



Guide to making an NHS Complaint

Introduction

Most people are happy with their NHS treatment however if this is not the case and you are unhappy with the service you or others have received from a hospital, doctor, dentist, GP practise, Ambulance service or any other NHS Service you can raise concerns about it.

This can help to put things right quickly and allows the NHS to learn from your experience.

Raising Concerns & Complaints

Step 1

It is important to think carefully about what it is that you are unhappy about. It could be about treatment, care, poor communication, attitude of staff, failure to make a diagnosis, waiting times, or lack of information.

Step 2

Think about what you want to achieve from making a complaint. You need to be realistic & specific.

Step 3

There are different ways to make a complaint or raise a concern. These are:

- Speak directly to a member of staff
- Speak to the Patient Advice and Liaison Service (PALS) or the person responsible for patients experiences.
- Use the NHS complaints procedure. This route is best if you have raised concerns and do not feel they have been resolved or if your concerns are about complex issues which need investigating. It may be that your complaint involves more than one organisation.

The NHS Complaints Procedure.

Stage 1 – Local Resolution

The aim of this stage is to try & resolve your issue directly with the NHS organisation. They should respond to you promptly & efficiently.

Local resolution will give you the opportunity to say what you are unhappy about and what you would like to happen. It gives both you and the NHS organisation time to discuss what happened. You should raise everything you are concerned about at this stage as you cannot add new issues to the complaint once the process has started. Make sure you make notes before the meeting.

You may find it helpful to keep a log of all the calls and letters you receive about your complaint.

Time limits for making a complaint.

Generally you should do this within:

- 12 months of the incident happening.
- or
- 12 months of realising you have something to complain about.

On some occasions the NHS will use its discretion to look at complaints outside of these timescales i.e. if you were too ill to make the complaint straight away.

How to make a complaint

You can complain:

- In person
- In writing by email or letter
- On the telephone.

It is always better to put a complaint in writing but if you are unable to do this then the NHS Complaints Manager should take a written record of your complaint and give a copy to you.

All NHS organisations have their own complaints procedures and will give you a copy of this.

If you are not clear where you send your complaint to the Patient Liaison Officer will be able to help. We have included some helpful addresses for local organisations at the back of this pack.

What happens next?

- You should receive an acknowledgement of your complaint within three working days.
- The NHS organisation will offer to contact you to discuss your complaint and arrange a plan to resolve your concerns. At this point they should indicate the timescale involved for resolving your concerns and how they will keep you informed of progress.
- Give you information about the Independent Complaints Advocacy Service (ICAS) should you require independent support.

Resolving your complaint

- You may be offered a meeting
- Sometimes the NHS use Conciliation or Mediation services. This is an independent person who can arrange a meeting so that you can all express your views and try to resolve your differences.

What happens once a complaint has been investigated?

- You should receive a letter which will include:
 - A summary of your complaint
 - The findings of the investigation and any actions to be taken.
 - What to do if you are unhappy with the outcome.

If you are unhappy with the outcome at the end of the local resolution you can

- Write a letter explaining what you think has not been covered.
- Telephone the person dealing with your complaint to discuss this.
- Request a meeting.

If the NHS organisation you have complained about feel that everything has been done to answer your concerns they will write to you and advise you of this. This is the end of the local resolution.

Stage 2

Once you have completed local resolution you have the right to take your complaint to the Health Service Ombudsman. This is a free confidential service.

The Ombudsman will look at every complaint sent to them but they do not investigate every complaint.

You do need to have completed Local Resolution first.

The Ombudsman will not investigate if there is not enough clear evidence to support your complaint or if they feel everything that everything has been done locally to resolve the issue.

Main Outcomes from a Complaint to the Ombudsman are:

- The Ombudsman may decide not to investigate further and will take no further action.
- The Ombudsman may decide not to investigate but may ask the NHS provider to take action which they think may resolve your case more quickly.
- The Ombudsman may decide to investigate your complaint resulting in a detailed report. This can take some time. The Ombudsman aims to complete 90% of cases within 12 months of receiving the complaint.

If the Ombudsman upholds your complaint they will make recommendations to the NHS provider.

The Ombudsman's decision about your complaint is final.

Financial compensation

- This is usually possible only through legal action and you would need to seek advice of a specialist solicitor.

ICAS (Independent Complaints Advocacy Service)

ICAS can provide you with independent support if you wish to make a NHS complaint. We cannot support you if your complaint is about Private Health treatment or if your care or nursing home is paid for privately.

ICAS support is:

- Free
- Independent
- Confidential

Your Advocate will be able to support you through the process and help you to explore the options available to you. They will be able to help you by:

- Writing letters
- Preparations for meetings
- Attending meetings
- Looking at options
- Contact and speak to third parties with your permission.
- Support you to look at the responses you receive from the NHS.

Your advocate will not tell you what to do or make decisions for you. They will support you with any decisions you make.