**Introduction**

The National Health Service (NHS) provides care and treatment in a range of settings and services. Many people who use an NHS service are happy with their care and treatment however, there may be times where this is not the case.

If you're not happy with the care or treatment you've received for example from a hospital, doctor or local surgery or you've been refused treatment for a condition, you have the right to complain, have your complaint investigated, and be given a full and prompt reply.

The NHS Constitution explains your rights when it comes to making a complaint. You have the right to

* Have your complaint dealt with efficiently and properly investigated,
* Know the outcome of any investigation into your complaint,
* Take your complaint to the independent Parliamentary and Health Service Ombudsman (PHSO) if you're not satisfied with the way the NHS has dealt with your complaint.

It’s important if you’re not happy with any aspect of your care and treatment that you raise your concerns or make a complaint. This will enable services to learn from your experiences.

**How Can We Help?**

Mind in Salford provides free, independent and confidential NHS Complaints Advocacy that can support you to raise your concerns or make a complaint. As our service is independent of the NHS you can speak in confidence to an advocate.

Information on the complaints process is on our website [www.mindinsalford.org.uk](http://www.mindinsalford.org.uk).

An advocate can help you in the following ways:

* Provide information on the complaints process
* Help you think about what you would like to achieve which may be an apology, explanation or information on how your experience can improve NHS services.
* Help you to write a complaint letter
* Support you at local resolution meetings
* Speak to third parties with your consent
* Giving you the opportunity to speak confidentially to someone who is Independent of the NHS

Advocates work under instruction which means we listen to what you want.

**When should I complain?**

You should complain as soon as possible. Complaints should normally be made within **12 months** of the date of the event that you're complaining about, or as soon as the matter first came to your attention.

The time limit can sometimes be extended (so long as it's still possible to investigate the complaint). An extension might be possible, such as in situations where it would have been difficult for you to complain earlier for e.g. you were too ill.

**Where Do I Start?**

Before starting the complaints process it is important to be clear about what aspect of the service you have received you are unhappy with. This may include:

* Care and treatment
* Attitude of staff
* Waiting times
* Poor communication

For example:

* You may not have been given the correct information to make an informed decision
* Staff may not have treated you with respect
* Delays in receiving treatment

The NHS Complaints Procedure cannot be used in the following:

* Financial compensation for clinical negligence
* To take disciplinary action against a member of NHS staff
* Private healthcare complaints unless your treatment was funded by the NHS
* If your care home or nursing home is paid for privately

**Who can complain?**

You can complain about any NHS service you have received that you have been unhappy with. Usually you should make the complaint yourself; however, someone else can make a complaint on your behalf provided you have given them your written permission. If someone is ill or does not have capacity you do not need their written permission to raise a concern or make a complaint.

You can still make a complaint if the person the complaint relates to has died.

If you are under 18 you can complain independently. If for any reason you need help to complain you can ask someone else to make your complaint with your permission.

**Who should I complain to?**

You can complain to either the Provider or the Commissioner of the health service you are unhappy about.

* The provider is the organisation that provides the service to you, for instance a GP, dentist, pharmacist or a hospital.
* NHS England is the commissioner or purchaser of Primary Care i.e. GPs, dentists, opticians, pharmacy and some specialised services.
* Clinical Commissioning Groups commission hospital services, mental health services, out of hours services and 111 services amongst others.

You can raise a concern or make a complaint by:

* Speaking directly to a member of staff involved in your care and treatment
* Contacting the Patient and Liaison Service (PALS)
* Make a complaint using the NHS Complaints Procedure
* Contacting NHS England.

**NHS Complaints Procedure**

Since April 2009, the NHS complaints process has had two stages.

**Stage 1: Local Resolution**

Local Resolution is important because it gives you an opportunity to explain what you are unhappy about and what you would like to happen. This may be an explanation of what when wrong, an apology or improvements to current practices and procedures. The aim of the NHS Complaints Procedure is to resolve issues at a local level where possible and many complaints are resolved at this stage.

