

# Making a complaint about the NHS

Version 2  
Produced in June 2007  
Revision date June 2009

**NHS**  
SCOTLAND

In the NHS in Scotland, we try to give you the best possible care and treatment. We value comments, good or bad, to help us improve the service. If you are not happy about anything, please let us know.

This leaflet explains how to complain using the NHS complaints procedure.

### **What can I complain about?**

Things you can complain about 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 doctor's surgery, a hospital or an ambulance
- any member of NHS staff involved in your care
- how our services in your local area are organised, if this has affected your care or treatment.

If your complaint involves another part of the NHS or another organisation, such as social services, we will deal with the complaint or pass it on to someone in the other organisation. We will tell you who is dealing with your complaint.

### **What can't I complain about?**

There are some things you can't complain about through the NHS complaints procedure, and these include:

- private health care or treatment
- services not provided or funded by the NHS, and
- something which you are taking legal action about.

The NHS complaints procedure doesn't usually provide financial compensation. If you want advice about financial compensation, you should contact your local citizens advice bureau or a solicitor.

### **Who can complain?**

You can complain if you have:

- had or are having NHS care or treatment; or
- visited or used our services or facilities.

You can complain for someone else if you:

- have their agreement to complain (the patient must also agree to let staff look at their health records if this is necessary)
- are a parent, guardian, or main carer and your child is not mature enough to understand how to make a complaint

- have a welfare power of attorney or a welfare guardianship order for someone who cannot make decisions for themselves, and the order gives you the power to make a complaint about health care
- are a relative of, or someone with a relationship with, a patient who has died and you were concerned for their welfare, or
- are acting as an advocate for the patient (see page 8 for more information about advocacy).

### **How long do I have to make a complaint?**

We have a time limit for complaints. Normally, you must make your complaint:

- within six months of the event you want to complain about; or
- within six months of you realising you have a reason to complain (but no longer than 12 months after the event).

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

You can complain to the Scottish Public Services Ombudsman about a decision by the NHS not to accept your complaint. See page 9 for more information.

# How to complain

## What should I do?

- If you can, first talk to a member of staff involved in your care. If you do this, we can try to sort out your complaint on the spot.
- If you are not able to talk to the NHS staff involved in your care, you can ask to speak to a senior member of staff or the complaints officer for the NHS organisation involved.
- You can complain in person, by phone, or in writing. When complaining, you should include:
  - your full name and address (and the patient's name and address if you are complaining for them); and
  - as much helpful information as possible about what happened, where it happened and when.
- You can also make your complaint by fax, e-mail or textphone (if available), but if you do this other people might be able to see your personal information.

## Who should I complain to?

- When complaining about any NHS service, you should first complain directly to the person or organisation providing the service.

- If you do not feel comfortable doing this, see page 10 of the leaflet to find out who can help you with your complaint at your local NHS Board.
- If your complaint is about NHS 24 or the Golden Jubilee National Hospital, you should first speak to the person who was dealing with you. If you would rather not do this, speak to the complaints officer at the organisation. The contact details are on page 11.
- If your complaint is about the Scottish Ambulance Service, you should complain to their headquarters. The contact details are on page 10.
- If your complaint is about the State Hospital, you should complain to the complaints officer there. The contact details are on page 11.

### **What happens after I have complained?**

- We will write to you within three working days of getting your complaint.
- This letter should:
  - tell you what action we will take to look into your complaint
  - offer you the chance to talk to a member of staff about the complaint
  - give you information about independent advice and support (see page 7 for more information), and
  - give you information about conciliation if this might be helpful (see page 8 for more information).

- We will keep information about you confidential. To investigate your complaint, we might have to talk to other NHS staff about you or show them your health records. If you don't want us to share information from your health records, you should tell us when you make your complaint. If you don't agree, it may be more difficult to look into your complaint.
- We will make a record of your details and complaint, and use it to help us make services better.
- You may also be asked to fill in a form to help us understand a little more about you – for example, your age, your gender, if you are from an ethnic minority or if you have a disability. This will help us make things better for all patients in the NHS. It will not affect your complaint in any way.

### **When will I get a full response?**

- We will respond to you within 20 working days of receiving your complaint.
- If your complaint is about a GP surgery, an NHS dental surgery, an NHS optician's practice, or a pharmacy, we will respond to your complaint within 10 working days.
- In some cases, we may need more time to give you a full response and won't be able to meet these timescales. If this happens, we will let you know and tell you why.

