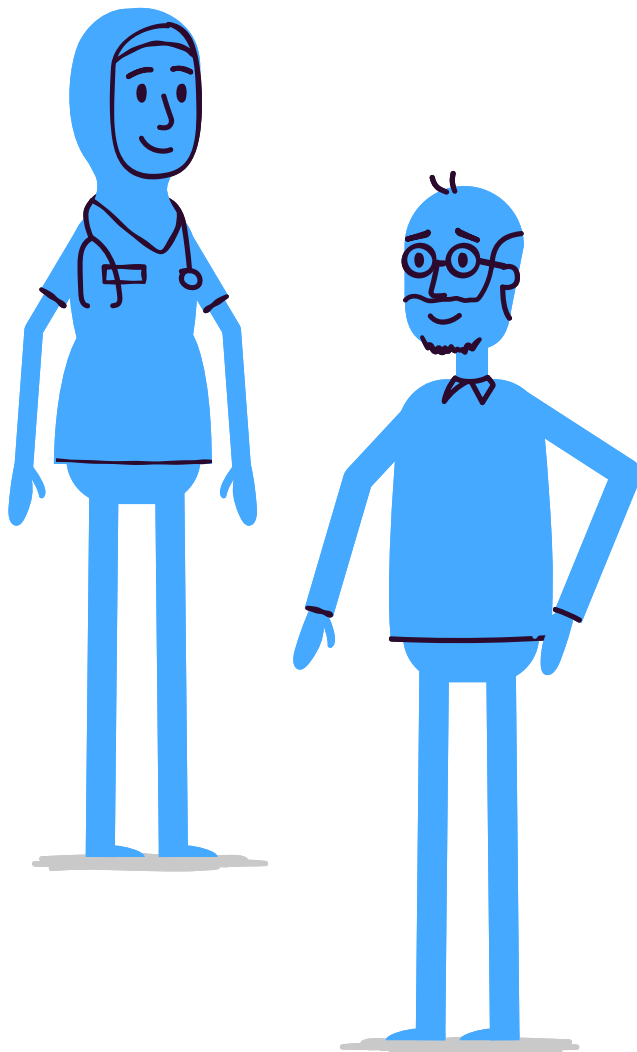
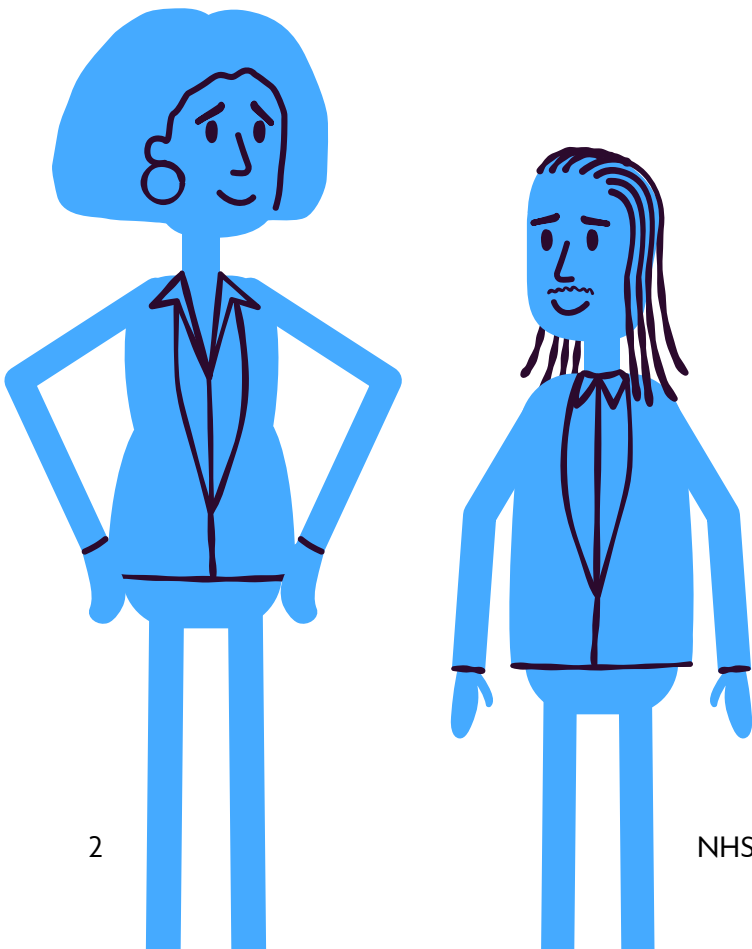


