

NHS Complaints Service



The Parliamentary & Health Service Ombudsman

Contact the Ombudsman

If you have made a formal complaint about an NHS service which could not be resolved locally, you can contact the Parliamentary and Health Service Ombudsman (PHSO) to request an independent investigation into your complaint.

They will only do this if the organisation you have complained about has confirmed in writing that they cannot do more to resolve your concerns. This is called a 'final decision letter', and you can remind the organisation you are complaining about to send it to you.

When you contact the Ombudsman, they will ask you to complete an online or paper form to make your complaint. Fill this in as fully as you can, you'll need to enclose the final decision letter from the organisation you're complaining about.

The Ombudsman is independent of the NHS and of Government, and their powers are set down in law. Their service is confidential and free. The final decision of the Ombudsman is the last stage of the NHS Complaints Procedure, but you do have a right to appeal that decision. To make an appeal, contact the Ombudsman directly.

How to get in touch with the Ombudsman

Website: <https://www.ombudsman.org.uk/making-complaint>

Call: 0345 015 403

Request a call back: text 'call back' with your name and mobile number to 07642 813 005

Textphone: 0300 061 4298

Email: phso.enquiries@ombudsman.org.uk

Write: Parliamentary and Health Service Ombudsman, Millbank Tower, Millbank, London SW1P 4QP



What happens when the Ombudsman carries out an investigation

Every complaint is different, which means that every investigation will be different. The Ombudsman will speak to the organisation(s) concerned and look at all the facts.

They may need to:

- Contact you for additional information
- Access your clinical records
- Consult experts for advice

Possible Outcomes

1. The Ombudsman decides that the NHS have got things wrong

They will explain their decision and recommend how things can be put right. This could mean asking the organisation to:

- Give a clearer explanation of their actions
- Acknowledge their mistakes and provide an apology to you
- Take steps to make sure mistakes do not happen again

2. The Ombudsman decides that the NHS have already resolved the issue

They will explain their decision, sharing any expert advice they have received.

If you think the Ombudsman's decision is wrong

The Ombudsman's decision about your complaint is usually final, but sometimes they can review their decision to make sure that it was fair and based on all the available evidence. If the Ombudsman reviews their decision and you are still not happy, you have the right to request an appeal through the courts using judicial review.

To do this you would need to provide evidence that one of more of the following have happened:

- the Ombudsman have made their decision based on incorrect information
- the Ombudsman have misunderstood the information
- new information has come to light since the decision has been made



The end of the process

Once a case has reached this point, it has now completely exhausted the NHS Complaints Procedure, and can no longer be supported by our NHS Complaints Advocacy Service.

The only remaining option if you are unhappy would be to submit your case for Judicial Review. This is a legal process and is beyond the expertise of an advocate. You would need to seek the advice of a solicitor for this. A complaint cannot progress to Judicial Review without first appealing the decision of the Ombudsman through the review team.

There is a form which should be completed for submissions to the PHSO which asks you to give a brief summary of the complaint so far.

A submission to the PHSO should include copies of all relevant correspondence about the complaint. This might be letters of complaint, Trust responses, meeting minutes, action plans or emails sent and received.

If you need to contact us at any point throughout the process you can get in touch by phone, email or through our website.

Phone: 0800 048 7856

Email: nhsadvocacy@yvc.org.uk

Website: www.yvc.org.uk