

Making a complaint about the NHS



In the NHS in Scotland, we try to give you the best possible care and treatment. We value comments, good or bad, to help us improve the service. If you are not happy about anything, please let us know.

This leaflet explains how to complain using the NHS complaints procedure.

What can I complain about?

Things you can complain about include:

- care or treatment you have had or are having in the NHS
- anything to do with the place where you are seen, for example, a doctor's surgery, a hospital or an ambulance
- any member of NHS staff involved in your care
- how our services in your local area are organised, if this has affected your care or treatment

If your complaint involves another part of the NHS or another organisation, such as social services, we will deal with the complaint or pass it on to someone in the other organisation. We will tell you who is dealing with your complaint.

What can't I complain about?

There are some things you can't complain about through the NHS complaints procedure, and these include:

- private health care or treatment
- services not provided or funded by the NHS
- something which you are taking legal action about

The NHS complaints procedure doesn't usually provide financial compensation. If you want advice about financial compensation, you should contact your local Citizens Advice Bureau or a solicitor.

Who can complain?

You can complain if you have:

- had or are having NHS care or treatment; or
- visited or used our services or facilities.

You can complain for someone else if you:

- have their agreement to complain (the patient must also agree to let staff look at their health record if this is necessary)
- are a parent, guardian, or main carer and your child is not mature enough to understand how to make a complaint
- have a welfare power of attorney for someone who cannot make decisions for themselves and the order

gives you the power to make a complaint about health care

- have a welfare guardianship order for someone who cannot make decisions for themselves and the order gives you the power to make a complaint about health care
- are a relative of, or someone with a relationship with, the patient who has died and were concerned for their welfare
- are acting as an advocate for the patient (see page 7 for more information about advocacy)

How long do I have to make a complaint?

We have a time limit for complaints. Normally, you must make your complaint:

- within six months of the event you want to complain about; or
- within six months of you realising you have a reason to complain (but no longer than 12 months after the event).

However, if you feel the time limit should not apply to your complaint, please speak to the person dealing with your complaint. Sometimes a complaint can be accepted after the time limit.

You can complain to the Scottish Public Services Ombudsman about a decision by the NHS not to accept your complaint. See page 8 for more information.

How to complain

What should I do?

- If you can, first talk to a member of staff involved in your care. If you do this, we can try to sort out your complaint on the spot.
- If you are not able to talk to the NHS staff involved in your care, you can ask to speak to a senior member of staff or the complaints officer for the NHS organisation involved.
- You can complain in person, by phone, or in writing. When complaining, you should include:
 - your full name and address (and the patient's name and address if you are complaining for them)
 - as much helpful information as possible about what happened, where and when
- You can also make your complaint by fax, e-mail or textphone (if available), but if you do this other people might be able to see your personal information.
- We will keep information about you confidential. To investigate your complaint, we might have to talk to other NHS staff about you or show them your health records. If you don't want us to share information from your health records, you should tell us when you make your complaint. If you don't agree, it may be more difficult to look into your complaint.

- We will make a record of your details and complaint, and use it to help us make services better.

Who should I complain to?

- When complaining about any NHS service, you should first complain direct to the person or organisation providing the service.
- If you do not feel comfortable doing this, see page 9 of the leaflet to find out who can help you with your complaint at your local NHS Board.
- If your complaint is about services such as NHS 24, or the Golden Jubilee National Hospital, you should first speak to the person who was dealing with you. If you would rather not do this, speak to the complaints officer at the organisation. The contact details are on page 10.
- If your complaint is about the Scottish Ambulance Service, you should complain to their headquarters. The contact details are on page 10.
- If your complaint is about the State Hospital, you should complain to the complaints officer there. The contact details are on page 11.

What happens after I have complained?

- We will write to you within three working days of getting your complaint.
- This letter should:
 - tell you what action we will take to look into your complaint

- offer you the chance to talk to a member of staff about the complaint
- give you information about independent advice and support (see page 7 for more information)
- give you information about conciliation if this might be helpful (see page 8 for more information)

When will I get a full response?

- We will respond to you within 20 working days of receiving your complaint.
- If your complaint is about a GP surgery, an NHS dental surgery, an NHS optician's practice, or a pharmacy, we will respond to your complaint within 10 working days.
- In some cases, we may need more time to give you a full response and won't be able to meet these timescales. If this happens, we will let you know and tell you why.
- You will get a letter telling you the result of our investigation.
- This letter should:
 - show that your complaint has been looked into and reply to all the points raised in the complaint
 - offer you an apology where things have gone wrong
 - explain what action may be taken to stop what you complained about happening again

- if necessary, explain why nothing more can be done about some parts of your complaint
- offer you the chance to talk to a member of staff if there is anything in the letter you don't understand
- include information about the Scottish Public Services Ombudsman in case you are unhappy with the result (see page 8 for more information)

Who can help me with my complaint?

Independent advice and support

- If you would like to speak to someone for advice or help with making a complaint, you can contact your local independent advice and support service.
- You can contact your local NHS Board to find out who will be providing the independent advice and support in your area. See page 9 for contact details.