**Stage 2: The Health Service Ombudsman**

If after progressing through stage 1 of the complaints procedure you are still unhappy with how your complaint has been dealt with you can refer the matter to the Parliamentary and Health Service Ombudsman (PHSO), which is independent of the NHS and government. If you would like more information about the Health Service Ombudsman you can visit their website: [www.ombudsman.org.uk](http://www.ombudsman.org.uk) or by telephone on 0345 015 4033.

**Who can help?**

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

Officers from the Patient Advice and Liaison Service (PALS) are available in all hospitals. They offer confidential advice, support and information on health-related matters to patients, their families and their carers. They can help you to sort out any concerns you may have about the care and services hospitals provide.

You can contact PALS on 0161 212 4960 or email [SALCCG.PatientServices@nhs.net](mailto:SALCCG.PatientServices@nhs.net)

**NHS Complaints Advocacy Service**

From April 1 2013, local authorities have a statutory duty to commission independent advocacy services to provide support for people making, or thinking of making, a complaint about their NHS care or treatment. If you are resident in Salford this will be Mind in Salford who you can contact on **0161 212 4880** or visit our website [www.mindinsalford.org.uk](http://www.mindinsalford.org.uk).

**NHS England**

From April 2013, NHS England has taken on many of the functions of the former primary care trusts (PCTs) with regard to the commissioning of primary care health services, as well as some nationally-based functions previously undertaken by the Department of Health. NHS England have area teams and for Lancashire and Greater Manchester area contact on **0161 742 6250** or visit the NHS England website: [www.england.nhs.uk](http://www.england.nhs.uk)

**Citizens Advice Bureau**

Your local Citizens Advice Bureau can give you advice and support if you want to complain about the NHS, social services or local authorities. For further information on Salford CAB’s opening times visit their website, [www.salfordcab.org.uk](http://www.salfordcab.org.uk)

Adviceline: **0844 826 9695** - Lines open: 10:00 am - 2.00 pm Monday – Thursday. 10:00 am – 2:00 pm Saturday.

**NHS Salford Clinical Commissioning Group (CCG)**

NHS Salford CCG is the statutory body responsible for commissioning (buying) healthcare services for patients across Salford.

Led by a number of local GPs and other health professionals, NHS Salford CCG is responsible for the planning and buying of the vast majority of health services across the area. This includes hospital care, mental health and community services.

For more information on NHS Salford CCG’s values and mission or to get involved in shaping local NHS services visit their website <http://www.salfordccg.nhs.uk/>.

You can also contact them on: Telephone: **0161 212 4800** or Email: [salccg.involve@nhs.net](mailto:salccg.involve@nhs.net).

**Healthwatch Salford**

Healthwatch Salford is the independent consumer champion for health and social care in Salford. Healthwatch Salford will:

* Promote and support the involvement of local people with the planning and delivery of health and social care.
* Listen to you, gathering your views, needs and experiences with health and social care services.
* Report your views, needs and experiences to the people who plan and provide health and social care services.
* Assist local people to check that health and social care services are providing quality care.

Healthwatch Salford use evidence based on real experiences to highlight local issues and trends and raise these at the highest level.

Contact the Healthwatch Salford Team on **0330 355 0300** or visit their website, [www.healthwatchsalford.co.uk](http://www.healthwatchsalford.co.uk)

**Action Against Medical Accidents (AVMA)**

AVMA is a specialist medico-legal advice service which is free and confidential. The service provides information and advice to people who have experienced some form of medical or clinical negligence.

Contact AVMA on **0845 123 2352** (Open Monday to Friday 10am-5pm)or visit their website at [www.avma.org.uk](http://www.avma.org.uk) which has a range of useful information sheets for further information on your rights and about making a complaint.

**Further Information**

If you need help or support to write a complaint letter please see our “Writing a Complaint Letter” information guide.

If you need further information on how to access your medical records please see our ‘Accessing your medical records’ information guide.