

Prof. M Sim COMPLAINTS POLICY

The function of the Complaints Procedure is to address grievances raised by patients in a non-confrontational manner, to provide service users with a quick and simple procedure for drawing attention to their concerns, and to provide an opportunity to improve service provision.

Definition

A complaint is a grievance expressed by a dissatisfied user of the service provided. Complaints may relate to the quality of care, professional competence, administrative and/or support services, and may be of a clinical or non-clinical nature. A record will be kept of all complaints and regular complaint audit will be performed. With due regard to patient confidentiality, the register of complaints will include information on whether the complaint was upheld, the results of the investigation, the resolution of the complaint and the action taken.

Complaints Procedure

Stage 0: Complaint Avoidance and clear complaints procedure. This complaints procedure will be brought to the attention of all relevant persons who will be trained in complaints management and resolution to help prevent similar future complaints and improve services provided.

Stage 1: Verbal complaints.

The complaints procedure and the information based upon it will be accessible to all patients and clients on booking, and on demand thereafter. The procedures will be published on Prof. M Sim's website

Stage 2: Internal Handling of Complaints

All relevant persons are encouraged to listen carefully to any complaints and to attempt to resolve them to the patient's satisfaction there and then. Where an apology is appropriate, it should be given. Where a particular action is appropriate, it should be offered and actioned. If this fails, the document 'Complaints Policy - Information For Clients' will be given to the client. This details the name and contact details for the person designated to deal with complaints (Prof Malcolm Sim) and the procedure to be followed by the complainant.

We would request that clients give timely notice of any complaints, ideally within 28 days.

Complaints will be acknowledged in writing within 7 working day and a full response in writing within 14-21 working days of receipt of the complaint, unless the investigation is still in progress, in which case a letter explaining the reasons for the delay will be sent to the complainant. If this is the case, a full response will be issued within 5 working days of a conclusion being reached. Meetings may need to take place to clarify the details of the complaint, and may need to be scheduled outside the time frame in the preceding paragraph. Such meetings shall take place in privacy and conform to an agreed agenda. This meeting should be considered 'without prejudice' and to allow both sides to freely express themselves and so shall not be recorded.

Stage 3: external conciliation provided Prof. M Sim

External conciliation will be offered if Stage 2 fails to resolve the complaint. Both parties will be asked to supply a short statement about the episode in question. It is recommended that any medical statement should be vetted by the appropriate medical indemnity organisation. These statements will be forwarded an External Advisory Panel (at the cost of Prof. M Sim). The panel will arrange to have a meeting with both parties (in person or in video conference) at which time each

party will be able to put forward their position. Based on these, the panel will explore possible avenues to resolve the problem and will then issue a brief report to both parties, which will include a summary of the following:

- a. The material facts.
- b. The apparent grounds for difference between the two parties.
- c. Whether the complaint has been substantiated or rejected.
- d. Proposals for resolving the complaint.

Stage 4

This is solely for the complainant to determine and includes ADR (Alternative Dispute Resolution) and Litigation.

Recording and learning from complaints

Prof. M Sim will review all complaints received with a view to continuous quality improvement. All complaints received will be used as a learning exercise for improvement of the service on offer to clients.

UNREASONABLE COMPLAINANT BEHAVIOUR POLICY

Prof. M Sim is committed to dealing with all complainants fairly, but should not be expected to tolerate unacceptable behaviour including communications which are: abusive, offensive, defamatory or distressing, aggressive, threatening, coercive or intimidating, racist, sexist, politically charged, unreasonably persistent or demanding, or recorded without consent.

If such communications are received, the complainant will be written to setting parameters for a code of behaviour and the lines of communication. The complainant will be told why their behaviour is found to be unacceptable and will state that there will be no further response to their correspondence if such behaviour continues.

Prof. M Sim proactively protects staff from such behaviour. If the unacceptable behaviour continues, action will be taken to restrict further communications in an appropriate and proportionate manner. Such restrictions may include a formal agreement on conduct, contact restricted to email rather than personal meetings or telephone calls and restriction contact from one or more named individuals.

Where a complainant continues to behave in a way considered to be unacceptable, contact may be terminated with them. This may mean that we will not continue with the handling of their original case, or their complaint. Once it is considered that the behaviour of a complainant is unacceptable, or abusive to staff, or contain allegations that lack substantive evidence, any further correspondence will not be accepted,

In extreme instances, any other action considered appropriate to protect the safety and welfare of staff, including police complaints and legal action may be taken.

COMPLAINTS PROCEDURE - Information for Clients

Prof. M Sim is committed to providing a high-quality aviation medicine service to all clients. Nevertheless, it is appreciated that problems do occur from time to time in clinical settings and recognise that there may be occasions when clients wish to complain about some aspect of this service. Prof. M Sim welcomes feedback to enable him to identify areas for improvement and regard a robust complaints process as part of his ongoing quality improvement ethos.

If you wish to provide feedback, raise concerns, or make a complaint please do so as soon as possible. Please note that Prof. M Sim cannot correspond with anyone who is not confirmed in writing by the complainant as their representative, and without written consent to discuss the complaint in full, including confidential medical details.

Verbal Complaints

If you wish to speak to someone about any aspect of the service, please do so before you leave the premises. Concerns will be documented and Prof. M Sim will try to resolve the matter both verbally and with a follow up in writing.

Written Complaints

If matters are not resolved to your satisfaction, we will give you a copy of our complaints procedure and will ask that you put your concerns in writing. All written complaints should be addressed to Prof. Malcolm Sim, The Hub, 3 Earl Haig Rd, Hillington, Glasgow G52 4JU.

Please describe as fully as you can the nature of your complaint, stating the following:

- ☐ What you are unhappy about
- ☐ Why you are unhappy about it and
- ☐ What you seek to resolve the complaint

Complaints Resolution

Internal handling of your complaint:

Your complaint will be acknowledged in writing within 7 working days. Prof. M Sim will investigate and make a full response in writing within 14-21 working days.

External handling

External handling of your complaint: If you are not happy with the way in which your complaint was handled, you can escalate your response to the External Advisory Panel. Your complaint will be acknowledged by a member of the External Advisory Panel in writing within 7 working days. The External Advisory Panel will carry out a full investigation of your complaint and offer to speak with you to resolve matters. After this discussion you will receive a full written response within 21 working days. If a full response cannot be given within 21 working

days of receiving your complaint, The External Advisory Panel will write to you to explain the reason for the delay.

Escalation of your complaint: If you are not happy with the Stage 2 response, or the way in which your complaint was handled in stage 2, you have various options. You can escalate your response to the Civil Aviation Authority for Certificatory Issues, or to the General Medical Council for alleged conduct issues, in particular alleged breaches of the GMC's guidelines on Good Medical Practice. You may also consider litigation, as prelude to which most solicitors will usually attempt alternative dispute resolution.

Prof. M Sim 27th March 2024