# NHS Complaint Standards

Summary of expectations



December  
2022



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# Foreword from Rob Behrens

It gives me great pleasure to introduce our updated Complaint Standards for NHS services in England. This version features additional and revised information based on feedback given to us by staff across the NHS since we first released the Standards in 2021.

These Standards will transform the way the NHS in England and independent healthcare providers who deliver NHS-funded care handle complaints and use learning to improve their service.

The Complaint Standards were developed by the Parliamentary and Health Service Ombudsman (PHSO) in collaboration with a working group of representatives from across the health and care sector including NHS service providers, health regulators and patient advocacy groups.

This version of the Standards is the culmination of several years of work and I am very grateful to everyone involved. The working group has been invaluable in shaping the Standards and making sure they are of practical relevance to complaint handling teams working across the NHS.

The Complaint Standards will help create an NHS complaint handling system that provides a consistent and positive experience for everyone involved. They are designed to guide organisations of all sizes so they can put the right structures and systems in place to capture and act on learning.

We believe at the heart of an effective complaint handling system are four core pillars, which these Standards are based on:

- welcoming complaints in a positive way and recognising them as valuable insight for organisations
- supporting a thorough and fair approach that accurately reflects the experiences of everyone involved
- encouraging fair and accountable responses that provide open and honest answers as soon as possible
- promoting a learning culture by supporting organisations to see complaints as opportunities to improve services.

In developing the Standards, the national Ombudsman held a wider consultation with the NHS and other public service organisations, members of the public and advocacy groups. The results showed widespread backing for the Standards, with 91% of respondents supporting their aims.

I am glad to see this support for the Complaint Standards. Although they are PHSO-led, for them to be successful it is vital that they are owned and championed by the NHS. I hope senior leaders across the NHS commit to embedding them in their service, creating a culture where complaints are embraced and welcomed as opportunities to learn.

The Standards themselves should be viewed as living principles that can be shaped as part of an ongoing process to make improvements in complaint handling and NHS service delivery. They are being published alongside supporting guidance to help staff deliver good complaint handling day in, day out.

We gained valuable feedback on the Complaint Standards and supporting guidance from piloting the Standards across a number of NHS organisations. These pilot organisations have reviewed and tested the model complaints handling procedure and guidance on complaints to ensure that they truly are supportive and work in practice.

Over the coming year we will continue to develop a range of resources to help NHS services embed the Standards in their day-to-day practice. This will include a training programme for complaint handlers and work towards our ambition of recognising complaint handling as a professional skill.

As we look beyond the launch of these Standards, the need for the national Ombudsman to be granted Complaint Standards Authority powers becomes even more important. Such powers would enable us to monitor consistency and help make sure staff and organisations receive tailored support to deliver the best possible service for users. This would also align our powers with the public service Ombuds in the UK's devolved nations, where these powers already exist.

We look forward to working with NHS partners to continue to improve complaint handling as we embed the Complaint Standards across the health service in England.

Rob Behrens

Rob Behrens CBE  
**Ombudsman and Chair**  
**Parliamentary and Health Service Ombudsman**



# Definitions

We use the following definitions in the Complaint Standards:

