

Making sure people know how to complain and where to get support

This is draft material and is not live guidance. It is shared for information and will be tested with organisations who have agreed to pilot the new Complaint Standards.

1. Introduction

- 1.1 This guidance is part of a range of modules produced to help you implement and deliver the expectations set out in the Complaint Standards. [\[INSERT LINK\]](#)
- 1.2 It sets out how you can make sure the people who use your service, and those who represent them, know that your organisation welcomes feedback (including complaints) and will use it to improve services for everyone. It explains how you can make sure people:
 - know how to make a complaint
 - are aware of the ways they can do this
 - know where they can get independent support with raising their complaint.
- 1.3 This guidance should be read in conjunction with the following modules:
 - Promoting a just and learning culture [\[INSERT LINK\]](#)
 - Independent NHS complaints advocacy, and other specialist advice and support for people raising complaints [\[INSERT LINK\]](#)
 - Who can make a complaint, consent and confidentiality [\[INSERT LINK\]](#)
 - Identifying a complaint [\[INSERT LINK\]](#)
 - Early Resolution [\[INSERT LINK\]](#)

2. Standards and relevant legislation

2.1 The relevant Complaint Standards are:

Welcoming complaints in a positive way

- Organisations make sure people know how to access advice and support to make a complaint, including giving details of appropriate independent complaints advocacy and advice providers, any Patient Advice and Liaison service (PALs), and other support networks.
- Organisations clearly advertise how people can raise complaints in a way that suits them and meets their specific needs. Organisations offer a range of ways people can complain, including online. It is easy for everybody to understand how the process works, including who can make a complaint and what will happen next.
- Organisations regularly promote their wish to hear from their users and promote how they use learning from all feedback (including complaints) to improve services.

2.2 The relevant regulations that apply are:

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

- Regulation 3 states that your organisation ‘must make arrangements ... for the handling and consideration of complaints.’ The arrangements must make sure: ‘...complainants are treated with respect and courtesy’ they receive ‘so far as is reasonably practical - assistance to enable them to understand the procedure ... or advice on where they may obtain such assistance’.
- Regulation 13 states that ‘a complaint may be made orally, in writing or electronically’. This includes in person, on the telephone, email, and on-line. Where a complaint is made orally you ‘must...make a written record of the complaint; and provide a copy ... to the complainant.’

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014:

- Regulation 16: Receiving and acting on complaints, requires that you ‘establish and operate effectively an accessible system for identifying, receiving, recording, handling and responding to complaints by service users and other persons.’

3. What you should do

3.1 One of the best ways to learn and improve is to listen and act on what people tell us about how we are doing. However, research shows that people are often reluctant to speak up because they:

- have previously had a bad experience when making a complaint
- think it will have a negative impact on their care
- think the NHS is simply too busy to listen and act on what they say so nothing will change.

So it is essential that you change that mindset and make the process of speaking up and raising complaints as easy as it can be.

- 3.2 First, you must ensure that the people using your service, and those who support them, know that you welcome complaints as a way to help improve your service. They should know that they can raise their concerns with any member of staff and be confident that the matter will be taken seriously. See the examples and case studies [\[INSERT LINK\]](#) for ideas.
- 3.3 Alongside this, **all staff** must be aware that listening to service users and dealing with complaints is an important part of their role and one of their performance objectives. They should be:
- trained and supported in how to deal with complaints as they arise
 - confident in explaining how to make a complaint and how it will be dealt with
 - able to signpost people to sources of support and advice, such as your local NHS advocacy provider.

Encouraging people to speak up

- 3.4 One of the main reasons people give for not raising their concerns is that they think the NHS is too busy to listen and they do not think it will make a difference. Showing people that you care, have the time to listen and act on what they say and that it will make a difference will encourage your service users to speak up.
- 3.5 One of the best ways to do this is publicly sharing the actions you have taken and the changes you have made as a result of someone speaking up. Be creative in how you do this but make sure that your service users know that speaking up has led to positive change for your organisation and for service users. See the examples and case studies [\[INSERT LINK\]](#) and practical tools [\[INSERT LINK\]](#) for ideas.

Telling people how they can raise a complaint

- 3.6 There are lots of ways to tell people that you value their complaints, how they can raise them and where they can get help and support. First, think about how people get information about your service or interact with the service itself. For example, your website, newsletters, information sheets, local charities and advocacy/support organisations or by visiting your organisation to attend an appointment. Once you have identified them, these will be your target opportunities for sharing information.

