

Do you need independent help making a National Health Service (NHS) complaint?

If you, or someone you know, has concerns or complaints about any aspect of NHS care or treatment, you can speak up. Sharing your experience can help improve services and ensure others receive better care.

This document has been developed to provide you with essential information to help you to raise your concerns or make a complaint.

If you would like additional help, please see the section '*Advocacy Support*' below, which shows what support is available from our Independent NHS Complaints Advocate.

To receive this information in another format (e.g. other language, Easy Read), please contact **Healthwatch Wirral** on telephone number 0151 230 8957 or email info@healthwatchwirral.co.uk.

Before you start the NHS complaints procedure, you may wish to:

- think about whether you wish to complain, raise a concern or it may be an enquiry
- check that your complaint is within any time limits
- think about why you want to make a complaint
- think about what you are unhappy about
- think about what you would like to happen as a result of your complaint.
- check that your complaint can be handled through the NHS complaints procedure

After reviewing the information above, you might find it helpful to jot down a few key points about your issue and what outcome you're hoping to achieve.

Enquiry, concern or complaint

The NHS takes all comments made about its services seriously, whether good or bad. Making a complaint may be complicated and time-consuming. If your concern is about something that could be resolved easily and quickly, i.e. by the following day, you may wish to speak directly to the member of staff involved, their manager, or with a member of a Patient Experience Team.

In most NHS bodies, there is a Patient Experience Team (PET) or a Patient Advice Liaison Service (PALS) whose role is to listen to patients, relatives, carers and friends, try to answer their questions, and help to resolve their concerns in a timely way.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 states that all issues raised as a complaint should be investigated and answered in writing by the NHS.

By making a complaint, you can influence how NHS services and policies could be improved.

It is important that you familiarise yourself with the complaints policy and process for the service you have a concern about.

Time Limits

NHS Complaints Regulations state that a complaint must be made within 12 months of the incident happening or within 12 months of you realising you have something that you would like to complain about. Complaints may be accepted outside of these time limits if the NHS is satisfied that you had good reason for not making the complaint sooner, and if the NHS feels it is still possible to investigate your complaint effectively and fairly.

Frequently Asked Questions:

- **“I just want to leave feedback, good or bad, about my experiences”** – leave feedback on Healthwatch Wirral Feedback Centre.
- **“I’m unhappy but I don’t want to make a complaint”** - contact PET or PALS.
- **“I need to rearrange an NHS healthcare appointment”** – contact the relevant NHS department, or PET or PALS.
- **“The issue needs sorting now”** - contact PET or PALS.
- **“I want a copy of my medical records”**- make a Subject Access Request to the data controller of the relevant NHS body.
- **“I don’t want this to happen to anyone else”** - make a complaint.
- **“Systems in the NHS body/healthcare setting need changing”** - make a complaint.

Making an NHS complaint

Who can complain

The NHS Complaints Regulations state that anyone can complain. This can be about the care and treatment you have received (or are receiving) personally, or about the care provided to a friend or family member, from the NHS or an organisation they commission. A person may also complain to the NHS if they are affected or are likely to be affected by any action, inaction or decision by the NHS or an organisation they commission.

How to make a complaint

- You can complain verbally, either in-person or over the telephone. The NHS Complaints Regulations state that if a complaint is made verbally the NHS body must make a written record of the complaint and provide you with a copy of this.
- You can also complain in writing, i.e., by email, letter, or completing the relevant online form. For information on how to write your complaint, please see the section ‘Writing complaint correspondence’ below.

Writing complaint correspondence

This part of the guide has been prepared to help you if you make a complaint in writing, i.e., by email, letter, or completing a relevant online form, with some tips for putting your correspondence together:

1. Your correspondence should clearly outline your complaint and should ask for it to be investigated under the NHS Complaints Procedure.
2. To ensure clear identification, include your full name, your date of birth and your postal address. You could include your telephone number if you wish, in case the NHS body wants to contact you for any clarification.
3. Keep your correspondence (covering letter) factual and to the point – asking clear questions if you want specific answers, and/or ask for investigation of specific issues or events – in over-long correspondence important issues could become unclear or be overlooked.
4. If issues in your complaint span many months, or if you feel you need to include various details, it can be useful to include a dated timeline or diary of events to accompany, and as an attachment, to your letter.
5. Avoid aggressive language or comments which could be deemed offensive.
6. If you're complaining on behalf of someone else, include their full name, their date of birth and their postal address, and their written consent that they agree you can complain on their behalf. If the person cannot give their consent you should still be able to complain, but ensure you explain why the person cannot complain themselves, for instance, if they have passed away, lack mental capacity, or are a child. The NHS may seek consent from a third party, where applicable.

