

Your health, your rights

Feedback and complaints:

- How to have a say about your care
- How to get any concerns or complaints dealt with



Feedback and complaints

Who is this leaflet for?

This leaflet is for anyone who has experience of care provided by the NHS in any part of Scotland.

What is this leaflet about?

The Charter of Patient Rights and Responsibilities says that:

- you have a right to have a say about your care, and
- you have a right to get your concerns and complaints dealt with.

This leaflet explains what this means for you.

Giving feedback about the NHS in Scotland

The NHS wants to hear about anything that matters to you.

For example:

- you may want to thank staff or share your thoughts about something that's been done well
- if you're in hospital or have been there recently, you may want to share your views on your experience of care and the treatment you received, or about other things such as the food on the ward
- you may be concerned that you don't have enough information about the care and treatment offered or about visiting hours, car parking or opening times.



How can I give my feedback?

- You can give your feedback by:
 - › talking to a member of staff involved in your care – this can be the best way to give feedback and resolve issues quickly
 - › contacting your NHS Board by phone, email or online (see page 12 for how to do this)
 - › posting a story on Care Opinion (www.careopinion.org.uk)
 - › filling in a patient survey or questionnaire, or putting your comments in a suggestion box
 - › phoning the NHS inform Helpline on **0800 22 44 88**
 - › telling the Patient Advice and Support Service (PASS) – see page 12 for details.

What happens to my feedback?

The NHS welcomes your feedback. It will be recorded and used to improve services.

‘You have the right to give feedback, make comments, or raise concerns or complaints about the health care you receive.’

The Charter of Patient Rights and Responsibilities 2012

Feedback and complaints

Making a complaint about the NHS in Scotland

This section describes our procedure for handling complaints.

What is a complaint?

The NHS regards a complaint as “any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf”.

Who can complain?

- You can make a complaint if you are, or are likely to be, affected by something that an NHS Board or primary-care service provider such as a GP or dentist has done or failed to do.
- If you are complaining for another person, the NHS Board or health service provider will need to check that the person has agreed to you making the complaint on their behalf. It will also need to check they have consented to personal information about their healthcare being shared as part of the complaints-handling process. If they have not agreed or consented, the NHS Board or service provider will need to take that into account when handling and responding to your complaint. However, all complaints are recorded and reviewed because this helps the NHS find ways of improving services.
- You can complain for another person if:
 - › the person is a child and you are their parent, guardian or main carer and they are not mature enough to understand how to make a complaint – but if they are mature enough, they can make a complaint themselves or agree to someone else complaining on their behalf



- › you have a welfare power of attorney or a welfare guardianship order for someone who cannot make decisions for themselves, and the order permits you to make a complaint about health care
- › you are a relative of, or were in a relationship with, a patient who has died and you are concerned about how they were treated before they died, or
- › you are acting as an advocate for the patient (see page 10 for more about advocacy).

What can I complain about?

- Things you can complain about using the NHS procedure 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 GP practice, a hospital, a dental practice, an optician, a pharmacy, a prison health centre or an ambulance
 - › any NHS staff member involved in your care
 - › how NHS services in your local area are organised if this has affected your care or treatment.

If your complaint also involves another part of the NHS, or if it relates to a health service and a social work service, then staff may need to pass it on to someone there. They will explain how your complaint will be handled and who will respond to you. Wherever possible, organisations will work together to provide a single response to your complaint covering all the issues raised.

Feedback and complaints

If your complaint relates to a health service and a social work service, the response will depend on whether these services are being provided through a single, integrated health and social care partnership. For further details please ask the organisations you are complaining about.

Complaints and issues which are dealt with under different procedures

- Some things you may wish to complain about are not handled through the NHS complaints procedure. These include:
 - › private health care or treatment
 - › services not provided or funded by the NHS, and
 - › anything you are taking legal action about.

Staff receiving such a complaint will refer the matter to the appropriate person and inform you of this and the procedure to be followed.

How do I complain?

If you can, first talk to a member of staff involved in your care. If you do this, they can try to sort out your complaint on the spot.

If you cannot or you do not wish to do this, you can ask to speak to a senior member of staff or the Feedback and Complaints Officer for the NHS organisation involved (see page 12 for contact details).



