

Making an NHS Complaint—What You Should Know

You may have cause to complain about your treatment, and this is a good way of finding out more about what happened. Unless your treatment was private, you can make a complaint using the NHS Complaints Procedure. The following guidance is aimed at anyone unfamiliar with the NHS complaints process and who wants to know more.

There are, broadly speaking, two stages to the NHS Complaints Procedure:

Stage one – Local Resolution

In the first instance a complaint should be made to either the organisation's Complaints Manager or a relevant member of staff, such as the ward manager, nurse or doctor concerned. This is otherwise known as local resolution.

A complaint may be made orally, in writing or by email. In circumstances where the complaint is only minor, such as rudeness by a member of staff, it may be more appropriate to make the complaint in person. Most minor complaints can usually be resolved on the spot by frontline staff without having to call upon more formal measures.

However, if the person to whom the complaint is made cannot deal with it they must obtain guidance from the Complaints Manager. All NHS Trusts and Primary Care Trusts have Complaint Managers who advise people who wish to complain and in some circumstances it may be more appropriate for such people to make a complaint to the Complaints Manager rather than the member of staff concerned.

The NHS Trust must investigate the complaint in a manner appropriate to resolve it 'speedily and efficiently'. During the investigation the Trust keep the person who has made the complaint informed about the progress of the investigation.

The NHS Trust must prepare a written response to the complaint which includes:

- i) an explanation of how the complaint has been considered;
- ii) the conclusions reached in relation to the complaint;
- iii) confirmation of whether any action needed has been taken or is proposed to be taken.

The NHS Trust must send the person making the complaint a response within six months of the complaint being received. If the Trust does not send the response within this period it must notify the person making the complaint and explain the reason for the delay.

There is wide divergence in the way that NHS Trusts actually deal with complaints at the investigative stage. Much seems to depend on whom within the Trust is given the task of dealing with the complaint. Consequently, the speed and quality of complaint resolution will vary from Trust to Trust.

The Coroner's Inquest: A Brief Guide

Stage Two - Health Service Ombudsman

If the person making the complaint is still unhappy with the outcome, they can go to the Health Service Ombudsman, which is independent of the NHS and government. For more information on the Health Service Ombudsman visit: www.ombudsman.org.uk or telephone 0345 0154033.

Free NHS Complaint Advice

Contact our specialist medical negligence claims team at Boyce Hatton for honest, expert advice. Contact us online or call **01803 403403** for a free and confidential consultation.