Who to complain to

Complaints in writing should be addressed to the person in charge of the NHS body concerned. If it is a hospital or mental health NHS Trust, this might be a Complaints Department or Chief Executive Officer. If your complaint is about a GP, Dentist, Optician or Pharmacist, this could be a Senior Partner or Practice Manager.

If you prefer, you can raise your complaint with your local Integrated Care Board (ICB) about other NHS services that are not hospitals (- which may include complaints about a GP Practice, an NHS Dental Practice, a Pharmacy, an Optician, or other Community Health Services e.g. District Nurses, Podiatry or Physiotherapy). An Integrated Care Board (ICB) is an NHS organisation responsible for planning and managing health services for its local population.

If your complaint is about being denied NHS funding for your treatment, you should contact your local ICB.

A non-exhaustive list of local Hospital NHS Trusts and other NHS bodies is included below in the section "Useful NHS contacts and addresses". If you are not sure who to address your complaint to, information can usually be found by telephoning the NHS body concerned or by looking on the relevant NHS website. You could also clarify this with your local Independent NHS Complaints Advocate – for Wirral this service is managed by Healthwatch Wirral – info@healthwatchwirral.co.uk or telephone **0151 230 8957**

Before you send your correspondence:

- Read it again to make sure that everything you want to say is included and clear
- Keep a note/copy of all correspondence you send and you receive
- If you post a letter by Royal Mail, consider using 'Signed For' delivery, so you receive a Royal Mail Certificate of Posting to indicate it has been delivered.

Complaints about more than one NHS body

If your complaint involves more than one NHS body, you can either make separate complaints to the different NHS bodies, or you can send all your complaints in one single correspondence. If you send separate correspondence to each separate NHS body involved, ask them to speak to each other and provide a response together.

If you decide to send all your correspondence to one NHS body, ask them to co-operate with each other to provide a co-ordinated response with the other NHS bodies involved. The one NHS body you contact should speak to the others involved, look into your complaint, and give you a combined reply.

It is important at the outset to state whether you give permission for your complaint to be shared with the other relevant NHS bodies and health professionals.

If you are unsure which option is for you, speak to your local Independent NHS Complaints Advocate who will provide you with more information to help you decide.

What happens after you have sent your complaint to the NHS?

Acknowledgement - The NHS body should contact you to acknowledge receipt of your complaint, either by phone or in writing, usually within three working days of them receiving it. When they contact you they should let you know who will be investigating your complaint, how long it should take, and how they will reply to you (i.e., by email or letter).

Investigation - The NHS body should then carry out an investigation into your concerns. This may involve speaking with relevant staff members and/or accessing the relevant medical records.

Response - Once the NHS investigation is completed, the NHS body should send you a written response including:

- An explanation of how your complaint has been handled
- What conclusions have been reached
- Any appropriate action that has been taken
- Information about Stage 2 of the NHS complaints procedure.

Where appropriate, the NHS may use aspects of your experience to help improve their services.

There are two stages to the NHS complaints procedure: Stage One and Stage Two.

1 STAGE ONE

Local Resolution

The first stage of the NHS complaints procedure, Local Resolution, gives you the occasion to explain what it is you are unhappy about and what you would like to happen. It gives the NHS the opportunity to investigate your concerns.

Preparing an agenda for a Local Resolution Meeting

Most NHS complaints teams will ask for an agenda, or a list of points, which you would like to discuss at any Local Resolution Meeting. An Advocate can help you to draft this.

Benefits to having an agenda/list, if given to the NHS in advance of the LRM:

- It is helpful to keep the meeting focused, especially if your complaint spans a long time, is complicated and/or involves multiple clinicians/departments.
- The NHS complaints team can make sure the right people attend the meeting
- Detailed answers or explanations can be given, and medical records referred to
- It can be helpful for the NHS body, so they have an idea of your outstanding issues.

