



# Raising Concerns about NHS Services

Self-Help Information Pack (SHIP): A  
step-by-step guide to navigating the  
NHS complaints process

How do you raise concerns?

What should you expect from the process?

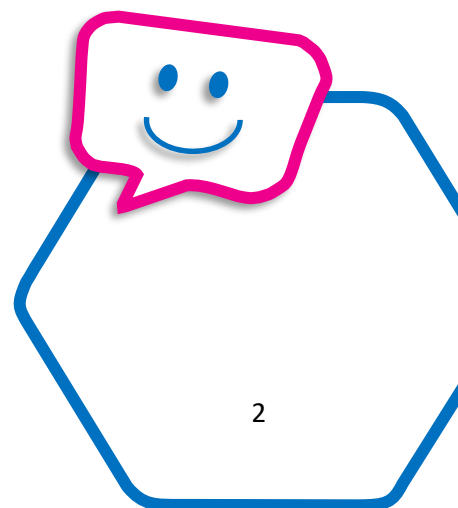
How can an Independent Advocate help?



# NHS Independent Complaints Advocacy Service (ICAS)

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## 1. Introduction

### How to use this Self-Help Information Pack (SHIP)

This pack gives you the information you need to feel comfortable speaking up about your concerns with the NHS. It explains how the complaint process works, how we can help you, and how to get in touch with us.

You can choose to raise your concern on your own, or you can get help from PALS or our NHS Independent Complaints Advocacy Service.

This pack will guide you through each step, with simple instructions and helpful tips.

## 2. Who can make a complaint

### Sharing your concerns

Everyone has the right to complain about the NHS. This is set out in the **NHS Constitution**.

If you are not happy with the care or service you received from the NHS, you have the right to tell them. This guide will explain:

- How to share your concerns (also known as making a complaint).
- What happens when you make a complaint.
- **How Your Voice Counts** can help you with your complaint.

### When someone can't give permission

If you are making a complaint for someone else, the NHS needs to be sure that you have a good reason to do this instead of the person.

If the person can't give permission because of illness or disability, you can complain for them without their permission. The NHS will check if the person is unable to give permission before they accept your complaint. If they don't accept it, they must write to you and explain why.

## Complaining on behalf of someone who has died

You can make a complaint for someone who has died, and you don't need their permission. If you are their next-of-kin, or if the next-of-kin has given you permission to complain, the NHS will usually accept your complaint. If they decide not to accept it, they must write to you and explain why.

## Complaining on behalf of someone under 18

You can make a complaint for a child (under 18) if they can't do it themselves. If the NHS decides the child should make their own complaint, they must tell you in writing and explain why.

## Sharing information from medical records

Complaints may involve checking a person's medical records, which are private. Family members, spouses, or partners do not automatically have the right to see these records. The NHS has rules about when and how they can share this information with others.

# 3. Accessing our NHS complaints service

## How our NHS Complaints Advocates can help

If you need help raising a concern, making a formal complaint, or just want to talk about your experience, we're here for you!

If you or the person you are helping lives in Gateshead or Newcastle, you can call us at **0191 478 6472** or **freephone 0800 048 7856**, or email [nhsadvocacy@yvc.org.uk](mailto:nhsadvocacy@yvc.org.uk). Our phone line has a 24-hour answer machine, so you can leave a message, and someone will call you back as soon as possible.

Our NHS Complaints Advocacy Service is **free, private, and independent**. We are a local charity and not part of the NHS.

Below is a general overview of what an NHS Complaints Independent Advocate can do. More detailed information on each stage of the complaints process is explained throughout this SHIP.

Our advocates are trained to help you. They are on your side and don't work for the NHS or any hospital. They will make sure you understand your options at every step.

## Our Advocates can help you:

- Identify the issues you want to complain about.
- Work out what you want to achieve from your complaint.
- Write a complaint letter and send it to the right people.
- Understand the response you receive and explain your next steps.
- Contact other services that might be able to help you.

## Our advocates cannot:

- Investigate your complaint.
- Help you claim compensation.
- Get an NHS employee disciplined.
- Give legal advice or help with legal action.
- Help with complaints about private medical treatment.
- Provide medical advice.
- Make a complaint on your behalf.

