

**Independent Health Complaints Advocacy Service,
Independent, Confidential and Free.**

Complaint about an NHS service?

**We can support you to make
your complaint.**

Hull – Help Sheets



Working in partnership with



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Help dealing with a problem with a NHS service.

The NHS works hard to provide a high-quality service but sometimes things go wrong. If you are unhappy with the service you, or someone you know has received from a NHS service you can raise your concerns. By raising a concern, the NHS can try to put things right and learn from your experiences.

NHS services can include hospitals, doctors, dentists, pharmacists, ambulances, opticians. These services can be delivered in hospitals, clinics, in the community or in prisons. They can also be delivered in private health establishments, where the NHS has paid for the treatment. This can also include NHS funded nursing or residential homes.

If you paid for your treatment yourself, or through private medical insurance, you cannot complain to the NHS. The service you used (e.g. private hospital or private dentist) will have its own complaints procedure that you should follow. Complaints about care homes and nursing home complaints cannot be made through the NHS complaints procedure unless it is paid for by the NHS. Care homes and nursing homes will have their own complaints procedure so you can still make a complaint.

You should consider taking professional advice if for example you are contemplating legal action.

How can advocacy help?

If you feel that you would like additional support with your NHS complaint, you may contact us at any stage and we will try and help. The Independent Health Complaints Advocacy Service for Hull is independent, confidential and free.

The service is available to anyone who is normally a resident of Hull and needs support to raise or progress a NHS complaint.

Your advocate will speak confidentially to you about your concerns and help you understand the different options available at each stage of the complaint's procedure.

How do I contact the service?

By post - Independent Health Complaints Advocacy Service, Hesslewood Hall, Ferriby road, Hessle, East Yorkshire, HU13 0LH

By phone - 01482 880160 (We are open Monday to Friday 09.00 to 17.00. Outside these hours you can leave us a message and we will get back to you).

By fax - 0300 666 0125

By text - 07860 021 502

By email – hulladvocacy@hull-cvs.co.uk

By Web – <https://www.cloverleaf-advocacy.co.uk/>

If you need any of our information in other formats please let us know and we will do all we can to help. Our web site can automatically translate content into other languages.

The NHS Complaints Procedure

There are different ways you can raise your concerns. You could:

Speak to a member of staff directly - Many complaints are caused by poor communications or misunderstandings that can be put right quickly once you have explained the problem. You can speak directly to a member of staff who is delivering the NHS service, or their manager, about what you are unhappy about.

Speak to the Patient Advice and Liaison Service (PALS) - PALS aim to ensure that the NHS listens to all patients, their relatives, carers and friends. They aim to answer your questions and resolve your concerns as quickly as possible. Note not all NHS Services have such teams.

The NHS complaints procedure may be the best option if you have already raised your concerns but they have not yet been fully resolved, if you have serious questions/concerns about standards of care or a complex issue which you consider requires formal investigation.

Who can complain?

A complaint can be made by a person affected by the actions or decisions of an NHS organisation or primary care practitioner. A complaint can also be made on someone's behalf

with their consent. You can still make a complaint if the person it relates to has died. Young people under 18 are entitled to complain independently. The NHS cannot consider a complaint made on behalf of a young person without their consent unless they are sure that the young person could not have complained themselves.

What is the time limit for making a complaint?

You should normally complain as soon as possible, within 12 months of the event or of becoming aware that you have something to complain about. NHS organisations can waive this time limit if there are good reasons why you could not complain.

Stage 1 Local Resolution

The aim of Local Resolution is to try to sort out your concern directly with the NHS organisation; it is your opportunity to explain what you are unhappy about and what you would like to happen. Think about exactly what you want to achieve. This could be, an explanation regarding what happened, an apology or and/or a review of procedures to help avoid a repeat of what happened. Some of the outcomes the NHS complaints procedure is unlikely to achieve are disciplinary action or compensation.

You can explain what happened to you: in person, on the telephone, by email, or in a letter. It is important if you make it clear that you are submitting a formal complaint. NHS services prefer to receive formal complaints in writing. There is a sample template for writing your complaint letter see **Attachment 1**.

If you prefer to telephone or go in person to make a complaint, ask for the Complaints Manager who may be within the Patient Experience Team. That person will make a written record of your complaint and you can request that a copy be provided to you.

If you are writing the formal complaint letter yourself, here are some handy tips;

- Try to keep your complaint to no more than two pages
- Be careful not to lose your main points in a long letter
- If the complaint is long or complex attach a diary of events with details
- Explain clearly what you would like to achieve as a result of your complaint for example an apology, an explanation or a service improvement
- Keep all the original documents in your possession. Send photocopies of documents, not originals.

It is important that you keep a record of any telephone calls you make or receive including dates and the name of the person you spoke with, along with copies of any letters or forms you complete or receive about your complaint.

Who should I complain to?

If your complaint is about a NHS hospital or NHS ambulance service, you should contact the appropriate Complaints Manager or the Chief Executive of the NHS Service.