Without an agenda or some idea of the issues you wish to discuss, please consider that any detailed questions or points you have may not be able to be answered within the time available. Quite some time may have elapsed since the care or treatment was provided and, as immediate memories fade, clinicians may need to consult medical records.

What to expect from a Local Resolution Meeting

As part of the NHS complaints procedure, you may be offered, or can request, a Local Resolution Meeting (LRM) in-person, for answering any questions, or for further discussions or explanations.

Someone from the NHS body will be in charge (i.e., be appointed as 'Chair') of the meeting to ensure that it runs smoothly.

A member of the NHS complaints department may attend a Local Resolution Meeting.

The meeting may be recorded, but only with consent from all people in attendance. You will usually be provided with a copy of the NHS recording.

An Advocate can speak on your behalf at a Local Resolution Meeting but will only discuss issues which have been agreed before the meeting; they will not raise any other points or ask questions of their own. An Advocate can act only on instruction, so there is normally a discussion arranged between you and the Advocate before the Local Resolution Meeting to clarify the Advocate's role.

You may find it helpful to meet with an Advocate before a Local Resolution meeting to go through correspondence you have sent or received. You could look at the answers or explanations you already have, and identify issues that you remain unhappy with.

1 STAGE ONE Local Resolution (continued)

If an Advocate is present during the Local Resolution meeting, they may:

- check with you that you understand the answers given and may then ask the NHS for simpler information, if necessary.
- propose a break is taken during the meeting, if needed.
- stop the meeting and request a short break, or suggest that the meeting is brought to an end, should a client become visibly frustrated, aggressive or verbally abusive.

Local Resolution ends when either you are happy with the response you have received, or when the NHS body feels there is nothing further they can do.

At the end of Stage 1 Local Resolution, if you are still unhappy with the outcome of your complaint or the way in which your complaint has been handled, you can make a submission to the Parliamentary and Health Service Ombudsman (PHSO) – see “2 STAGE TWO” below.

2 STAGE TWO

Parliamentary and Health Service Ombudsman

If, following Stage 1, you are not happy with the way your complaint has been dealt with, you can take your complaint to the PHSO. The PHSO is independent of the NHS and the PHSO’s main role is to review the way your complaint has been handled by the NHS. This is the second and final stage of the NHS complaints procedure.

To take your complaint to the PHSO, you would need to:

- 1) Complete the relevant PHSO complaint form.
- 2) Send the completed form to them, with copies of all correspondence about your complaint.

For more information about the PHSO and how to take your complaint to them, please see the PHSO website, www.ombudsman.org.uk or telephone 0345 015 4033.

Advocacy Support – What Healthwatch Wirral offers

In relation to your complaint, you may want to speak to someone who is independent of the NHS, such as an Independent NHS Complaints Advocate. To support you, an Independent NHS Complaints Advocate can:

1. **Discuss your issues/concerns/complaint in detail** – an Advocate makes all clients aware of the limitations of the NHS complaints procedure and works towards managing your expectations.
2. **Discuss outcomes you can achieve through the NHS complaints procedure** – apology; service improvement; explanation.
3. **Discuss what advocacy support you require** – an Independent NHS Complaints Advocate will provide support suited to your specific needs.
4. **Involve an interpreter and/or translator** – if English is not your first language, an Advocate can request the assistance of an interpreter to discuss your complaint. If required, an Advocate can have your correspondence translated into your preferred language and can request literature in your language.
5. **Draft complaint correspondence for/with you** - from information given by you. An Advocate will work with you to help draft your complaint correspondence.
6. **Provide information on how to access medical records/notes** – an Advocate will provide information on how you can request medical records and may be able to assist you to complete relevant forms. However, they will not request medical records on your behalf.
7. **Provide information on other options** – an Advocate can provide information and outline other options, including providing contact details for other professional regulators and bodies, such as the Information Commissioners Office, The General Medical Council, The Nursing and Midwifery Council and The General Dental Council. An Advocate is unable to assist you in completing any forms related to these other bodies and is unable to provide any onward associated support after you have completed the forms.
8. **Attend Local Resolution Meetings with you** - see '1 STAGE ONE' above.