## Levels of support

**We Can Help at Any Stage of the Complaints Process.** Our NHS Complaints Advocacy Service can help you at any point in the complaints process. We offer three levels of support, depending on what you need.

### Level 1: Self-help information

This level is for people who feel able to handle their own complaint with some guidance. We provide tools and resources like our Self-Help Information Pack (SHIP), which you can download from our website. We can also give you phone numbers for PALS or other complaint departments, explain your rights, and guide you on how to manage your complaint. This is best for people who can write letters and speak up for themselves with a bit of help.

### Level 2: Supported self-help

This level is for people who need a bit more help. You will get everything offered in Level 1, plus extra support. You might have a one-time meeting with an advocate, either in person or by video call (Zoom, WhatsApp, Teams), to get

detailed guidance. An advocate can also review your draft complaint letter over the phone or check in with you once you get a response to your complaint.

### Level 3: Full advocacy support

This is for people who need an advocate to manage the complaint with them. This may be because they have additional needs or are vulnerable, for example, if they are seriously ill, recently lost a loved one, have a disability, or have trouble understanding or communicating their complaint.

## 4. NHS Complaints Process

### The NHS Complaints Process has two main stages:

#### Stage 1: Local Resolution

Local resolution is where most complaints are sorted out. This is your chance to explain what you're unhappy about and what you would like to happen. This might include an explanation of what went wrong, an apology, or changes to how things are done. The goal is to fix the problem locally, and many complaints are resolved at this stage.

#### Stage 2: The Health Service Ombudsman

If you're still unhappy after Stage 1, you can take your complaint to the **Parliamentary and Health Service Ombudsman (PHSO)**. The Ombudsman is independent from the NHS and the government. They will look into how your complaint was handled. To find out more about the Ombudsman, you can visit [www.ombudsman.org.uk](http://www.ombudsman.org.uk) or call **0345 015 4033**.

#### Time limits:

You should make your complaint within **12 months** of the incident. In some cases, the NHS may accept complaints after the 12 months if there is a good reason, such as illness.

#### Disciplinary action against NHS staff

The NHS complaints process cannot be used to get a staff member disciplined. However, if the investigation finds something serious, a separate process may be used to take disciplinary action.

## 5. Raising Concerns

### Choose How to Raise Your Concern

There are different ways to share your concerns:

#### Talk to the people involved.

The easiest way to fix a problem is to talk directly to the people involved in your care. They might be able to fix the problem straight away. You can do this face-to-face or in writing. You can also ask for a meeting to discuss your concerns.

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

Some problems need to be looked at right away. For example, if you are worried about your treatment or care, or if something serious happens at the hospital, you may want to act quickly.

If you don't want to make a formal complaint and want to solve the issue as soon as possible, you can talk to PALS. They try to solve problems quickly and informally, without needing to start a formal complaint.

#### How to contact PALS:

- **Phone:** PALS – 0800 032 0202
- **Website:** Visit the [PALS](#) website for more information.

Remember, if PALS cannot help, you can still make a formal complaint through the NHS complaints procedure.

**NHS complaints procedure.** If your concern wasn't resolved or if it involves complex issues, or more than one NHS organisation.

#### Your Voice Counts Independent Complaints Advocacy Service is:

- **Free** – You don't need to pay anything.
- **Confidential** – We don't share what you tell us without your permission.
- **Independent** – We don't work for the NHS, so we are here just to support you.

If you live in **Gateshead** or **Newcastle** you can call us at **0191 478 6472** or freephone **0800 048 7856** or email [nhsadvocacy@yvc.org.uk](mailto:nhsadvocacy@yvc.org.uk)

## 6. Structuring your Complaint

### Writing and sending a complaint letter

When writing a complaint letter, start by listing all your concerns as clearly and simply as possible. Be specific about what you want the NHS to investigate under the complaints procedure.

If you are writing on behalf of someone else, make sure to include their permission, unless they are unable to give it due to reasons such as illness or incapacity.