**Feedback:** an opinion, whether invited or spontaneous, that can be positive, negative or neutral.

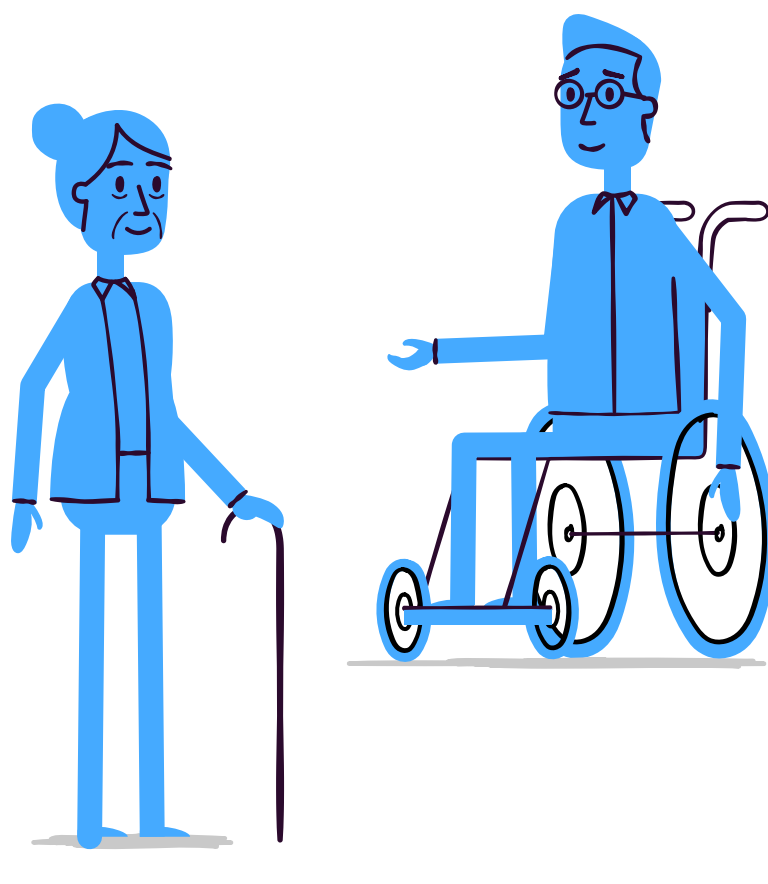
**Complaint:** an expression of dissatisfaction - either spoken or written - that requires a response. It can be about an act, omission or decision made, or the standard of service provided. These definitions should be considered within the context of 'no issue is too big to be a concern and no issue is too small to be a complaint'.

**Staff:** all staff providing NHS-funded services who interact with people who use, or support others to use, their service. This covers all clinical and non-clinical staff who have a public-facing role. It also covers private healthcare providers when they are delivering NHS-funded healthcare.

**Senior staff:** those who are responsible for leading the NHS organisation and/or who have senior responsibility for how the organisation handles and learns from complaints.

**Complaints staff:** staff who have a specific responsibility to look into and investigate complaints. This may be as part of their existing role or dedicated complaint staff whose main responsibility is to handle feedback and complaints.

**NHS organisations:** any organisation that provides NHS-funded services, including private healthcare providers when they are delivering NHS-funded healthcare.



# About the NHS Complaint Standards

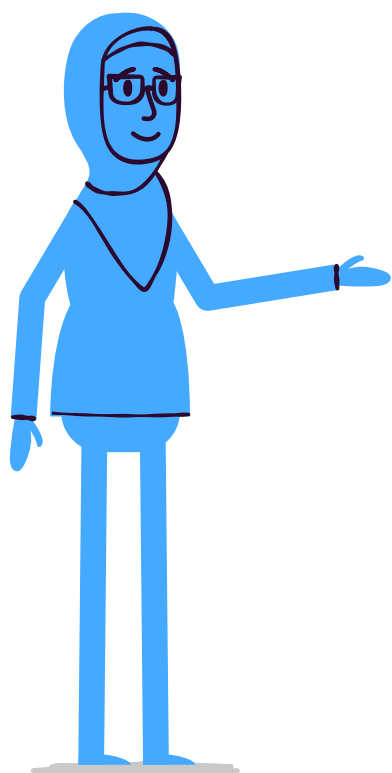
The NHS Complaint Standards set out how organisations providing NHS services should approach complaint handling. They apply to NHS organisations in England and independent healthcare providers that deliver NHS-funded care.

The Complaint Standards will support organisations to provide a quicker, simpler and more streamlined complaint handling service. They have a strong focus on:

- early resolution by empowered and well-trained people
- all staff, particularly senior staff, regularly reviewing what learning can be taken from complaints
- how all staff, particularly senior staff, should use this learning to improve services.