Advocacy

- If you find it difficult to make a complaint yourself and want someone to speak for you, you can ask for an independent advocate. An independent advocate is someone from outside the NHS who can speak for you or help you express your views. Your local NHS board, or complaints officer will be able to tell you about advocacy services in your area.

Conciliation

- An independent conciliator is someone who can try to help you and the person you have complained about to agree what should happen.
- Conciliation can only be used if you and the person you've complained about both agree to it.
- If you want to find out more about conciliation, ask the person who is dealing with your complaint.

What if I change my mind after I've complained?

- You can change your mind about making a complaint at any time. Please let us know as soon as possible. It would be helpful if you could write and tell us, but a phone call will be ok.

What if I'm not happy about the way the NHS has handled my complaint?

The Scottish Public Services Ombudsman

- If you are not happy with the way the NHS is dealing with your complaint, for example, if you think it is taking too long, you can contact the Scottish Public Services Ombudsman.
- If the NHS has fully investigated your complaint and you are still not happy, you can ask the Scottish Public Services Ombudsman to consider your complaint further.

- You should try to contact the Ombudsman no later than 12 months after the event you are complaining about. Sometimes this time limit will not apply – contact the Ombudsman for more information.
- The Ombudsman does not take up all cases and will decide whether or not to investigate your complaint further.
- See page 11 to find out how to contact the Ombudsman.

How to find out more

- For more information about anything in this leaflet, contact:
 - the NHS Helpline on 0800 22 44 88
 - NHS 24 on 08454 24 24 24 (textphone 18001 08454 24 24 24)
 - Your local Citizens Advice Bureau (find your nearest bureau on the website at www.cas.org.uk or in your local phone book)
- If you want to complain about NHS services in Tayside, contact:
Complaints and Claims Manager
Complaints and Advice Team
Level 7
Ninewells Hospital
Dundee
DD1 9SY
Freephone: 0800 027 5507
Email: nhstaysidecomplaints@thb.scot.nhs.uk

Scottish Ambulance Service

To complain about the ambulance service, contact:
General Manager
Scottish Ambulance Service (East Central Division)
76 West School Road
Dundee
DD3 8PQ
Phone: 01382 882400
Fax: 01382 882401

NHS 24

To complain about NHS 24, contact:
Patient/Customer Relations Manager
NHS 24
Delta House
50 West Nile Street
Glasgow
G1 2NP
Phone: 0141 225 0099

Golden Jubilee National Hospital

To complain about the Golden Jubilee National Hospital, contact:
Customer Relations Officer
Golden Jubilee National Hospital
Beardmore Street
Clydebank
G81 4HX
Phone: 0141 951 5000
Fax: 0141 951 5500

State Hospital

To complain about the State Hospital, contact:

Complaints Officer

The State Hospital

Carstairs

Lanark

ML11 8RP

Phone: 01555 840293

Scottish Public Services Ombudsman

The Scottish Public Services Ombudsman

Freepost EH641

Edinburgh

EH3 0BR

Phone: 0870 011 5378

Fax: 0870 011 5379

Text message: 07900 494 372

E-mail: enquiries@scottishombudsman.org.uk

Website: www.scottishombudsman.org.uk

Other leaflets in this series

This leaflet is part of a series. The other leaflets in the series include the following.

- **Confidentiality – it's your right: How the NHS protects your personal health information**
- **How to see your health records**

You can get these leaflets from:

- GP surgeries, dental surgeries and hospitals
- other places where you receive NHS care
- the NHS Helpline on 0800 22 44 88
- NHS 24 on 08454 24 24 24 (textphone 18001 08454 24 24 24)
- www.scotconsumer.org.uk/hris
- www.show.scot.nhs.uk/healthrights
- your local Citizens Advice Bureau (find your nearest bureau on the website at www.cas.org.uk or in your local phone book)

We have tried our best to make sure that the information in this leaflet is correct. However, the leaflet is for guidance only so you should not rely on it as a full statement of the law. If you are thinking about taking legal action, you should contact a solicitor, a Citizens Advice Bureau or any other advice agency.

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 **Scottish
Consumer Council**
Making all consumers matter



SCOTTISH EXECUTIVE

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To get this information in another language or format
phone your local NHS Board on 01382 818479.

للحصول على هذه المعلومات بلغة أخرى أو بنسق مختلف، اتصل
بالمكتب المحلي لهيئة الرعاية الصحية الوطنية NHS Board على الرقم
01382 818479

এই তথ্যগুলি অন্য ভাষায় কিম্বা আকারে পেতে চাইলে আপনার স্থানীয়
এনএইচএস বোর্ড (NHS Board)-কে ফোন করুন। 01382 818479

若要取得另一種語言或形式版本，請致電您當地的
NHS Board : 01382 818479

ਇਹ ਜਾਣਕਾਰੀ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਜਾਂ ਰੂਪ ਵਿੱਚ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਆਪਣੇ ਲੋਕਲ
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