Please note that an Independent NHS Complaints Advocate CANNOT:

- Say if your complaint is valid or not
- Investigate complaints themselves
- Give medical or legal advice
- Assist with any compensation claims for clinical negligence
- Assist with complaints about private medical care
- Be involved in disciplinary action against an NHS staff member
- Have a practitioner removed from their professional register
- Take notes or minutes in Local Resolution Meetings – an Advocate's primary role in a Local Resolution meeting is to provide support for you. They will not take minutes or record the Local Resolution meeting in any way, but they may mark or tick off the points covered on the agenda/list as a prompt to ensure that your issues are covered and the meeting is as productive as possible.

Example correspondence

[your address]

1 The Avenue,
Anytown, AT1 2AB
Your phone number (optional) Tel: 01234 5678910
Your email address (optional if by post)

[address of who you are sending your complaint to]

The Practice Manager, Mr A. Bbbbb,
The Old Surgery
2 The Street
Anytown, AT1 3CD

[date of correspondence] DD MMM YYYY

Dear Mr Bbbbb,

RE: NHS Complaint - Mrs A Aaaaa, DOB: DD.MM.YYYY

I am complaining about the way I have been treated by Dr J at the Old Surgery. I was seen by Dr J three times, on 26th April, 31st May and 13th December 20YY. He did not examine me or do any tests. I feel that he did not take my symptoms seriously and said my problem was due to stress and that I should take things easy. I was feeling so unwell and found his attitude upsetting as he did not seem to take me seriously. I was worried so I made an appointment to see another doctor in the Practice. I do not know his name but it will be in my medical notes. This other doctor examined me on 8th January 20xx and arranged for tests. These tests showed that I was diabetic. I was prescribed medication and advised about special diets and I am now feeling much better. During the period from April 20YY to January 20YY, however, I suffered with several infections, sleepless nights and I felt very distressed. I have already tried to raise my concerns with Dr J but he would not listen.

I would now like the following points addressed in response to this complaint:

1. Has my medical condition been made worse as a result of my diabetes not being detected and diagnosed by Dr Jones on previous appointments?
2. Why did Dr J not order any tests?

Along with answers to my questions, I would now like:

- An explanation why Dr J did not listen to me, examine me or arrange tests
- An apology from the Practice for the unnecessary stress and poor health I suffered because of Dr J's inadequate care
- To know what arrangements the Practice has for reviewing the listening skills of the doctors.

I have had very good care from the practice in the past, in particular from Dr A until he retired. I was then moved to Dr J. I would like to regain confidence in the care provided by the practice. I would like you to carry out a full investigation into my concerns in accordance with the NHS Complaints Regulations.

Yours sincerely,

Mrs A Aaaaa.

Useful NHS contacts and addresses

Alder Hey Children's NHS Foundation Trust — PALS or Complaints Team

Alder Hey Children's Hospital, Eaton Road, West Derby, Liverpool, L12 2AP

Telephone: 0151 252 5161

Email: complaints@alderhey.nhs.uk

Cheshire and Wirral Partnership NHS Foundation Trust — Patient Advice & Complaints Service

PACS - FREEPOST RRBA UEGB AZJA

Redesmere, Countess of Chester Health Park, Liverpool Road, Chester, CH2 1BQ

Telephone: 0800 195 4462

Email: cwp.pacs@nhs.net

Clatterbridge Cancer Centre NHS Foundation Trust — PALS Team (Aintree, Liverpool and Wirral)

Clatterbridge Road, Bebington Wirral, CH63 4JY

Telephone: 0151 556 5203

Email: ccf-tr.pals@nhs.net

Countess of Chester Hospital NHS Foundation Trust — PALS Team

The Countess of Chester Health Park, Liverpool Road, Chester, CH2 1UL

Telephone: 01244 366 066

Email: cochpals@nhs.net

Liverpool Heart and Chest Hospital NHS Foundation Trust — Patient and Family Support Team

