

SPSO decision report

Case: 201304283, A Medical Practice in the Greater Glasgow and Clyde NHS Board area
Sector: health
Subject: complaints handling
Outcome: upheld, recommendations

Summary

Ms C, who is an advice worker, complained to the medical practice on behalf of her client (Mr A) about his care and treatment. Ms C said she wrote to the practice several times, and phoned them, but they did not reply. Because of that, Ms C complained to us that the practice failed to adequately respond to the complaint.

The practice told us that they did not receive Ms C's initial complaint and only became aware of it a few months later when she submitted it again. They also told us that, after meeting Mr A, he told them he no longer wanted to pursue the complaint, and that they wrote to Ms C to tell her that.

The NHS guidance *Can I help you?* outlines what should happen when an NHS provider receives a complaint. In particular, it confirms that a complaint should be acknowledged within three working days and investigated, with a full response provided within 20 working days. If the NHS provider is unable to meet that timescale, they should provide a written explanation for the delay and an update on progress and when they expect to be able to reply. They should also tell a complainant that they have the right to seek a review from the SPSO if they are unhappy with the reasons for the delay. In this case, the practice clearly failed to comply with that guidance when handling Ms C's complaint.

Recommendations

We recommended that the practice:

- provide a fuller response to the issues raised by Ms C;
- apologise for failing to deal with the complaint appropriately; and
- review their complaints handling procedure to ensure it complies with the requirements of the *Can I help you?* guidance.