

Making a complaint

A guide for service users



Live your life



Introduction

Priory prides itself on providing service users with quality care and treatment across a range of services. However, there may be occasions when an individual's expectations are not met. If you are dissatisfied with the service that you, or a close relative or friend has received from Priory, you have the right to report and have your concerns investigated. Our aim is to deal with your concerns sensitively and to provide an appropriate response and a fair resolution for all complaints.

This guide outlines the complaint process and provides you with some advice about how to achieve a satisfactory resolution to your concerns.

Complaints guide

The guide covers:

- + All Priory hospitals, clinics, care homes, and services
- + All Priory staff, including clinicians/independent practitioners who provide care and treatment at any of the Priory facilities

First steps

What do I want to achieve?

Before making a complaint, it is important to think about what you want to achieve.

Under Priory Complaints policy (OPO3) we **CAN**:

- + Offer the opportunity to speak to us over the telephone or meet to discuss your concerns in more detail and to ensure that we are clear on the issues requiring investigation
- + Carry out a proportionate investigation and offer a full response to the concerns raised
- + Offer an apology as appropriate
- + Take steps to put matters right and reassure you that we have done so

However, we **CANNOT**:

- + Deal with any concerns you might raise about treatment provided by the NHS or another organisation
- + Suspend the registration of a doctor or any other health professional
- + Deal with issues based solely upon perception. In such a case we will establish the facts surrounding the concern, which will inform any action taken

How do I start?

Priory complaints process has three progressive stages:

Stage 1 – Local resolution

Stage 2 – Internal review

Stage 3 – Independent external review/adjudication

At Stage 1, it is the responsibility of an appropriately experienced manager of the hospital, clinic or care home to look into and to respond to all of your concerns.

Our aim is to resolve any problems as quickly and informally as possible. In some cases, for example, a discussion with an appropriate member of staff is all that is required to put things right.

If you address your concerns to a member of staff, it is a good idea to make a note of when you did this, who you spoke to and how the matter was dealt with. It is also useful to have a record of this should you need to take the matter further at a later stage.

If you do not wish to speak to a member of staff, or if you are unhappy with the way in which they have dealt with your earlier concerns, you can take your complaint directly to the manager of the service.

Hospital directors, registered home managers, or service managers are responsible for dealing with complaints made against their own service.

You can make your complaint either verbally or in writing (including via email).

Can I act on someone else's behalf and they on mine?

If you feel anxious about making a complaint, you can ask a relative or friend to do so on your behalf. The service manager will ask you for your written, signed consent confirming that you have given your permission for them to act on your behalf. By taking this course of action you are waiving your right to confidentiality of your own care/clinical/support information, as we may have to share this with the person acting on your behalf.

Likewise, if you are unhappy with the way in which a friend or relative has been treated, you may make a complaint for them however, you will need their signed consent in writing to do this.

Consent may not be needed in situations where a service user is unable to consent, for example if they are too young or very poorly. In the case of any service user who has capacity at times and not at others ('fluctuating capacity'), no confidential information will be given to a third party unless deemed to be in the 'best interest' of the service user at the time. In these cases we may need to seek external advice and guidance where appropriate.

What should I include in my letter?

You do not need to write a long and very detailed letter but you should include all the points you wish us to address. You should tell us:

- + **Who or what has caused your concern. Try to make clear the most important points**

- + **If you are complaining about a member of staff, give their name and position if you know it**

- + **Where and when the events took place**

- + **What action you have already taken, if any**

- + **What outcome do you want from your complaint**

Is there a time limit for making a complaint?

Complaints should normally be made as soon as possible and within six months of the date of the event complained about, or as soon as the matter first came to the attention of the complainant. The time limit can sometimes be extended (as long as it is still possible to investigate the complaint). An extension might be possible, such as in situations where it would have been difficult to have complained earlier, for example, when someone was grieving or unwell.





Can I have access to my health/care/education/support records?

You have the right to see your personal records under the Data Protection Act (1998). However, please note that access to some health records can be refused if disclosure is likely to cause mental or physical harm to yourself or to a third party. A fee may also be charged for granting access to records that are being automatically processed or to accessing a mixture of manual and automated records. The maximum fee that may be charged for the provision of records is set out in the Data Protection Act as £50.

For further information about accessing your records, you should contact the Priory service directly. The Information Commissioners Office (ICO) has also issued its own guidance on what happens when an individual wishes to challenge the accuracy of any of the information held about them and more details on this can be found on the ICO website at – www.ico.gov.uk/

Should I keep a written record?