If your complaint is about a NHS primary care services (GP, dentist, optician, pharmacist, health centre or other NHS service), you can complain directly to them by contacting the person in charge of complaints or if you do not feel comfortable doing this, you can complain directly to NHS England.

We are happy to help you to decide where you should send your complaint.

What will happen next?

After receiving your complaint, the NHS service should acknowledge your complaint either verbally or in writing within three working days. The NHS service should agree with you a timescale for resolving the issues and how they will keep you informed of progress. If there is a problem in keeping to the agreed timescale they should contact you.

If your complaint concerns more than one NHS service, you can request a coordinated response where you only need to send a letter to one service or organisation. They will liaise with the other organisation(s) involved and provide a co-ordinated response; alternatively you have the option to raise your concerns directly with all the individual NHS services or organisations involved.

Resolving your complaint

You may be offered a complaints meeting so that you can speak to staff directly about what has happened. If you wish, you can take a friend, relative and/or Advocate with you.

It is helpful to prepare a list of questions that you want to ask and then use that list at the meeting to ensure you have covered all your questions. It is also helpful to take all related letters and paperwork with you to the meeting.

After the Investigation

Once the investigation is finished and any meetings have been held, the Complaints Manager should send you a letter containing a summary of your complaint, what the investigation found and any actions that are being taken as a result. They will also tell you what to do if you are still unhappy with the answers given.

What if I am not happy at the end of Local Resolution?

If you are not satisfied with the NHS reply, ask yourself exactly what you are still unhappy about so you can decide what you wish to do next. You could write another letter explaining what you think has not been covered or you could telephone the person handling your complaint and explain why you are still unhappy. Alternatively you could request a meeting to further review and discuss your outstanding concerns.

The NHS service you are complaining about may feel that everything has been done to fully answer your complaint and if so, they should advise you of that in a final response letter.

If you are not satisfied with the responses you receive to your formal complaint and you wish to escalate the concern you can then go to The Parliamentary and Health Service Ombudsman (PHSO).

At this stage the Local Resolution process will be concluded.

Stage 2 The Parliamentary and Health Service Ombudsman (PHSO)

You have the right to take your complaint to the Parliamentary and Health Service Ombudsman (PHSO) www.ombudsman.org.uk, once stage 1 of the complaints process has been completed.

The Ombudsman is independent of the NHS, confidential and free. You should submit a complaint no later than one year from the date of the events you are complaining about (or from when you first became aware of the matter), although the Ombudsman has discretion to extend this time limit, for example, if the Local Resolution process took longer than a year.

The Ombudsman will look at every complaint that comes to them but they do not (and are not required to) investigate all the complaints that are referred to them. It is a matter for the Ombudsman's discretion. They will not normally investigate a complaint if:

- The complaint has not been through Stage 1 – Local resolution. The Ombudsman can refer a formal complaint back to the Local Resolution stage of the NHS complaints procedure if they think that you have come to the Ombudsman too soon, or if they feel that the NHS service involved has not done all it can to resolve your issues locally.
- If you do not agree with a decision made by your NHS service but cannot offer any evidence as to why their decision is wrong or unsatisfactory.
- They feel that the NHS service has done all that is reasonably possible to put things right.

Initially, a member of the Ombudsman's staff will consider whether your case meets the Ombudsman's criteria for investigation. The Ombudsman will then take a closer look at the complaint and make a decision as to whether they should investigate.

If the Ombudsman carries out an investigation of your complaint they will write a detailed report about the case. If the Ombudsman upholds your complaint they can make recommendations to the NHS provider or practitioner to put things right.

The Ombudsman's decision about your complaint is final. This includes their decision whether or not to investigate your complaint and their decision whether or not to uphold your complaint following an investigation.



We are always looking for feedback about our services, if you have any comments, complaints or suggestions please let us know by emailing cst.referrals@cloverleaf-advocacy.co.uk

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Attachment 1 - Complaint Letter Template

INSERT YOUR ADDRESS

Private and Confidential

CHIEF EXECUTIVE OR COMPLAINTS MANAGER
INSERT THE ORGANISATION AND ADDRESS HERE

Today's date

Dear

I am writing to make a formal complaint about the care and treatment I/my relative received at/from.

DESCRIBE WHAT HAPPENED, WHEN AND WHERE

As a result, I would like to know **(examples below)**

1. *What is the Trust's policy on*
2. *Why did the nurse tell me.....*
3. *Why did it take so long to.....*

In order to resolve my complaint I would like **(examples below):**

1. *A full and honest responses and explanations to each of the points above*
2. *An apology for what has happened to me*
3. *The Trust to explain what it will do to ensure that this does not happen to any other patients in the future*

I would like you to carry out a full investigation into my concerns and provide a response in accordance with the NHS complaints procedure.

If you require any further information to assist your investigation, or need to update me on the progress of my complaint, please contact me. **(Add telephone number, mobile or e mail if you wish).**

Thank you for your attention to this complaint and I look forward to hearing from you.

Yours sincerely

NAME

(If you are sending any supporting documents please list what you have enclosed here).

CC: (if you are sending copies of your letter to other people, please give their names and job role here).

Please always retain a copy of any letter or attachment you send to the NHS for your records.