

# Making a complaint about the NHS



**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 factsheet 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, a prison health centre 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 also involves another part of the NHS or another organisation, such as social services, we may need to pass it to someone there. 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. These include:

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

The NHS complaints procedure doesn't usually provide financial compensation. For 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 would also need to agree that staff could look at their health records if necessary
- are a child's 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 specifies that you have the power to make a complaint about health care
- are a relative of, or had a relationship with, a patient who has died and you were concerned about how they were treated before they died, or
- are acting as an advocate for the patient (see page 4 for more 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 finding out that 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 the complaint. Sometimes we can accept a complaint 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 4 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 give:
  - 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, email or textphone (if available), but if you do this other people may be able to see your personal information.

## Who should I complain to?

- You should first complain directly to the person or organisation providing the service.
- If you do not feel able to do this, contact your local NHS board to find out who can help you with your complaint – see page 5 of the factsheet.
- 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 do not feel able to do this, speak to the complaints officer at the organisation. The contact details are on page 5.

- If your complaint is about the Scottish Ambulance Service, you should complain to their headquarters. The contact details are on page 5.
- If your complaint is about the State Hospital, you should complain to the complaints officer there. The contact details are on page 5.

## 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 4 for more information), and
  - give you information about conciliation or mediation services if this may be helpful (see page 4 for more information).
- We will keep information about you confidential. To investigate your complaint, we may 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, but bear in mind that this may make it 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.

## When will I get a full response?

- We will write to you with a full response 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 within 10 working days.
- In some cases, we may need more time to give you a full response and won't be able to keep to these timescales. If this happens, we will let you know and tell you why.
- In our response we will let you know the result of our investigation. We will:
  - show that we have looked into your complaint and reply to all the points raised in it
  - offer you an apology where things have gone wrong
  - explain what we will do 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 our response and want to take things further (see page 4 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 please ask a member of staff for details about the Independent Advice and Support Service (IASS) which is available through local citizens advice bureaux. See page 5 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 or mediation

- Conciliation or mediation means bringing people together to try to resolve a problem.
- An independent conciliator or mediator can try to help you and the person you have complained about agree what should happen next.
- Conciliation or mediation can only be used if you and the person you've complained about both agree to it.
- To find out more about conciliation or mediation, please 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 otherwise a phone call will do.

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

### The Scottish Public Services Ombudsman (SPSO)

- If the NHS has fully investigated your complaint and you are still not happy, you can ask the SPSO to consider your complaint further.
  - The SPSO cannot normally look at complaints more than 12 months after you became aware of the matter you want to complain about. Sometimes this time limit will not apply. Please contact the SPSO for more information.
  - The SPSO cannot look at matters that have been or are being considered in court.
- 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 SPSO.
- The Ombudsman does not take up all cases and will decide whether or not to investigate your complaint further.
- See page 5 to find out how to contact the Ombudsman.

## How to find out more

**For more information about anything in this factsheet, contact:**

- the NHS inform Helpline on **0800 22 44 88** (textphone 18001 0800 22 44 88)
- your local citizens advice bureau (CAB) using the phone numbers below. You can also contact a bureau for independent advice and support.

- Annan CAB: 01461 201 012
- Castle Douglas CAB: 01556 502 190
- Dumfries CAB: 01387 252 456
- Stranraer CAB: 01776 706 355
- Direct line for independent advice and support: 01387 739 802

If you want to visit your local bureau, you can find the address on the internet ([www.cas.org.uk](http://www.cas.org.uk)).

**NHS Dumfries and Galloway welcomes your comments, concerns, compliments and complaints in order to improve the quality of service.**

Please contact:

Patient Services Department  
NHS Dumfries and Galloway  
Crichton Hall  
Bankend Road  
Dumfries  
DG1 4TG

Phone **01387 272 733**

### Scottish Ambulance Service

To complain about the ambulance service, contact:

General Manager  
Scottish Ambulance Service (South West Division)  
Maryfield Road  
Ayr  
KA8 9DF

Phone **01292 284 101**

### NHS 24

To complain about NHS 24, contact:

