

Dealing with Concerns

“PUTTING THINGS RIGHT” A leaflet for Primary Care Ophthalmic Practitioners

Background

The Putting Things Right (PTR) Regulation applies to Wales only, and applies to all NHS services including primary ophthalmic care.

Putting Things Right (PTR) is at:

<http://www.wales.nhs.uk/sites3/home.cfm?orgid=932> [Accessed June 2016]

It broadly defines **concerns** as expressions of dissatisfaction or complaints from patients, and reports of adverse incidents from staff. Concerns can be written or verbal.

Concerns – and particularly complaints – can be distressing for patients and cause real anxiety to ophthalmic practitioners. If at all possible it is best to handle them promptly and effectively in the practice so that they do not escalate.

Respond to complaints effectively

The GOC Standards for Optometrists and Dispensing Opticians requires registrants to adhere to the standards and Standard 18 gives detailed information on how it expects registrants to achieve this.

https://www.optical.org/en/Standards/Standards_for_optometrists_dispensing_opticians.cfm [Accessed June 2016]

“18.1 Operate a complaints system or follow the system that your employer has in place, making patients aware of their opportunities to complain to yourself or your employer. At the appropriate stage in the process, the patient should also be informed of their rights to complain to the General Optical Council or to seek mediation through the Optical Consumer Complaints Service.

18.2 Respect a patient’s right to complain and ensure that the making of a complaint does not prejudice patient care.

18.3 Respond honestly, openly, politely and constructively to anyone who complains and apologise where appropriate.

18.4 Provide any information that a complainant might need to progress a complaint including your General Optical Council registration details and details of any registered specialty areas of practice.”

Ophthalmic practices need to **have a clear and effective complaints procedure.**

Health in Wales

Health in Wales has a list of all seven Health Boards with a link for patients to complain.

The majority inform the public to raise any complaints where possible with the ophthalmic practice in the first instance but will handle a complaint if requested.

(<http://www.wales.nhs.uk/ourservices/contactus/nhscomplaints>)

[Accessed June 2016]

The National Health Service (General Ophthalmic Services) Regulations 1986, includes detailed information on requirements for handling complaints (Schedule 1, Paragraph 8A including the requirement to "operate a complaints procedure to deal with any complaints. ". For Ophthalmic practitioners in Wales, this means using the PTR Regulations.

Available at: [http://www.fodo.com/downloads/wales/nhs-\(gos\)-regulations-1986.pdf](http://www.fodo.com/downloads/wales/nhs-(gos)-regulations-1986.pdf) *[Accessed June 2016]*

Ophthalmic practices need to ensure their practice complaints procedure mirrors PTR (especially in respect of the timeframes for response).

Introduction

PTR aims to provide a straightforward way for patients (or their relatives / carers) to raise concerns about any aspect of their care, and to have these concerns dealt with promptly and appropriately.

Concerns can be notified by anyone who has used NHS services or facilities, or a relative, friend or CHC Advocacy Service on behalf of a patient.* The time limit for raising a concern is 12 months, although the PTR Regulations make it clear that flexibility is expected where there is a valid reason for delay. Where a patient's relative or friend raises a concern the patient needs to give their consent for the concern to be responded to. (The Mental Capacity Act details how to support patients who are not able to give consent because they lack capacity)

<https://www.gov.uk/government/collections/mental-capacity-act-making-decisions> *[Accessed June 2016]*

All ophthalmic practices must provide information on PTR to patients and service users. Leaflets and posters can be obtained from:

<http://www.wales.nhs.uk/sites3/page.cfm?orgid=932&pid=50738>

[Accessed June 2016]

During a practice inspection it would be expected that a poster is displayed and leaflets are available.

*references to "patient" can also mean their relative, friend, CHC Advocacy service

It may be useful to have a senior ophthalmic practitioner as the first point of contact for patients with concerns. It is also good practice to keep a note of all concerns (verbal or written) to help the practice identify common themes and make any necessary changes.

Main stages of managing a concern

1. Local Resolution

The patient can raise a concern with the ophthalmic practice or the Health Board. As a rule it is helpful for the ophthalmic practice to deal with the concern at the outset – this may "nip things in the bud" and resolve matters quickly.

If the concern is raised in writing it must be acknowledged in writing within two working days of receipt, with a full response provided within 30 working days. If it is not possible to complete an investigation within this timescale, the person raising the concern should be told the reason for the delay and when they can expect to receive a reply (this can be verbally or in writing but must be recorded).

PTR requirements (Reg19 - 21) mean that the Health Board cannot investigate a concern that has already been formally investigated by the NHS ophthalmic practice and a response issued. If the complainant is dissatisfied following a response by the ophthalmic practitioner they must refer this to the Public Services Ombudsman for Wales.

2. Public Service Ombudsman for Wales

Complainants who are still dissatisfied or feel they have suffered hardship or injustice can write to the Ombudsman and ask for further investigation. Staff may also complain to the Ombudsman if they feel that they have been unfairly treated by the concerns process.

The Ombudsman will not accept a case older than 12 months unless there is good reason why the complaint could not have been made earlier. The Ombudsman has no power to enforce recommendations or impose sanctions but will report the results of their investigations to the Welsh Government (WG). The Ombudsman can direct that a primary care

provider considers making a payment to the complainant where they consider the complainant has a suitable case.

<http://www.ombudsman-wales.org.uk/> [Accessed June 2016]

3. Further help and Advice

Please contact (local name) if you would like to discuss aspects of PTR or need more information for your practice.

The Association of Optical Practitioners offers **members** advice on dealing with complaints.

<https://www.aop.org.uk/advice-and-support/legal/dealing-with-complaints> [Accessed June 2016]

<https://www.aop.org.uk/advice-and-support/clinical/clinical-governance/guide-to-gocs-standards-of-practice/respond-to-complaints-effectively> [Accessed June 2016]

The leaflet in the link below should be available in the waiting room and should always be given to patients who raise a concern formally with the practice.

<http://www.wales.nhs.uk/sitesplus/documents/866/Putting%20Things%20Right%20Leaflet.pdf> [Accessed June 2016]

4. Private Ophthalmic Care

PTR does not apply to ophthalmic care / treatment provided privately – although individual patients may receive both NHS and private care. As with NHS care it is preferable to resolve private concerns in the practice. However if this is not possible patients with concerns about private care can use the GOC Complaints Service.

https://www.optical.org/en/Investigating_complaints/index.cfm#opticalservices [Accessed June 2016]

They can also contact the Public Services Ombudsman for Wales as described in paragraph 2.

<http://www.ombudsman-wales.org.uk/> [Accessed June 2016]