If you prefer to complain in writing rather than in person or over the phone, you can send a letter or an email to the relevant NHS organisation. When complaining, you should give:

- your full name and address (and the patient's full name and address if you are complaining for them)
- as much helpful information as possible about what happened, where it happened and when
- information about how you want the matter to be resolved, and
- your phone number, if you are happy to provide it, so that we can call you to discuss your complaint.

Giving us this information will help us clearly identify the problem and what we need to do to resolve things.

How long do I have to make a complaint?

- The NHS has a time limit for complaints. Normally, you must make your complaint within six months of:
 - › the event you want to complain about, or
 - › finding out you have a reason to complain, but no longer than 12 months after the event itself.

'You have the right to be told the outcome of any investigation into your concerns or complaints.'

The Charter of Patient Rights and Responsibilities 2012

Feedback and complaints

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

You can complain to the Scottish Public Services Ombudsman about an NHS decision not to accept your complaint (see page 11 for more information).

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

You can change your mind about making a complaint at any time. Please let the person handling your complaint know as soon as possible.

What happens when I complain?

The NHS aims to resolve complaints quickly and as close to the point of service as possible. This could mean an on-the-spot apology and an explanation if something has clearly gone wrong, and immediate action to resolve the problem.

The NHS has a two-stage complaints procedure. There's also the right to take your complaint to the Ombudsman if you are unhappy with the Board's investigation.

'You have the right to independent advice and support to provide feedback, make comments, raise concerns or make a complaint.'

The Charter of Patient Rights and Responsibilities 2012



Stage 1 - Early resolution

If your complaint is straightforward and can be easily resolved, staff will try to sort it out in **five working days** or less, unless there are exceptional circumstances. This stage of the complaints process is called 'early resolution (Stage 1)'

Stage 2 - Investigation

If your complaint is more serious and complex, or has not been resolved at the early resolution stage, it will need to be investigated. This is called the 'investigation (Stage 2)'

At the investigation stage, staff will write to you within **three working days** to acknowledge your complaint. They may also get in touch by phone to discuss your complaint with you and to understand what outcome you are looking for.

When will I get a full response?

Staff will write to you with a full response within 20 working days of receiving your complaint at the investigation stage. This response should:

- show that staff have looked into your complaint
- reply to all the points you made
- offer you an apology if things have gone wrong
- explain what action has been taken or will be taken to stop what you complained about happening again
- if necessary, explain why the NHS cannot do anything more about some parts of your complaint

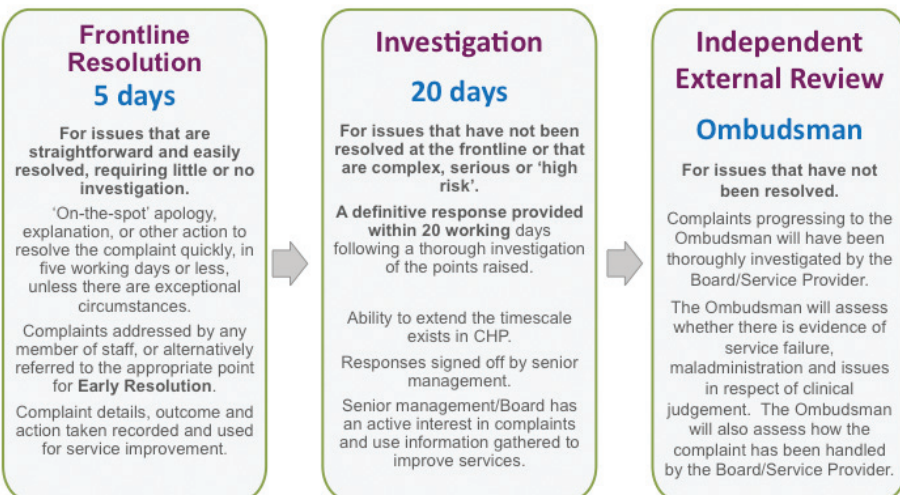
Feedback and complaints

- offer you the chance to talk to a member of staff if there is anything in the letter you don't understand, and
- include information about the Scottish Public Services Ombudsman in case you are unhappy with the response or the way your complaint has been handled and you want to take things further (see page 11 for more information).

