

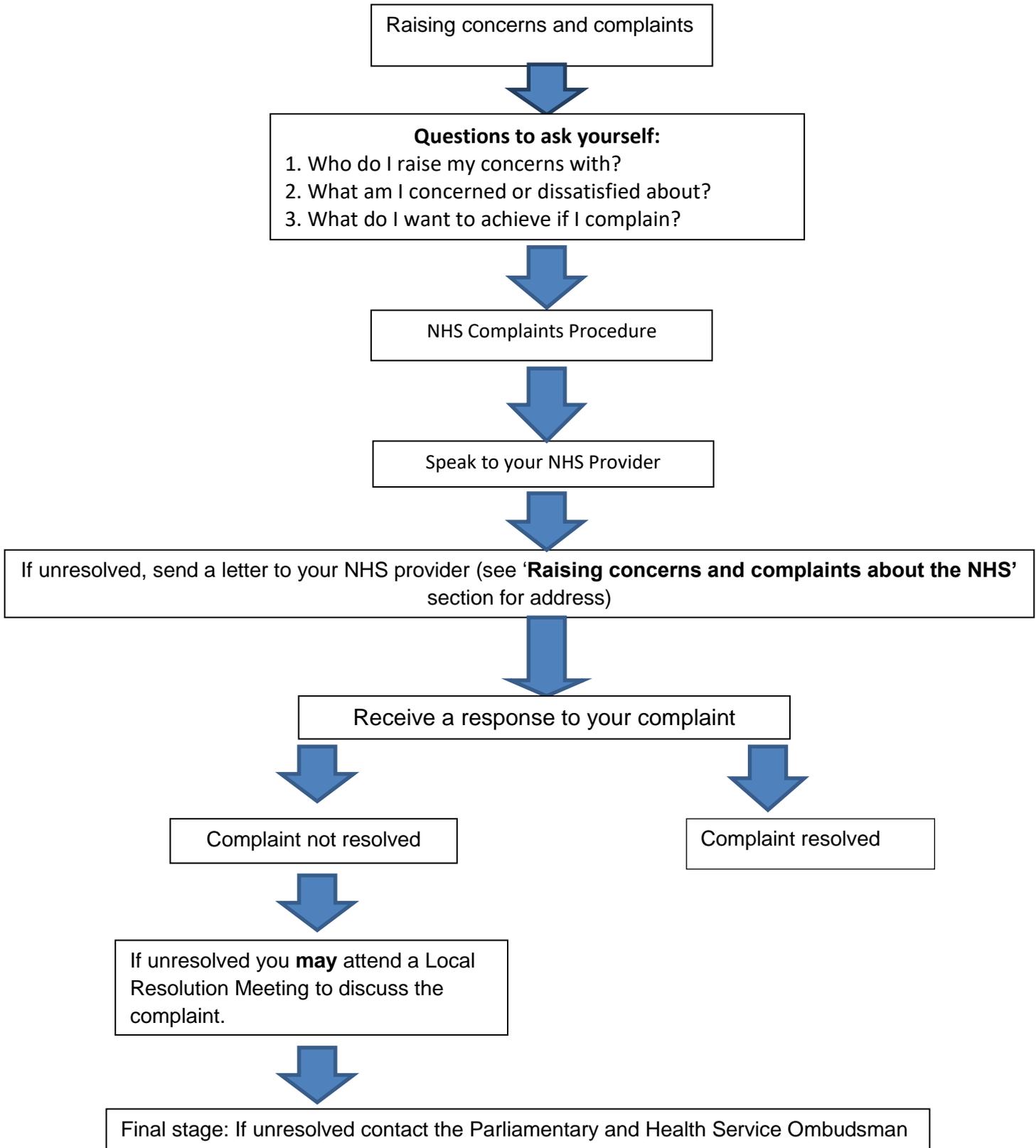
NHS Complaints Advocacy Stockport

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Raising concerns and complaints: a step by step guide



When to use the NHS Complaints process

NHS Complaints Advocacy can only support you if your complaint is about NHS funded healthcare.

