

Dealing with Complaints: A Guide for Health Service Providers



Guidelines for dealing with a complaint

The following guidelines are aimed to assist health service providers to deal with complaints made to them or about them and the service they provided.

It is generally recommended to deal with complaints directly when they occur and try to resolve them with the patient or the person that complains. The following guidelines provide some tips on how to best manage complaints at an early stage.



Why do people complain?

Many people have high expectations about treatments and health service providers. This is a positive reflection on the generally excellent level of care we enjoy in Australia.

It is important to keep in mind that people usually complain because they are dissatisfied and that a complaint can be seen as an opportunity to increase understanding of the perspectives of consumers/patients. Gaining an insight into the consumer/patient perspective can help to improve the service that you offer.

It is also important to keep in mind that the person making the complaint may have found it distressing to do so and may have had difficulties in putting their experiences down on paper.

Common reasons expressed to OHR for making a complaint include preventing others from having a similar distressing experience and gaining an understanding of why something happened.

In the vast majority of situations people make a complaint because they genuinely believe that something went wrong. Very few people complain just to cause trouble.

The reasons that people complain include:

- they want an acknowledgement that something went wrong and an explanation of why
- they want an apology for the distress they experienced
- they do not want to see other people facing a similar problem
- they want to improve the service for themselves or others in the future
- they want someone to be blamed, punished or held accountable for what happened, and
- they want financial compensation (or a full or partial refund).

Tips for responding to a complaint

Every complaint is different, so the approach to resolving it will differ depending on the nature of the complaint (the seriousness and the complexity), the complainant's wishes, the issues the complaint raises, and how the complaint came to you.

1) Acknowledge the complaint

Often when people get a response to their complaint it indicates to them that the matter has been taken seriously. If the response also acknowledges their concerns and experiences, and takes responsibility for what happened, then the complaint may well be on the way to being resolved.

A written acknowledgment to the person who made the complaint outlining the plan of action in investigating and responding to the complaint can be helpful. It is important to give the person a clear time frame in which the complaint will be addressed and contact details of the person responsible.

2) Try to resolve the complaint directly with the complainant

Wherever it is possible, inviting the person who made the complaint to talk directly can be extremely important to clarify the issues and the desired outcomes. The reason for a person's

complaint may not always be clear in the written version. Most complainants greatly value the opportunity to talk about what happened and to tell their point of view. This can also be useful in guiding your response.

If the matter can be resolved immediately then a written response can follow, to confirm the agreed action.

3) Be aware of differing views of what happened and what was said.

Many complaints arise from underlying issues with communication. Parties to an incident can have different perceptions and understanding about what happened and what was said.

This can arise for many reasons:

- The person with a health problem is in a vulnerable situation, which can lead to a misunderstanding about what was said.
- Health service providers assume that their information or explanation has been clear when in fact the patient or the patient's family may not understand it.
- The person has been given conflicting information from other people. This may be from other providers, media reports or general opinions from others.

'Who is telling the truth' may not be relevant in cases where communication and perceptions are the main issues. Where there are differing accounts or points of view, it is important to acknowledge these without dismissing the complainant's point of view.

Many complainants believe that all incidents/conversations are noted, so if there is no record then they may believe records have been tampered with or a cover-up has taken place.

Many complainants have a concern that their point of view will not be listened to and that the staff will 'close ranks' and stick together. It is therefore best to establish a complaint handling mechanism.

4) Reassure the complainant

People who make complaints are often worried that there will be some kind of negative consequences for their ongoing care. It is important to offer reassurance throughout the complaints process that this is not the case; that the person will not be discriminated against or victimised as a result of making a complaint and the fact of making a complaint will not affect the

person's treatment.

Also offer reassurance that the complaint will be kept confidential, and that there will not be a reference to the complaint in their health record, unless they want that to happen.

Have a complaint handling mechanism already in place

Responding to a complaint will be easier if you already have a system in place to deal with complaints in a practical way and a mechanism by which complaints are welcomed, received, investigated and resolved. A complaint handling policy and procedure, which consumers/patients are informed about will assist in the resolution and management of a complaint.

There is much evidence to suggest that the initial handling of a complaint can have a significant effect on the resolution process, especially where the complaint involves bereavement or other serious incidents.

Responding appropriately to a complaint is an important way of restoring trust in a service and preventing a minor grievance from escalating.

Evidence also suggests that effective complaint resolution decreases the risk of the complaint leading to legal action.



General complaint response principles

Timeliness

Respond as soon as possible to complaints, even if it is just to explain the process and give a commitment to a certain timeframe. Stick to the timeframe given. Keep the complainant informed and if there is a delay give the reasons for this.

