) you will be made aware of when you can expect future updates until the case is resolved. This update could be by telephone, email or letter.
- You can expect to receive a quality response with assurance that action has been taken to prevent a recurrence, where appropriate.

Where the complaint involves more than one organisation discussions will take place between the organisations concerned about the most appropriate area to take the lead in co-ordinating the complaint and communicating with you.

As soon as it is reasonably possible after completing the investigation, PCSE will send you a formal response usually by email or in writing.

The response will include:

- An explanation of how the complaint has been considered
- An apology where appropriate
- The conclusions reached in relation to the complaint including any remedial action that the organisation considers to be appropriate
- Confirmation that the organisation is satisfied any action has been or will be completed
- Where possible, PCSE will respond to you about any lessons learnt

A key consideration is to make arrangements flexible; treating each case according to its individual nature with a focus on satisfactory outcomes, organisational learning and those lessons should lead to service improvement.

If at any time during the complaint process you decide you would like to withdraw the complaint this request can be made either verbally or in writing.

If further information is required to investigate / resolve your complaint this will be requested. If no response is received from you, where information is required, a further request will be made and you will be notified that this must be received within 28 days. If the information is not received within 28 days your complaint will be closed.

11 Quality

PCSE will ensure that appropriate quality checks are in place to ensure complaints processing is accurate and quality responses are received.

12 Appeal Process

If you are unhappy with the final outcome/decision on your complaint you can appeal the complaint outcome by responding to the complaints team. This will be reviewed by an independent PCSE subject matter expert.

Complaints received from patients or members of the public about GP paper medical record movements or access to health records can escalate their concerns to the Parliamentary Health Service Ombudsman (PHSO) once they have received their resolution correspondence closing the complaint. If a complaint of this nature remains open for 6 months or more they are also entitled to refer their complaint to the PHSO at this point.

13 Record Keeping

Keeping clear and accurate records of complaints is important and these will be retained for a period of ten years (from the date of last contact).

14 Monitoring and Reporting

PCSE will demonstrate how it uses complaints to learn and improve. Regular reports will be produced for NHS England (who commission PCSE), which will include:

- Numbers of complaints received
- Key trends from complaints analysis
- Actions taken, or being taken, to improve services as a result of the complaints made.

15 Transparency

PCSE will ensure that it displays information on how to complain on its website. This policy should be made available to anyone upon request and is available directly as a download from the PCSE website. PCSE will ensure that all of its staff are aware of the complaints policy and that staff who would investigate complaints have the relevant skills and experience to undertake this function.