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Llanishen Court Surgery

Practice Procedure for Dealing with Concerns

The Practice procedure for dealing with concerns about our service is based upon NHS (*Concerns, Complaints and redress Arrangements*) (Wales) Regulations that came into force on 1 April 2011 and “*Putting Things Right*”.

Our Practice, as a provider of NHS Services, is regarded as a “responsible body”. We have published our procedure for dealing with concerns to ensure there is leadership and a clear line of accountability for responding to concerns.

“Concern” means any complaint or notification of an incident concerning patient safety.

Nominated and Responsible Persons

In line with the Regulations, our Practice has a nominated responsible officer and a senior investigations manager.

The responsible officer – ultimately ensures that the Practice complies with the concerns procedure, that actions identified as necessary during any investigations that are taken and that any relevant lessons are learned. This person, or someone authorised on their behalf must sign all complaint responses, or take responsibility for complaints signed off on their behalf, for example if that person is on annual leave.

The responsible officer for our Practice is Dr E Henderson.

The senior investigations manager is the person to whom concerns should be addressed and who will acknowledge receipt of the concern, they will carry out the investigations and identify any concerns about services or patient safety that need to be addressed in the Practice and prepare formal responses, which are then reviewed with the responsible officer.

The senior investigation for the Practice is the Practice Manager

Raising Concerns

Concerns can be raised in two ways: verbally, electronically or in writing.

If it is possible to resolve oral concerns within 24 hours, the concern will not be handled under the Regulations and no formal written response is required. There will still be arrangements to capture the information and any learning within the Practice but these concerns will not form part of the Practice annual report of concerns.

The concerns system has two stages.

Stage One – Local Investigation and Resolution

With the exception of verbal concerns, resolved within 24 hours, all concerns will be acknowledged within two working days of receipt (weekends and bank holidays not included).

If a concern is raised orally and not resolved within 24 hours, a written record of the concern will be made by The Practice and a copy given to the complainant.

Within 30 working days of receipt (weekends and bank holidays not included), a full written response must be provided to the person raising concern. If it is not possible to do a full reply within this timescale then the person must be informed of this, the reasons why and as to when they can expect to receive the response. The response should do the following:

- Summarise the nature and substance of the matter or matters realised in the concern;
- Describes the investigation undertaken;
- Contain an apology where appropriate;
- Identify what action, if any, will be taken in light of the outcome of the investigation;
- Contain details of the right to notify the concern to the Public Services Ombudsman for Wales;
- Offer the person notifying the concern the opportunity to discuss the contents of the response with the opportunity to discuss the contents of the response with the responsible officer or a person acting on his behalf; and
- Be signed by the responsible officer or a person acting on his behalf.

Concerns can be made directly to the Practice or to the Local Health Board. In the most cases, the Local Health Board will forward the concern to the Practice for a response.

A complainant who initially raises their concern with the Practice and does not agree with the Practice's response cannot then seek a review from the Local Health Board.

The practice will cooperate with other responsible bodies where a concern spans a primary and secondary care or health and social care.

Where it is deemed that a concern should have been made to another organisation, the Practice must inform the person raising the concern of this within 2 working days and seek their consent to notify the other organisation. If they consent, the concern will be passed to the other organisation within 2 working days. It is then for that organisation to respond to the concern as if it received it in the first place.

Complainants who are unhappy with a response from the Local Health Board or Practice can refer the complaint to the Ombudsman.

Who can raise a concern?

Most concerns will normally be raised by current or former patients, or their nominated representatives

Patients aged 16 and over, who do not lack mental capacity should raise their concern themselves. The Practice will consider accepting concerns from parents of children aged 15 and under, however, children in this age group who are able to do so, may raise their own concern. Where a concern is notified by a child the Practice must provide the child with such assistance as the child may reasonably require to pursue the concern.

If a person lacks mental capacity to make decisions for themselves, the representative must demonstrate sufficient interest in their welfare to be an appropriate person to act on their behalf. This could be someone appointed under the Mental Capacity Act 2005 with lasting power of attorney.

If someone other than the patient is raising a concern, the Practice must satisfy themselves that there are reasonable grounds for the concern being notified by the representative and ideally, have authority from the patient in the form of signed, written consent. If it is not so satisfied, then the Practice must notify the representative in writing and state the reason for its decision.

Time Limits

A concern can be notified no later than 12 month from the date on which the concern occurred, or 12 months from the date the person realised they had a concern.

Complaints Advocates

If a patient requires help to raise a concern and does not have family/friends to assist, support can be sourced from:

www.llaiswales.org

www.hiw.org.uk

Stage Two – Public Services Ombudsman for Wales

Complainants who are unhappy with a response from the Local Health Board or Practice can refer their concern for investigation by the Public Services Ombudsman for Wales, the address is as follows:

Public Services Ombudsman for Wales

Ffordd Yr Hen Gae

Pencoed

CF35 5LJ

The concern must be referred to the Ombudsman within 12 months of the final correspondence at completion of local resolution – usually the final response letter. The Ombudsman has direction whether or not to investigate a concern, and will consider only when injustice or hardship arises from failure in a service, or failure to provide a service or maladministration.

Review of Concerns

The Practice reviews all concerns on an annual basis to reflect upon events that occurred throughout the year and to ensure that any changes that were identified as necessary were implemented.

An anonymised summary of the annual concerns including lessons learned and statistics is made available by the Practice for review by the Local Health Board together with any complaints received.

The Practice also reviews some concerns at significant event reviews – particularly where there has been a clinical or procedural problem. The discussion is anonymised and the team made up of clinicians and administration staff who review the event to determine if any action could have avoided the situation.

Useful Contacts:

Putting Things Right

www.puttingthingsright.wales.nhs.uk

Concerns Department

Tel: 029 2074 2202

Tel: 029 2074 4095

Email: concerns@wales.nhs.uk

Llais Tel: 0845 644 7814

Tel: 029 20 750112

Email: Cardiff&valeadvocacy@llaiscymru.org

Email: Cardiff&valeenquiries@llaiscymru.org