



How to complain about a doctor

Scotland

Working with doctors Working for patients

General
Medical
Council

This booklet is for patients in Scotland. Our procedures are the same throughout the UK, but healthcare and support organisations do vary.

We have therefore also produced booklets for patients in England, Wales, and Northern Ireland. If you would like one of these booklets, or if you would like one in a different format or language, please call 0161 923 6602.

You can also access the booklets in a range of formats and languages on our website at **www.gmc-uk.org/reportingdoctors**.

How to complain about a doctor

The General Medical Council (GMC) deals with the most serious complaints about doctors. These are complaints that might require a doctor's registration to be restricted or removed to protect the public and uphold public confidence in the medical profession.

We are one of a number of organisations responsible for considering patients' concerns and, depending on the circumstances, it may be more appropriate for you to raise your concerns with another one of these organisations first.

This booklet explains what to do if you are unhappy with the way a doctor has treated you or cared for you and provides more information about what we and other organisations do.

Who should I contact if I am concerned about a doctor?

There are a lot of organisations responsible for looking into concerns patients raise and it can be confusing to know who to speak to. Your concern will be dealt with fastest if you complain to the right organisation in the first place.

If you want an apology, an explanation or a review of your treatment, you should first contact the place where you received care. From April 2012, the *Patient Rights (Scotland) Act 2011* established a legal right for patients in Scotland to complain, give feedback or comments, or raise concerns about the care they have received from the NHS.

For more information on the *Charter of Patient Rights and Responsibilities*, go to the Health Rights Information Scotland website (www.hris.org.uk) or contact NHS Inform (see www.nhsinform.co.uk or call 0800 22 44 88).

Most complaints about doctors can be settled locally, and more quickly, by the doctor's employers. The NHS hospital, GP practice, private hospital or clinic where you received care has its own complaints procedures. Please contact them for details.

Several other local organisations may be able to help you with your complaint.

- You can find out how to give feedback or complain about NHS Scotland on the Health Rights Information Scotland website (www.hris.org.uk) or by contacting NHS Inform (see www.nhsinform.co.uk or call 0800 22 44 88) or your local health board.
- The Patient Advice and Support Service is an independent service that provides free, accessible and confidential information, advice and support to anyone who wants to give feedback, make comments, raise concerns or make a complaint about treatment and care provided by the NHS in Scotland. The service is delivered through your local Citizens Advice Bureau. For more information and to find your nearest bureau, go to www.patientadvicescotland.org.uk.
- The Scottish Public Services Ombudsman can investigate complaints about doctors, but will normally expect you to have used and exhausted the local complaints procedures before becoming involved. Go to www.spsso.org.uk or call 0800 377 7330 for more information.

If you have a more serious complaint that you think affects whether the doctor should be allowed to keep practising medicine, you should contact us.

If you're not sure who to speak to, we have developed an online, interactive guide to making complaints called *Patients' help*. You can find this, along with all our complaints leaflets and forms, at **www.gmc-uk.org/concerns**.

We will make reasonable adjustments under the *Equality Act 2010* to ensure that disabled people are not disadvantaged when reporting a concern about a doctor. Please tell us if we need to make reasonable adjustments – eg provide information in large print because of a visual impairment.

You can also call us to discuss your concerns on 0161 923 6602. All calls are confidential and we will advise you on what to do.

What kind of things should I complain to you about?

These are examples of the types of cases in which we may need to act:

- serious or repeated mistakes in carrying out medical procedures or in diagnosis, such as prescribing drugs in a dangerous way
- failure to examine a patient properly or to respond reasonably to a patient's needs
- serious breaches of patient confidentiality
- serious concerns about knowledge of the English language
- abuse of professional position (eg, improper sexual or emotional relationship with a patient or someone close to them)
- violence, sexual assault or indecency
- unlawful discrimination

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- fraud or dishonesty
 - any serious criminal offence

If you think that a doctor has committed a criminal offence, you should contact the police as well as the GMC.

How do I report a doctor to the GMC?

The easiest and quickest way to raise a concern about a doctor is through our online complaint form at **www.gmc-uk.org/patientshelp**. This form will guide you to provide all the information we need to consider your concern.

You can also report a doctor to us by:

- writing to us at Fitness to Practise, General Medical Council, 3 Hardman Street, Manchester M3 3AW
- filling in and returning the complaint form at the back of this booklet.

You can find further information, including a useful example of a complaint by letter or email, on our website at **www.gmc-uk.org/concerns**.

We will need the following information from you:

- the doctor's name and work address
- an explanation of your concerns – with dates when the incidents happened
- copies of any supporting documents, such as copies of your correspondence with the organisation or NHS board if you have complained locally

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- the names and addresses of anyone else who witnessed or was involved in the incidents.