We are unable to support you to make a complaint if this does not involve an NHS service. If you require further information about making an alternative complaint your NHS Complaints Advocate can explain this to you and give you information about who is best to contact.

If your complaint involves more than one NHS Service:

Some complaints involve multiple services. Your NHS Complaints Advocate will work with you to help your co-ordinate your complaint.

Private healthcare complaints

- If you have paid for private treatment or used medical insurance you cannot use the NHS Complaints Procedure to make a complaint. The private healthcare service will have its own complaints procedure that you can follow.
- If, however, your treatment was funded by the NHS you can still use the NHS complaints procedure.

Care home and nursing home complaints

- If the care home or nursing home is paid for by the NHS you can make a complaint using the NHS Complaints Procedure.
- If the care home or nursing home is paid for privately you cannot make a complaint using the NHS Complaints Procedure. Most care homes and nursing homes will, however, have their own complaints procedure so you can make a complaint using this.

Financial compensation for clinical negligence

- Financial compensation is **NOT** available through the NHS Complaints Procedure. This is usually possible only through legal action.
- You need to speak to a solicitor who specialises in medical or clinical negligence.
- There are time limits for making a legal claim and it is best to contact a solicitor within **three years** of the incident.

Raising concerns and complaints about the NHS

Step 1 - What are you concerned about?

Before you start, it is important to be clear about what your concerns are with the NHS treatment or care received. 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.

Here are some 'real-life' examples of issues raised:

- An emergency ambulance took over an hour to arrive.
- A patient was given incorrect information about a medical procedure and suffered pain as a result.
- A surgical procedures outcome was not as expected
- A GP refused to do a home visit
- An elderly patient frequently had to wait a long time for routine transport home from hospital appointments.
- A patient felt that a nurse had treated him without respect.
- A patient did not get the support they needed following discharge from hospital because of a lack of communication between the hospital and social care services.

Useful tip: Write down what your concerns are as simply and as clearly as you can so that you can refer back to it later.

If you need help to write down what you want to complain about or would like to talk through the issues with an advocate you can contact NHS Complaints Advocacy Stockport

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.

Step 3 - Who do I raise my concerns with?

There are different ways that you can do this and it helps to think about what you feel comfortable with. You can:

1. 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.

NHS organisations tend to prefer having complaints in writing but if you would rather telephone or go in person, the Complaints Manager should make a written record of your complaint. The issues you raise should be written down and a copy given to you.

2. Follow the NHS complaints procedure (as explained on the front sheet of the pack).

GP Practices, Dentists, Chiropodists, Opticians etc.

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. Your complaint should then be acknowledged in 2 working days of receipt of the complaint and the practice will aim to respond within 10 working days to offer you an explanation or a meeting with the people involved.

OR

You can write to NHS England who is responsible for overseeing these services.

NHS England

NHS Commissioning Board
PO Box 16738
Redditch
B97 9PT

Phone: 0300 311 22 33 (Monday to Friday 8am to 6pm, excluding English Bank Holidays).

Email: england.contactus@nhs.net

Please write 'For the attention of the Complaints Manager' in the subject line.

Website: www.england.nhs.uk

Stepping Hill Hospital and NHS Stockport Foundation Trust

The Patient and Customer Services (PCS) Department at Stepping Hill hospital are available to try and help you with your complaint. They provide information, advice and support to patients, families, friends, partners and carers and can help you get answers to your questions quickly.

