

Complaints Procedure for Health Services

A Patient's Guide

Help us to help you

A Patient's Guide to the Manx Care Complaints Procedure

The people who provide your care will do whatever they can to ensure you are treated properly and without delay. If you have had a great experience, we would love to hear about this.

However, we do recognise that sometimes things do not go as we would expect, and we take this very seriously. We always aim to learn from feedback from patients and their families and would very much like to help put things right.

This booklet aims to help you if you have a complaint about healthcare services provided by Manx Care. These healthcare services include:-

Community Health Services

Adult Community Nursing

Children & Families Services

(including Family Planning, Health Visiting and School Nursing)

Podiatry, Community Physiotherapy, Adult Speech & Language Therapy and Community Occupational Therapy, Wound Management Clinic (RDCH).

Prison Healthcare

Community Dental Services

Mental Health Services

All in-patient and out-patient mental health services

Acute Hospitals Services

Ambulance

All inpatient and outpatient services provided through Noble's Hospital (including inpatient Physiotherapy and Occupational Therapy, Radiology, Dietetics and Children's Speech and Language Therapy).

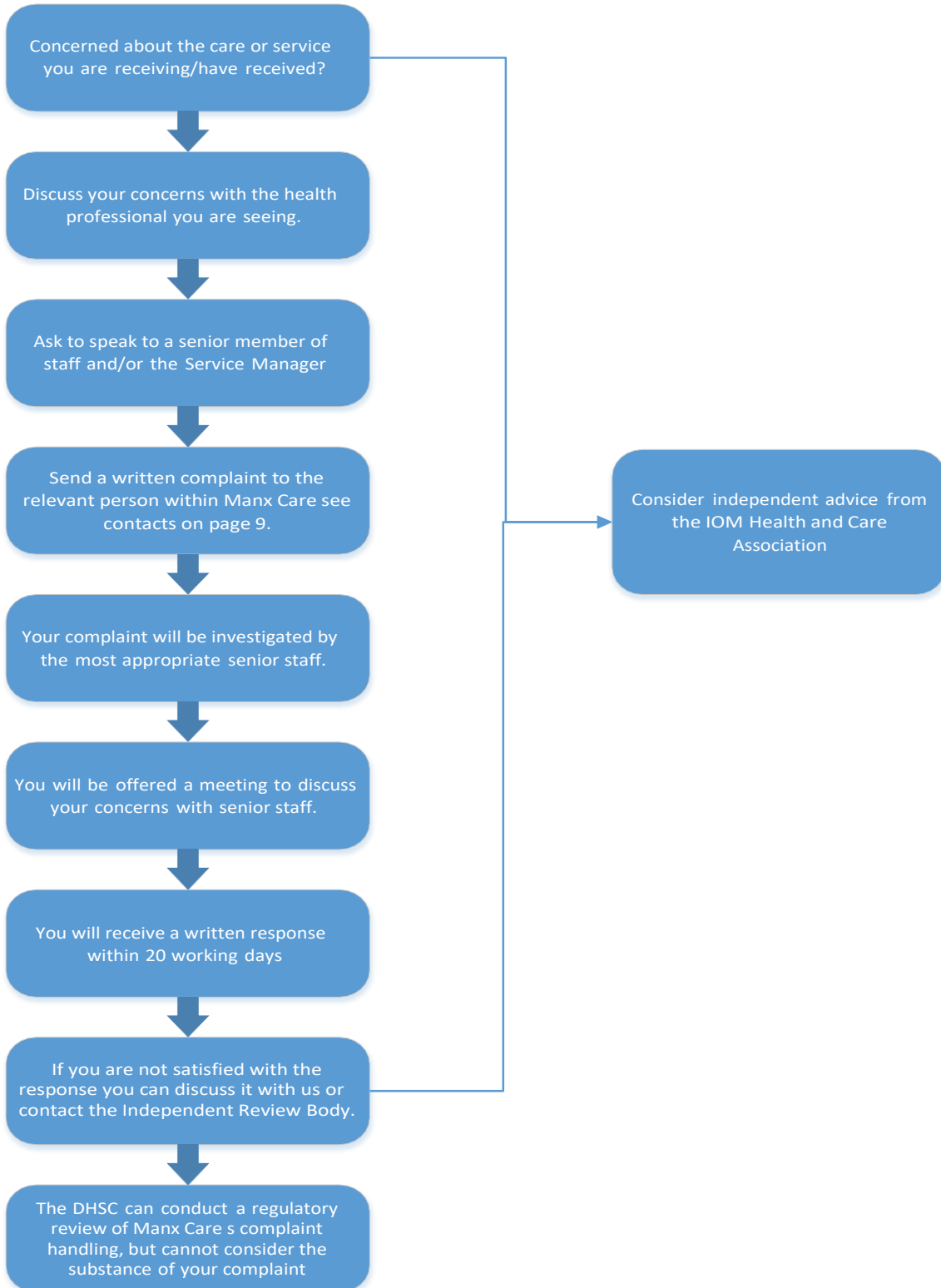
Inpatient wards, outpatient clinics, renal unit and minor injury unit at Ramsey and District Cottage Hospital.