Please note that we may not be able to investigate your complaint if you want to remain anonymous. If you have any questions, please call us on 0161 923 6602.

What will the GMC do with my complaint about a doctor?

We review all complaints carefully to see if there are issues that we need to investigate. In some instances, we may decide to carry out a provisional enquiry. A provisional enquiry is a limited, initial enquiry at the outset of the process which helps us to decide whether to open an investigation. If we decide that we are not the right organisation to investigate the complaint, we may pass it to the doctor's responsible officer who monitors performance and tell the doctor to pass it to the local complaints body.

If we decide to investigate your complaint, we will need to show it to the doctor. We will ask for your consent to do this but, if you refuse, we can do so without your consent in some situations. Usually we do not investigate complaints about doctors when the events took place more than five years ago. However, we will still show the doctor your complaint if you consent for us to do so.

Once we have received the doctor's comments, we will give you a chance to respond. We will also send you a factsheet called *Investigating concerns* that explains the procedures in more detail.

Once we have collected the information we need, the case will be considered by two case examiners (one medical, the other non-medical)

who are senior GMC staff. They will consider whether the concerns are serious enough to refer the case for a hearing with the Medical Practitioners Tribunal Service (MPTS). If they are, an impartial tribunal will decide at the hearing if the doctor is fit to practise.

You can find out more about the role of the MPTS at www.mpts-uk.org.

What can the GMC do?

If we identify concerns about the doctor that mean we need to take action, we can:

- issue a warning to the doctor
- agree undertakings – for example, the doctor agrees to re-train or work under supervision
- refer the doctor to the MPTS for a medical practitioners tribunal hearing. The MPTS tribunal can decide to:
 - put conditions on the doctor's registration so that, for example, they are only allowed to do medical work under supervision, or so that they are restricted to certain areas of practice
 - suspend the doctor's name from the register – so that they cannot practise medicine during the suspension period
 - remove the doctor's name from the register so that they cannot practise medicine at all.

What can't the GMC do?

We cannot:

- deal with concerns or complaints about nurses, pharmacists, dentists, opticians, hospital or practice managers or administrative staff, or anyone who is not a registered doctor – these will be dealt with by other regulators (see www.professionalstandards.org.uk for their details)
- give you a detailed explanation of what happened to you – this can only come from the doctor or the healthcare organisation
- order a doctor to provide the treatment you want
- help you with a claim for compensation
- fine a doctor
- make a doctor apologise to you.

How long will it take for the GMC to consider my complaint?

We appreciate that making a complaint can be stressful, so we will try to consider your complaint as quickly as we can. The more relevant information you provide, the quicker we will be able to consider your complaint. If we decide to investigate your complaint, we will give you an idea of how long our enquiries will take.

What if I am not happy with the way the GMC has handled my complaint?

We will keep you informed of any action we are taking and provide you with a clear explanation for our decisions. If you are not happy with the way we have handled your complaint, please discuss the problem with the person who handled your complaint. You may contact their manager if you are still unhappy, or email feedback@gmc-uk.org.

Working together for better care

Where possible, we'd like you to experience care that does not cause you any need to complain. To help get the most out of your time with your doctor, our guide *What to expect from your doctor: a guide for patients* explains the behaviour and standard of professional care you can expect. The guide is based on the standards we set for doctors in *Good medical practice* and explains how patients can help to create an effective partnership with their doctor. It underlines the importance of dignity and mutual respect between patients and their doctors, and explains that all doctors need to be honest and open if things go wrong. Read this guide at www.gmc-uk.org/patientsguide.



Email: **gmc@gmc-uk.org**

Website: **www.gmc-uk.org**

Telephone: **0161 923 6602**

Head office: General Medical Council, 3 Hardman Street, Manchester M3 3AW

Scotland office: General Medical Council, 5th Floor The Tun, 4 Jackson's Entry, Edinburgh EH8 8PJ

To ask for this publication in Welsh, or in another format or language, please call us on **0161 923 6602** or email us at **publications@gmc-uk.org**.

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**General
Medical
Council**

Complaint form

This form is for you to make a complaint, in the strictest confidence, about a doctor to the General Medical Council (GMC). You can use this form to make your own complaint about a doctor, or to complain on someone else's behalf.

You do not have to use this form but, if you do, it will help us to consider your complaint quickly. Alternatively, you can raise a concern through our online complaint form at www.gmc-uk.org/patientshelp.

If you need help, please read our booklet *How to complain about a doctor* at www.gmc-uk.org/concernspublications, call us on 0161 923 6602 or visit www.gmc-uk.org/concerns.

Please fill in the form in blue or black ink, in CAPITALS, giving us as much detail as you can.

The information you will need to complete this form

Before filling in this form, you may find it useful to gather the following information.