It is important for you to maintain an accurate record of events. Keep a record of:

- + **All your papers and correspondence relating to the complaint**

- + **All the telephone calls you have had, including the date of the call, to whom you spoke and the content of your telephone call**

- + **Any visits or meetings together with details of what was discussed**

Stage 1 – local resolution

There are clear time frames within which Priory operates. The service manager will send you a written acknowledgement within two working days of receipt of your complaint advising you on who will be investigating your complaint, when you can expect to receive a response and offering a meeting to discuss your concerns if this would be helpful.

You will generally receive a full, written response within 20 working days of receipt of your complaint. However, it can occasionally take longer than this to carry out a full and thorough investigation, particularly if your complaint is very complex. In such cases, the service manager will let you know the reason for any delay and tell you when they anticipate being able to respond by issuing a holding letter every 20 working days until a conclusion is reached.

Whilst investigating your complaint the service manager may need to ring you to talk about aspects of your concerns or to extend an offer to meet with you if you have not previously met as part of the process. They may also suggest using mediation (which means involving an independent third party) to try to resolve the matter.

What should I do when I am offered a meeting?

Before agreeing to attend a meeting it is a good idea to discuss arrangements for the meeting with the service manager and to give your views on how you would like it to be conducted:

- + **Ask what form the meeting will take so that you are well prepared**

- + **Ask who will be at the meeting and who will lead it**

- + **Say who you would like to be there on your behalf. If there is someone you do not want to see, let the service manager know (for example, some people may not wish to meet the person who they are complaining about, whereas others may feel it is important for them to be present)**

- + **Ask where the meeting will be held and how long it will last. If you have views on this, make them known**

- + **If you have particular questions you would like answered, tell the service manager in advance so that they can seek out the information or make sure that the right staff are at the meeting. It is also a good idea to bring a copy of your questions to the meeting so you can remember what they are**

- + **Confirm that notes will be taken at the meeting and request that a copy of these be sent to you. Also make your own notes as it is all too easy to forget what has actually been said**

Stage 2 – internal review

If you wish to request an internal review, you should do so within 6 months of the date of the final written response from the service manager and the request should be made in writing to the following address:

Priory Head Office

Floor 5

Hammersmith Road

London

W14 8UD

Email: complaints@priorygroup.com

The internal review will be coordinated by the complaints manager who will arrange for a detailed review of the Stage 1 investigation and determine whether there are any grounds for further investigation. If there are aspects of the case that require further clarification, prior to a decision being made, the Complaints Manager will request that a specialist manager (not involved in your case and independent of the service) provide their observations and comments on any outstanding concerns.

Following the review, the complaints manager will ensure that a formal response is provided within 20 working days of the original receipt of the Stage 2 request (or further extended period if a delay is encountered); by confirming the findings and actions as taken by the service manager at Stage 1 or alternatively, by advising you on a revised outcome.

If you remain dissatisfied with the outcome and resolution offered, you have the right to refer the matter to independent review or external adjudication. The Complaint Manager will explain how you can request an independent review or external adjudication in their final letter to you upon the completion of Stage 2; with any request for Stage 3 being required to be made in writing within 6 months of the date of the complaint manager's response at Stage 2.

Stage 3 –independent review/ external adjudication

If you are dissatisfied with the outcome of the internal review at Stage 2, you have the right to request, within six months of the date of the final Stage 2 letter, recourse to independent review or external adjudication.

Access to the organisations that offer independent review or external adjudication of Priory complaints is dependent upon the type of service used and the funding arrangements that apply to your case or that of the friend/relative on whose behalf you are making the complaint.

The following provides summary information on the various options for seeking independent review/external adjudication:

Adult Care

The Ombudsman provides a free and independent service, available to those service users who self fund their care, have arranged it themselves with a personalised budget, as well as to those funded through a local authority.

The Ombudsman may undertake its own independent review of your case and may request copies of all Priory investigation documentation and may also visit the site to interview staff involved in the case before reaching a decision as to whether or not there are grounds for further action.

Priory will always afford the Ombudsman full and courteous co-operation with any investigation and further information on the process may be found on the appropriate Ombudsman website – see Appendix 1.



Healthcare

The Parliamentary and Health Service Ombudsman (PHSO) provides a free and independent service for those service users receiving NHS continuing healthcare – the name given to a package of care that is arranged and funded solely by the NHS for those individuals whom, whilst not necessarily in hospital, have complex ongoing healthcare needs. Requests should be made in writing to the address provided in Appendix 1 and further information on the process may be found on the PHSO website – www.ombudsman.org.uk

Healthcare (privately funded patients only)

As Priory are members of the Independent Sector Complaints Adjudication Service (ISCAS) we have a responsibility to provide access to an independent external adjudication of complaints in respect of privately funded healthcare patients.