Contracted Health Services (not supplied by Manx Care)

GP Practices, General Dental Practices, Community Pharmacists and Opticians have their own complaints procedures. Staff in these practices will be able to give you details of how to complain. Where matters cannot be resolved the assistance of the Family Practitioners Service at Crookall House can be obtained. Complaints regarding the Manx Emergency Doctor Service should also be directed to the Family Practitioners Service.

Who can help you if you wish to make an informal complaint?

The flow chart below sets out the process for complaints.



In the first instance discuss your concern or complaint with the healthcare professional looking after you. You can also ask to speak to the healthcare professional in charge, or the Service Manager if you have any concerns or complaints. They should be able to help you to resolve any issues quickly or arrange for you to meet with the appropriate staff to discuss your concerns further.

If your concern or complaint remains unresolved, you can make a formal complaint and the contact details for this are contained at the back of this leaflet.

Complaints will be investigated through the Local Resolution stage of the Manx Care Complaints Procedure. Complaints must be made within six months of the event, or knowledge of the event.

You will be provided with a comprehensive response, which answers your concerns and, where possible, by those who know the most about your care.

Please be assured any complaint or concern you raise will not affect your current or future care and management.

Who can complain?

Anyone who is receiving or has received health care or services provided by Manx Care and is dissatisfied with the treatment received.

If you are unable to complain yourself, then someone else, such as a close relative or friend, can complain for you on your behalf. Your consent will be required; you should be mindful that the response to your complaint may contain some personal and sensitive information that you may not wish to share with a third party.

Local Resolution Stage (Formal Complaint)

Local Resolution under the Complaints Procedure gives you the right to have a comprehensive written reply from a relevant senior manager. Manx Care will treat this as a formal complaint and aims to provide this written response within 20 working days of receiving your written complaint.

It is possible however, that due to the complexity of a complaint that might involve more than one area of service, this time frame may be exceeded. Where there are reasons why this cannot be achieved, you will be kept informed of progress periodically.

As part of the procedures, you will be offered a meeting early in the process to see if we can resolve your concerns as quickly as possible. If you think this would be useful, a meeting will be arranged with you and you may, of course, be accompanied at this meeting. If you agree to the meeting this would be with the most appropriate senior manager and/or health professional that can help in your case.

Your complaint will be investigated by the most appropriate senior healthcare professional or manager. Sometimes they may need to involve other staff to establish what happened and to decide what action to take.

In some circumstances it may be necessary to review the health records the complaint relates to and care will be taken to ensure confidentiality.

What if Local Resolution is unsuccessful?

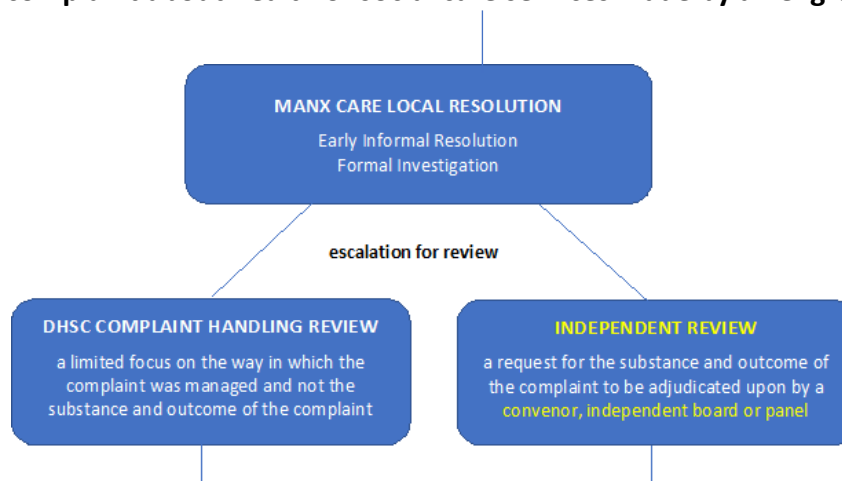
If you are not satisfied with the outcome of Local Resolution, then you can apply for your complaint to be considered by either the Department of Health and Social Care (DHSC) or the Independent Review Body (IRB).