Providing a range of ways to raise a complaint

- 3.7 Having identified how and where people get information about your service you then need to **develop information about your complaints process.** You should do this in a range of different formats and make sure that is visible and easy to access. See the examples and case studies [\[INSERT LINK\]](#) for ideas.
- 3.8 You should personalise the information to make sure it is clear how people can raise their concern to your organisation. Include contact details for your local independent NHS advocacy provider and any other relevant support organisations.
- 3.9 You should also publicise what people can expect when they raise a complaint with you.
- 3.10 Ideally, any helpline for raising concerns (such as PALs) should be accessible seven days a week and have evening cover. Where this is not possible, an answer message should explain when the call will be picked up and actioned.

Involving the people who use your service

- 3.11 When developing materials and information, **involve your service users and the people that support and represent them.** Patient experience groups, community groups, local charities, local Healthwatch and your NHS advocacy provider are all good sources of advice.

This will help make sure that the materials you are producing and the different options for making a complaint meet the needs of your service users and your local population.

Measuring success

- 3.12 To make sure you are providing the correct information in the right way you should regularly ask service users, and those that represent them, if they know how to raise a complaint. This will help you measure the success of your complaint service and make any necessary improvements.

4. Examples and case studies

- 4.1 Examples of how to let people know you welcome their complaints:

- **Example text:** ‘All of your feedback is important to us. All feedback is welcomed, such as what we did well, what we could do better, or any other feedback. We will use your feedback to help us improve and we will show you how we have learned. You can use our complaints procedure to provide feedback or speak to a member of staff. If you need help making your complaint, please talk to your local NHS advocacy provider [\[INSERT LINK OR CONTACT DETAILS\]](#).’

- **Example text:** ‘Are you concerned about something that is happening now? Please talk to the staff involved with your treatment, or their manager. This is often the quickest way for us to put things right and stop them getting worse. If you need help making your complaint, please talk to your local NHS advocacy provider [INSERT LINK OR CONTACT DETAILS]. ’
- **Example text:** ‘We know that sometimes we don’t get it right. With this in mind, we take complaints very seriously and we use them to improve our service. If something went wrong for you, no matter how big or small, we would like to know about it. Please tell us and we will look into what happened and will do everything we can to put it right. If you need help making your complaint, please talk to your local NHS advocacy provider [INSERT LINK OR CONTACT DETAILS]. ’
- **Example text:** ‘We welcome all complaints and we look into every complaint we get. We will use what you tell us to improve our service to patients, so please get in touch. When you complain to us on behalf of someone else, please give us as much information about the patient as you can. You can use our complaint form if that will help. Complaining to us will never affect the quality of the care we give you. We make sure of this by storing details of any complaints separately from your medical records. We will be fair and impartial when we look into what you tell us. If you need help making your complaint, please talk to your local NHS advocacy provider [INSERT LINK OR CONTACT DETAILS]. ’

4.2 Examples of how to encourage people to speak up:

- You said we did examples [\[INSERT LINK\] to Trust poster example below](#)
- You said we did examples:
 - University Hospitals Birmingham NHS Foundation Trust: https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj78L2qnrztAhVtRhUIHfjLAZkQFjAPegQIFBAC&url=https%3A%2F%2Fwww.uhb.nhs.uk%2Fyou-said-we-did.htm&usg=AOvVaw3FQ_a3s1griZrw966i4nfj
- Trusts should provide patients with as many ways as possible of feeding back about their care on the ward. This could include simple steps such as putting a pen and paper by the bedside. Or it could be making sure patients know who to speak to - a nurse, doctor, or a volunteer on the ward.

- Hospitals should actively encourage volunteers. Volunteers can help support patients who wish to make a complaint. This is particularly important where patients are vulnerable or alone, when they might find it difficult to speak up. (A review of the NHS Hospitals Complaints System Ann Clwyd MP and Prof Tricia Hart. - [\[INSERT LINK\] to report](#))

4.3 Examples of how to encourage children and young adults to speak up

<https://www.preparingforadulthood.org.uk/SiteAssets/Downloads/y1ko25ft636379738653108324.pdf>

<https://www.buckshealthcare.nhs.uk/About/childrens-ward-is-more-tops-than-pants.htm>

<https://www.pat.nhs.uk/downloads/pennine-news/2017/PENA01%20Pennine%20News%20156%20May2017.pdf>