In some cases, we may need more time to give you a full response and we may not be able to keep to these times. If this happens, staff will let you know and tell you why.

The NHS Model Complaints Handling Procedure

– Source: SPSO [2017]





Who can help me with my complaint?

Other people can help you with advice:

Independent advice and support

If you would like to speak to someone for advice or help with making a complaint, please ask a member of staff for details about the independent Patient Advice and Support Service, which is available in your area through local citizens advice bureau. See page 12 for contact details.

Advocacy

If you want someone to help you express your views, you can ask for an advocate. An advocate is independent of the NHS and can help make sure your views are heard and get you access to the information you need to make your own decisions. Your local NHS Board or the Feedback and Complaints Officer will be able to tell you about advocacy services in your area.

Mediation

Some complaints can be resolved through mediation. This is a service where independent mediators help the parties to reach an agreement. You can ask for mediation or Health Boards may offer to provide it, but it can go ahead only if both parties agree to it. The Feedback and Complaints Officer at your local Health Board can tell you more about mediation.

Feedback and complaints

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

If the NHS has fully investigated your complaint and you're still not happy, you can ask the Scottish Public Services Ombudsman to look at it.

The Ombudsman cannot normally look at:

- a complaint that has not completed our complaints procedure, so please make sure it has done so before contacting the Ombudsman
- events that happened, or that you became aware of, more than 12 months ago, or
- a matter that has been or is being considered in court.

You can contact the Ombudsman:

In person If you would like to visit in person, you must arrange an appointment first by phoning **0800 377 7330**.

Scottish Public Services Ombudsman
Bridgeside House, 99 McDonald Road, Edinburgh EH7 4NS

SPSO are open Mon, Wed, Thurs & Fri 9am-5pm; Tues 10am-5pm.

They do not offer home visits as part of their investigation process. However, they will make reasonable adjustments if deemed appropriate.

By post Freepost SPSO (This is all you need to write on the envelope, and you don't need to use a stamp.)

Online contact <https://www.spsso.org.uk/contact-us>



How to find out more

For more information about anything in this leaflet, contact:

- the NHS helpline on **0800 22 44 88**
(textphone 18001 0800 22 44 88)
- the Patient Advice and Support Service (PASS) at your local citizens advice bureau or on **0800 917 2127**.
If you want to visit your local bureau, you can find the address on the internet (www.cas.org.uk/pass).

To complain about services provided by NHS Lothian in the community, including the out of hours service or any hospital, contact:

Patient Experience Team
Mainpoint
102 Westport
Edinburgh EH3 9DN
Phone **0131 536 3370**
Email loth.feedback@nhs.scot

To complain about a GP surgery, dental surgery, optician, or pharmacy, please contact them directly.

Feedback and complaints

Scottish Ambulance Service

To complain about the **ambulance service**, contact:

Patient Experience Team
Corporate Affairs & Engagement
Scottish Ambulance Service
National Headquarters
Gyle Square
1 South Gyle Crescent
Edinburgh EH12 9EB
Phone **0131 314 0000**

NHS 24

To complain about **NHS 24**, contact:

Patient Affairs Service
NHS 24
Caledonia House
Fifty Pitches Road
Cardonald Park
Glasgow G51 4EB
Phone **0141 337 4597**



Golden Jubilee National Hospital

To complain about the **Golden Jubilee National Hospital**, contact:
Feedback and Legal Co-Ordinator
NHS National Waiting Times Centre Board
Golden Jubilee National Hospital
Agamemnon Street
Clydebank G81 4DY
Phone 0141 951 5951
Email feedback@gjnh.scot.nhs.uk

State Hospital

To complain about the **State Hospital**, contact:
Complaints Officer
The State Hospital
Carstairs
Lanark ML11 8RP
Phone **01555 842 200**

‘You have the right to take your complaint to the Scottish Public Services Ombudsman (SPSO) if the NHS has fully investigated your complaint and you are not satisfied with the response.’

