



## COMPLAINTS POLICY

### Introduction

It is the objective of Mobile Physio that all users of the service have access to information about how to make a complaint and also that the issues they raise are handled fairly and promptly. Complaints can act as an indicator that some part of the service is not functioning well, and by keeping a record allows us to recognise trends or take action to implement change or improvements. This policy seeks to provide an effective method by which the users of the service can make a complaint or express concerns over their care or treatment. It gives clear guidance on how complaints will be managed and provides a consistent and clear approach for both complainants and any staff that may be involved in the complaint investigation. Information on complaints handled by Mobile Physio is shared at regular intervals with the Integrated Care Board.

### Scope

For the purposes of this policy, a complaint is defined as an expression of dissatisfaction about an act, omission or decision, either verbal or written, and whether justified or not which requires a response.

### Roles and Responsibilities

The physiotherapy manager is responsible for the delivery of the complaints policy. The physiotherapy manager will work closely with the administrator and Board of Trustees when responding to complaints.

### Informal Complaints

An informal complaint is where an issue is raised, but it is possible to resolve at the time, **to the complainant's satisfaction**, without going through a formal process. If considered necessary, the nature of the complaint and agreed outcome can be recorded, e.g., in the patient notes, or minutes of a meeting.

- Patients have a right to complain, and if they do so, it should not affect their overall care.
- It is our aim that all complaints be resolved at a local level wherever possible and individual staff are encouraged to support this approach.
- Where the member of staff who receives the informal complaint is unable to do this, they can seek assistance from another member of staff who is able to help and inform the complainant that this is what they intend to do.
- The complainant must then be contacted by the appropriate member of staff as soon as is practically possible and an attempt is made to resolve the situation at this point.
- If resolution is not possible, then a formal complaint can be made.

## How to make a complaint

- Complaints may be received in writing or verbally.
- A complaint taken verbally over the telephone, or in a face-to-face meeting, is just as valid as a written complaint and should be treated with the same consideration.
- Patients wishing to put their complaint in writing should be advised to send their correspondence to:

Debbie Rose (Administrator)  
19 Tilers Close  
Merstham  
RH1 3HS

admin@mobile-physio-surrey.co.uk

- We will seek to make the necessary reasonable adjustments in order to handle any complaint. For people whose first language is not English, we have access to a translation and telephone interpreting service.
- Although we are a small organisation, we will make every effort to handle complaints in alternative formats.

## Who can make a complaint

- A complaint may be made by ‘a person who receives or has received services’ or ‘a person who is affected, or likely to be affected, by the action, omission or decision which is the subject of the complaint’.
- Complainants may be existing or former patients or anyone acting on behalf of the patient with their consent. This could be where a person
  - a) has died (the complainant would usually be the personal representative of the deceased with the relevant documentation)
  - b) has physical or mental incapacity (this needs to be in the best interests of the individual)
  - c) has given consent to a third party acting on their behalf (in this case a consent form signed by the person who is the subject of the complaint is required)
  - d) has delegated authority to act on their behalf, for example in the form of a registered Power of Attorney which must cover health affairs
  - e) is an MP, acting on behalf of and by instruction from a constituent.
- Complainants may also include referrers or other members of the multidisciplinary team at the individual practices.

## Time limit for making a complaint

A complaint must be made within 12 months from the incident which caused the problem or within 12 months of the date of discovering the problem. Complaints received after this time may be difficult to investigate due to the time lapse involved. The time limit shall not apply if Mobile Physio is satisfied that the complainant had good reasons for not making the complaint within that time limit and it is still possible to investigate the complaint effectively and safely. If we do not see a good reason for the time delay or we do not think it is possible to properly consider the complaint we will write to the person making the complaint, to explain this.

## Complaints about more than one provider

If Mobile Physio receives a complaint which contains issues about more than one provider or organisation, it will have a discussion with the complainant about who is best placed to co-ordinate and respond on behalf of the providers/organisations. Consent will be obtained to

share the complaint as appropriate. Where Mobile Physio is not the lead organisation, it will fully co-operate with other organisations, liaising with them to ensure appropriate consent is in place.

## **Acknowledgement**

Communication with the complainant from the acknowledgement stage onwards, will recognise any specific way that they wish to be addressed, including the use of pronouns.

An acknowledgement to a complaint:

- Must be within 3 working days
- Will be in writing unless in exceptional circumstances where it may be verbal
- Must include an offer to discuss the handling of the complaint
- Must include an offer to discuss the timeframe for responding to the complaint
- Should include a summary of what the complaint is about and offer to discuss the desired outcome
- When the complaint has been made verbally, it must include the written statement which has been recorded as the formal complaint
- Will address any issues of consent
- Must include information about local NHS Complaint Advocacy Services and
- Must include either the physiotherapy manager's name or the administrator's name as they will be the point of contact for the complainant throughout the complaints process.

## **Investigation**

Once an official complaint is received, a complaints/significant event analysis form must be completed and sent to the chairman. The physiotherapy manager will then conduct an investigation into the complaint, including reviewing relevant documents (clinical records, NICE guidance, HCPC professional standards) and speaking with relevant members of staff. A proactive approach is encouraged to promote speedy resolution of any complaint. This may involve inviting the complainant to a meeting with all those involved before a final response is given. In the event that an investigation is likely to take longer than the original timeframe identified at the acknowledgement stage, the complainant must be contacted to be advised of a new timeframe for responding and an explanation given as to the reason for the delay.

## **Response**

A response to a complaint must:

- Include an explanation of how the complaint has been considered
- Provide information about who has been involved in the investigation
- Include a meaningful apology where it is due
- Refer to any records, documents or guidelines that have been considered
- Conclude and evidence how a decision was reached
- Tell the complainant what has been done to put things right where appropriate
- Signpost the complainant to next steps including details of the Parliamentary and Health Service Ombudsman (PHSO)

We aim to respond to complaints within 40 working days.

## **Confidentiality and consent**

Mobile Physio has a legal duty to maintain the confidentiality of personal information. Mobile Physio will not access or share information pertaining to complaints without the correct consent. All personal data received is recorded and stored in line with our information governance policies (data protection and data security). Information is retained in line with our record keeping policy.

## **Exceptions to the policy**

Safeguarding and patient safety - there may be circumstances in which information disclosure is in the best interest of the patient, for the protection, safety or wellbeing of a child or adult at risk. In these circumstances, a complaint will be escalated as necessary in line with safeguarding policy and procedure. Advice should be sought from the safeguarding lead at the GP surgery or at the Integrated Care Board.

## **Relationship to other policies**

The Complaints Policy is completely separate from the Grievance Procedure or the Disciplinary Procedure. However, in some circumstances, the findings of a complaint investigation may indicate that there is a need for disciplinary action to be taken.

References: The Standards of Proficiency for Physiotherapists; HCPC 2013; Standard 4  
NHS England Complaints Policy; 2021; [england.nhs.uk](http://england.nhs.uk)