

COMPLAINT HANDLING RULES

POLICIES AND PROCEDURES

1

The Complaints Handling Rules (hereinafter referred to as “Rules”) regulate the following:

- accountability and responsibility for handling complaints
- complaints handling process (hereinafter referred to as “complaints procedure”)
- complaint record keeping
- reporting on complaints procedures
- protection of personal data in complaints procedures

The Rules also regulate the process of handling claims related to:

- injury to patients or visitors of the hospital not related to treatment
- damage, destruction or loss of property that is owned or held by patients or visitors of the hospital

2

By the adoption of this policy, the Rožna Dolina Surgical Sanatorium (hereinafter referred to as “the Surgical Sanatorium”) strives towards a clear regulation of complaints procedures and consequently a swift resolution agreeable to all parties involved.

3

All expressions referring to persons (patient, visitor, complainant, head of department, CEO, head nurse, etc.) are gender-neutral and apply to both men and women.

4

All employees at the Surgical Sanatorium (medical and non-medical full-time and part-time) as well as other contractual workers (under contracts for services, contracts of apprenticeship, volunteering agreements, training contracts, etc.) are bound by these Rules.

5

A complaint can be filed by every patient of the Surgical Sanatorium, his/her relatives or his/her legal representative (hereinafter referred to as “complainant”) against:

- medical treatment of the patient (diagnostic, therapeutic, nursing and rehabilitation procedures)
- stay at the hospital or attitude of the Surgical Sanatorium staff

6

A complaint relating to grievances enumerated in paragraph 2, article 1 of these Rules can be filed by any affected patient or visitor of the hospital or any person with a written authorisation, which must be enclosed to the complaint.

The provisions of these Rules regulating complaints procedures shall be used in handling complaints.

ACCOUNTABILITY AND RESPONSIBILITY

7

Persons responsible for handling complaints are the following:

- head nurse in cooperation with the nurse responsible for the relevant department – if the complaint relates to medical care;
- head nurse in cooperation with the head of department – if the complaint relates to the quality of stay or other activities at the department or clinic (food, laundry, cleanliness of rooms and equipment, etc.);
- CEO in cooperation with the head of department – if the complaint relates to the course of treatment (diagnostic, therapeutic and rehabilitation procedures);
- CEO in cooperation with the immediate superior – if the complaint relates to the attitude of a specific person or persons towards the patient;
- CEO in cooperation with a legal service and the immediate superior – if the complaint relates to paragraph 2, article 1 of these Rules.

If the employee responsible is absent, an authorised employee (hereinafter referred to as “the person responsible”) acts for him or her in complaints procedures and other cases.

8

If a complaint is received by a person not authorised to handle it, this person must promptly hand the complaint over to the person responsible.

9

Irrespective of the complaint type, the persons responsible may consult a legal service, which shall provide explanations regarding the procedure and content, and suggestions for resolving the issue.

COMPLAINTS PROCEDURE

10

All Surgical Sanatorium employees shall without delay and actively strive towards solving disagreements pertaining to a complaint. In case this is not possible, the employee shall inform the person responsible (see article 7 of the Rules), who will strive towards resolving the issue informally and to a mutual understanding.

In case also this proves impossible, the person responsible shall provide the complainant with all information necessary on handling complaints formally and in accordance with these Rules.

11

The person responsible shall handle the complaint, which may be filed in oral or written form.

12

A written complaint must be clear and understandable, and should contain the following:

- name, last name and address of the complainant
- exact time and place of stay or presence at the hospital
- exact description of the event or actions being the subject of the grievance
- proposal of how the grievances should be settled
- signature of the complainant

To file a complaint, a form attached to these Rules (see Annex I) may be used.

13

A written complaint may be:

- sent to the Surgical Sanatorium by mail
- handed out personally at the Surgical Sanatorium

The person receiving the the complaint shall issue an acknowledgement of receipt.