Using simple language and focusing on key details will help the NHS understand your complaint and address it effectively.

### Writing a Timeline of Events

It can be helpful to write down a timeline of what happened. This will keep your thoughts organized and make sure you don't forget any important details. We have a **log sheet template** to help you with this. You can download a copy by visiting our website.

If your complaint is about medical treatment, it may be useful to get a copy of your medical records before making the complaint.

### Think About What You Want to Achieve

Be specific and realistic about what you expect from your complaint. You might want:

- An acknowledgment of any mistakes.
- An apology from the service.
- A change of doctor or care provider.
- Proof that changes have been made so others won't face the same problem.

### Where to Send Your Complaint

- Complaints about primary care services (GPs, dentists, etc.) should be sent to the local ICB.



- Complaints about hospital services, mental health services, and other specialist services should also be directed to the ICB that manages these services.

## Helpful tips

### Be brief

- try to keep your complaint to no more than two pages
- be careful not to lose your main points in a long letter
- if the complaint is long and complex, attach a timeline or diary of events with details

### Be clear and straightforward

- use short sentences
- don't be afraid to say what has upset you, but avoid aggressive or accusing language
- try not to repeat yourself

### Be constructive

- your complaint is an opportunity to improve things
- put your concerns politely but firmly
- explain what you would like to achieve as a result of your complaint. E.g. an apology, an explanation, a service improvement, any other remedy

### Keep copies

- keep a copy of all letters sent and received in date order

### Send photocopies of documents, not originals

- keep the original documents in your possession

### Make sure your letter is received

- consider sending it by guaranteed or recorded delivery post

### Simple letter example:

Private and Confidential

**[Your name and contact details]**

Complaints Manager **[name]**

**[Address of the NHS organisation]**

**[Date]**

Subject: NHS Complaint – **[your name or patient name, date of birth]**

I am writing to complain about the care I received from **[staff names]** at **[place]** on **[date]**.

**[List what happened and why you are unhappy. Explain what you want them to do in response.]**

I would like the following things to be addressed:

- 1. [Concern 1]**
- 2. [Concern 2]**

I look forward to your response.

Yours sincerely,

**[Your name]**

## 7. What happens after you complain

### Acknowledging your complaint

The NHS should contact you to discuss your complaint and arrange a plan to resolve your concerns with you. This means that they will discuss how best to resolve your concerns and what you hope to achieve from raising them. They should also agree with you a timescale for resolving the issues and keep you informed of progress.

The NHS organisation must respond to your complaint within **6 months** of receiving your complaint.

The deadline for response will depend on the complexity of your case. As a rule, if your case can be easily investigated and resolved, the NHS services aim to respond to complaints within 25 working days. The suggested timescales can be influenced by things like how many staff they need to speak to, how easy it is for them to access your medical records and whether other NHS organisations are involved in your complaint. If there is a problem in keeping to this timescale, they should contact you before it expires to agree an amended timescale.

## Local Resolution Meetings

When you raise a concern or make a formal complaint, the NHS may offer to meet with you to discuss your concerns and answer any questions you have.

### What is a Local Resolution Meeting?

A local resolution meeting is a chance for you to talk directly with someone from the NHS complaints team. This meeting allows the NHS to respond to your concerns and try to resolve any issues before they send you their final response.

If you request a local resolution meeting and the NHS is unable to arrange it, they must tell you why.

### How can an Advocate support you during a Local Resolution Meeting?

#### Before the Meeting:

- Help you **prepare** for the meeting.
- Write down the **points** and concerns you want to raise.
- Help you **organise** your concerns so you can make the most of the time at the meeting.

#### During the Meeting:

1. **Support you** by being there with you.
2. Ask for things to be **explained more simply** or ask for clarification to ensure you fully understand what's being said, especially if your questions haven't been fully answered.
3. **Repeat your concerns** if needed, but they can only raise points you've already discussed with them, not new ones.
4. Ensure the meeting is **productive** by making sure that all of your concerns are covered, although they cannot take official minutes.
5. **Highlight apologies** or explanations, and if you're still unhappy, your advocate will support you in asking for further information.

