

Complaint form:

This form is for making a complaint about the service received from or paid for by the NHS in England.

Before we can help you with your complaint

You will need to:

- tell us when the problem happened, and the date you complained. We may not be able to help you if your complaint is over 12 months old.
- have already complained to the organisation you are unhappy with and had all your points answered.
- make sure the organisation has responded to your complaint and you have no outstanding concerns. Once all your concerns are addressed, if you are not happy with their final decision, then you can complain to us.
- provide us with your contact information including an email address if you have one.

Please also be aware that:

- we may not be able to help you if you have unanswered questions. For more information visit our website: www.ombudsman.org.uk/complainforchange
- we may not be able to help you if you are taking legal action.
- we scan all documents when we receive them and destroy the paper copies, so please do not send originals as they will not be returned unless specifically requested.
- please do not send us documents with staples, in folders or in plastic wallets. This will help us process your complaint more quickly.

Please answer all questions fully and avoid using 'see attached' as a comment. We will use this form to do our initial checks and if you do not give enough information, we may not be able to consider your complaint.

Please use this form to tell us about your complaint so we can see if we are able to help you. If you are not sure about something, or have difficulties filling in this form, just phone us on 0345 015 4033 or visit our website www.ombudsman.org.uk

Have you used our service or contacted us before?
(This is so we can link our records)

☐ Yes ☐ No

If you have been given a reference number by us, please enter it here:
(The format of your PHSO reference is usually a letter followed by seven numbers. For example, C1234567 or C-1234567)

Section 1: About you

Please fill in your details even if you are complaining on behalf of someone else.

Title							
First name							
Surname							
Address line 1							
Address line 2							
County					Country		
Postcode							
Daytime phone number							
Alternative number (optional)							
Email address							

How would you like us to contact you? ☐ Phone ☐ Email ☐ Post

There will be times when we need to send you documents.
How would you like to receive them? ☐ Email ☐ Post

If you have any adjustments you would like us to consider (for example providing documents in large print, or a different language) please let us know below.

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Are you complaining on behalf of someone else? If yes, please fill in this section below. If no, please go to section 2.

About the person affected by the issues in the complaint:

Their title								
Their first name								
Their surname								
Address line 1								
Address line 2								
County						Country		
Postcode								
Their daytime phone number								
Alternative number (optional)								
Their email address								

If you are complaining for someone who cannot complain for themselves, for example they do not have capacity or have died, we must consider if you are the right person to make a complaint. Please fill in the section below.

If you are helping someone to complain (we call this acting as a representative), we would normally need their consent for this. You do not need to complete this section.

What is your relationship to them?

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Why are they unable to make the complaint themselves?

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Section 2: About your complaint

Legal action

Generally, we cannot investigate a complaint if it is or was reasonable for you to take legal action about it. This could include going to court or to a tribunal. We will look at whether legal action would be able to fully answer your complaint or give you what you want.

Whether it is reasonable to expect you to take or have taken legal action also depends on the nature of your complaint and what you want to achieve. For example, if you want a financial remedy, it may be best to look into legal action. However, if we can see that there are parts of the complaint that would not be resolved through legal action, we could look into them. For example, we could consider investigating aspects of a complaint where you would like an apology, an explanation of what went wrong or an action plan for improvement

If you have already been to court, a tribunal or are thinking about taking legal action, please tell us about it here as it may affect whether we can investigate your complaint. Please phone us on 0345 015 4033 if you have any questions about this.

Have you taken, or are you planning to take, legal action about your complaint?

☐ Yes

☐ No

If yes, please give us details of any legal action you have taken or are planning.

When did it happen?

The law says that you should complain to us within a year of becoming aware of the problem. Sometimes, depending on the circumstances, we can decide to still consider a complaint outside of this if we have good reasons to do so. Please phone us on 0345 015 4033 if you have any questions about this.

When did the problem you want to complain about happen?
(If you cannot remember the exact date, you can give us an estimate.)

Date	
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dd/mm/yyyy

When did you become aware of the problem?

Date	
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dd/mm/yyyy

When did you complain to the organisation?

Date	
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dd/mm/yyyy

If you have not been able to complain to us within a year of becoming aware of the problem, please tell us why you did not complain sooner.

Please explain the reason for any delay including:

- a delay before you first made the complaint to the organisation.
- a delay before you replied to the organisation after they first responded.
- a delay before you complained to us.