Address all aspects of the complaint

Provide a full response so that important issues are answered and the complainant can see that the complaint has been taken seriously. Explain the process of investigation.

Acknowledge areas of disagreement, or varying accounts without dismissing what the complainant has said.

Try not to be defensive

- Acknowledge the distress of the complainant.
- Apologise if appropriate, but in any event be sympathetic.
- Acknowledge any errors that did occur.

Try to understand the situation from the complainant's perspective.

Find out what will assist the complainant to resolve the matter and their preferred options for resolution, for example, a written response, a phone discussion, changes in policy or procedure, or a meeting.

Avoid official or technical language, jargon and clichés. Consider cultural background and the use of interpreters.

Lessons learned

Outline what happened, how it happened, what is being done to stop it happening again, and that you are sorry it happened.

If the complaint is about one of your staff

Listen to the staff member's point of view and be aware of a potential conflict of interest. If you are the manager of the staff you are very likely to want to support the staff member by believing them, taking their side, or accepting their point of view.

Assist the staff member to acknowledge the complainant's point of view. If possible separate the support of the staff member and the complaint handling mechanism.

Guidelines for a written response to a complaint

Elements of what works best in a written response are:

- an acknowledgement that voicing concerns is appreciated
- an acknowledgement of the distress experienced
- an acknowledgement of the person's experience
- information about what has been done to investigate the complaint
- information about what has been done/could be done to address the concerns
- any changes that have been made or that are being considered as a result of the complaint
- clear information about any actions taken as consequence of the complaint
- the offer of an opportunity to discuss further, with choice of options (meeting, telephone, written)
- a statement of regret if the matter cannot be investigated due to lack of information, and
- an undertaking that the person can receive further service, if needed, without any concern about having made a complaint.

The Office of Health Review gratefully acknowledges the NSW Health Care Complaints Commission for giving their permission to base this document on one of their own publications.



The **Office of Health Review** is an independent State Government agency established to deal with complaints about health and disability services.

Office of Health Review

Post: PO Box B61 PERTH WA 6838

Ph: (08) 9323 0600

Fax: (08) 9221 3675

Country Freecall: 1800 813 583

email: mail@healthreview.wa.gov.au

web: www.healthreview.wa.gov.au

Our mission: To make health and disability services better through the impartial resolution of complaints.

Template complainant responses

Below are two examples of letters that would be suitable to use as a guide for correspondence with complainants. Note that these are suggested guides only, each complaint is different and you will need to cater for the relevant specific details.

Dear (complainant's name),

Thank you for your letter about the treatment you recently received at this clinic.

I am sorry to read that you are unhappy with the care that you received. The care of patients and their health is something that we take very seriously and I assure you that we will do our best to provide a satisfactory response.

In order to respond to your concerns I have asked one of our staff members, *(insert name of relevant person)*, to inquire into the issues that you have raised.

Should you wish to provide any further information, discuss your concerns or if you have any questions during this process then please contact *(insert name)* on *(insert contact details)*.

When we have completed our investigation we will respond to you in writing. If you have not received a satisfactory reply within *(insert achievable number)* working days, or if you still have concerns, please do not hesitate to contact me.

Yours sincerely,

Complaints Manager

Dear (complainant's name),

I am writing to you about the treatment you recently received at this clinic. Our complaints manager asked me to investigate your concerns and write back to you. I would like to first apologise for the difficult time that you experienced, as described in your complaint.

As you are aware we have conducted an investigation of the issues outlined in your complaint and I would like to share the results of that investigation with you. I have interviewed the staff who attended to you and I have reviewed the medical record.

On review of the issues you have raised I have found that the staff at the time thought that you were aware of your *(insert condition/treatment/etc)* on the day of the incidents you describe. It is obvious now from your feedback that you were not. Our staff have been made aware of this breakdown in communication. We will continue to try to ensure that our communication is clear, and that it has been understood by the patient.

I would like to thank you for bringing these issues to our attention and allowing us to comment on them. I believe that your feedback will assist us in improving the services that we provide, and will be incorporated in our service review.

I would be happy to discuss the issues further with you. You can contact me directly on *(insert number)* and I can arrange a meeting with representatives from the treating team. Alternatively you can meet directly with me and I will endeavour to answer any questions you may have and also learn from the experience you had, with the aim of improving the service for future patients.

I trust that this information has assisted you. If you are unhappy with this response or would like to discuss any aspect of our investigation, please contact me.

If you are still unhappy with the result of our investigation you may wish to contact the Office of Health Review (OHR) on 9323 0600. OHR is an independent government organisation that works impartially to resolve disputes between consumers and health service providers. You can find further information by visiting the OHR web site at www.healthreview.wa.gov.au.

Yours sincerely,

Complaints Manager