4.4 Developing information about your complaints process:

- Quick Public facing guide to complaints process [\[INSERT LINK\] to example below](#)



Complaints Charter for the LAS.pdf

- London Ambulance Service NHS Trust Complaints Charter
- NHS Complaints Information <https://www.gov.uk/government/publications/the-nhs-constitution-for-england/how-do-i-give-feedback-or-make-a-complaint-about-an-nhs-service>
- How to complain leaflets and posters in English and five South Asian languages <https://www.ombudsman.org.uk/making-complaint/before-you-come-to-us/complain-change/information-south-asian-and-muslim-women/resources-south-asian-and-muslim-women>

5. Practical Tools

5.1 Encouraging people to speak up - 'You said, we did' templates [INSERT TEMPLATE BELOW TO DOWNLOAD AND POPULATE:](#)

5.2 Example complaint form [INSERT TEMPLATE BELOW TO DOWNLOAD](#)

6. Version control

6.1 Pilot draft - March 2021

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'You said, we did' poster

Working together to improve what we do

You said

We did

[Insert what person said]

[Insert explanation of what you did]

[Insert what person said]

[Insert explanation of what you did]

[Insert what person said]

[Insert explanation of what you did]

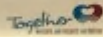
You Said



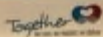
I was a long stay patient and I found the menu was repetitive and boring.



The waiting area in A&E is dated.



Having something to eat and drink in A&E whilst waiting for admission would improve things.



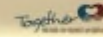
We Did



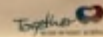
We now have an expanded 3 week menu which is also nutritionally enhanced.



We now have a newly refurbished waiting area.



A&E now have facilities to offer warm drinks and sandwiches when waiting for admission.



Example complaint form

For use online or to completed by hand

Section 1: About you

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

Title (Mr, Mrs, Miss, Ms, Dr, Other):

First name:

Surname:

House number or name:

Street name:

Town or city:

Country:

Postcode:

Daytime telephone number:

Alternative contact number (optional):

Email:

How would you like to be contacted? (optional)

- Phone
- Mobile
- Email
- Post
- Video call

Is there anything we can do to make it easier for you to access our complaint service? (For example, you may wish to receive information from us in large print.)

If you need independent help to your complaint, please contact your local NHS advocacy provider [provide the contact details below]:

Advocate's Name:

Telephone number:

Alternative contact number (optional):

Email:

Note: We will need your consent to discuss your case with your advocate. Please see section 5.

Section 2: Are you complaining on behalf of someone else?

If **yes**, please fill in this section and section 3.
If **no**, please go straight to section 4.

What is your relationship to them?

- I am their spouse or partner
- I am their parent or guardian
- I am their child
- I am their carer
- Other(please provide details below)

Why can't they make the complaint themselves?

- The person is a child
- They aren't well enough to do it
- They haven't the ability to do it themselves
- My partner would prefer me to do it
- The person has died
- Other (please provide details below)

Note: If you are complaining for someone else we will need their consent for this. Please see section 5.

Section 3: About the person you are making the complaint for

Title (Mr, Mrs, Miss, Ms, Dr, Other):

First name:

Surname:

House number or name:

Street name:

Town or city:

Country:

Postcode:

Daytime telephone number:

Alternative contact number (optional):

Email:

Section 4: The Complaint

When did the problem you want to complaint about happen?

The law says that you should complain within a year of becoming aware of the problem. Sometimes, depending on the circumstances, we will extend this time limit if there is a good reason for the delay. If you haven't been able to complain to us within a year of becoming aware of the problem, please tell us why you did not complain sooner.

Briefly tell us what your complaint is about. Tell us what happened, when and who was involved

Complaint details:

Please tell us how you, or the person you represent, have been affected by what has happened:

What would you like to happen? What outcome would you like?

Section 5: Authorisation and consent

Please look at my complaint.

I agree that you can get access all relevant papers, including relevant medical records, so that you can investigate my complaint

Your signature:

Date:

If you are supporting someone with their complaint or complaining for someone else, they must sign below if they can.

I agree that can complain for me/is supporting me with my complaint and that you can obtain the information you need to investigate my complaint

I understand that this may mean that my advocate or representative will be able to see personal information you obtain for the investigation, including relevant extracts from my medical records.

I also understand that you may contact me to confirm the above

Signature:

Date:

Please email this completed form to:

Or post to:

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Quick guide to the complaint process for the public

We value your feedback and complaints as they help us improve our service.

By speaking up you can help make a difference.