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Who are you complaining about?

What is the name and address of the organisation(s) you are complaining about?

Are you complaining about a particular person? Please give their name if you know it.

The details of your complaint

Did the organisation miss any of the issues you raised in your complaint?

You may not be satisfied with the answers to your complaint, but we need to know if the response missed anything you raised in your complaint.

☐ Yes

☐ No

If yes, please tell us what points you raised in your complaint that the organisation's response failed to answer. Depending on what points are not answered, we may tell you to go back to the organisation and raise them again.

Please summarise your complaint

Tell us what you are complaining about.

For example. What went wrong? When did things go wrong? What did the organisation do wrong? and who was involved?

Please avoid using 'see attached' as a comment or leaving the section blank. Please answer all questions fully.

Please tell us how you or the person you represent have been affected by what went wrong. Please describe what impact this had on you and how long the impact lasted.

If we can take on your complaint, what are the outcome(s) are you looking for us to achieve?

We may recommend that organisations explain and apologise, change their procedure and, if appropriate, pay some compensation.

Please use this space to explain what you need to be resolved and what is important to happen as a result of your complaint. If you want the organisation to pay you compensation, what amount are you hoping to achieve?

If we do not think that we can achieve what you want, we will tell you.

Dispute Resolution

In some cases, we can facilitate a meeting between you and the organisation to help you resolve your complaint.

We usually do this by telephone or video call (using Microsoft Teams) if both you and the organisation agree to take part.

During this process we use mediation techniques to help you and the organisation discuss your complaint and agree a resolution to it. We will not give our own view on the substance of the complaint in this process.

Is this something you are willing to do if your case is suitable for this process?

☐ Yes

☐ No

If you are unsure, would you like us to give you more information about this to help you decide?

☐ Yes

☐ No

The documents we require to complete our initial checks

(Please do not send originals as they will not be returned unless specifically requested)

☐ This complaint form

☐ The complaint made to the organisation (any letters, emails or complaints forms submitted for the complaint)

☐ The complaint response(s) from the organisation including the final response and any other correspondence relating to the complaint

We may contact you for further information and documentation if we can progress your case.

We scan all documents when we receive them and destroy the paper copies. Please do not send originals as they will not be returned unless specifically requested. Please do not send us documents with staples, in folders or in plastic wallets. This will help us process your complaint more quickly.

Section 3: Declaration

- I would like the Ombudsman to look at my complaint.
- I agree to share all the relevant evidence, including medical records, so that you can investigate this complaint under the *Health Service Commissioners Act 1993*.
- to the best of my knowledge, everything I have told you is correct.
- I understand that, to help resolve my complaint, you will need to use and keep personal information about me. For example, how to contact me and details about my complaint and sometimes sensitive personal information.
- I understand that this might include collecting information about me from the organisation I have complained about and possibly sharing information with others. For example, others that may have been involved in my complaint.

Signature		
Date		

If you are acting as a representative, we would normally need the person affected consent. They must sign below if they are able to do so.

I agree that my representative can complain for me and that you can obtain the information needed to investigate my complaint.

I understand that this may mean that my representative will be able to see personal information you obtain for the investigation.

Signature		
Date		

Please email your form and the documents requested to:

phso.enquiries@ombudsman.org.uk

Or post them to:

Parliamentary and Health Service Ombudsman
Citygate
47 - 51 Mosley Street
Manchester
M2 3HQ

Your other rights

We process any personal data collected in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018. For more information about data processing and your legal rights, our privacy statement can be found on our website:

www.ombudsman.org.uk/our-privacy-policy

What to do if you are unhappy with how we have handled your personal information

If you wish to comment or make a complaint about how we are processing your data, then please contact the Data Protection Officer at dpo@ombudsman.org.uk

If you are unhappy with our response, you can contact the Information Commissioner's Office at ico.org.uk

Unreasonable behaviour policy

We do not expect our staff to tolerate any form of behaviour that could be considered defamation, abusive, offensive, or threatening or as defined by the Equality Act 2010, harassment, or discrimination. Or that contact becomes so frequent it makes it more difficult for us to complete our work or help other people. We will take action under this policy to manage this type of behaviour, and this applies to all contact with us including the use of social media.

For more information, our unreasonable behavior policy can be found on our website:

www.ombudsman.org.uk/unreasonable-behaviour-policy
