

Guidance: LMC advice to GPs on "Dealing with Complaints"

The following advice appears in the letter sent out by Londonwide LMCs to all GPs dealing with a complaint

Dear Doctor

Your Local Medical Committee has arranged for this letter to be sent to you if your PCT needs to contact you in relation to a complaint. Obviously this is an entirely confidential matter and I shall only know that you have received a complaint if you choose to inform me yourself.

Whether you are a GMS or PMS practice you have to have in place practice based systems for handling complaints, and to co-operate with NHS Complaints Procedures.

The responsibility for investigating and responding to complaints rests with the practice, but complainants can lodge their complaint with the PCT who will then forward it to the practice. Please check carefully as to what it is you are being asked to do:

- **Are you being asked to use the Practice Based Procedure?**
- **Are you being asked to respond via the PCT, possibly as a contribution towards a response to a multi-agency complaint being co-ordinated by the PCT**
- **Are you being asked to have a second attempt at resolving the matter at practice level?**
- **Are you being asked for a reasoned and sympathetic written response to the complaint?**
- **Are you being asked to take part in conciliation?**

It is always sensible to take advice when dealing with a complaint so do feel free to write, fax, email or phone the LMC office for help if you wish. Please contact me in the first instance – we have a team of experienced doctors available and we are more than willing to try to help you.

Whatever you do, don't panic, don't ignore the approach from the PCT and don't feel ashamed. You are not alone in receiving a complaint. Complaints against general practitioners are growing in number and frequency. Before putting anything in writing either to the PCT or the complainant, it would probably be sensible to take advice, either from us or from your Medical Defence Organisation. Don't rush into replying, but don't delay your response beyond the time limit – these are designed to help everyone. If you need more time, ask.

When dealing with any complaint, it is very helpful at an early stage to collect together all relevant records, including the patient's clinical record, visits log, telephone message log, appointments sheet, etc. **Do not under any circumstances alter any of these records**, even for the sake of clarification. Leave them completely unaltered. If there are additional matters which you wish to record while your memory is still relatively fresh, then do so separately and keep it as an aide memoire for yourself and for your advisers.

Similarly, complaints often involve matters concerning members of your practice team. It is very helpful to get them to provide a simple statement of their memory of events for you to retain. Complaints concerning community staff working with your practice should be dealt with by the PCT itself.

You may be asked to return the patient's medical records. If so you should forward them as soon as possible, having taken copies if you need them. Remember to keep the records of the investigation of a complaint quite separate from the patient's medical records.

Finally, do remember that however irritating, trivial or vexatious the complaint may appear to be, there are some simple golden rules.

- Try to be sympathetic in your response.
- Avoid jargon and use plain English.
- Don't be afraid to say sorry – an apology is not an admission of negligence.
- Protect the confidentiality of the patient and of the staff.
- It is counter productive to request the removal of the patient from your list simply because they have made a complaint. Above all, do ask for advice and ask for it early.

I hope that you will find these general guidelines helpful.

We are here to try to help you.

Yours sincerely

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