Patient Customer Relations Department  
NHS 24

Caledonia House  
Fifty Pitches Road  
Cardonald Park  
Glasgow  
G51 4ED

Phone **0141 337 4501**

### Golden Jubilee National Hospital

To complain about the Golden Jubilee National Hospital, contact:

Risk Manager  
NHS National Waiting Times Centre Board  
Golden Jubilee National Hospital  
Agamemnon Street  
Clydebank  
Glasgow  
G81 4DY

Phone **0141 951 5154**

### State Hospital

To complain about the State Hospital, contact:

Complaints Officer  
The State Hospital  
Carstairs  
Lanark  
ML11 8RP

Phone **01555 842 200**

### Scottish Public Services Ombudsman (SPSO)

The Scottish Public Services Ombudsman  
Freepost EH641  
Edinburgh  
EH3 0BR

Phone **0800 377 7330**

Text message **07900 494 372**

Email [ask@spsa.org.uk](mailto:ask@spsa.org.uk)

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

## Information about health rights

- **Confidentiality – it's your right** explains how the NHS protects your personal health information.
- **How to see your health records** explains your right to see or have a copy of your health record.
- **The NHS and You** explains what you can expect from the NHS in Scotland, and what the NHS expects from you.
- **Consent – it's your decision** explains how you should be involved in decisions about your health care and treatment.
- **Health care for overseas visitors** is a set of factsheets 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.

You can get this information from:

- GP and dental surgeries, hospitals and other places where you get NHS care
- the NHS inform Helpline on **0800 22 44 88** (textphone 18001 0800 22 44 88)
- **www.hris.org.uk**
- your local citizens advice bureau (find your nearest bureau on the internet at **www.cas.org.uk** or in your local phone book).

## Your comments please!

We want to know what you think about this factsheet.

Please give us your comments:

- by post to HRIS, Consumer Focus Scotland, FREEPOST GW5277, Glasgow G1 3BR
- by emailing us at [hris@consumerfocus.org.uk](mailto:hris@consumerfocus.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 factsheet is correct. However, the factsheet 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 other advice agency.



Produced by Health Rights Information Scotland, a project of Consumer Focus Scotland, for the Scottish Government Health Directorates.

To get this factsheet in another language or format phone your local NHS board on 01387 272 733.

للحصول على كراسة 'تقديم شكوى ضد هيئة الرعاية الصحية الوطنية NHS' باللغة العربية اتصل بهاتف المكتب المحلي لهيئة الرعاية الصحية الوطنية (NHS board) على الرقم 01387 272733

'NHS সম্পর্কে অভিযোগ করা' তথ্যপত্রটি বাংলায় পেতে চাইলে আপনার স্থানীয় NHS বোর্ডে (NHS board) ফোন করুন : 01387 272733

如欲索取《對NHS提出投訴》的中文版本，請致電01387 272733聯絡你就近的NHS管理局 (NHS board)。

Pour obtenir « Faire une réclamation à la NHS » en Français, téléphonez à votre bureau NHS local (NHS board) au 01387 272733.

'NHS के विषय में शिकायत कैसे करें' हिंदी में पाने के लिए, अपने स्थानीय NHS बोर्ड को फोन करें (NHS board): 01387 272733

Norėdami gauti informaciją 'Kaip pateikti skundą dėl NHS darbo' lietuvių kalba, skambinkite į savo vietinę NHS tarybą (NHS board): 01387 272733.

Aby otrzymać broszurę „Składanie skarg na NHS” w języku polskim, prosimy skontaktować się telefonicznie z najbliższą placówką NHS (NHS board) pod numerem 01387 272733.

Для получения брошюры «Как подать жалобу на NHS» на русском языке позвоните в местное управление Государственной службы здравоохранения (NHS board): 01387 272733.

Para obtener una copia del folleto 'Cómo presentar una reclamación al NHS' en español, llame a su oficina local del NHS (NHS board): 01387 272733.

'NHS' کے بارے میں شکایت کیسے کی جائے ' اردو میں حاصل کرنے کیلئے اپنے مقامی این ایچ ایس بورڈ (NHS board) کو 01387 272733 پر ٹیلیفون کریں۔

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