



A Guide to Resolving Issues or Making a Complaint

If you are unhappy with the treatment or service you receive from the NHS you are entitled to make a complaint, have it considered, and receive a response from the NHS organisation or primary care practitioner concerned.

The NHS complaints procedure applies to the NHS in England, except for NHS Foundation Trusts (see below).

A Patient Advice and Liaison Service (PALS) has been established in every NHS and Primary Care Trust (PCT). PALS are not part of the complaints procedure itself but they might be able to give you advice, resolve your concerns informally or tell you more about the complaints procedure and independent complaints advocacy services.

Prior to Making an Official Complaint

We would strongly advise that, before you begin any official complaints procedures, you should try to resolve the issue directly with your local healthcare team/provider. Speak to your Consultant and/or Prosthetist directly to explain why you are unhappy and try to remain calm and courteous, no matter how aggravated you may be.

Provide the specific reasons why you are unhappy with your service, giving examples of the type of treatment/service you would like to receive and the reasons why you feel this would be of benefit to you. Be prepared to listen to feedback, as there may be justified reasons (such as your own personal safety) why these services cannot be made available to you (at the moment).

If you feel the problem lies in a “personality clash” between you and a member of your healthcare team then discuss this with somebody else and see if it is possible to receive your treatment from somebody else in future.

Try to remember that your healthcare team does genuinely care about your treatment and well-being and providing a satisfactory service to patients is what they always want to achieve. They do care about your opinions and concerns and they should be willing to listen and discuss these issues with you, in a friendly and polite manner, providing you with any information and feedback you require.

Remember that, although they care about your own personal treatment, they also have a responsibility and obligation to provide a free and fair service to the entire community in your area. For this reason, they also have to consider how decisions made with you could affect their other patients.

If your complaint is due to a funding issue, or a lack of funding in your area, it may be best to follow a different procedure (see below) as this is neither the fault or responsibility of the members of your healthcare team. Nor is it under the control of the members of your healthcare team, who may be equally frustrated and restricted by the funding issues that limit the service they are able to offer.



In these cases, where you feel they are unable to provide a satisfactory service due to a lack of funding, then we would advise that you first check to ensure a superior service is available elsewhere on the NHS and then write to your local MP (see below) to point out that the local service is unsatisfactory, and why, and/or request a transfer to another centre where you feel the level of service and treatment would be better for you.

Requesting a Transfer to Another DSC

You may feel that the only solution available to you is to receive your treatment from another Centre, but it is essential that you first check that any new Centre will be able to provide you with the service you would like. It may be that you are requesting services that are not currently available anywhere, or that another Centre does not feel they would be able to improve upon the services you are already receiving, so you must check this and receive assurances first.

This may involve an evaluation appointment with the Consultant and/or Prosthetist at the new Centre. Please make them aware of why you are unhappy with your current service, what you want and expect from any new service and what you hope to achieve from transferring to their care. Please bear in mind that a new Centre may be further away from you, or harder to travel to and that they may not be able/required to provide transport for any future appointments.

Also, remember that every Centre/PCT is primarily responsible for the residents living within that area, so there may not be any availability or additional resources available for “out-of-area” referrals at present. If they feel they cannot provide a superior service to the one you are already receiving, then they are under no obligation to accept your transfer request.

At present, where you receive your NHS treatment and the funding allocated for this is under the control of your GP. Ultimately, it is your GP who can decide/request where you receive any of your NHS services, so you should speak to them if and when you decide to request a transfer. Please provide your GP with:

- a full list of the reasons why you are unhappy;
- what you would like to do in the future;
- why you feel you could get a better service elsewhere;
- where you would prefer to go (if you already know); and
- what level of service you would like.

Also let your GP know if there are additional/superior services available to you in a different Centre and why you feel you would benefit from these services.

Speak to/visit another Centre first to ensure that they can provide a better service and let your GP know about any information or services you have been informed about. If you are able to demonstrate a good case for transferring, then your GP will be able to make all of the necessary arrangements for you and ensure that there is availability for you at the new centre.



Your transfer may be for all of your future care, for some of your future care (i.e. you receive your main limb-fitting services at the new Centre, but return to your local Centre for any minor adjustments and repairs), or for a specific course of treatment/time-period.

