

Help with your NHS Complaint - Sheet 5

Writing a complaint letter

If you have decided to make your complaint in writing, this guide may help you to put this together and plan the details you want to include.

Who can complain?

The NHS Complaints Regulations state that anyone can complain, either about the treatment they have received personally, or about the care provided to a friend or family member. This is described as,

“A person who is affected, or is likely to be affected, by the action, omission or decision of the responsible body which is the subject of the complaint.”

Most organisations will ask for consent from you to investigate the concerns raised, but also to consult the medical records, as these are confidential. This is usually a form sent out through the post for you to sign.

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 the Data Protection Act. 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.

A complaint can also be made about Public Health provision where an individual has been affected either personally, or again, if a friend or family member has.

Who to complain to:

Complaints in writing should be ideally addressed to the person in charge of the organisation or the service provider. This might be the Chief Executive Officer if it is a large Hospital or Mental Health Trust, or could be a Senior Partner or Practice Manager if you are unhappy with the care provided by a GP, Dentist, Optician or Pharmacist. You can also complain to a Ward Manager, Matron, or to the Complaints Department if you would prefer.

If you are not sure who to complain to, information can usually be found by telephoning the organisation or on their website. You could also contact us at Healthwatch and we'll do our best to help you to find the right person.

Writing and sending the complaint letter

You might have already thought about the issues you want to include in your letter. The letter should clearly outline your complaint and should ask for it to be

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investigated under the NHS Complaints Procedure. Below are some tips for putting your letter together:

- Make it clear who the complaint is about - use the full name of the patient, and make sure you insert their date of birth, so they can be easily identified.
- Try to keep your letter concise and to the point - sometimes issues can get lost in a long account which describes what happened in great detail.
- If your complaint spans many months or needs a lot of detail, perhaps use a time line, or diary of events to structure your letter, and list your questions and issues separately.
- Be factual and avoid aggressive language or comments which could be classed as offensive. Although you may have strong feelings it is important to recognise that the person receiving your letter often won't have been involved in the issue you are raising and they may be as anxious as you to resolve any problems.
- Try to avoid repeating yourself - make your point and then move on to the next issue.
- You could group issues together by theme to organise your letter - e.g. Medication, Cleanliness, Attitude, Discharge
- Ask definite questions and for the organisation to investigate specific issues or episodes.

It is important to say what has upset you and to explain what you would like to achieve as a result of your complaint. You can then use this as an opportunity to make suggestions about how services might be improved, to suggest changes to organisational policies and processes as well as to ask for explanations or an apology.

You could also include a contact telephone number in the letter so they can easily contact you if there is something that needs more explanation. It might also be an idea to say in the letter if you would like to have a meeting to discuss your complaint before receiving a written response.

Before you send it

Read the letter again to make sure that everything you want to say is included. Make sure you sign it at the end of the letter; otherwise this may cause a delay in the organisation starting their investigation. Keep a copy for you to refer to later - this will be useful for you to compare their response to. It might also help to keep a copy of all letters sent and received, in date order. You could use the log included in this guide to help with this. You may wish to send your letter by recorded delivery (or a similar service), so you can be sure that this has been received.

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If Healthwatch is helping you with your complaint it's helpful if you could send us a copy of your letter when you send it to the NHS organisation. That helps us to keep up with your case and support you better if you need us as things progress.

Complaints about more than one NHS body

If your complaint relates to more than one NHS organisation, you can either send separate complaints to the different organisations or, if you wish, you can send all your concerns in one letter.

If you decide to send one letter, send your letter to one NHS organisation and ask them to co-operate to provide a co-ordinated response with the others involved. They should then communicate with the other bodies concerned with your complaint, investigate and provide a combined response. It is also a good idea to state that you give your permission or consent for your complaint to be shared with the other organisations and health professionals. If you prefer, you can send a copy of your letter to each NHS organisation involved asking them to speak to each other and provide a response together.

How can we help with your letter?

We can do two things to help with your letter:

1. If you are used to writing letters, you are welcome to send us a draft letter for our feedback. We will check:
 - a. Is it clear what has happened?
 - b. Is it clear why you are unhappy with this?
 - c. If you are asking for more information, are you clear about what you're asking for?
 - d. Have you said how you think this can be resolved?
 - e. Have you put contact details on so they know how to get in touch if they need more information?
2. If you are less confident at writing letters, you are welcome to make an appointment to see us. We will:
 - a. Help you to 'tell your story' by writing it down in a way that is logical and clear.
 - b. Help you to write down what you would like to happen as a result of making your complaint.

How can you help us to help you?

If we are helping you with your NHS complaint it is really helpful if you can send us copies of any letters you send and receive that relate to your complaint. We can then keep an up to date file and if you come back for further help we can prepare more effectively.

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