- We will write to you to let you know the result of our investigation.
- In this letter we will:
  - show that your complaint has been looked into and reply to all the points raised in the complaint
  - offer you an apology where things have gone wrong
  - explain what action may be taken to stop what you complained about happening again
  - if necessary, explain why nothing more can be done about some parts of your complaint
  - 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 result (see page 9 for more information).

## Who can help me with my complaint?

### Independent advice and support

- If you would like to speak to someone for advice or help with making a complaint you can contact your local citizens advice bureau. See page 10 for contact details.



## Advocacy

- If you find it difficult to make a complaint yourself and want someone to speak for you, you can ask for an independent advocate. An independent advocate is someone from outside the NHS who can speak for you or help you express your views. Your local NHS board or complaints officer will be able to tell you about advocacy services in your area.

## Conciliation

- An independent conciliator is someone who can try to help you and the person you have complained about to agree what should happen.
- Conciliation can only be used if you and the person you've complained about both agree to it.
- If you want to find out more about conciliation, ask the person who is dealing with your complaint.

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

- You can change your mind about making a complaint at any time. Please let us know as soon as possible. It would be helpful if you could write and tell us, but a phone call will be okay.

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

### **The Scottish Public Services Ombudsman**

- If the NHS has fully investigated your complaint and you are still not happy, you can ask the Scottish Public Services Ombudsman to consider your complaint further.
- You should try to contact the Ombudsman no later than 12 months after the event you are complaining about. Sometimes this time limit will not apply – contact the Ombudsman for more information.
- If you are not happy with the way the NHS is dealing with your complaint, for example if you think it is taking too long, you can contact the Scottish Public Services Ombudsman.
- The Ombudsman does not take up all cases and will decide whether or not to investigate your complaint further.
- See page 12 to find out how to contact the Ombudsman.

## How to find out more

- For more information about anything in this leaflet, contact:

- your local NHS Board and ask to speak to someone about complaints

To find contact details for your local NHS Board:

- look in the phone book under 'health services'
- call the NHS Helpline on 0800 22 44 88, or
- look on the internet at **[www.hris.org.uk](http://www.hris.org.uk)** or **[www.show.scot.nhs.uk/organisations/orgindex.htm](http://www.show.scot.nhs.uk/organisations/orgindex.htm)**

- the NHS Helpline on 0800 22 44 88 (textphone 18001 0800 22 44 88)
- your local citizens advice bureau (find your nearest bureau on the website at **[www.cas.org.uk](http://www.cas.org.uk)** or in your local phone book).

### Scottish Ambulance Service

To complain about the ambulance service, contact:  
Corporate Affairs Manager or Complaints Administrator  
Scottish Ambulance Service  
National Headquarters  
Tipperlinn Road  
Edinburgh  
EH10 5UU  
Phone: 0131 446 7000  
Fax: 0131 446 7001

## **NHS 24**

To complain about NHS 24, contact:

Patient Affairs Manager

NHS 24

Delta House

50 West Nile Street

Glasgow

G1 2NP

Phone: 0141 225 0099

## **Golden Jubilee National Hospital**

To complain about the Golden Jubilee National Hospital, contact:

Risk Management Facilitator

Golden Jubilee National Hospital

Beardmore Street

Clydebank

G81 4HX

Phone: 0141 951 5000

Fax: 0141 951 5500

## **State Hospital**

To complain about the State Hospital, contact:

Complaints Officer

The State Hospital

Carstairs

Lanark

ML11 8RP

Phone: 01555 842200

## **Scottish Public Services Ombudsman**

The Scottish Public Services Ombudsman

Freepost EH641

Edinburgh

EH3 0BR

Phone: 0800 377 7330

Fax: 0800 377 7331

Text message: 07900 494 372

E-mail: [ask@spso.org.uk](mailto:ask@spso.org.uk)

Website: [www.spso.org.uk](http://www.spso.org.uk)

## Other leaflets in this series

This leaflet is part of a series. The other leaflets in the series include the following.