14

If the complaint is oral, a legal service is responsible for taking minutes.

The minutes shall contain all data from article 12 of these Rules and are signed by both the complainant and the minutes keeper.

The minutes shall be drawn in two copies, of which one is given to the complainant and the other shall be promptly forwarded to the person responsible and be dealt with.

15

If a complaint is made by phone, an official note is made, and the complainant is invited to file a written complaint or a direct oral complaint, of which minutes shall be taken.

If a complaint by phone is anonymous, this is noted in the official note.

A legal service is responsible for receiving complaints by phone.

16

A written or oral complaint shall be promptly forwarded to the person responsible as a formal note. The person responsible shall handle the complaint immediately upon receipt.

17

An incomplete complaint shall be handled if this can be done without needing to call for completion.

If a complaint is very unclear and/or deficient to the extent that it is impossible to determine to what or whom it applies, the complainant shall be notified, in writing, of the elements that must be supplied. The complaint must be supplemented in 3 days from receiving the notification.

- 18**
The person responsible shall clarify the facts of the dispute by gathering all relevant facts and evidence pertaining to the complaint, specifically by:
- reviewing documentation
 - interrogating the Surgical Sanatorium staff

If considered necessary, the person responsible may invite the complainant and/or other relevant persons to discuss the matter in person.

- 19**
The person responsible shall give a reasoned reply to the complaint promptly and not later than 15 days from the receipt of the complaint.

- 20**
In cases when the time limit mentioned in Article 18 will not suffice to clarify the facts of the dispute, the complainant shall be sent a written notification that the complaint has been received and is being handled. The complainant shall also be notified that he or she will be informed of the findings and/or measures taken as soon as possible.

- 21**
Only the person in charge of handling a particular complaint may give information on the complaint procedure.

- 22**
The reply to the complaint or notice about the complaint receipt and status mentioned in Article 20 shall be sent to the complainant in writing, to the address stated in the complaint, by registered mail.

- 23**
The provisions of these Rules concern complaints procedures at the Surgical Sanatorium.
If the person responsible establishes that the Surgical Sanatorium is not accountable for resolving a complaint, the complaint shall be returned to the complainant.

RECORD OF COMPLAINTS

- 24**
Administration takes record of all written and oral complaints.

- 25**
Records of complaints are kept in electronic format and contain the following information:
- complaint number
 - date of admission to hospital
 - complainant (name, last name, address)
 - type of complaint (against medical treatment, stay, staff attitude, other)
 - person responsible for handling the complaint
 - complaint settlement report and date
 - other notes (optional)

- 26**
Hospital administration is in charge of keeping records of complaint documentation. Complaint documentation shall be kept for 2 years from the date of the resolution.
If the complaint has been part of a judicial or other legal proceeding, the documentation shall be kept for 1 year from the date of the final decision in the legal proceeding.

RECORD OF COMPLAINTS

- 27**
Persons responsible shall notify the CEO of receiving a complaint and keep the CEO informed about the complaint process.

- 28**
At the end of the calendar year, the CEO reports on all resolved and unresolved complaint cases to the Council of Experts.

PROTECTION OF PERSONAL DATA

29

The person responsible as well as other medical and non-medical staff taking part in a complaints procedure shall protect the personal data they come across while handling the complaint.

30

If the complainant has authorised another person to file a complaint (relative, lawyer, etc.), the person authorised may be given personal data only if specifically authorised by the complainant in writing. This special authorisation must be enclosed to the complaint.

31

Employees are liable to disciplinary action and compensation, and are held criminally responsible if violating the protection of personal data.

32

These Rules shall enter into force the day following its adoption, after being reviewed by the Council of Experts.

33

All employees shall acquaint themselves with these Rules within 30 days from its adoption. If asked by an individual, they shall also provide information on the Surgical Sanatorium complaints procedure.

34

These Rules shall be published on notice boards of all Surgical Sanatorium organisational units and on Surgical sanatorium websites.

