NHS Complaints Advocacy Stockport

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Raising concerns and complaints: a step by step guide

Questions to ask yourself:
1. Who do I raise my concerns with?
2. What am I concerned or dissatisfied about?
3. What do I want to achieve if I complain?

NHS Complaints Procedure

Speak to your NHS Provider – some issues can be resolved by speaking directly to the staff involved. For example, for Stepping Hill, it is **PCS**, (The Patient and Customer Services team), also known as **PALS**, (Patient Advice and Liaison Service), who will try to resolve your concerns on an informal basis before using the formal complaints route.

If unresolved, send a letter to relevant complaints team

Receive a response to your complaint

Complaint not resolved

Complaint resolved

If unresolved, see what options are available, usually stated at the end of the response letter. It may say you can write back to them, or request a face-to-face meeting.

Final stage: If unresolved, contact the Parliamentary and Health Service Ombudsman

Do you want to make a complaint?

The NHS complaints procedure is there to help you get answers and explanations about what happened and why? This self-help pack is aimed to give you information about how the NHS complaints procedure works, what you can reasonably expect from the process and to give you tips on how to write your own letter of complaint.

Your rights

Everyone has the right to complain about the NHS if something goes wrong or is left unresolved.

You have the right to be fully involved in your complaint; including how it is handled, its progress and what the outcomes are and how these will influence changes or actions within the organisation.

You have the right to have your complaint fully investigated if submitted within the twelve-month timeframe, with the knowledge that this will not affect any care or treatment you are receiving now or in the future.

The NHS Constitution pledges to:

- *ensure that you are treated with courtesy and you receive appropriate support throughout the handling of a complaint; and that the fact that you have complained will not adversely affect your future treatment*
- *ensure that when mistakes happen or if you are harmed while receiving health care you receive an appropriate explanation and apology, delivered with sensitivity and recognition of the trauma you have experienced, and know that lessons will be learned to help avoid a similar incident occurring again*
- *ensure that the organisation learns lessons from complaints and claims and uses these to improve NHS services*

(For more information on the NHS complaints procedure you can refer to the NHS Constitution or The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 or the NHS Constitution).

When to use the NHS complaints procedure.

The NHS complaints procedure covers all services which are funded by or commissioned by the NHS. For example:

- Hospitals
- GP
- Dentists
- Pharmacies
- Ambulance service
- NHS Funded care homes
- NHS funded community care

NHS Complaints Advocates can support you with any complaint which relates to an NHS service. We cannot support you if the service is not NHS funded, e.g. private nursing homes. In these situations, nursing homes will typically have their own complaints procedures for you to follow.

Timeframes

The NHS encourages you to make a complaint **within 12 months** of an incident or something happening which you are unhappy with and which would lead you to consider making a complaint.

The NHS does however understand that there are certain times or circumstances which prevent this from being possible. In this instance, a discretionary decision about whether to investigate the complaint will be made by the Trust when the complaint is received.

If your complaint involves more than one NHS Service:

Some complaints involve multiple services and each service will have their own complaints procedure. In this case, you will only have to write one letter of complaint and you can ask for one of the organisations to lead the complaint.

Between them, they will agree who will:

- Take the lead in handling the complaint.
- Be your point of contact and take responsibility for communicating with you.
- Co-ordinate the handling of the complaint and any investigations.
- Ensure you receive a single response, addressing all issues agreed at the outset.

(Your NHS Complaints Advocate can work with you to help you do this)

Who do I complain to and how?

Step 1 – What is your complaint about?

Before you start, it is important to be clear about what you are concerned with. This can be any aspect of NHS care and services, but might include:

- Treatment or care.
- The attitude of staff.
- Poor communication.
- Waiting times.
- Lack of information.
- Failure to diagnose a condition.

Step 2 - What do you want to achieve?

Think about what you want to achieve. Your issues are more likely to be dealt with smoothly if you can be specific and realistic. Try to think about what outcomes you want for your complaint and talk to your NHS Complaints Advocate if you need to check if these are realistic. For example, you cannot get a member of staff disciplined, or terminated from employment. Large amounts of f**inancial compensation** is **NOT** available through the NHS Complaints Procedure. This is usually possible only through legal action.

