



## **NHS Complaints Procedure**

If you are unhappy with the medical treatment and advice you have received then there are a number of ways in which you can make a complaint. It is best to make your complaint in writing.

### **Private Treatment**

If you received private treatment you should firstly make a complaint to the person you received the treatment from. Private consultants are responsible for your care under their own medical insurance. If the person is working out of a private hospital it is likely that the private hospital will have their own complaints procedure. You should contact the hospital direct and ask for a copy of their complaints procedure and any complaints form they may have.

If you have health insurance then your insurers may be able to assist you with any problems you have had with the treatment that they have paid for. They may also be able to assist you in making a complaint.

### **NHS Treatment and Advice**

If your complaint is about treatment you have received as an NHS patient, either from a hospital or a GP, then you are entitled to make a complaint under the NHS complaints procedure. The NHS body is then obliged to respond to your complaint. In the case of an NHS hospital you should write to the hospital's complaints department. In the case of your GP you should write to the practice manager or the relevant primary care trust (PCT).

### **Patient and Advice Liaison Service (PALS)**

Every NHS trust and PCT has a Patient and Advice Liaison Service (PALS). They are not part of the formal complaints procedure but they are the first port of call for any complaint and will either attempt to resolve your complaint informally or give you more information on the complaints procedure and the Independent Complaints Advocacy Service.

### **Independent Complaints Advocacy Service (ICAS)**

This service helps guide you through the NHS complaints procedure. It is free and confidential and is not connected to the NHS. You can contact your local ICAS office direct, or through NHS managers at hospitals and GP practices; NHS Direct; or PALS.



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ICAS will give you advice on how to make a complaint, draft letters of complaint for you and deal with any responses from the NHS trust. They can also represent you or attend meetings with you, e.g. attending a meeting with the doctor against whom you have made a complaint.

### **What is the Time Limit for Making a Complaint?**

A complaint generally needs to be made within 12 months of the date of the event you wish to complain about or within 12 months of you becoming aware that you have something to complain about. However, there are occasions when the NHS trust will deal with a complaint outside the 12-month period if there is a good reason for it not having been made within the time limit. An example of this would be where your complaint surrounds the death of a relative and, due to bereavement, you have not been able to face up to dealing with the complaint sooner.

### **The Complaints Procedure**

Once you have sent your letter of complaint, you should receive a written response from your GP practice within 10 working days; or from a chief executive of the NHS trust that is responsible for the hospital, within 20 working days. This may not be a full response to your complaint but it will set out what is being done to investigate your complaint and the timeframe for a formal response.

Once you receive a full response to your complaint, if you are happy with it, this is the end of the matter. This is the first stage of the NHS complaints procedure, which is known as local resolution.

If you are unhappy with the response and do not feel you have received a satisfactory explanation, you can then proceed to the second stage of the complaints procedure. You can write back to the NHS Trust so that they make a further attempt to locally resolve your complaint or you can proceed to a referral to the ombudsman.

If you remain unhappy with the response you have received to a complaint made under the NHS complaints procedure, you can refer the matter to the Parliamentary and Health Service Ombudsman. This is a completely independent body. Details on how to contact the ombudsman will be contained in the response to your complaint or at [www.ombudsman.org.uk](http://www.ombudsman.org.uk).



## **NHS Complaints Procedure**

If you need any further information about matters in this information sheet, please do not hesitate to contact us.

### **CONTACT:**

Ally Taft or any member of the team  
**Clinical Negligence**

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