



# NHS Complaints Self Help Information Pack

## Enquiry, Feedback or Complaint?

The NHS provides good quality services to most people but sometimes things do go wrong. Very often a problem can be resolved, quickly, easily and informally but in some cases people may choose to make an official complaint.

### An enquiry

Sometimes you might feel like you just need some information or have a simple question which needs answering. In most NHS organisations there will be a PALS office which may be able to help with enquiries such as these. PALS is the Patient Advice and Liaison Service, and their role is to ensure that the NHS listens to patients, their relatives, carers and friends, and answers their questions and resolves their concerns as quickly as possible.

### Feedback

Sometimes you may not want to go through an official complaints process. We often get people who say things like 'I just want the NHS to learn from my experience'. On other occasions it might be that you want to tell other people that you are happy with the care you received.

If you want to give feedback this way, you are welcome to contact us at Healthwatch. Our contact details are at the end of this guide.

## **A complaint**

An official complaint is a way to get your experience recorded and acted on using a formal process. For an official complaint to be considered it normally needs to meet these criteria:

- Something must have happened in your NHS care and treatment that you are unhappy with (this can apply to a close relative if you are complaining on their behalf).
- It must have happened within the last 12 months to be covered by the national complaints regulations.
- The outcomes you can achieve from making an NHS Complaint is an explanation, apology and service improvement.

There is no distinction between a formal or informal complaint within the 2009 complaints regulations and all complaints should be investigated and responded to in writing.

## **What can you do if you're unhappy, but don't want to make a complaint?**

### **Issue**

**I have a problem that needs sorting right now**

**I want a copy of my medical records**

### **Options**

If possible, speak to the people giving you your care. They may be able to resolve it quickly and without fuss. If you can't get an easy resolution that way, try PALS

You have a right to this under GDPR and associated Data Protection legislation. You should make a 'data subject access request' to the head office of the organisation(s) giving you your care

# Issue

**I don't want this to happen to anyone else**

**or**

**I want systems in the hospital (or other NHS service provider) to change**

**I need an appointment rearranging**

**I want to know some more general information about my diagnosis**

**The problem can't be resolved by PALS**

# Options

Making a complaint is a way to make sure your experience comes to the attention of people who have the power to make changes

Alternatively you can contact Healthwatch Liverpool and tell us your story. Feedback from patients help us to raise concerns about serious problems and to spot patterns (e.g. if the same thing goes wrong for lots of patients)

Speak to PALS - they may be able to rearrange it for you or they may be able to give you the direct contact details of the relevant person

There are many charities which have been set up to support people with specific medical conditions. Contact their helpline or browse the range of information on their websites. Call Healthwatch Liverpool and we'll try to help you find the information that you're looking for

Make an official complaint if you still want the issue to be resolved

# Making an NHS Complaint

If you are unhappy about any aspect of NHS care or treatment, you have the right to make a complaint. This sheet will give you the information you need to know to get you started.

Before you start this process, you may find it helpful to:

- Think about what you are unhappy about and make sure it is an NHS service
- Think about whether you have a complaint or an enquiry
- Check that your complaint is within the time limits
- Think about why you are making a complaint and what you would like to happen as a result of your complaint.

## Time Limits

The NHS Complaints Regulations state that a complaint must be made within 12 months of the incident happening, or within 12 months of you realising you have something to complain about.

A complaint may be accepted outside of this if the body you are complaining to is satisfied that you had a good reason for not making the complaint sooner, and they feel it is still possible to investigate the complaint effectively and fairly.

## What cannot be pursued through the complaints process?

- Compensation for clinical negligence
- Disciplinary action against an NHS Staff member
- Complaints about privately funded treatment
- Complaints about organisations which are not NHS funded.

***For more information about these please see our “Other Useful Agencies” leaflet.***

# The NHS Complaints Process

## How do I complain?

You can complain about what happened to you:

- In person
- On the telephone
- By email or in a letter

**If you send a written complaint, always try to keep a copy of your letter.**

NHS Organisations tend to prefer having complaints in writing but if you would rather telephone or go in person, the Complaints Manager should make a written record of your complaint. The issues raised should be written down and a copy given to you.

For complaints about your GP, dentist, optician, pharmacist, health centre or other independent contractor, you can complain directly to the person in charge of complaints. In most GP or dental practices, this will be the Practice Manager. If you do not feel comfortable doing this, you can complain directly to NHS England.

If you are not clear where to send your complaint, ask for advice from PALS or the Complaints Department.

***PLEASE NOTE: It is important to raise everything you are unhappy about, as new issues cannot be later introduced as part of the same complaint***

## **If you are complaining on someone else's behalf**

Be aware that if you are complaining on behalf of someone else an NHS body can request their consent to investigate and release their details to you. This is because some of the information may be very personal and so is covered under Data Protection legislation.

If it is not possible to get this consent, the organisation may not be able to provide a complete response to you, but should still be able to investigate issues, and provide a letter which answers things generally but which does not provide any private or specific details about the patient. If you already have this consent, or the patient has died, it might be a good idea to include this in your original letter.

## **Resolving your complaint**

You may be offered a meeting to discuss your complaint and speak to staff directly about what has happened. This is called a Local Resolution Meeting. It provides an opportunity for the NHS organisation to answer any questions or provide further discussions. You can take a friend, relative and / or an Advocate with you to any meetings you have.

It may be useful to prepare a list of questions you want to ask at your meeting and bring this with you. Try to keep these questions clear and concise. It is also helpful to take all relevant paperwork to the meeting.

Once you have submitted your complaint, you should receive an acknowledgement of your complaint either verbally or in writing within 3-5 working days of making your complaint. This should include a timeframe of how long the NHS organisation expects their investigations to take.

## **After the Investigation**

- Once the investigation is finished and any meetings have been held, you should receive a letter containing:
- A Summary of your complaint
- What the investigation found and any actions that are going to be taken as a result
- What to do if you are still unhappy with the answers given.

### ***Depending on the investigation, the letter may contain:***

- An apology and what actions will be taken and when as a result of making your complaint and who is responsible for making this happen.
- What steps have been taken to prevent the same thing happening to other people.

If you haven't received this letter with the timescale agreed, you may want to telephone or write to check when you can expect to receive it.

## **What if I'm not happy at the end of Local Resolution?**

If you are still not satisfied with the response from the Trust, ask yourself what you are still unhappy about so you can decide what to do next. It may help to review:

- The letters
- Any meetings
- Whether parts of your complaint have yet to be answered.
- Whether you feel any evidence you have provided has not been properly considered.
- Whether you have achieved the outcome you wanted.

## What are my options?

- You could write another letter explaining what you think has not been covered
- You could call the person handling your complaint and explain why you are still unhappy
- You could request a meeting to discuss your outstanding concerns.

## What would happen next?

Further investigation into your complaint may be carried out. Again, the NHS service should discuss this with you and agreed a plan of action, including timescales. Alternatively, the NHS service you are complaining about may feel that everything has been done to answer your complaint, and if so, they should advise you of that in writing. This would be the end of Local Resolution.

If you are dissatisfied with the outcome from Local Resolution your next step may be to take your complaint to the Parliamentary and Health Service Ombudsman.



**Contact us**

**Call 0300 77 77 007**

**Text / WhatsApp: 07842552 878**

**Email: [enquiries@healthwatchliverpool.co.uk](mailto:enquiries@healthwatchliverpool.co.uk)**

**Write: 151 Dale Street, L2 2AH**

**[www.healthwatchliverpool.co.uk/complaints](http://www.healthwatchliverpool.co.uk/complaints)**