Step 3 - Who do I raise my concerns with?

- **Speak to a member of staff directly** - Many complaints are caused by misunderstandings or poor communication that can be put right once you explain the problem. If you feel able to, you can speak to a member of staff who is directly involved in your treatment, or their manager, about what you are concerned or dissatisfied about. This is often the quickest way to put things right.

- **Contact the PCS/PALS Team either by telephone, in person or in writing** – PALS Teams can assist you with current care or treatment and will look at your complaint informally to see if the matters can be resolved there and then.

Contact Details

If your complaint is about a hospital, mental health service provider or ambulance service you usually address your complaint letter to the relevant complaints department. For example:

Stepping Hill Hospital:

Patient and Customer Services Department
Stockport NHS Foundation Trust
Stepping Hill Hospital
Poplar Grove
Hazel Grove
Stockport
SK2 7JE
0161 419 5678
Email: PCS@stockport.nhs.uk

Pennine Care NHS Foundation (mental health service provider)

Pennine Care NHS Foundation Trust Headquarters
Trust Headquarters
225 Old Street
Ashton-under-Lyne
Lancashire
OL6 7SR
Tel: 0161 716 3178

North West Ambulance Service

Currently, the best way to make a complaint to NWAS is through their website, the form to submit your complaint can be found at:
www.nwas.nhs.uk/contact-us/complaints

Or Call: 0345 112 6500, Monday to Friday 10am – 2pm (except bank holidays).

For **GPs, Dentists, Chiropodists, Opticians,** you have two choices; firstly, you can approach your local GP, dentist, pharmacist or optician to ask about their own complaints procedure. For example, you could put your complaint about a GP in writing to the Practice Manager.

If you do not feel comfortable complaining directly to a service provider e.g. the GP Practice, you can complain to the local integrated care board (ICB). You can write to who is responsible for commissioning GP, Dental, Opticians and Pharmacies. For Stockport, the address to send these complaints to is:

Complaints
Stockport – NHS GM
1st Floor, Stopford House
Piccadilly
Stockport
SK1 3XE

Tel: 0161 357 1599
Email: england.gm-complaints@nhs.net

OR

NHS Stockport Clinical Commissioning Group (CCG) - The CCG is responsible for designing and buying health services for the local population for example, hospitals, ambulance, mental health and learning disability services.

Any complaints regarding commissioning and funding can be put to:

Complaints Department
NHS Stockport CCG
4th Floor
Stopford House
Stockport
SK1 3XE

Tel: 0161 426 9900 (option 1)
Email: STOCCG.contactus@nhs.net

If you are still unsure about where to send your complaint, your NHS complaints advocate can help you with this.

How to write a letter of complaint

Your letter should clearly outline what happened and when and should ask for it to be investigated under the NHS Complaints Procedure.

Tips for writing your complaint:

Include a short introduction as to why you are making the complaint

Make clear points regarding what has happened, including specific details such as times and dates if possible. If necessary, you could include a timeline of events along with the details of the complaint.

Try and explain the complaint in order of when and how it happened, so that the order of events is clear to the complaints team.

Don't be afraid to say what has upset you, but try to avoid aggressive language.

Ask questions – complaint teams will often base their response letter around specific questions that you have asked, so make sure these are clear.

Conclude your letter with the outcome(s) you are wanting from making the complaint. Some examples could be that you want an apology, an explanation, or a service improvement.

Keep copies

• Keep a copy of all letters or emails sent and received, in date order and a note of all telephone calls made. If you eventually send your complaint to the health ombudsman, they may request copies of the paperwork.

Send photocopies of documents, not originals

• Keep the original documents in your possession.

Example framework for a first letter of complaint

PRIVATE AND CONFIDENTIAL
(Insert your name, address and telephone number)

The Chief Executive
The Hospital/organisation

(Date)

Dear….
Re: NHS Complaint – Complainant name, Date of Birth

I would like to raise a complaint in line with the current NHS complaints procedure about the treatment I received from [name(s) of staff] **at** [place where incident happened/treatment received] **on** [date of incident/period of treatment].

OR [if you are acting on behalf of the patient]

I would like to raise a complaint on behalf of [insert name of patient], **and I enclose their written agreement to act on their behalf**. [If the patient is unable to give consent for example, if they are too young, ill or deceased, then you should explain this].

