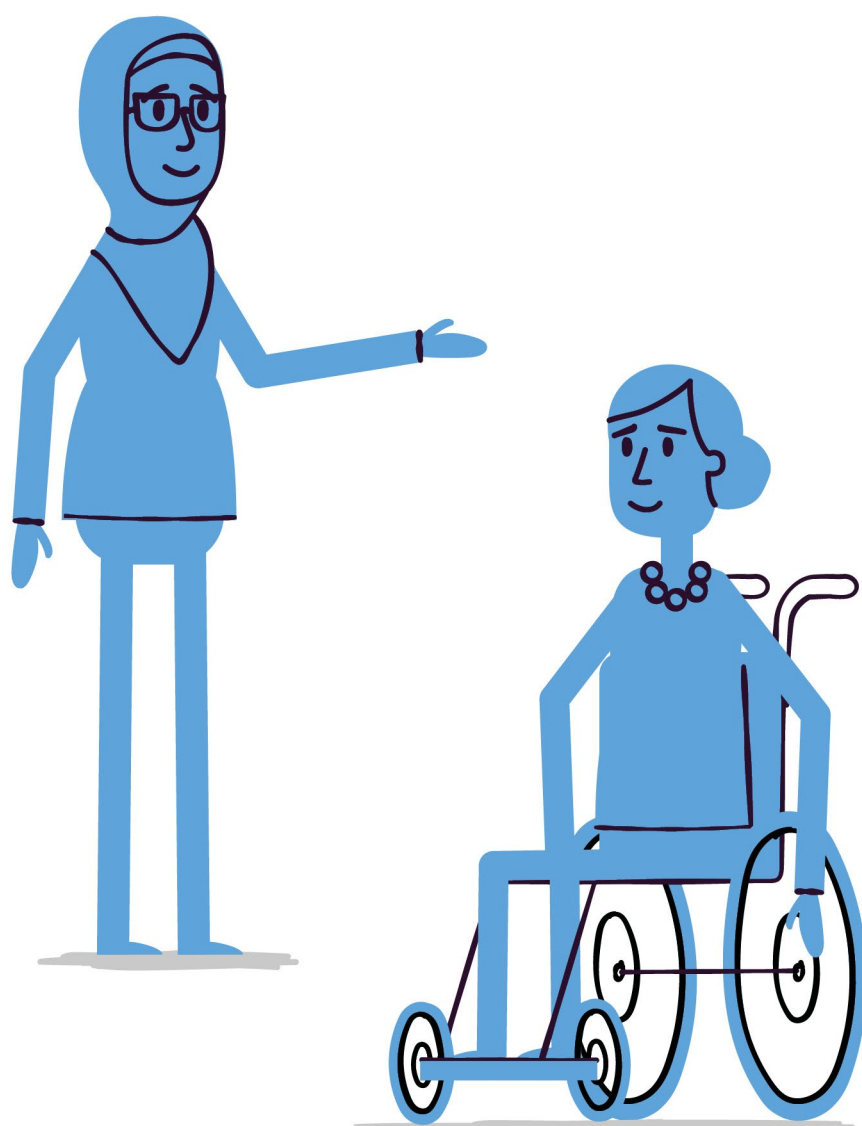


Making sure people know how to complain and where to get support



Contents

1.Introduction.....	2
2.The Complaint Standards and relevant legislation	2
3.What you should do.....	3
4.Examples and case studies	6
5.Practical tools	8
6.Version control	8
‘You said, we did’ poster	9
Example complaint form	11
Quick guide to the complaint process for the public	15

1. Introduction

- 1.1 This guidance is part of a series of guidance modules that will help you implement and deliver the expectations set out in the [NHS Complaint Standards](#).
- 1.2 This module explains 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
 - know about the different ways they can do this
 - know where they can get help, advice and support with raising their complaint.
- 1.3 You should read this module alongside the [Model Complaint Handling Procedure](#) and the following modules:
 - Promoting a just and learning culture
 - Independent NHS complaints advocacy and other specialist advice
 - Who can make a complaint - consent and confidentiality
 - Identifying a complaint
 - Early resolution

The guidance modules are available on the Ombudsman's website [here](#).

2. The Complaint Standards and relevant legislation

- 2.1 The relevant Complaint Standards expectations are:

Welcoming complaints in a positive way

- Organisations clearly publicise how people can raise complaints in a range of ways that suits them and meets their specific needs. They make it easy for everybody to understand how the process works. This includes being clear about who can make a complaint and what will happen next.
- Organisations make sure people know how to get advice and support when they make a complaint. This includes giving details of appropriate independent complaints advocacy and advice providers, any Patient Advice and Liaison service (PALs), and other support networks.
- Organisations regularly promote their wish to hear from their service users and show 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 and the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (the 2009 and 2014 Regulations).
- 2.3 [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’.
- 2.4 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’.
- 2.5 [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 that nothing will change because the NHS is too busy to listen and act on what they say.
- It is essential that you change that mindset and make the process of speaking up and raising complaints as easy as possible.
- 3.2 First, make sure that the people using your service, and those who support them, know 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.
- 3.3 **All staff**, particularly those who have an outward-facing role, must be aware that listening to service users and dealing with complaints is an important part of their work. This should be one of their performance objectives. They should be:
- trained and supported in how to deal with complaints as they come up

- confident in explaining how to make a complaint and how it will be dealt with
- able to signpost people to any internal or external sources of help, advice and support they can access when making a complaint, 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 they think the NHS is too busy to listen and they do not think their complaint 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 them 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 or making a complaint. Be creative in how you do this, but make sure your service users know that speaking up has led to positive change for them, your organisation and for other service users.