You should do this within 28 working days of the date of the letter telling you about the outcome of Local Resolution. Please provide them with the following information:

- Patient's name
- Patient's date of birth
- Patient's address
- The date on your response letter
- A full account of your complaint and why you remain dissatisfied with the outcome of Local Resolution

The distinction between these two independent reviews is that DHSC can look at whether Manx Care has complied with its statutory obligations where complaint handling processes are concerned. By contrast the IRB will consider patient or service user dissatisfaction with the outcome of the care and treatment provided by Manx Care. This is set out in the following flowchart:-

A complaint about health or social care services made by an eligible person



Information sharing to ensure a consistent approach to complaint review activity

NB: Independent health and social care service providers who are commissioned by Manx Care are required by the Regulations to have their own complaints procedures

Independent Review Body

An Independent Review Body will consider the substance of your complaint and Manx Care's decision following its investigation of your concerns. This can include Manx Care's discharge of its functions, duties and responsibilities, as well as the quality of its service delivery and organisational policies.

Your request for an independent review of your complaint will be considered by an independent Convenor, who will ask you to explain in writing why you are not satisfied with the outcome of Local Resolution.

The Convenor will consider if any other Local Resolution action might resolve your problem. If not, the Convenor will call an Independent Review of your complaint by a special panel.

If the Convenor decides not to set up a panel and you are not satisfied with that decision, you may appeal that decision and ask for another Convenor to consider your complaint. Where the second Convenor decides not to set up a panel, this is the end of the Complaints Procedure.

Please bear in mind that both the DHSC and Independent Review Body process will only review those elements of your complaint that have already been considered at Local Resolution.

The Independent Review Body Panel, if convened, will consist of three people who are independent of Manx Care: a Chairperson, a Convenor and one other person. The Panel will re-examine fully the concerns referred to it by the Convenor and, so far as is possible, talk to the people the Panel considers being relevant.

The Panel will also obtain any specialist advice which it feels is needed. Difficulties may arise in finding a suitable date when all relevant parties can attend; therefore it may take some time before it is possible to announce the date for the hearing. After the hearing a report will be prepared setting out the results of the investigation, together with its conclusions and any appropriate comments or suggestions.

You will be given a copy of the report and the relevant senior manager will write to tell you of any action being taken as a result of the Panel's recommendations.

Issues that cannot be dealt with under the Manx Care Complaints Procedure

These include:

- Detention under the Mental Health Act 1998;
- Complaints about private treatment;
- Events requiring referral and/or investigation by a professional body, e.g.

- General Medical Council, Nursing and Midwifery Council;
- Events about which you are already taking legal action;

For your assistance

If you are not sure whether your complaint can be dealt with under the Manx Care Complaints Procedure, please contact the teams whose contact details are contained below.

If you do not wish to make direct contact with the service directly, the Isle of Man Health & Care Association is an independent, confidential advocacy services, which provide support free of charge. They can help you set out your complaint and then liaise on your behalf with the health care service. They can also act as your representative throughout the entire complaints procedure at your request.

Manx Care contact details

Hospitals Directorate

Care, Quality & Safety Team
Noble's Hospital, Strang, Douglas,
Isle of Man, IM4 4RJ
Telephone (01624) 650793
noblescomplaints.dh@gov.im

Mental Health Services / Community Health Services

Care, Quality & Safety Team
Reayrt Noa, Noble's Hospital Estate,
Strang, Douglas, Isle of Man, IM4 4RJ
Telephone (01624) 686772

Complaints not related to Manx Care services (refer to separate procedure)

DHSC Chief Executives office:

Crookall House, Demesne Road, Douglas,
Isle of Man, IM1 3QA
Telephone (01624) 642621

Family Practitioner Services

Crookall House Demesne Road Douglas
Isle of Man
IM1 3QA
Telephone (01624) 642613
dh@gov.im

Independent advice and support

IOM Health & Care Association

12 North Quay
Douglas
IM1 4LE
Tel: (07624) 425326
office@iomhaca.im