The Complaint Standards are based on [My Expectations](#), which sets out what patients want to happen when they make a complaint about health or social care services. The Standards and the guidance modules describe how staff can meet those expectations.

They should be used alongside other NHS complaint handling requirements listed on page 10.



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The Complaint Standards will support organisations to provide a quicker, simpler and more streamlined complaint handling service.

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# Why we need the Complaint Standards

Complaints offer a valuable source of learning to help improve services for everyone. Good complaint handling builds a direct and positive connection between those who provide services and the people who use them.

This is particularly true for NHS organisations providing services that so many people rely on, often at critical times of need.

However, there is no single set of guidelines for managing complaints in the NHS. This means it can be difficult for staff to deliver good complaint handling because:

- some organisations do not actively promote a learning culture where complaints are welcomed and used as a valuable source of learning
- staff handling complaints do not always get the right training and support
- managers and leaders approach learning from complaints in different ways.

This can lead to a culture which fears or ignores complaints, rather than embracing them. As a result:

- staff can feel unsupported in this important and complex area of work
- people making complaints do not get a consistent, positive experience and may feel their concerns are not taken seriously or properly addressed.

The NHS Complaint Standards are the first step towards addressing these issues. They set out a single vision for staff and NHS service users (and people who support them) of what should happen when someone raises a complaint.

The Standards promote accountability and openness, leading to better communication between providers and the public, and bringing about service improvements. They provide guidance to make sure:

- organisations promote a learning culture which welcomes complaints and handles them well
- staff have the skills and experience they need to be confident in handling complaints
- people making complaints about NHS services get a consistent, positive experience each time and they:
  - know how to give feedback or make a complaint
  - can get support to do so when they need it
  - are confident that organisations will take any issues raised seriously and take action to address them
- staff being complained about are supported and involved throughout the process.

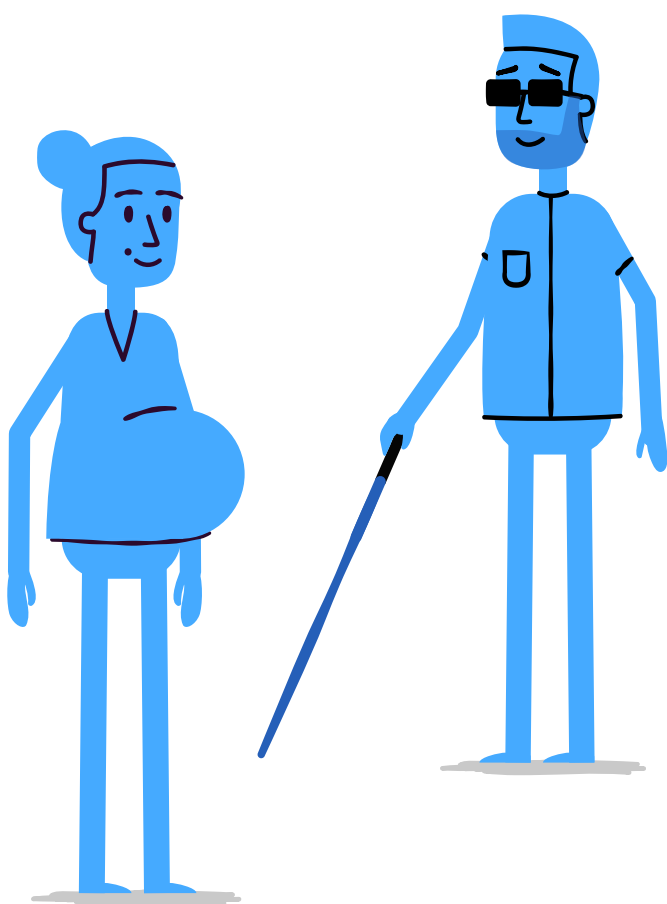


The Complaint Standards are supported by a model complaint handling procedure and detailed guidance on how they can be applied in practice. These will be used to develop a training and support programme for all staff delivering NHS services, so that complaint handling is recognised as a professional skill.

