

Help with your NHS Complaint – Sheet 4

The NHS Complaints Process

There are two stages to the NHS complaints process, these stages are detailed below.

Stage One – Local Resolution

Local resolution is the first stage of the NHS complaints process. Local resolution gives you the opportunity to explain what it is you are unhappy about and what you would like to happen and it gives the NHS organisation or Public Health provider the opportunity to investigate your concerns and where appropriate, use your experience to improve local services.

How to make a complaint

1) You can make a spoken complaint, either in person or over the telephone. The NHS Complaints regulations state that if a spoken complaint is made, the NHS organisation must make a written record of the complaint and provide you with a copy of this.

2) You can complain in writing, by letter or by email. This should be addressed to the person in charge, perhaps the Chief Executive Officer, Senior Partner or Practice Manager. Public Health complaints would initially be made to the commissioned Provider or using the Local Authority Complaints Procedure which would then escalate to the Local Government Ombudsman. For information on how to write your complaint please see the handout on “Writing a complaint letter.”

What happens next?

Acknowledgement

The NHS body or Public Health provider should contact you, either by phone or in writing, to acknowledge your complaint within three working days of them receiving it. When they do so they should let you know who will be investigating it, how long this should take and how they will be replying to you.

Investigation

The NHS organisation should now carry out an investigation into your concerns. At this stage they may speak with the staff members involved and look into your medical records.

Response

Once the investigation is complete, the NHS body or service provider should send you a written response which includes:

- An explanation of how your complaint has been handled
- What conclusions have been reached
- What action, if needed, has been taken
- Information about Stage 2 of the complaints procedure

During this first stage of the complaints procedure you may be offered (or you can request) a meeting to discuss your concerns in person. For more information, please see the sheet “Guidance on local resolution meetings.” In addition, if you do not feel all your concerns have been addressed you can go back to the NHS body and request either further written responses or further meetings. Each complaint should be looked at individually and responded to in a way the NHS Trust (or other relevant NHS care organisation/provider) feels meets your needs and resolves your concerns.

Local resolution ends when either you are happy with the response you have received, or the Trust feel there is nothing further they can do. At the end of local resolution, if you are unhappy with the outcome of your complaint or the way in which your complaint has been handled, you can make a submission to the Parliamentary and Health Service Ombudsman (PHSO), or in the case of a Public Health complaint the Local Government Ombudsman (LGO).

Stage two – The Parliamentary and Health Service Ombudsman (PHSO) or Local Government Ombudsman (LGO)

You have the right to take your complaint to the Ombudsman if you are not happy with the way your complaint has been dealt with. The Ombudsman is Independent of the NHS and their primary function is to review the way your complaint has been handled.

This is the second and final stage. Normally the Ombudsman will not consider a complaint until stage one of the complaints process has finished.

If you want to make a submission to their offices, you will need to complete their form ‘making a complaint’. You need to send this to them, with copies of all letters about your complaint. For more about the Ombudsman and how to make a complaint to them, please see “Ombudsman Information”.

How we can help

We can help you in the following ways at any stage of the complaints process:

- Helping you to write down your experience in a clear, logical way.
- Helping you to ask for access to your medical records.
- Giving you feedback on draft complaints letters, etc.
- Supporting you to prepare for resolution meetings.
- Helping you to find a formal representative if you need someone to speak on your behalf.

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