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 a complaint
 - where they can get help, advice and support.

First, **think about how people get information about your service** or interact with the service itself. For example, through your website, day-to-day communications, newsletters, information sheets, national and local charities and advice and support organisations, or by visiting your organisation. 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 need to **develop information about your complaints process**. You should do this in different formats and make sure that is visible and easy to access.
- 3.8 You should personalise the information to make sure how people can raise their concern with your organisation is clear. Include contact details for any help that is available, including your local independent NHS complaints 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. You should refer service users to the appropriate websites to find the most up-to-date opening times for helplines.

Telling service users where they can get help, advice and support

- 3.11 A lack of help, advice and support can be a barrier to some service users who wish to make a complaint. It is important that your organisation identifies and signposts to all the relevant and available sources of help for your service users who would like to complain.
- 3.12 You may have help, advice and support services for service users within your organisation. These should be impartial and independent of service provision. Staff who provide help, advice and support should be trained appropriately to support and advise service users through your complaints process.
- 3.13 Ideally, support should be available from organisations that are independent of your own. Your organisation should identify and know about available sources of external and independent help, advice and support relevant to your service. This will usually include:
 - your local independent NHS complaints advocacy provider
 - national and local organisations and charities that specialise in supporting service users who want to make a complaint.

Once you have identified all relevant sources, tell service users about them and give details so they can access this support if they need to. See the guidance module on [Independent NHS complaints advocacy and other specialist advice](#) for more information.

Involving the people who use your service

- 3.14 When you develop materials and information, involve your service users and the people who support and represent them. Patient experience groups, community groups, local charities, local Healthwatch and your independent NHS complaints advocacy provider are all good sources of advice.

This will make sure the materials you produce, and the different options for making a complaint, meet your service users' needs.

Measuring success

- 3.15 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 to make your complaint, please talk to your local independent NHS complaints 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 to make your complaint, please talk to your local independent NHS complaints 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 to make your complaint, please talk to your local independent NHS complaints 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 to make your complaint, please talk to your local independent NHS complaints advocacy provider [INSERT DETAILS HERE].’

4.2 Examples of how to encourage people to speak up:

- 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, a 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 report of handling of complaints by NHS

Hospitals in England by Ann Clwyd MP and Professor Tricia Hart. - [NHS hospitals complaints system review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/nhs-hospitals-complaints-system-review)

4.3 Developing information about your complaints process:

- Example complaint leaflet that can be amended to reflect your particular circumstances:
<https://www.ombudsman.org.uk/organisations-we-investigate/nhs-complaint-standards/complaint-handling-guidance>

- Example of London Ambulance Service NHS Trust Complaints Charter
<https://londonambulance.nhs.uk/wp-content/uploads/2018/02/Complaints-charter-November-2017.pdf>



Complaints Charter
for the LAS.pdf

- NHS complaints information for the public
<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 Example 'You said, we did' templates - see example below.
- 5.2 Example complaint form - see example below.
- 5.3 Quick guide to the complaint process for the public - see example below.

6. Version control

- 6.1 Final - December 2022

'You said, we did' poster

Working together to improve what we do

You said

[Insert what person said]

[Insert what person said]

[Insert what person said]

We did

[Insert explanation of what you did]

[Insert explanation of what you did]

[Insert explanation of what you did]

You Said



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

Together
We can make a difference



The waiting area in A&E is dated.

Together
We can make a difference



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

Together
We can make a difference

We Did



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

Together
We can make a difference



We now have a newly refurbished waiting area.

Together
We can make a difference



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

Together
We can make a difference

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 bring your complaint to us, 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:

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 complain about happen?

The law says that you should complain within a year of becoming aware of the problem. Sometimes we will extend this time limit if there is a good reason for the delay and the information we need to look into the matter is still available. 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 access all relevant information, including any personal records that you hold, so that you can look into my complaint and provide me with a response.

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 access the information you need, including any personal records that you hold, 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:

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.

You can make your complaint to any member of our staff in person, by phone, by email or in writing. If you need help and support to do that, we will help you find it.

We will always try to deal with your complaint quickly if we can. But if it is clear that the matter will need a detailed investigation, we will tell you and explain what that means



Early resolution

We will always try to resolve your complaint quickly, if we can.



A closer look

If the matters you raise cannot be resolved quickly, are serious, complex or need detailed investigation, we will take a closer look at your complaint.

We will talk to you about your complaint, explain how we will investigate and keep you involved and updated at all stages of the process.



The Parliamentary and Health Service Ombudsman

If you remain dissatisfied with the way we have dealt with your complaint after receiving our final written response, you can ask the Ombudsman to consider it. We will tell you how to do this when we send you our final response.