



Independent Health Complaints Advocacy Service Self-help Pack

The Independent Health Complaints Advocacy Service (IHCAS) is for residents of Brighton and Hove who need support and advice to make a complaint about care or treatment provided by the NHS.

- We are independent of the NHS and are funded by Brighton and Hove City Council.
- Our trained Health Complaints Advocates can provide you with the information and support you may need to help you to make your complaint.



PLEASE NOTE

- **IHCAS can only support you if you if your complaint is about NHS funded services.**
- **You need to be a resident in Brighton and Hove to use the Brighton and Hove IHCAS service.**

The NHS works very hard to treat everyone well and to a high standard of care, but occasionally things can go wrong.

If you are unhappy with the service you or others have received from a hospital, doctor, dentist, practice surgery, mental health services or any other NHS service, you can raise your concerns about it.

By raising your concerns, you can help to put things right and the NHS can learn from your experience.

What if I want to raise concerns on behalf of someone else?

- You can make a complaint on behalf of a child, an elderly relative, a friend, or on behalf of someone you care for.
- You will need written permission from another adult unless they are very ill, or do not have the capacity to give their consent because of an impairment or a disability. However, the NHS organisation will need to confirm the patient's lack of capacity before accepting the complaint. If they do not accept the complaint they must inform you in writing and tell you why.
- If your friend or relative has died you can still raise a complaint, even without written permission. The NHS organisation may, in some cases, decide not to accept you as a suitable representative and will discuss this with you.

How to raise concerns about health services

Before you raise your concern:

1. Decide what you are unhappy about

This can be any aspect of the NHS care and services that you or someone close to you, have received.

2. Think about what you want to achieve

Try and be specific and realistic about what you want to achieve by making your complaint. Once you are clear on what you are unhappy about, consider the best course of action for you to raise your concerns, as there are different ways that you can make a complaint.

Who do I raise a concern with?

Speak directly to a member of staff

- Many complaints are caused by misunderstandings or miscommunication that could be resolved quickly once you explain the problem.
- You can speak to a member of staff who is directly involved in your treatment or their manager about what you are unhappy about.
- This is often the quickest way to put things right and stop them getting worse.

Speak to Patient Advice and Liaison Service (PALS)

- If you feel uncomfortable directly contacting NHS staff yourself or you have tried and it has not resolved your concerns, then PALS may be able to help you.
- PALS provide information, advice and support to patients, families, and their carers and can help you get answers to your questions quickly.

PALS: Royal Sussex County Hospital

pals@bsuh.nhs.uk

Telephone - 01273 664683

PALS: Princess Royal Hospital

Telephone - 01444 448678

(10am – 4pm Monday to Friday)

Follow the NHS Complaints Procedure to make a formal complaint

This may be the best route to follow if:

- You have raised your concerns but they have not been resolved
- What happened raises serious questions about standards of care
- You wish to raise complex issues which require investigation

NHS services will have details of how to contact them about complaints on their websites.

When raising a concern with the NHS you can expect:

- To be treated with respect and courtesy
- To be offered support to help you raise your concerns, which could include support from IHCAS
- A speedy solution to be offered where possible
- An explanation of what happened
- An apology, if appropriate
- Changes to be made, so that the same thing will not happen again

Are there time limits for making a complaint?

Yes there are time limits. Ideally, you should **make your complaint within twelve months of the incident happening** or within twelve months of you realising that you have something to complain about.

But there are exceptions, which your local NHS service or/and IHCAS team can explain to you.

It is important to raise everything that you are unhappy about, as new issues cannot be later introduced as part of the same complaint

How do I complain?

You can explain what happened to you:

- In person
- On the telephone
- By email or
- In a letter



NHS organisations tend to prefer having complaints in writing but if you would rather telephone or speak to someone in person, the Complaints Manager will make a written record of your complaint.

If you send a written complaint, always keep a copy of your letter to refer to later.

For complaints about your GP, dentist, optician, pharmacist, health centre or other independent NHS contractor, you can complain directly to the NHS organisation by contacting the person in charge of complaints. In most GP or dental practices this will be the Practice Manager.

If you do not feel comfortable in making a complaint directly to your NHS service, you can complain directly to NHS England.

By post

NHS England
PO Box 16738
Redditch
B97 9PT

By email

england.contactus@nhs.net
With 'For the attention of the
Complaints Manager' in the
subject line

By telephone

0300 311 22 33
(Monday to Friday -
8am to 6pm, excluding
Bank Holidays)

If you are not clear where to send your complaint, ask for advice from PALS or the Complaints Department in larger organisations such as hospitals.

If your complaint concerns more than one NHS organisation, you only need to send a letter to one of the organisations. They will contact the other organisation(s) involved and jointly respond to your complaint.

What will happen next?

You should receive an acknowledgment of your complaint either verbally or in writing within five working days of making your complaint. Sometimes it may be possible to resolve your concerns immediately, but if this does not happen - the services that you have complained about will contact you to discuss your complaint and arrange a plan to resolve your concerns and agree with you a timescale for resolving the issues and how they will keep you informed of progress.