The Standards, training and further guidance will see more NHS organisations following similar processes across the country. This will provide a better, more consistent approach to complaint handling that meets the goals set out in My Expectations.

By adopting the Standards, NHS staff will be able to address, resolve and learn from more complaints at the earliest opportunity, which will benefit everyone involved. It will also mean fewer complaints become legal claims or get referred to the Ombudsman, saving both financial and emotional costs.

The Complaint Standards guide NHS organisations of all sizes to put the right structures and systems in place to capture, analyse and act on learning from complaints. They will enable more effective complaint handling that uses insight gained from people's shared experiences to help improve NHS services for future users.



# Other NHS complaint handling requirements

The Complaint Standards work alongside several other important requirements for NHS staff.

## The NHS Constitution

The Complaint Standards will help bring greater consistency to the delivery of several important aspects of the NHS Constitution. In particular:

Article 1: NHS organisations provide a comprehensive service, available to all. The NHS has a duty to each and every individual that it serves, and it must respect their human rights. This also relates to providing a comprehensive complaint handling service.

Article 4: The NHS will actively encourage feedback from the public, patients and staff, welcome it and use it to improve its services.

Article 5: NHS organisations work in partnership with other organisations in the interest of patients, local communities and the wider population. This also relates to working across organisational boundaries to respond to complaint issues.

Article 7: The NHS is accountable to the public, communities and patients that it serves - this is seen clearly and consistently via its handling and response to learning from complaints.

## Duty of Candour

The Complaint Standards support the Duty of Candour's approach to ensuring NHS organisations are open and transparent when harm appears to have been caused, or may have resulted from an incident. The Standards place emphasis on NHS staff applying the same principles if relevant concerns are identified during the handling of a complaint.

The Complaint Standards also support the approach to providing meaningful apologies and transparent explanations. They make it clear that an apology does not mean acceptance of legal liability.

## Ask Listen Do

The Complaint Standards support work to make sure NHS organisations make it easier for children, young people and adults with a learning disability, autism or both, to access the complaints system. They will promote best practice to make sure NHS organisations learn from complaints to improve the experiences of people with a learning disability, autism or both, and make it easier for families and paid carers to complain.

## NHS Complaint Regulations

The Complaint Standards align with all the legal requirements arising from the NHS Complaint Regulations and other subsequent regulations that relate to complaint handling.

# Complaint Standards at a glance

## An effective complaint handling system...

### **Promotes a learning culture by supporting the whole organisation to:**

- see complaints as an opportunity to develop and improve its services and people
- set clear expectations to embed an open, non-defensive approach to learning from complaints
- regularly talk to its managers, leaders and service users about what it has learnt from complaints and how it has used learning to improve services for everyone
- give colleagues the support and training they need to deliver best practice in handling complaints.

### **Welcomes complaints in a positive way and:**

- recognises them as important insight into how to improve services
- creates a positive experience by making it easy for service users to make a complaint
- gives colleagues the freedom to resolve issues quickly and to everyone's satisfaction.

### **Is thorough and fair when looking into complaints and:**

- gives an open and honest answer as quickly as possible, considering the complexity of the issues
- makes sure service users who make complaints, and colleagues directly involved in the issues, have their say and are kept updated when they carry out this work
- makes sure service users can see what colleagues are doing to look into the issues in a fair and objective way, based on the facts.

### **Gives fair and accountable responses that:**

- set out what happened and whether mistakes were made
- fairly reflect the experiences of everyone involved
- clearly set out how the organisation is accountable
- give colleagues the confidence and freedom to offer fair remedies to put things right
- take action to make sure any learning is identified and used to improve services.





## Promoting a learning culture

Effective complaint handling promotes a culture that is open and accountable when things go wrong. Senior leaders create an environment where everyone is supported and empowered to act on learning, rather than feeling blamed. Organisations use learning to improve their services and make sure every member of staff knows their role in promoting a learning culture. Organisations demonstrate how they use learning to improve services.

