

IMPROVING HEALTH IN WALES



# Complaints in the NHS

A Guide to handling  
complaints in Wales

April 2003



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

## Making suggestions and complaints

Do you have suggestions about how we can provide a better service? Your suggestions, compliments or complaints will help us to improve the services we offer.

People working in the NHS in Wales want to give you a good service. But sometimes things do go wrong and you may want to complain or you may just want to tell us about your concerns or suggest improvements.

The sooner you mention what is troubling you, the higher the chances of getting something done for you or your family.

All NHS organisations have a complaints procedure. This leaflet tells you what to do if you have a complaint or concern. The NHS complaints procedure does not deal with complaints about private treatment, local authority social services or where you have started legal action.

## Who do I talk to first?

First talk to the staff who provided you with the service that you are concerned about. If you are not sure who to speak to, ask the receptionist or the person in charge who you should talk to first. Often they will be able to deal with the problem straight away. If you do not want to do this, you can contact the complaints manager in the NHS Trust (if your complaint is about hospital or community services) or the Local Health Board (if your complaint is about general practitioners or dentists, pharmacists or opticians). NHS Direct Wales can give you contact details.

If you prefer you can put your comment or complaint in a letter.

## Who can complain?

You can make a complaint, if you have used NHS services or facilities. If you are unable to make your complaint yourself, then someone else, such as a relative or friend, can complain for you. You will need to give your written consent. Where a patient is unable to give written consent, you may need to show that you are their next of kin or have their agreement. You can also complain about care given to a patient who has died.

## Can I make a complaint at any time?

It is important to make your complaint as soon as possible after the problem arises. Usually the NHS will only investigate complaints that are either:

- Made within six months of the event; or
- Made within six months of you realising that you have something to complain about as long as that is not more than 12 months after the event itself.

If there are good reasons why you could not complain sooner, it may still be possible to investigate your complaint.

## How do I write a complaint?

A complaint letter need not be long or detailed, but it should include:

- Who or what you are complaining about, including the names of staff if you know them;
- Where and when the events of the complaint happened. If you are complaining about several matters, make it clear which are the most important ones;
- What, if anything, you have already done about the issues;
- What you would like from the complaint, (for example, an apology or an explanation, or changes to services).

## Can I get help in making a complaint?

If you want advice, there are people to give you help with what can be a complicated system. You can ask for advice and support from your local Community Health Council who provide a free independent advice and advocacy service. The Board of Welsh Community Health Councils can give you contact details.

If you need an interpreter, ask the person dealing with your complaint to provide this if a meeting is arranged or you need a letter translated.

## What happens when I make a complaint?

When you make a complaint, you should receive a letter acknowledging your complaint within two working days. The person dealing with your complaint will then investigate it to find out what happened. This may mean talking to staff who have been involved in your care and looking at parts of your health records. If you object to staff looking at your records, make sure the people dealing with your complaint know this.

If you would like to talk through your complaint with those concerned, ask for a meeting. You can also ask to see your health records. Sometimes an independent lay person may offer to discuss the problem with you and the staff concerned to see ways of resolving the complaint.

Your complaint will be dealt with in confidence and will only be discussed with those who need to know. You or your family will not be penalised and your health care will not be affected by making a complaint.

You will receive a written reply within 20 working days of making your complaint.

## What if I am still dissatisfied?

If you remain dissatisfied, you can ask for an independent review of your complaint. Write to the Independent Review Secretariat telling them why you are dissatisfied. You must ask for an independent review within 28 days of the final letter you receive about your complaint.

An independent lay person, called a reviewer, will review your complaint with advice from another lay person and a clinical adviser where necessary. When they look at your complaint they will consider whether there is anything more that can be done locally or whether to hold an independent panel to investigate your complaint.

An independent panel may be set up to investigate your complaint if they consider that a further investigation is likely to find out more information about what happened or because your complaint has not been adequately investigated locally. The panel is made up of three independent lay people. Independent clinical assessors will advise the panel, but are not members of the panel. A separate leaflet explaining this will be sent to you.

You will be informed of the reviewer's decision in writing. If you are not satisfied, you can complain to the Health Service Ombudsman.

## Contacts

NHS Direct Wales

Tel: 0845 46 47 (An interpreter service is available in languages other than English and Welsh)

Website: **[www.nhsdirect.wales.nhs.uk](http://www.nhsdirect.wales.nhs.uk)**

Directory of local NHS services in Wales

Website: **[www.wales.nhs.uk](http://www.wales.nhs.uk)**

Board of Welsh Community Health Councils

Tel: 029 2023 5558

Website: **[www.patienthelp.wales.nhs.uk](http://www.patienthelp.wales.nhs.uk)**

Independent Review Secretariat

### **Mid and West Wales**

P O Box 2

Brecon

Powys LD3 0XR

Tel: 01874 712748

Fax: 01874 712756

## **South Wales**

P O Box 21

Cardiff CF10 2ZR

Tel: 029 2040 2262

Fax: 029 2040 2398

## **North Wales**

P O Box 125

Mold CH7 1WH

Tel: 01352 700227

Fax: 01352 754649

Health Service Ombudsman

Tel: 0845 601 0987

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