Thomas Drive, Broadgreen, Liverpool, L14 3PE

Telephone: 0151 600 1639, or 0151 600 1517, or 0151 600 1038

Email: PFSTeam@lhch.nhs.uk

Liverpool University Hospitals NHS Foundation Trust (for Aintree University Hospital, Broadgreen Hospital, Liverpool University Dental Hospital, and Royal Liverpool University Hospital) — Patient Advice and Complaints Team (PACT)

Telephone: 0151 706 2380

Email: PACT@liverpoolft.nhs.uk

Liverpool University Hospitals NHS Foundation Trust (for Liverpool Women's Hospital PALS)

Crown Street, Liverpool, L8 7SS

Telephone: 0151 702 4353

Email: PALS@lwh.nhs.uk

Mersey and West Lancashire Teaching Hospitals NHS Trust (for St Helens, Whiston and Newton Hospitals' Complaints Team)

Whiston Hospital, Lower Ground Floor, Nightingale House, Warrington Road, Prescot, L35 5DR

Telephone: 0151 430 1427 or 0151 430 1167

Email: complaintsteamDL@MerseyWestLancs.nhs.uk

North West Ambulance Service NHS Trust — PALS and Resolution Team

Ladybridge Hall HQ, Chorley New Road, Bolton, BL1 5DD

Telephone: 0345 112 0999 (general enquiries line)

Email: PALS@nwas.nhs.uk

The Walton Centre NHS Foundation Trust — Patient and Family Experience Team

Lower Lane, Fazakerley, Liverpool, L9 7LJ

Telephone: 0151 556 3091, or 0151 556 3090, or 0151 556 3093

Email: wcft.patientexperienceteam@nhs.net

Wirral Community Health and Care NHS Foundation Trust — Patient Experience Service

St Catherine's Health Centre, Derby Road, Birkenhead, Wirral, CH42 0LQ

Telephone: 0800 694 5530

Email: wcnt.yourexp@nhs.net

NHS Cheshire and Merseyside (ICB) — Patient Advice Complaints Team

No 1 Lakeside, 920 Centre Park Square, Warrington, WA1 1QY.

Telephone: 0800 132 996

Email: enquiries@cheshireandmerseyside.nhs.uk

Wirral University Teaching Hospital NHS Foundation Trust — (WUTH) PALS Team

For Arrowe Park Hospital (and WUTH services at Clatterbridge Health Site): Patient Experience Team, Clatterbridge Hospital, Birch House, Clatterbridge Road, Bebington, Wirral, CH63 4JY.

Telephone: 0800 432 0251

Email: wuth.patientexperience@nhs.net

Other Useful Agencies

Whilst making your complaint, you might find you want to pursue other possibilities or outcomes which lie outside of the NHS complaints procedure, such as requesting disciplinary action. This short guidance indicates some of the agencies you could approach and gives you a brief outline of their roles. Contacting these organisations, or making a submission to them, is outside the remit of an Independent NHS Complaints Advocate. For more information on this see the section 'Advocacy Support'.

General Medical Council – GMC

The GMC works with doctors, physician associates, anaesthesia associates, those they care for, and with other stakeholders, to support good, safe patient care. If you raise your concerns with the GMC about these professions' behaviour, health or performance, they can investigate to determine whether patient safety, or the public's confidence in those they regulate, is at risk and in serious instances the GMC can take action to stop these professions from practising or restrict their practice by agreeing on undertakings, or by referring them to the [Medical Practitioners Tribunal Service \(MPTS\)](#).

Regent's Place, 350 Euston Road, London, NW1 3JN
 Telephone: 0161 923 6602
 Email: gmc@gmc-uk.org

Nursing and Midwifery Council – NMC

The [NMC](#) is the independent regulator for nurses and midwives in the UK, and nursing associates in England. If you raise a concern with the NMC about the skills or conduct of a nurse, midwife, or nursing associate, they will assess whether the professional poses a risk to the public. Outcomes may include sanctions or removal from the register, preventing them from working in their role.

Telephone: 020 3307 6802

Health and Care Professions Council – HCPC

The [HCPC](#) is a regulatory body set up to monitor and ensure a high standard of practice for [15 specific professions within health care staff](#) (arts therapists, biomedical scientists, chiropodists/podiatrists, clinical scientists, dietitians, hearing aid dispensers, occupational therapists, operating department, practitioners, orthoptists, paramedics, physiotherapists, practitioner psychologists, prosthetists/orthotists, radiographers, speech and language therapists). You can raise your concerns about these specific professionals with the HCPC, who may take action, up to stopping a health professional from practising if their fitness to practise is found to be impaired.