- **Confidentiality – it's your right: How the NHS protects your personal health information**
- **How to see your health records**
- **The NHS and You**
- **Consent – it's your decision: How you should be involved in decisions about your health care and treatment**

We have also produced the following leaflets for children and young people under 16:

- **Consent – your rights: How you should be involved in decisions about your health care and treatment**
- **Confidentiality – your rights: How the health service keeps information about you private**

You can get these leaflets from:

- GP surgeries, dental surgeries and hospitals
- other places where you receive NHS care
- your local NHS Board
- the NHS Helpline on 0800 22 44 88 (textphone 18001 0800 22 44 88)
- **[www.hris.org.uk](http://www.hris.org.uk)**
- your local citizens advice bureau (find contact details on page 10)

## Your comments please!

We want to know what you think about this leaflet.

Please give us your comments:

- by post to HRIS, Scottish Consumer Council, FREEPOST GW5277, Glasgow G1 3BR
- by emailing us at [hris@scotconsumer.org.uk](mailto:hris@scotconsumer.org.uk)
- by visiting our website at [www.hris.org.uk](http://www.hris.org.uk) and clicking on the "contact us" link, or
- by phoning us on 0141 226 5261.

We have tried our best to make sure that the information in this leaflet is correct. However, the leaflet is for guidance only so you should not rely on it as a full statement of the law. If you are thinking about taking legal action, you should contact a solicitor, a citizens advice bureau or any other advice agency.

Produced by Health Rights Information Scotland, a project of the Scottish Consumer Council, for the Scottish Executive Directorate of Health and Wellbeing.

To get this leaflet in another language or format, phone your local NHS Board. If you need help to do this contact the NHS Helpline on 0800 22 44 88 (textphone 18001 0800 22 44 88).

للحصول على كراسة 'تقديم شكوى ضد هيئة الرعاية الصحية الوطنية NHS' باللغة العربية اتصل بهاتف المكتب المحلي لهيئة الرعاية الصحية الوطنية NHS board. وإذا احتجت للمساعدة للقيام بذلك، اتصل بخط الاستعلامات التابع للهيئة NHS Helpline على رقم 0800 22 44 88

‘এন.এইচ.এস সম্পর্কে অভিযোগ করা’ তথ্যপত্রটি বাংলায় পেতে চাইলে আপনার স্থানীয় এন.এইচ.এস বোর্ডে ফোন করুন। এটি করার জন্য আপনার সাহায্যের প্রয়োজন হলে, এন.এইচ.এস হেল্পলাইনে 0800 22 44 88 নম্বরে ফোন করুন।

如欲索取《對國民保健服務處提出投訴》資料單張，請致電你當地的 NHS 管理局。如需協助致電管理局，請致電 NHS 求助熱線 0800 22 44 88。

Pour obtenir « Faire une réclamation à la NHS » en français, téléphonez à votre Bureau NHS local. Si vous avez besoin d'aide pour cela, contactez l'assistance téléphonique de la NHS au 0800 22 44 88.

'NHS के विषय में शिकायत करना' हिंदी में पाने के लिए, अपने स्थानीय NHS बोर्ड को फोन करें। अगर आपको ऐसा करने के लिए मदद चाहिए, तो 0800 22 44 88 पर NHS हेल्पलाइन को कॉल करें।

Norėdami gauti informaciją 'Paduoti skundą dėl NHS' Lietuvių kalba, skambinkite į savo vietinę NHS tarybą. Jei tai padaryti jums reikalinga pagalba, kreipkitės į NHS pagalbos liniją telefonu 0800 22 44 88.

Aby otrzymać broszurę "Składanie skarg na NHS" w języku polskim, prosimy o telefoniczny kontakt z lokalnym oddziałem NHS. Więcej informacji można uzyskać dzwoniąc pod numer linii informacyjnej NHS: 0800 22 44 88.

Для получения «Как подать жалобу на NHS» на русском языке, позвоните в местное управление Государственной Службы Здравоохранения. Если Вам нужна помощь, обратитесь в телефонную службу помощи по номеру 0800 22 44 88.

'این ایچ ایس کے بارے میں شکایت کیسے کی جائے' اردو میں حاصل کرنے کیلئے اپنے مقامی این ایچ ایس بورڈ کو ٹیلیفون کریں۔ اگر اس کیلئے آپ کو مدد درکار ہو تو این ایچ ایس ہیلپ لائن کو 0800 22 44 88 پر ٹیلیفون کریں۔

[www.hris.org.uk](http://www.hris.org.uk)