Requests for adjudication must be made in writing within six months of the Stage 2 decision letter and should be sent to the Secretariat for the independent external adjudication procedure at:

Independent Sector Complaints Adjudication Service
70 Fleet Street
London
EC4Y 1EU
Tel: 0207 536 6091
Email: info@iscas.org.uk
www.iscas.org.uk

ISCAS will acknowledge your request for independent external adjudication within two working days of receipt and upon establishing that the Priory hospital's processes for local resolution and Stage 2 review have been exhausted, will ask you to clarify in writing those aspects of your complaint that you wish to refer for adjudication and request that you provide consent to the ISCAS process and the release of relevant case records from the hospital.

An independent adjudicator will be appointed to consider your complaint, being entirely independent of Priory and will ensure that you fully understand the binding nature of the independent external adjudication and that in proceeding, you accept:

- + **The finality of the decision by the independent external adjudicator**

- + **That any decision and/or goodwill payment awarded by the independent external adjudicator brings the complaint process to a close**

- + **That the independent adjudicator's decision is binding on Priory, as an ISCAS member**

A full adjudication decision will be provided.

If the adjudicator rejects or upholds your complaint, they will also consider what further remedy (if any) is appropriate including asking Priory to:

- + **Provide an explanation and apology, where appropriate**

- + **Take action to put things right**

- + **Share details of how Priory has learnt from the complaint and any changes made as a result**

- + **Offer a goodwill payment in recognition of shortfalls in complaints handling, inconvenience, distress or any combination of these**

What should I include in my letter requesting review/adjudication?

Your letter should include the following:

- + **Adequate detail of your complaint, perhaps making use of your earlier letters of complaint at Stages 1 and 2**

- + **Copies of any documents, correspondence or records that you wish the Ombudsman, Independent Complaint Panel or ISCAS Adjudicator to consider**

- + **An indication of the outcome you would like to achieve**



Appendix 1 – organisation contact details

England

Care Quality Commission (CQC)

National Customer Service Centre
Citygate, Gallowgate
Newcastle upon Tyne, NE1 4PA
Tel: 03000 616 161
www.cqc.org.uk

The Parliamentary and Health Service Ombudsman (PHSO)

Millbank Tower
Millbank
London, SW1P 4QP
Tel: 0345 015 4033
www.ombudsman.org.uk

Local Government Ombudsman (LGO)

PO Box 4771
Coventry, CV4 0EH
Tel: 03000 610 614
www.lgo.org.uk

Northern Ireland

Northern Ireland Public Services Ombudsman

Freepost NIPSO
Tel: 0800 343 424
www.nipso.org.uk/nipso

The Regulation and Quality Improvement Authority (RQIA)

9th Floor, Riverside Tower
5 Lanyon Place
Belfast, BT1 3BT
Tel: 028 9051 7500
www.rqia.org.uk

Patient and Client Council (PCC)

FREEPOST
Patient and Client Council
Tel: 0800 917 0222
www.patientclientcouncil.hscni.net

Scotland

Care Inspectorate

Compass House
11 Riverside Drive
Dundee, DD1 4NY
Tel: 0345 600 9527
www.careinspectorate.com

Scottish Public Services Ombudsman (SPSO)

FREEPOST SPSO
Tel: 0800 377 7330
www.spsso.org.uk

Healthcare Improvement Scotland (HIS)

Gyle Square
1 South Gyle Crescent
Edinburgh
EH12 9EB
Tel: 0131 623 4300
www.healthcareimprovementscotland.org

Wales

Healthcare Inspectorate Wales (HIW)

Welsh Government
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ
Tel: 0300 062 8163
www.hiw.org.uk

Public Services Ombudsman for Wales (PSOW)

1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ
Tel: 0300 790 0203
www.ombudsman-wales.org.uk

CSSIW National Office

Welsh Government Office
Rhydycar Business Park
Merthyr Tydfil

Appendix 2 – complaint process summary by service

	Stage 1	Stage 2
Healthcare	Local Resolution at service/site level	Internal Review/Response coordinated by the Complaints Manager
Adult Care	Local Resolution at service/site level	Internal Review/Response coordinated by the Complaints Manager

	Stage 3
Healthcare	If privately funded – may request adjudication by the Independent Sector Complaints Adjudication Service (ISCAS) If funded by the NHS – may request a review by the Parliamentary and Health Service Ombudsman (PHSO)
Adult Care	If funded partially or wholly by the NHS, may request case review by the Parliamentary and Health Service Ombudsman (PHSO) If self-funded or funded through a local authority – may request case review by the Local Government Ombudsman (LGO)

Contact us

For more information, please contact us by:

Emailing complaints@priorygroup.com

Or [click here](#) to visit our website.