If the PCS are unable to resolve your issues and you wish to make your complaint in writing then this will firstly be reviewed by the Head or Deputy Head of Patient & Customer Services and graded according to the complexity and severity of the issues raised. A case officer will be appointed to your case and this person will co-ordinate the investigation. You can write to:

Patient and Customer Services Department

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

For complaints about mental health care in Stockport you should write to:

Pennine Care NHS Foundation (Provides mental health services)

Pennine Care NHS Foundation Trust Headquarters
Complaints Department
225 Old Street
Ashton-under-Lyne
Lancashire
OL6 7SR

Email: complaints.penninecare@nhs.net
Tel: 0161 716 3083

NHS Stockport Clinical Commissioning Group (CCG)

This service provides support regarding the commissioning, strategy and funding decisions of NHS Stockport Clinical Commissioning Group (CCG). Eg. If a person is unhappy that there are not enough IVF cycles funded or that there are no psychiatrists who can diagnose adults with Asperger syndrome.

Any complaints regarding commissioning and funding can be put to:

Complaints Department
NHS Stockport CCG
7th Floor
Regent House
Heaton Lane
Stockport
SK4 1BS

Tel: 0161 426 9900
Email: STOCCG.Customer.Services@nhs.net

For any other NHS services which are not listed above please call the NHS Complaints Advocacy service who will be able to help you.

How to write a letter of complaint

The letter should clearly outline your complaint and should ask for it to be investigated under the NHS Complaints Procedure. If you are writing on behalf of someone else who is a patient, rather than for yourself, you must show that you have the patient's permission.

Helpful tips

Be brief

- Try to keep your complaint to no more than two pages.
- Be careful not to lose your main points in a long letter.
- If the complaint is long and complex attach a log sheet or diary of events with details.

Be clear and straightforward

- Use short sentences.
- Don't be afraid to say what has upset you, but avoid aggressive or accusing language.
- Don't repeat yourself.

Be constructive

- Your complaint is an opportunity to improve things.
- Put your concerns politely, but firmly.
- Explain what you would like to achieve as a result of your complaint for example an apology, an explanation, a service improvement, any other remedy.

Keep copies

- Keep a copy of all letters or emails sent and received, in date order and a note of all telephone calls made.

Send photocopies of documents, not originals

- Keep the original documents in your possession.

What happens next?

You should receive a letter of acknowledgement which is normally within 5 working days, but this will vary with each service.

The NHS should contact you to discuss your complaint and arrange a plan to resolve your concerns with you. This means that they will discuss how best to resolve your concerns and what you hope to achieve from raising them. They should also agree with you a timescale for resolving the issues and keep you informed of progress. The suggested timescales can be influenced by things like how many staff they need to speak to, how easy it is for them to access your medical records and if other NHS organisations are involved in your complaint. If there is a problem in keeping to this timescale they should contact you before it expires to agree an amended timescale.

If your complaint involves a service that is provided in partnership with the NHS, the organisation that received your complaint will approach the other organisations. You may need to include the following paragraph so that each NHS organisation can share information and co-ordinate the investigation.

“I understand in accordance with regulation 9 of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, where the episode of care relates to more than one NHS healthcare professional, there is duty upon the Trust to co-ordinate the complaints handling and ensure a co-ordinated response is provided. Therefore, I ask that you could liaise between yourselves to discuss who shall take the lead on my complaint and I ask that I am provided with a co-ordinated response. I authorise you to contact and exchange information between NHS organisations.”

Between themselves 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.

If you need more advice on writing a letter of complaint, or at any point during the complaint process, please contact NHS Complaints Advocacy Stockport.

Example framework for a first letter of complaint

PRIVATE AND CONFIDENTIAL
Insert your name, address
and telephone number

**The Chief Executive
The Hospital
Stockport**

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

Timeframes

Making an NHS complaint

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

Making a complaint to The Parliamentary and Health Service Ombudsman (PHSO)

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 quite common for NHS complaints to have gone beyond 12 months before being progressed to the Ombudsman. Again, a discretionary decision will be made when the complaint is received and it can be helpful to include a timeline with your complaint if you feel this would help to explain any delays.

Taking legal action

Usually, you have three years to seek legal advice from the time that you started your complaint. However, this can vary depending on which solicitor you speak to, so you are encouraged to ring multiple agencies or firms to gain solid advice on this area.

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 of 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 your 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.