Feedback and complaints

Information about health rights

- **The Charter of Patient Rights and Responsibilities** gives a summary of what you can expect when you use the NHS in Scotland, together with your rights and responsibilities.
- The series of **Your health, your rights** leaflets tell you more about what these rights mean for you:
 - › **Access:** your rights when accessing NHS services in Scotland.
 - › **Communication and participation:** the right to be informed, and involved in decisions, about health care and services.
 - › **Confidentiality:** the right for your personal health information to be kept secure and confidential.
 - › **Respect:** the right to be treated with dignity and respect.
 - › **Safety:** the right to safe and effective care.
 - › **Hospital waiting times:** how quickly you should receive hospital care.

For more about health rights see the following:

- **Consent – it's your decision** explains how you should be involved in decisions about your health care and treatment.
- **How to see your health records** explains your right to see or have a copy of your health record.
- **Health care for overseas visitors** is a set of leaflets explaining what NHS services overseas visitors can expect to receive while they are in Scotland.



Information for young people

- **Consent – your rights** explains how you should be involved in decisions about your health care and treatment.
- **Confidentiality – your rights** tells you how the health service keeps information about you private.
- **Have your say! Your right to be heard** tells you how to give feedback or make a complaint about the NHS.

Information for carers

Caring and consent explains your right to be involved in decisions about the health care of the adult you care for.

Information about health services

- **Getting NHS dental treatment in Scotland** tells you how to use NHS dental services in Scotland.
- **It's okay to ask** gives useful tips and questions you can ask during your health care appointments.
- **The NHS Chronic Medication Service at your local pharmacy** tells you about an NHS service for people with a long-term condition.
- **Your guide to free NHS eye examinations in Scotland** gives information about free NHS eye examinations in Scotland for all UK residents.

Feedback and complaints



To get this leaflet in another language or format, phone your local NHS board on 0131 536 3370

على NHS 'أس آي' تش الآن' الوطنية الصحة هيئة ب مجلس اتصل مذ تلف ب شكل أو أخرى ب لغة النشرة هذه على ل الحصول
الرقم 0131 536 3370

要以其他語言或格式獲取此單張，請致電你當地的 NHS 委員會，電話：0131 536 3370

Wenn Sie dieses Merkblatt in einer anderen Sprache oder in einem anderen Format erhalten möchten, so setzen Sie sich bitte telefonisch mit Ihrer lokalen NHS-Behörde unter: 0131 536 3370 in Verbindung.

Lai saņemtu šo brošūru kādā citā valodā vai formātā, zvaniet savai vietējai NHS valdei uz 0131 536 3370

Norėdami gauti šį lapelį kita kalba ar formatu, susisiekite su savo vietinė NHS tarnyba telefonu 0131 536 3370

-欲获得这份传单的其他语言或格式的版本，请致电0131 536 3370
联系您当地的国民保健服务委员会（NHS board）。

Aby otrzymać tę ulotkę w innym języku lub formacie, należy zadzwonić do rejonowej rady państwowej służby zdrowia (NHS Board) pod numer 0131 536 3370

ਇਸ ਕਿਤਾਬਚੇ ਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਜਾਂ ਫਾਰਮੈਟ ਵਿੱਚ ਲੈਣ ਲਈ, 0131 536 3370 'ਤੇ ਆਪਣੇ ਸਥਾਨਕ NHS Board
(ਐਨ.ਐਚ.ਐਸ. ਬੋਰਡ) ਨੂੰ ਫੋਨ ਕਰੋ

Pentru a obține această broșură în altă limbă sau alt format, sunați la departamentul local NHS la numărul 0131 536 3370

Чтобы получить данный буклет в переводе на другой язык или в ином формате, позвоните в местное управление NHS (Национальной службы здравоохранения) по номеру 0131 536 3370

Para obtener este folleto en otro idioma o formato, telefonée al Consejo del NHS (NHS Board) de su localidad al número 0131 536 3370.

(NHS) ایس ایچ ای ن مقامی ے اپ ن ل ے کے کے رنے حاصل میں صورت پاز ب ان دی گھر کسی اشد تہار د س تی یہ
0131 536 3370 کے ریوں ف ون پ ر نمبر اس کو



We have tried our best to make sure that the information in this leaflet is correct. However, the leaflet is not part of the Charter of Patient Rights and Responsibilities. It is for guidance only so you should not rely on it as a complete statement of the law.

