

How we look into complaints

What happens when you first contact us

We make final decisions about complaints that have not been resolved by the NHS in England, UK government departments and some other UK public organisations.

We have a **three-step process** for dealing with complaints. An investigation is the final step in our process, but not all the complaints that come to us go through to this step.

Our website includes lots of examples of complaints we've investigated, if you would like to find out more about we can do.



This guide is about **step one** in our process - the initial checks we do when we first get your written complaint. If you have any questions about what we do, please get in touch.

We also have guides to steps two and three of our process on our website.

Go to www.ombudsman.org.uk or call us on 0345 015 4033.



What to expect: a quick guide to step one

When you first get in touch with your complaint, there are some initial checks we do to make sure that we can help.

We look at:

- what and who your complaint is about and what you want to happen as a result of complaining to us,
- what steps you have taken already to get your complaint sorted out.

We need to have a good understanding of your complaint so if we need more information from you, we will let you know.

We also explain more about our role and the kinds of things we can and cannot do, to make sure we are the right organisation to help with your complaint.

By the end of step one in our process, you will know:

- more about our role, what we can and cannot investigate, and how we work
- whether your complaint is ready for us, if we can potentially investigate it, and what will happen next
- who else might be able to help with your complaint, if we can't.

How long will this take?

We aim to complete this step in our process within **five working days** of receiving your complaint. We'll then let you know if we're going to look at it in more detail, which is step two in our process.

The rest of this guide has more details about the checks we do at step one.

Step one in detail

We look at what and who your complaint is about

The organisations we can investigate, and the types of complaints we can deal with, are set out for us by law.

When you contact us, we look at which organisation you want to complain about and whether we can investigate it. We then look at what you want to complain about, and whether the law allows us to look at those issues.

We can investigate complaints about:

- the NHS in England. This includes complaints about healthcare from a private company that has been paid for by the NHS,
- UK government departments and some other UK public organisations. This includes organisations like the DVLA, Job Centre Plus and the Passport Office.

These are some of the things we cannot look into:

- healthcare that is not NHS-funded
- social care
- local councils
- the police
- MPs
- commercial and contractual issues
- actions or decisions of judges
- employment matters.



We'll talk to you about what you want to happen as a result of complaining to us. We'll explain our role and the types of things we can do, as well as the things we can't do. This is so you can see what we might be able to achieve and whether this will resolve your complaint.



These are some of the things we can do and some of the things we can't do.

What we can do



We can ask an organisation to do certain things to put things right. This can include acknowledging its mistakes, apologising to you, or reimbursing you if you have been left out of pocket because of what happened.

We can ask an organisation to look again at a decision it has made, but only if it is clear that it made mistakes, acted unfairly, or didn't follow its process when making it.

We can ask an organisation to take action to avoid the same mistakes happening again, like reviewing its policies or procedures, guidance or standards.

What we can't do



We can't make an organisation:

- fire or 'strike off' someone.,
- pay compensation, in the way that courts and tribunals can.

We can't make an organisation cancel or change a decision it is entitled to make as part of its responsibilities (about a benefits claim for example), or replace its decision with our own.

We can't make an organisation change its policies or procedures, guidance or standards, or replace these with our own.

If we can't help with your complaint, there will usually be someone else who can and we will give you advice about that.

We look at what steps you have taken already to get your complaint sorted out

As we are the final stage for unresolved complaints, we would usually expect you to complain to the organisation you are unhappy with first. This is so the organisation has the chance to look into your concerns and, where needed, put things right for you.

Once you have a final response from the organisation you're unhappy with, if you don't feel your concerns have been resolved, you can then complain to us.

If you haven't complained to the organisation yet, we can help by:

- Pointing you in the right direction to help you get started. There are some useful tips on how to complain to an organisation on our website too.
- Putting you in touch with an advocate – someone who can help you to put your complaint to the organisation you're not happy with. Their services are free of charge.

We may also be able to help if you have complained to the organisation already and:

- haven't had a response by the deadline it gave you, or
- are unsure if you have received a final response.

For example, we can ask the organisation for an update on your complaint or we can ask it to do more to deal with the issues in your complaint.

If your complaint has not yet been all the way through the organisation's complaints process, we will let you know what stages are left and what you need to do.

For complaints about some UK government departments and other public organisations, the process might include an independent review by a separate organisation set up specifically to deal with complaints about it. This is sometimes called a 'second tier'.

In some very exceptional situations, we can decide to look at a complaint before it has gone through the organisation's complaints process. But there must be clear reasons for us to do this.

For example, we might decide to do this if the relationship between you and the organisation has completely broken down, or if it is really urgent that your complaint is resolved sooner rather than later. We will talk to you about your circumstances and give you an answer as soon as possible.



Complaints about UK government departments and other UK public organisations

If your complaint is not about the NHS, but is about a UK government department or another UK public organisation, there is one other check we have to do. We have to check that an MP has passed your complaint on to us for you. This is because the law says that complaints that are not about the NHS need to come to us through an MP.

We can help you contact an MP to do this. You can also go to findyourmp.parliament.uk to find out who your local MP is or contact the House of Commons Information Office on 020 7219 4272.

What happens next?



If our checks show that we cannot investigate your complaint at this time, we will explain why and let you know who else might be able to help with your complaint.

If our checks show that we can investigate your complaint, and that it is ready for us, we will let you know we are going to look at it in more detail. **This is step two in our process.**

We will explain what to expect at step two and we'll give you a reference number for your complaint. We will also tell you when we think we will start step two.

Contact our Advice Line

If you are not sure if we can investigate your complaint or if your complaint is ready to come to us, please call our Advice Line on 0345 015 4033.



We know that making a complaint can be daunting and it can take time and determination to see it through. We will do our best to help you.

We will go through your complaint with you to help us understand what has happened so far, explain what information we need to carry out our checks, and what you might need to do next.

Often we will be able to give you advice about whether we can investigate your complaint and whether it is ready for us during this call.

Sometimes we will need to get more information, and we will let you know what we need.

We will also be able to give you details of organisations that can help you if you would like support to make your complaint.

If it looks like we can investigate your complaint, we will let you know the different ways that you can make your complaint to us.

For complaints about the NHS in England, you can use our online complaint form.

For complaints about UK government departments and other UK public organisations, you can download one of our complaint forms from our website.

Go to **www.ombudsman.org.uk** for more information.