

Do You Have a Complaint? Complaints procedure

If you wish to complain about our services or products, please let us know as soon as possible. Whether you are a patient receiving General Ophthalmic Services under the NHS or you are a private patient, we hope that most problems can be sorted out quickly and easily. The sooner you tell us about the problem, the quicker it can usually be resolved.

If your complaint is about a NHS sight test or other NHS service, you should tell us - verbally, electronically or in writing - within 12 months of the incident itself or 12 months of you becoming aware of the problem.

Please raise your concern with any of our staff or please contact:

Ian Ashworth – director of Ashworth Opticians Ltd

Alternatively you can complain to Greater Manchester Area Team GM.HSCinfo@nhs.net. They will tell you how they intend to deal with your complaint. The area team may deal with it itself or refer it to us, if you agree.

We will acknowledge receipt of your complaint within three working days; and, if you wish, we will explain to you in person how and when we will investigate and resolve the complaint. If the investigation takes longer than expected, we will keep you informed. Although we undertake to resolve complaints within six months, most complaints are dealt with much more quickly than that.

You can be sure that we will treat your complaint in strict confidence. If you are complaining on behalf somebody else, we will need that person's permission to respond to you.

If your complaint is not about NHS sight testing or other NHS services but about spectacles or contact lenses only and we are not able to resolve it to your satisfaction, further help is available from:

Optical Consumer Complaints Service

2-8 Market Square
Bishops Stortford
Herts
CM23 3UZ

Email: enquiries@opticalcomplaints.co.uk

Tel: 0844 800 5071 / 01279 712584

Please copy and replace before using

Acknowledgement of complaint

[DATE]

Dear

Thank you for your letter dated about

.....

I am so sorry that you are not happy. I am looking into the points you raise as a matter of urgency and will let you have a full response as quickly as possible.

FIRST ALTERNATIVE – delete as appropriate.

We would be very happy to discuss the points you raise in your letter with you in person, if you would like to come to the practice. In that way, we can go into more detail and explain to you how we plan to investigate and resolve the matter.

SECOND ALTERNATIVE – delete as appropriate

We understand that your preference is not to discuss the matter in person, but the offer to do so at any time always remains open. Our estimate is that it will take usday/weeks/months to fully investigate and report to you on the matter.

Yours sincerely,

Ian Ashworth

(Director and complaints manager)

RECEIPT OF ORAL COMPLAINT

Complainant's Details

Name:

Address:

.....

Telephone:

Email:

Patient's Details (if different from complainant)

Name:

Address:

.....

Date of birth:

NHS number (if known):

Details of complaint
(including date of complaint, date of incident, nature of incident and persons involved)

If the complainant is not the patient:

I.....authorise the person named above to make this complaint on my behalf. I agree that the practice may disclose to him/her any necessary confidential information about me or my care in order to resolve the complaint.

Patient's name and signature.....

Date.....

Complaints procedures

The complaints manager at Ashworth Opticians Ltd is Ian Ashworth

Background

The NHS complaints system in England is bound by regulations which came into effect on 1 April 2009.

- a patient can complain directly to the Area Team, if they wish
- we record all the complaints that we receive about GOS services, domiciliary sight-testing and locally commissioned enhanced NHS services which we provide
- we record the remedial actions taken and the lessons learned
- we report annually to the PCT the number and nature of all the complaints received and the important actions taken.

Note that, for the purpose of operating the system, a complaint:

- must relate to GOS or a locally commissioned service only
- can include the issuing of optical vouchers
- is not a complaint, if it is made orally and is resolved within 24 hours
- is not a complaint, if it concerns dispensing services or spectacles or lenses which are entirely private arrangements.

If a complaint specifically states or implies negligence, we are strongly advised simply to acknowledge receipt of the complaint and to consult our representative body or insurance provider, before attempting to resolve the matter or admitting liability.

Contents of the New Regulations¹

1. As a GOS contractor, we are obliged by law to have arrangements in your practice to deal with complaints about NHS services. Thus, the rest of this advice refers to NHS matters only, including the issuing of optical vouchers (but not the dispensing connected with vouchers).

2. For the purpose of these arrangements, a complaint is not a complaint, if it is made orally and is resolved to the complainant's satisfaction within 24 hours.

A complaint may not refer to a failure to comply with the Freedom of Information Act (dealt with by a separate procedure). Nor may a complaint relate to a subject which has already been dealt with as a complaint and been resolved. In other words, a complaint cannot be repeated *ad nauseam*.

¹ The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (Statutory Instrument 2009 No. 309)

3. Our arrangements for dealing with NHS complaints ensure that:

- complaints are dealt with efficiently and are properly investigated
- complainants are treated courteously, fairly, expeditiously, appropriately and are informed of the outcome of the investigation of their complaint
- action is taken in the light of the outcome of the investigation if any is necessary.

4. Our arrangements designate a person to be responsible for ensuring compliance with the law and a person as a complaints manager.
5. A complainant may be a patient; or a person acting on behalf, and in the interests, of a patient; or a third party actually or potentially affected by the substance of the complaint against us.
6. A complaint about our NHS service may be made directly to us or via the Area Team. If the complaint about us is made to the Area Team, it is obliged to consider the complaint and can decide to handle the complaint itself. Alternatively, it may, with the complainant's consent, refer the complaint to us for resolution. This is the course of action recommended in most circumstances by Department of Health guidance. We are obliged to deal with the complaint in accordance with the law and to cooperate with the Area Team. Whether the complaint is made directly to us or via the Area Team, we must acknowledge receipt of the complaint within three working days, either orally or in writing.
7. A complaint must be made within 12 months of the date, on which the matter which is the subject of the complaint occurred or came to the complainant's notice.
8. A complaint may be made orally, in writing or electronically. If it is made orally, we are obliged to make a written record of the complaint – but only if 24 hours have elapsed since the complaint was made and if the complaint has not been resolved (see above). A copy of the written record must be given to the complainant.
9. If we choose to reply to the complainant electronically, we may only do so with the complainant's agreement, for example if they have provided us with their email address.
10. When acknowledging receipt of a complaint, we must offer to discuss with the complainant how and when we intend to investigate and resolve the complaint. If the complainant refuses our offer, we must tell the complainant in writing how long it is likely to take us to respond concerning the substance of the complaint (the 'response period')
11. If our investigation of the complaint takes a long time, we must endeavour to keep the complainant informed of the progress of the investigation. As soon as possible after completing our investigation, we must tell the complainant in writing how we have considered the complaint and what we propose to do to resolve the complaint and any consequent action. We must also inform the complainant of their right to pursue the complaint with the Health Service Commissioner (the 'health ombudsman').
12. We must endeavour to resolve the complaint within six months after receiving the complaint or, if we cannot, tell the complainant why we have not managed to do so.

13. We must make information available to the general public about our arrangements for dealing with complaints about NHS services and how further information may be obtained. This is in the form of a poster, with further information available on request and on the web-site.

14. We must keep a record of each complaint received, the subject matter and outcome of each complaint, each response period where applicable (see above), and, in the cases of a response period being applicable, whether the complainant was informed of the outcome of the investigation.

15. On the date agreed with NHS England in our contract, we must report annually to the Area Team the number of complaints you received in the year in question, the number of complaints which were justified ('well founded') and the number referred to the ombudsman. We must also summarise the nature of the complaints received, any matters of general importance arising out those complaints, or the way in which they were handled, and any action taken to improve NHS services as a result of those complaints. Finally, our report must be made available to anybody on request.

² The optical bodies recommend reporting by 30 June on the period of the preceding financial year