

## Local Resolution

### The NHS Complaints Procedure

The NHS Complaints Procedure focuses on resolving your complaint locally.

### Stage 1 - Local Resolution

The aim of Local Resolution is to try to sort out your problem directly with the NHS organisation in question; The NHS aims to respond to you efficiently, sensitively and promptly.

Local Resolution is your opportunity to explain what it is you are unhappy about and what you would like to happen, it gives you, and the NHS organisation, time to listen and discuss the incident. Local Resolution is important because it aims to resolve your concerns and, where appropriate, use your experiences to improve local services.

At this stage it is important to raise everything that you are unhappy about as new issues cannot later be introduced as part of the same complaint.

It may be helpful to keep a record of any telephone calls you make and letters you write or receive about your complaint.

### Are there time limits for making a complaint?

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

The NHS can use its discretion to look at issues that are beyond these timescales. For example if you were too ill to make the complaint straight away the NHS will consider if it is still possible to investigate the complaint effectively and fairly.

## How do I complain?

You can explain what happened to you:

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

NHS organisations tend to prefer having complaints in writing but, if you would rather telephone or go in person, the Complaints Manager should make a written record of your complaint and give a copy to you.

Useful tip: if you send a written complaint keep a copy of your letter to refer to later.

All NHS organisations have complaints procedures and in most cases they will probably be best placed to deal with your complaint however, for complaints about primary care and independent providers such as your GP, dentist, optician, pharmacist, health centre or other independent NHS contractor, you have two options:

a) You can complain directly to the NHS organisation by contacting the person in charge of complaints; in most GP and dental practices, this will be the Practice Manager.

or

b) If you don't feel comfortable about raising the matter with your GP or Practice Manager, you can complain to either the NHS Commissioning Board or your local Clinical Commissioning Group (CCG). All CCG's will have a Complaints Manager who can advise you about making a complaint.

If you want to complain about your hospital or ambulance service contact the Complaints Manager or the Chief Executive of the NHS Trust.

Useful tip: if your complaint concerns more than one NHS organisation, you only need to send a letter to one of the organisations; they will liaise with the other organisation(s) involved and provide a co-ordinated response.

## What will happen next?

Sometimes it may be possible to resolve your concerns immediately but if this is not the case they:

- Should acknowledge your complaint either verbally or in writing within three working days.
- Must offer to contact you to discuss your complaint and arrange **a plan** to resolve your concerns with you; this means they will discuss how best to resolve your concerns and what you hope to achieve from raising them. They should also agree a timescale with you for resolving the issues and how they will keep you informed of progress. 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 if other NHS organisations are involved in your complaint. If there is a problem in keeping to the agreed timescale they should contact you before it expires to agree an amended timescale.

## Resolving your complaint:

- The NHS organisation should offer assistance to enable you to understand the complaints procedure or advice on where to obtain such assistance.
- You may be offered a meeting to discuss your complaint and speak to staff directly about what has happened; you can take a friend, relative and/or Advocate with you to any meetings you may have
- Sometimes the NHS uses Conciliation or Mediation services. A conciliator/mediator is a neutral and independent person who can arrange a meeting with you and those involved (either separately or together) so you can all express your views and try to resolve your differences. A conciliator will become involved only if everyone affected agrees; the conciliation process is confidential

Conciliation and Mediation Services differ from Trust to Trust so if this is offered you should ask the Complaints Manager to explain how it operates in their area.

Useful tip: It may be 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 with you to the meeting.

## After the Investigation;

Once the investigation is finished and any meetings have been held the Complaints Manager should send you a letter containing:

- A summary of your complaint
- What the investigation found and any actions 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, if relevant
- What actions will be taken and when, as a result of your complaint
- Who is responsible for making this happen
- What steps have been taken to prevent the same thing happening to other people

The letter should be:

- Balanced, factual and impartial
- Clear and easy to understand

It should avoid technical terms and, if they are used, it should explain what they mean.

If you haven't received this letter within the timescale agreed in the plan you may want to ring or write to check when you can expect to receive it; if you have agreed, this letter may be sent in electronic form by email.

The Parliamentary and Health Service Ombudsman (PHSO) has produced a set of six clear principles for good complaints handling and all NHS organisations are expected to follow these principles when dealing with your complaint.

You can request details of this guidance from seAp, or access this from our website: [www.seap.org.uk](http://www.seap.org.uk)

Alternatively you can find out more by visiting the PHSO website at [www.ombudsman.org.uk](http://www.ombudsman.org.uk)

## What if I am not happy at the end of Local Resolution?

If you are not satisfied with the reply ask yourself exactly what you are still unhappy with so you can decide what to do next, it may help to review:

- The letters
- Any meetings
- Any conciliation or mediation process; whether the plan you agreed was followed
- 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
- What more, if anything, could have been done to achieve the outcome
- Whether the Complaints Manager has followed the Ombudsman's good complaints handling principles

## What are my 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
- You may choose to try a different route to achieve the outcome you want – review the options at Step 2

Further investigation into your complaint may be carried out; again, the NHS organisation should discuss this with you and agree a plan for doing this, including timescales.

The NHS organisation you are complaining about may feel that everything has been done to answer your complaint and if so, they should advise you of that in writing.

## This is the end of Local Resolution