Park House, 184–186 Kennington Park Road, London, SE11 4BU
 Telephone: 0300 500 6184
 Email: feedback@hcpc-uk.org

Other Useful Agencies (continued)

General Dental Council – GDC

The GDC regulates dental professionals in the UK, including dentists, dental technicians, dental hygienists, dental nurses and orthodontists, maintaining standards for the benefits of patients. If you have been harmed by a dental professional or if you think they might be posing a risk to you or others, you should report your concerns to the GDC as a public protection issue, whose role as a regulator is to protect the public. The GDC investigates serious concerns about the clinical practice, behaviour or health of dental professionals. They cannot resolve complaints or help with refunds; GMC investigations are about assessing dental professionals' fitness to practise dentistry and they will take action to protect the public when necessary, such as suspension of, or placing conditions on, a dental professional's registration.

37 Wimpole Street, London, W1G 8DQ
Telephone: 020 7167 6000

General Optical Council - GOC

The GOC regulates UK optical professionals and businesses, including optometrists, dispensing opticians, students, and registered practices. Its role is to protect the public by ensuring high standards in eye care. You can raise concerns with the GOC if you believe a registrant is unfit to practise, train, or operate a registered business. The GOC may refer concerns to their Fitness to Practise Committee who can impose orders, such as practice restrictions or suspension.

Floor 29, One Canada Square, Canary Wharf, London, E14 5AA
Telephone: 020 7580 3898
Email: ftp@optical.org

Action Against Medical Accidents - AvMA

AvMA is a charitable organisation dedicated to supporting patients by providing clear, reliable information about their rights, including clinical negligence and compensation claims. They offer:
A free and confidential helpline for guidance and support
Access to a directory of specialist medical negligence solicitors
Impartial advice on Coroner processes and inquests.

Telephone: 0345 123 2352

Other Useful Agencies (continued)

Local Government & Social Care Ombudsman – LGO

The LGO can investigate, in a fair and independent way, complaints about councils, all adult social care providers (including care homes and home care agencies) and some other public service organisations, once the complaint has gone through other organisation's due processes. If the LGO decides you suffered injustice because of an organisation's faults, they will recommend how the organisation should put things right for you. The LGO can also ask the organisation to change how it works to stop the same thing happening in future.

PO Box 4771, Coventry, CV4 0EH
Telephone: 0300 061 0614

Information Commissioner's Office – ICO

You can contact the ICO for information about the Freedom of Information Act and how to access your personal information.

Information Access Team, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113.

Glossary

Advocate — an individual who helps an individual with issues they may be facing

AvMA — Action against Medical Accidents

Clinicians — a term describing clinical (medically trained) staff

Complaints Team — a multi-disciplinary team that make up a panel in a local resolution meeting during the NHS complaint process

Data Protection Act — the Data Protection Act, an act of Parliament designed to protect personal data.

GDC — General Dental Council

GMC — General Medical Council

GOC — General Optical Council

GP — General Practitioner, a doctor who provides community primary care for a wide range of health issues

HCPC — Health and Care Professionals Council

HWICA — Healthwatch Independent Complaints Advocate

ICB — Integrated Care Board.

LGO — Local Government Ombudsman

LRM — Local Resolution Meeting

MPTS — Medical Practitioners Tribunal Service

NHS — National Health Service

NMC — Nursing and Midwifery Council

NWAS — North West Ambulance Service (NHS Trust)

PACS — Patient Advice & Complaints Service

PALS — Patient Advice and Liaison Team

PET — Patient Experience Team

PHSO — Parliamentary and Health Service Ombudsman

WUTH — Wirral University Teaching Hospital NHS Foundation Trust

WUTHFT — Wirral University Teaching Hospital NHS Foundation Trust.



Healthwatch Wirral

Telephone: **0151 230 8957**

Email: **info@healthwatchwirral.co.uk**

Address: Liscard Business Centre, The Old School
188 Liscard Road, Wallasey, Wirral, CH44 5TN