It may be helpful to keep a record of any telephone calls you make and letters you write or receive about your complaint; including any dates for appointments or meetings

Resolution Meeting

You may be offered a **resolution meeting** to discuss your complaint and speak to staff directly about what has happened

- Before the meeting, you should receive a letter about your complaint, responding to all the issues that you have raised.
- You can take a friend, relative and/or an IHCAS advocate with you to any meetings you may have.
- It is helpful to prepare a list of questions you want to ask at your meeting and bring this with you.
- Try to keep these questions clear and concise. It is also helpful to take any relevant paperwork to the meeting.

After the Investigation

Once the investigation is finished and any resolution meetings have been held, you should receive a letter containing:

- A summary of your complaint.
- What the investigation found and any actions that are going to be taken as a result.
- What to do, if you are still unhappy with the answers given.

Depending on the investigation, the letter may contain:

- An apology and what actions will be taken and when, as result of your complaint and who is responsible for making this happen.
- What steps have been taken to prevent the same thing happening to other people.

If you haven't received this letter within the timescale agreed, you may want to telephone or write to check when you can expect to receive it.

What if I'm not happy at the end of Local Resolution?

If you are not satisfied with the response you have received, you need to consider exactly what it is that you are still unhappy about, so you can decide what to do next. It may help to review:

- The letters
- Any meetings
- Whether parts of your complaint have yet to be answered
- Whether you feel evidence you gave was not properly considered
- Whether you have achieved the outcome you wanted.

Next options

- You could write another letter explaining what you think has not been covered
- You could call the person handling your complaint and explain why you are still unhappy
- You could request a meeting to discuss your outstanding concerns

Further investigations into your complaint may be carried out. Again, the NHS service should discuss this with you and agree a plan of action for doing so, including timescales.



Alternatively, the NHS service you are complaining about may feel that everything has been done to answer your complaint, and if so, they will advise you of that in writing. This is the end of Local Resolution.

The Parliamentary and Health Service Ombudsman (PHSO)

If you are dissatisfied with the outcome from Local Resolution and the way your complaint has been dealt with by the NHS, you have the right to take your complaint to the Parliamentary and Health Service Ombudsman (PHSO)

- The Ombudsman is independent of the NHS and of government
- The Ombudsman's services are confidential and free
- You should submit a complaint no later than one year from the date of the events you are complaining about
- The Ombudsman can extend this time limit, for example, if the Local Resolution process took longer than a year
- The Ombudsman will look at every complaint that comes to them and will then decide if they will investigate your complaint
- They will not investigate your case unless you have already tried to resolve the problem
- The Ombudsman can refer you back to the Local Resolution stage of the NHS Complaints Procedure if they think you have come to the Ombudsman too soon, or if they feel that the NHS services involved has not done all it can to resolve your issues locally

The Ombudsman will not usually investigate a complaint where:

- You do not agree with a decision made by your NHS provider but cannot offer any evidence as to why their decision is wrong or unsatisfactory
- They decide that there is no evidence to suggest that the NHS provider acted wrongly
- They decide that the NHS or practitioner has done all that they reasonably could do to put things right
- They decide that there would not be a worthwhile outcome from an investigation

If you take your complaint to the Ombudsman there are three main outcomes:

1. The Ombudsman may decide not to investigate the case and take no further action
2. The Ombudsman may decide not to investigate the case but may ask the NHS provider or practitioner to take action without the need for an Ombudsman investigation; this is called an 'intervention'
3. The Ombudsman may decide to carry out an in-depth investigation resulting in a detailed report about the case. If the Ombudsman upholds your complaint they can make recommendations to the NHS provider or practitioner to put things right

The Ombudsman's decision about your complaint is final

- This includes their decision whether or not to investigate your complaint and their decision whether or not to uphold your complaint following an investigation

[How IHCAS can help you](#)

IHCAS can help you to make a formal complaint about NHS care or treatment.

IHCAS is:

- **Free** – there is no charge for this service
- **Independent** – we are not funded by the NHS
- **Confidential** – the information you give us will not be shared with anyone else without your permission *(unless you or others may be at risk of harm)

Support from an Independent Health Complaints Advocate

Your Health Complaints Advocate will:

- Listen to your experience and help you to decide if you would like to make a formal complaint.
- Give you information about the different ways you can make a complaint about NHS services.

Your Health Complaints Advocate can:

- Help you to think about your options available to you at every stage of the complaints procedure
- Help you with writing letters or write a letter on your behalf
- Explain what to expect at resolution meetings and accompany you to resolution meetings
- Contact and speak to people within the health services on your behalf
- Help you to think about whether you are happy with the responses you receive

Your Independent Health Advocacy Service (IHCAS) is here to support you

We hope that this pack has been useful for you and given you enough information, if you would like to manage your complaint yourself.

However, if you are confused by anything or don't feel confident to follow the complaints process, we are here to help you.

Please contact the Brighton and Hove Independent Health Complaints Advocacy Team

Telephone – 01273 229002

Email us on info@bh-icas.org

www.bh-impetus.org

Healthwatch Brighton and Hove

Healthwatch Brighton and Hove is your local health watchdog to help you to get the best out of your health and social care services and give you a voice so you can influence and challenge how health and care services are provided locally.

Email help@healthwatchbrightonandhove.co.uk

Or telephone 01273 23 40 40