- Senior staff make sure every employee knows how they can create and deliver a just and learning culture for handling complaints. All staff can demonstrate how they contribute to this culture through practical examples.
- Senior staff make sure appropriate structures are in place to deliver fair and robust complaint investigations.
- Senior staff make sure staff are supported and trained in all aspects of dealing with complaints, from identifying a complaint to issuing a response, so that they meet the expectations set out in the Complaint Standards. This should include how to manage challenging conversations and behaviour.
- Appropriate governance structures are in place so that senior staff regularly review information that arises from complaints and are held accountable for using the learning to improve services. There are clear processes in place to show how organisations do this and this information is included in their annual report.
- Organisations take appropriate measures to capture feedback about the complaints process from those who make complaints and from the staff directly involved. They use this to demonstrate how the organisation has performed towards meeting the Complaint Standards and what users expect to see, as set out in My Expectations.
- Staff are trained to identify those complaints where mistakes have been made that may have resulted in significant impact. Staff ensure these mistakes are reviewed through the organisation's Duty of Candour processes.
- Organisations routinely share learning from complaints with other organisations (both locally and nationally) to build on insight and best practice.
- Organisations who outsource the provision of NHS services to a contractor or private provider have meaningful strategic oversight of how these services are performing. They know how these organisations handle complaints and how they meet the expectations set out in the Standards.



# Welcoming complaints in a positive way

An effective complaints system goes out of its way to create a positive environment in which complaints are welcomed and resolved at the earliest opportunity. People know how to complain and can do this easily and without fear that it will affect their care. They are confident that their complaint will be taken seriously, looked at with empathy and answered as quickly as possible.

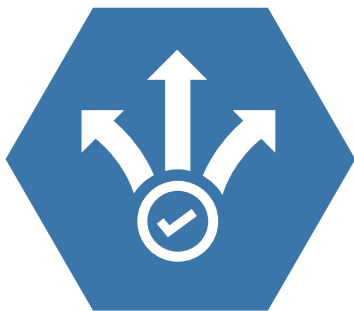
- All staff openly welcome complaints so they can identify and resolve issues quickly. Staff are trained to do this well and make sure people are being listened to and treated with empathy, courtesy and respect.
- Organisations clearly publicise how people can raise complaints in a range of ways that 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 actively reassure people who use their services that their care will not be compromised if they make a complaint and what they can do if they feel it has been.
- The complaints procedure is responsive to the needs of each individual, and organisations make reasonable adjustments where required.
- 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 make staff who are specifically the subject of a complaint aware of the issues as soon as possible, and tell them how to get ongoing advice and support.
- Staff respond to complaints at the earliest opportunity and consistently meet expected timescales for acknowledging a complaint. They give clear timeframes for how long it will take to look into the issues, taking into account the complexity of the matter.
- Organisations make sure staff can identify when issues raised in a complaint should be addressed (or are being addressed) via another route at the earliest opportunity, so a co-ordinated approach can be taken. Other possible routes include inquests, local disciplinary processes, legal claims or referrals to regulators. Staff know when and how to seek guidance and support from colleagues on such matters so they can give people information on the relevant process and explain where they can get support.
- Organisations regularly promote their wish to hear from service users and show how they use learning from all feedback (including complaints) to improve services.



## Being thorough and fair

An effective complaint handling system makes sure staff take a thorough, proportionate and balanced look into the issues raised in a complaint. It gives people fair and open answers to their questions based on the facts, and takes full accountability for mistakes identified.

- Organisations make sure all staff have the appropriate level of training, skills and authority to look into complaints thoroughly.
- Organisations make sure all staff who look at complaints have the appropriate resources, support and protected time to consistently meet these expectations.
- Staff actively listen and demonstrate a clear understanding of what the main issues are for the person who has made the complaint, and the outcomes they seek.
- Staff discuss timescales with everyone involved in the complaint and agree how people will be kept informed and involved. They provide regular updates as agreed with the parties, throughout.
- Staff look for ways they can resolve complaints at the earliest opportunity.
- Staff make sure everyone involved in a complaint (including those specifically complained about) know how they will look into the issues. This includes what information complaints staff will need, who they will speak to, who will be responsible for providing the final response and how they will communicate their findings.
- Staff give everyone involved in a complaint the opportunity to give their views and respond to emerging information, where appropriate. They take everyone's comments into account and act openly and transparently and with empathy when discussing this information.
- When a complaint does not suit early resolution and needs more detailed consideration and investigation, this is done fairly. Where possible, staff who have not been involved in the issues complained about should look at the complaint. If this is not possible, the person looking into the complaint should openly demonstrate they are acting fairly when they consider all the issues.
- Organisations publish a local complaints procedure that meets the Complaint Standards and all relevant complaint handling regulations. Each procedure clearly sets out how staff will handle complaints and which quality standards and behaviours they are expected to follow when doing so.