#### After the Meeting:

- Help you **understand** what was discussed during the meeting.
- Go over the **points raised** in the meeting, but they cannot give their personal opinion or discuss matters outside of the complaints process, such as legal action.
- Talk about **next steps** if needed.

## Understanding the NHS's Response

After the NHS complaints department has finished looking into your complaint, they will send you a letter. This letter will include:

- **A summary of your complaint** (what you complained about).
- **The findings** from their investigation and any actions they plan to take.
- **What to do** if you are not happy with their response.

Sometimes, the letter will give you a deadline to respond. If you don't get back to them within that time, they may close your case. If this happens, try to contact them as soon as possible, as they might reopen the case in special circumstances.

### What to Do if You Are Not Happy with the Response:

If you feel the complaint wasn't fully answered, you can:

- Write a letter explaining what was missed.
- Call the person handling your complaint to talk about it.
- Ask for a meeting to discuss the response.

If the NHS feels they have done everything to answer your concerns, they will let you know in writing. This would mean the **local resolution stage** is over.

If you are still not satisfied, you can **escalate your complaint** and ask for an independent review by the **Parliamentary and Health Service Ombudsman (PHSO)**.

## 8. Parliamentary and Health Service Ombudsman

### Taking your complaint to the Parliamentary and Health Service Ombudsman (PHSO)

Once you've gone through the local resolution process and are still not happy with the outcome, you have the right to take your complaint to the **Parliamentary and Health Service Ombudsman (PHSO)**. This is a free, confidential service. The PHSO looks at all complaints they receive, but they don't investigate every complaint. You must complete the Local Resolution stage before going to the Ombudsman.

The Ombudsman won't investigate your complaint just because you disagree with the NHS's decision. You will need to provide evidence showing why the NHS's decision is wrong or unfair. The PHSO's main goal is to check if your

complaint was handled properly, following NHS Complaints Regulations, and if the NHS treated you fairly.

You can visit the **PHSO website** or call them to find out if they can help with your complaint.

**The Ombudsman is the final stage for complaints that have not been resolved.**

## Contacting the Ombudsman

When you reach out to the **Parliamentary and Health Service Ombudsman (PHSO)**, they will ask you to fill out a complaint form, either online or on paper. Be sure to include as much detail as possible and attach the final decision letter from the NHS organisation you're complaining about.

### Step 1 – What happens when they receive your complaint

Once the Ombudsman gets your complaint, they will start by checking if they can handle it. This includes looking at the organisation and the issues you're complaining about and checking if you've already gone through the NHS's own complaints process. They usually finish these checks within **five working days** and will let you know their decision soon after.

### Step 2 – Deciding whether to investigate your complaint

Within **20 working days**, the Ombudsman will inform you whether or not they will investigate your complaint. When deciding, they look at several things, such as:

- The impact the problem had on you.
- Whether you could have taken legal action instead.
- Signs that the organisation's actions negatively affected you.

### Step 3 – Investigating your complaint

If the Ombudsman decides to investigate, they will talk to you about your concerns and explain what they will investigate. They will tell you how long the investigation might take and keep you updated. The Ombudsman will gather information from both you and the NHS organisation before making a decision. If they find that your complaint is valid, they will explain their findings and recommend what the NHS organisation should do to fix the issue.

## Secondary Review

If you're not happy with the Ombudsman's decision, either because they didn't uphold or investigate your complaint, you can ask for a **secondary review**. This is where the Ombudsman looks at their initial decision to see if it was right or wrong. However, they won't just reconsider your complaint because you disagree. You must provide **evidence** showing why you think their decision was wrong.

To learn more about this process, you can contact the PHSO customer care team at **0345 015 4033**.

**The Ombudsman's final decision ends the complaint process.**

## 9. NHS Complaints Process - Limits

### What can't do with an NHS complaint

#### Disciplinary action against NHS staff

The NHS complaints process cannot be used to get staff in trouble or disciplined. If action is needed against staff, this is done through a separate process.