Making An Official Complaint

What justifies a complaint?

The NHS complaints procedure covers complaints made by a person about any matter connected with the provision of NHS services by NHS organisations or primary care practitioners (GPs, dentists, opticians and pharmacists). The procedure also covers services provided overseas or by the private sector where the NHS has paid for them.

Who can complain?

A complaint can be made by any patient or person affected, or likely to be affected, by the actions or decisions of a NHS organisation or primary care practitioner. A complaint can also be made by someone acting on behalf of the patient or person, if they have given their specific consent.

What is the time limit for making a complaint?

You should normally complain within 6 months of the event(s) concerned, or within 6 months of becoming aware that you have something to complain about. Primary care practitioners and complaints managers in NHS organisations have discretion to waive this time limit if there are good reasons why you could not complain earlier.

To whom should I complain initially?

The first stage of the NHS complaints procedure is 'Local Resolution'. Your complaint should be made in the first instance to the organisation or primary care practitioner providing the service. Local resolution aims to resolve complaints quickly and as close to the source of the complaint as possible using the most appropriate means; for example, use of conciliation.

You can raise your concerns immediately by speaking to a member of staff (e.g. doctor, nurse, dentist, GP or practice manager) or someone else, e.g. the PALS office. They may be able to resolve your concerns without the need to make a more formal complaint. However, if you do want to continue with your complaint you can do this orally or by writing (including e-mail) to the primary care practitioner or the NHS organisation concerned. If you make your complaint orally the complaints manager should make a written record.

You should receive a response from a primary care practitioner within 10 working days, or from the chief executive of the NHS organisation concerned within 20 working days. You should be kept informed of the progress if this is not going to happen.

NHS Foundation Trusts

NHS Foundation Trusts will have their own systems for the internal handling of complaints, which may differ from the 'local resolution' process described above. If you have a complaint about an NHS Foundation



Trust, you should contact it for advice on how to make your complaint. The 'independent review' stage carried out by the Healthcare Commission does apply to NHS Foundation Trusts, which are also covered by the Health Service Ombudsman.

Healthcare Commission & Independent Reviews

If you are unhappy with the response to your complaint, including a complaint about an NHS Foundation Trust, you can ask the Healthcare Commission for an "Independent Review" of your case. The Healthcare Commission is an independent body established to promote improvements in healthcare. You can contact the Commission at:

Healthcare Commission

Helpline

Freepost LON15399

London

EC1B 1QW

Tel: 03000 616161

E-mail: feedback@healthcarecommission.org.uk

Web: www.healthcarecommission.org.uk

The Independent Complaints Advocacy Service

As part of the Citizen's Advice Bureau, ICAS provides completely free, independent and impartial advice and support to people who want to complain about the NHS. For advice or an information pack please contact: ICAS Central Team (Citizens Advice)

Tel: 0845 120 3784

Email: icascentralteam@citizensadvice.org.uk

Web: www.adviceguide.org.uk

The Health Service Ombudsman

If you remain unhappy after local resolution and independent review then you can complain to the Health Service Ombudsman. The Ombudsman is completely independent of the NHS and Government. You can contact the Ombudsman at:

The Parliamentary and Health Service Ombudsman

Millbank Tower

Millbank

London

SW1P 4QP

Tel: 0845 015 4033

Email: phso.enquiries@ombudsman.org.uk

Web: www.ombudsman.org.uk



Writing to your MP

Your next step is to write to your local MP (you can find his or her name, postal address and email address on the Parliamentary page of the Limbless Association website). Your letter should of course be in your own words, but the following guidelines may be helpful.

Dear,

*As your constituent, with limb loss as follows, I seek your help and support. I am unhappy about the service I am receiving from my Limb Centre in your constituency at because of
.....*

I assure you that this letter in no way implies any criticism of the caring health care professionals at the Centre, who are working flat out to help, but are, I believe, suffering from inadequate funding. They need your support in ensuring that our "Cinderella" limb service gets its fair share of the welcome new funding from Government.

I should be happy to give you any further information that may be required and I look forward to your response.

Involving the Local Press

If you are still unhappy, despite your MP's response, and you do not mind the publicity, then you could seek to involve your local newspaper, but remember that you may not be able to control the "slant" of the story that they decide to publish.