# Giving fair and accountable responses

An effective complaint handling system enables staff to give a fair and balanced account of what happened and the conclusions they have reached. Organisations openly identify instances when things have gone wrong, or where services have had an unfair impact, and take responsibility for these. They make sure staff can offer a range of ways to put things right for the individual. Staff also look at what action will be taken to learn from the experience to continuously improve services and help support staff.

- Staff give a clear, balanced account of what happened based on established facts. Each account compares what happened with what should have happened. It clearly references any relevant legislation, standards, policies or guidance, based on objective criteria.
- In more complex cases, staff make sure they share their initial views on a complaint with everybody involved and give people the opportunity to respond. Staff take any comments into account in their final response to the complaint.
- Organisations support and encourage staff to be open and honest when things have gone wrong or where improvements can be made. Staff recognise the need to be accountable for their actions and to identify what learning can be taken from a complaint. They are clear about how the learning will be used to improve services and support staff.
- Wherever possible, staff explain why things went wrong and identify suitable ways to put things right for people. Staff give meaningful and sincere apologies and explanations that openly reflect the impact on the people concerned.
- Organisations empower staff to identify suitable and appropriate ways to put things right for people who raise a complaint. They provide guidance and resources to make sure any proposed action to put things right is consistent.
- Organisations make sure people are kept involved and updated on how the organisation is taking forward all learning or improvements relevant to their complaint.
- For complaints that involve multiple organisations, the lead organisation provides a single response to the complaint. This includes what the other organisations have done to look into the issues and the conclusions they reached. Where necessary, the response clearly explains how each organisation will remedy any mistakes it made.
- Staff make sure they tell people about their right to complain to the Ombudsman if they are not satisfied with the written final response at the end of the organisation's complaint process.

