

Complaint Management Guide

A complaint received by a practice can be stressful for all concerned. By introducing a complaints policy, it ensures that concerns are handled promptly, fairly and consistently while supporting continuous improvement and maintaining confidence in a practice. We believe that in most cases, complaints can be resolved swiftly and efficiently to everyone's satisfaction; a simple apology or explanation will usually suffice. Failure to listen or deal with dissatisfaction can lead to an escalation of the complaint to regulatory bodies and cause considerably more stress for those involved. It is also a requirement for practitioners who have a GMS list to have a complaints policy and process in place.

Dealing with a complaint to the practice

Firstly, it is important to have a clear practice policy for staff on how to deal with complaints. All staff members should be aware of the policy and what each individual should do if a complaint is received or a concern is raised by a patient.

Secondly, patients can often take to social media to show their frustration or complain directly to the Medical Council as they may not know that there is any other way to adequately complain. It is important therefore to bring your practice complaints policy to their attention and advise that they can raise any concerns directly to the practice, and that these will be taken seriously and dealt with in a timely manner. It is of course preferable for any complaint to be managed through the practice policy in the hope of avoiding escalating to another body such as the Medical Council.

Patients can be informed of your complaints policy, for example, with posters in the waiting room and leaflets given to patients when they join the practice. Medisec provides a poster for your practice regarding patient complaints, available to download from our website or in hard copy on request. Medisec can also provide a sample draft complaints policy on request to assist medical practitioners if required.

Below are brief tips on how to handle patient complaints in your practice. More detail can be seen in our draft complaints policy as mentioned above.

1. Acknowledge

When a complaint is received it should be logged by the practice. As soon as a complaint is received, it should be brought to the attention of the Practice Principal and Complaints Lead (if one is appointed). You should also contact your indemnifier for further assistance.

If the complaint is received by telephone or in person, take a detailed note and confirm that this will be brought to the attention of the Practice Principal and Complaints Lead, as appropriate. If the complaint is received in writing, it should be acknowledged in writing as soon as possible, as it may take some time to investigate before providing a detailed response.

Consider at this point whether it may be a minor misunderstanding which can be readily rectified with a telephone call, explanation or apology – e.g., a mix up of appointment times or minor disagreement, and whether it may be appropriate to ask the patient to come in to discuss.

2. Discuss

The complaint should be reviewed by the Practice Principal / Complaints Lead and the issues raised should be discussed with any other staff members who may have been involved, in order to have a full picture of the concerns raised and the nature of any response that may be required.

Consider if what occurred is a Patient Safety Incident and whether an Open Disclosure meeting is necessary.

Important note: The Medical Council's Guide to Professional Conduct and Ethics and various pieces of legislation and national policies¹, govern open disclosure in Ireland and must always be taken into account. Medisec is available to advise members on applicable open disclosure obligations and members are encouraged to contact us for advice in this regard at the earliest opportunity. Please see our separate Factsheet on Open Disclosure (available on our website) for further information.

3. Seek Assistance / Notify

The Medisec medico-legal team can provide timely, expert assistance to its members in responding to any complaint, no matter how minor. Medisec members should ensure to notify Medisec of any complaint received at the practice that might develop into a litigated claim or a complaint to the Medical Council, regardless of the validity or otherwise of any such potential claim/complaint. It is important to be aware of the terms and conditions of your professional indemnity insurance policy regarding notifying potential claims/complaints.

4. Respond

If the complaint is not made by a patient themselves, then you must ensure that you do not disclose any confidential patient information without appropriate consent from your patient/ on behalf of your patient. Ideally, a response to a written complaint would be in writing, with an offer to meet the patient to discuss their concerns further if they wish and including an apology, if appropriate.

Consider whether the complainant is satisfied with the response. If not, reassess if anything further can be done by the practice to try and resolve matters.

5. Learn

Concerns raised to the practice should ideally be discussed at a regular risk management practice meeting, if appropriate, subject to patient confidentiality. This can avoid similar issues arising in future at both an administrative and clinical level and can be helpful in identifying any staff training that may be required.

Please do not hesitate to contact Medisec for specific advice on managing a practice complaint.

The contents of this publication are indicative of current developments and contain guidance on general medico legal queries. It does not constitute and should not be relied upon as definitive legal, clinical or other advice and if you have any specific queries, please contact Medisec for advice.

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