Describe (in bullet points if you wish)

- What happened,
- When, and
- Where.

If you were unable to recall events because you were undergoing surgery (for instance) include information provided by third parties and how they were made aware of this.

If you have a log sheet or list of events, you can attach this as a separate sheet and refer to this here. Explain what, if anything, you have already done to try to resolve matters.

- Put the most important matters first.
- Explain why you are not satisfied.
- Be clear and brief.
- Number or bullet your points.
- Ask the questions you would like the answers to and list them in order of importance.

Intended Outcomes

Say what you want to achieve, for example:

- An explanation of what happened.
- An apology.
- Action to remedy the problem you experienced, by a named person.

I look forward to receiving your acknowledgement of this letter. I would like you to carry out a full investigation into my concerns and provide a response in accordance with the NHS Complaints Procedure.

Please do not hesitate to contact me if you need further information.

Yours faithfully
Your signature
Print your name

If you are sending copies of your letter to other people, show this here.
cc. Other person

What happens next?

You should receive a letter of acknowledgement which is normally sent out within a week, but this will vary with each service. This letter should give an overview of the complaint you have submitted, and the amount of time they estimate the investigation will take. The amount of time this takes can vary for many reasons, including the complaints team needing to request information from other trusts, or staff leave / sickness.

The suggested timescales can also be influenced by things like how many staff they need to speak to or how easy it is for them to access your medical records. If there is a problem in keeping to this timescale, they should contact you before it expires to agree an amended timescale.

If you are writing on behalf of someone else who is a patient, rather than for yourself, you can expect that the NHS will ask you for consent.

Approaching the Parliamentary and Health Service Ombudsman (PHSO)

If you are not satisfied with the way your complaint has been handled and the trust have confirmed they have exhausted the complaints process, you have the right to approach the Parliamentary Health Service Ombudsman. The PHSO service is free and confidential.

The PHSO has a 12-month timeframe in which to receive your complaint. You are encouraged to try to achieve local resolution before proceeding to the Ombudsman. If the Ombudsman feels that your complaint has been sent to them too early, they have the right to temporarily reject the case until you have exhausted all options available at a local level.

It is not always guaranteed that the Ombudsman will investigate your complaint. Once you send your complaint, it will firstly be assessed and a decision about whether it is going to be investigated, will be made. This can take up to six months.

To send a complaint to the Ombudsman, you will need to complete the Ombudsman form which can be downloaded from www.ombudsman.org.uk, or by telephone on 0345 015 4033.

Accessing medical records

You can apply to access your medical records or another person's, however there will be different processes to follow for different organisations and there is usually a charge. Typically, the charge is £50 and will change if the records are for a deceased patient. Applying for your medical records is referred to as making a 'Subject Access Request'.

An example for making a Subject Access Request to Stepping Hill Hospital, you should put this in writing to:

Medico Legal Department
Stockport NHS Foundation Trust
Stepping Hill Hospital
Stockport
SK2 7JE
Tel: 0161 419 5425
Email: medico.legal@stockport.nhs.uk

You will need to complete an application form and provide photographic proof of identity.

If you are struggling with the above process, your NHS complaints advocate can help you with this.

NHS Complaints Advocate Role

NHS Complaints Advocates will:

- Be there to support you as an independent person who does not work for the NHS.
- Help you to bring together all your issues and questions within your complaint.
- Help you to contact the right people at the right time.
- Give you advice, guidance and information on the complaints process.
- Help you to manage the complaint process by keeping you updated on its progress and exploring options available to you at each stage.
- Prepare you for meetings.
- Support you at meetings.
- Help you to understand what to expect at the end of your complaint.
- Help you to progress to the Parliamentary and Health Service Ombudsman, if you choose to do so.
- Respect your decisions and feelings and work with you in a non-judgemental and understanding manner.

NHS Complaints Advocate will not:

- Try to persuade you to take a particular course of action.
- Write letters without your input.
- Contact NHS professionals without your knowledge.
- Provide advice on legal matters or recommend solicitors.
- Be able to take disciplinary action against a member of staff. This is not available through the NHS Complaints procedure but might occur as a result of your complaint.