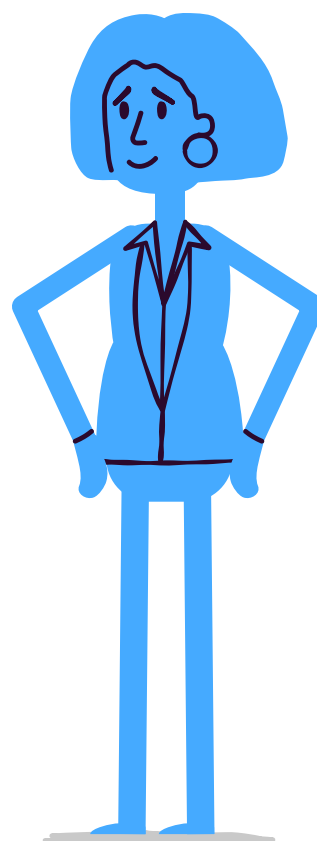


# Working in partnership to build the NHS Complaint Standards

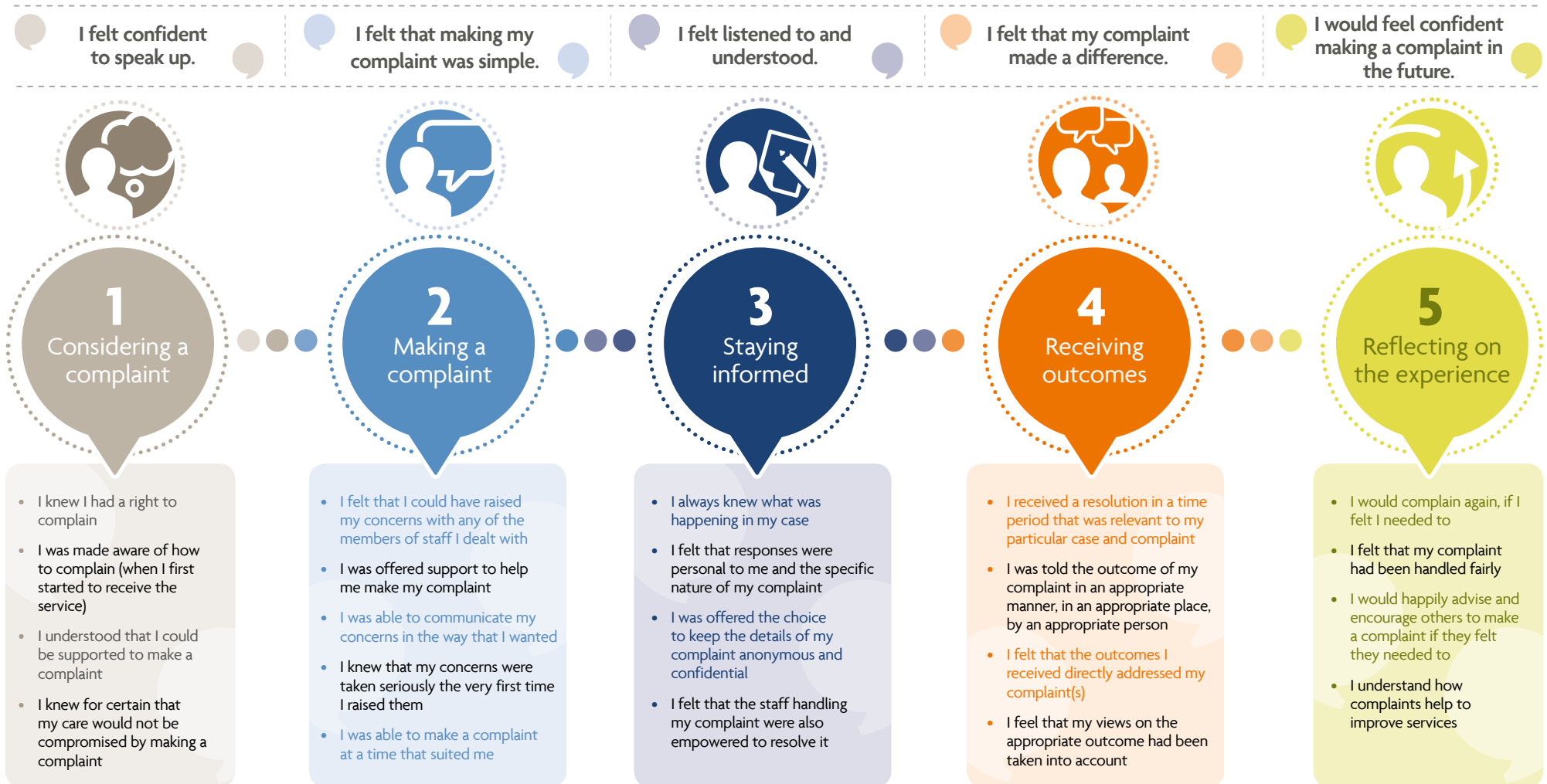
A group of organisations across the health sector in England worked together to help create the NHS Complaint Standards:

- Action against Medical Accidents (AvMA)
- Carers Federation
- Care Quality Commission
- Dental Complaints Service
- Department for Health and Social Care
- General Dental Council
- General Medical Council
- General Optical Council
- General Pharmaceutical Council
- Health and Care Professions Council
- Healthwatch England
- Independent Sector Complaints Adjudication Service
- NHS England
- NHS Improvement
- NHS Resolution
- Nursing and Midwifery Council
- Parliamentary and Health Service Ombudsman
- Patients Association
- POhWER
- The Advocacy People
- VoiceAbility

We are extremely grateful for the input and advice given by advocates, complaints and claims managers, patients and many others, all of whom gave up their valuable time to help us.



# My Expectations: how complainants will feel when organisations meet the Complaint Standards



If you would like this document in a different format, such as Daisy or large print, please contact us.

**Let's make  
complaints  
count!**