#### Claims for compensation

It is best to contact a solicitor for advice about potential litigation. There are strict time limits around taking your case to court, so you should do this as soon as possible. There is no legal aid for this, but some solicitors will take on the case on a 'no win, no fee' basis. Your local Citizen's Advice Bureau may be able to help you with independent legal advice: [citizensadvice.org.uk](https://citizensadvice.org.uk)

The NHS complaints process cannot give you compensation for medical mistakes. If you want to claim compensation, you need to speak to a solicitor. For help, you can contact **Action Against Medical Accidents (AvMA)** at 0345 123 2352 or visit the [website](#).

You can also find details of local specialist solicitors by contacting the Law Society on 0207 424 1222 or by visiting [lawsociety.org.uk](https://lawsociety.org.uk)

## Complaining about private healthcare

You can only use the NHS complaints process if your complaint is about healthcare that was paid for by the NHS.

If you've paid for private treatment such as privately funded treatment at a care home or nursing home, or used medical insurance, the private healthcare service will have its own complaints procedure that you can follow.

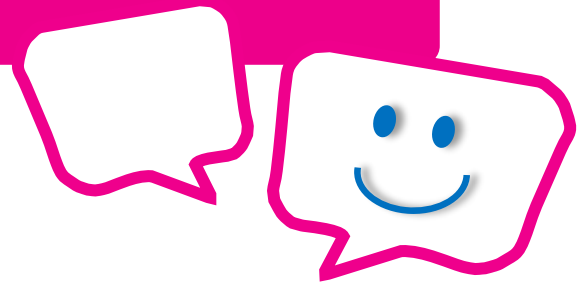
If the NHS paid for your operation in a private hospital, you could still complain to the NHS, because they funded your care.

## 10. Useful Contacts

1. Action against Medical Accidents. AvMA is a UK charity that provides advice and support for people affected by medical accidents and works to promote patient safety and justice
  - **Website:** [www.avma.org.uk](http://www.avma.org.uk)
  - **Helpline:** 0345 123 2352 (available Monday-Friday, 10am-3.30pm)
2. Care Quality Commission (CQC). CQC is the independent regulator of health and social care in England, and they can investigate issues such as breaches of the Mental Health Act.
  - **Website:** [www.cqc.org.uk](http://www.cqc.org.uk)
  - **Telephone:** 03000 61 61 61
3. General Dental Council (GDC). The GDC is responsible for regulating dental professionals in the UK and investigating concerns about their fitness to practice.
  - **Website:** [www.gdc-uk.org](http://www.gdc-uk.org)
4. General Medical Council (GMC). The GMC regulates doctors and can investigate concerns about a doctor's fitness to practice.
  - **Website:** [www.gmc-uk.org](http://www.gmc-uk.org)
5. General Optical Council (GOC). The GOC regulates opticians, optometrists, and optical businesses in the UK.
  - **Website:** [www.optical.org](http://www.optical.org)
6. General Pharmaceutical Council (GPhC). The GPhC regulates pharmacists and pharmacies and handles concerns about their fitness to practice.
  - **Website:** [www.pharmacyregulation.org](http://www.pharmacyregulation.org)
  - **Telephone:** 0203 713 8000

7. Health and Care Professions Council (HCPC). The HCPC regulates a wide range of health and care professionals in the UK.
  - **Website:** [www.hcpc-uk.org](http://www.hcpc-uk.org)
  
8. NHS England. NHS England handles complaints related to primary care services, such as GPs, dentists, and pharmacies, if you don't want to complain directly to the provider.
  - **Website:** [www.england.nhs.uk/contact-us/complaint/complaining-to-nhse/](http://www.england.nhs.uk/contact-us/complaint/complaining-to-nhse/)
  - **Telephone:** 0300 311 22 33
  
9. Parliamentary and Health Service Ombudsman (PHSO). The PHSO investigates complaints about NHS care in England.
  - **Website:** [www.ombudsman.org.uk](http://www.ombudsman.org.uk)
  - **Telephone Helpline:** 0345 015 4033

## 11. Get in Touch



**0191 478 6472**  
**0800 048 7856**



**Your Voice Counts**  
NHS Complaints Advocacy  
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