- The **name of the doctor** who you want to complain about.
- The doctor's unique seven-digit **GMC reference number** that we use to identify them. All doctors registered to work in the UK have a number and it will help us to process your complaint more quickly.

You can find a doctor's GMC reference number by:

- asking your doctor

- searching our online medical register at www.gmc-uk.org/LRMP
- checking other healthcare websites – you can find details of these on our website at www.gmc-uk.org/identifyadr.
- The **date** (or approximate date) that the incident you wish to report took place.
- **Details of the incident** – for example, where did the incident happen? What do you feel the doctor has done wrong? What happened to you or the patient as a result of the doctor's actions?
- If you have already complained to another organisation, such as your local surgery or hospital, it will help us if you can provide **details of who you complained to and what the outcome was**.

If you have complained to the GMC before about this matter

Please put your concerns in writing, quoting the reference number we previously gave you, then email them to us at practise@gmc-uk.org or write to us at the General Medical Council, Fitness to Practise Directorate, 3 Hardman Street, Manchester M3 3AW.

Please do not submit a new complaint in this instance.

If you cannot find or remember the reference number, please tell us the name of the doctor and/or the date when you first made the complaint.

Title (Mr, Mrs, Ms, etc)

Full name

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Address

Postcode

Home phone number

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Mobile number

--

Email address

--

Date of birth

ddmm

yyyy

Gender

M/F

Your GMC reference number, if you are a doctor

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Reasonable adjustments

We are committed to making reasonable adjustments, in line with the *Equality Act 2010*, to help disabled people to complain about a doctor. Please tell us if you need any reasonable adjustments, such as receiving this form or information about the complaints procedure in an alternative format (eg large print or audio).

Who you are

For example: patient, patient's parent, patient's guardian, patient's spouse or partner, patient's relative, patient's legal representative, patient's friend, concerned member of the public, concerned doctor or another health professional.

I am the

If you are **not** the patient, please give us more information about them.

Title (Mr, Mrs, Ms, etc)

Patient's full name

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Date of birth

ddmmyyyy

Gender

M/F

Doctor's details

Please give the details of the doctor(s) you are complaining about.

First doctor's details

Doctor's full name

Organisation's name

Department

Organisation's address

Postcode

Please give any other information that you think might help us to identify the doctor such as the type of doctor or the doctor's specialty.

Gender

GMC reference number

Second doctor's details

Doctor's full name

Organisation's name

Department

Organisation's address

Postcode

Please give any other information that you think might help us to identify the doctor such as the type of doctor or the doctor's specialty.

Gender

GMC reference number

If there are more than two doctors involved, continue on a separate sheet and attach it securely to this form. Please tick here if you have continued on a separate sheet. ☐

Incident details

Incident date

When did the incident occur? (Please estimate if you are unsure.)

If there was a series of incidents, please provide us with the most recent date.

You can provide other relevant dates in the *Summary of your complaint* below.

dd	mm	yyyy
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We can't usually investigate concerns about events that took place more than **five years** ago. If the incident date is more than five years ago, please explain why you did not raise it with us previously. We need to understand this before we can take any further action.

Incident location(s)

Please give details of where the incident(s) occurred. For example, if the incident happened when you were receiving medical treatment, this could be the doctor's surgery or hospital.

Your complaint

Please tell us about your complaint.

- Tell us what you feel the doctor has done wrong, what happened to you or the patient as a result of the doctor's actions and when and where this happened.
- If the incident happened across several dates, please include all dates.
- If you are complaining about more than one doctor, please make clear what you think each doctor has done wrong.

Please provide as much information as possible about your concerns as this is what we will use to initially assess your complaint.

Continued >

Continued >

If necessary, continue on a separate sheet and attach it securely to this form. Please tick here if you have continued on a separate sheet. ☐

Witness information

If anyone witnessed the incident, please give their name(s) and explain what you think they may have seen or heard.

Supporting documentation

If you have any documents that you feel are relevant to your complaint, please enclose copies and list them here. If you ask us to, we will return any original documents you send once we have copied them.

Please note: In line with our information security guidelines, we only return any digital media you send to us – such as DVDs, CDs and USBs – in exceptional circumstances. We can send you a copy of the information using our secure file transfer system. But to avoid the risk of erroneous data disclosure, we don't generally return this information through the post.

Further information about your complaint

If you have already complained about this matter to your doctor's surgery or hospital, the local trust, health board or another regulatory body, please give the details below. If not, please go to the *Consent and declaration* section.

First organisation's details

Contact's name

Contact's email address

Organisation's name

Department

Organisation's address

Postcode

Please give brief details of their response to your concern, including any verbal feedback that you may have been given.

Second organisation's details

Contact's name

Contact's email address

Organisation's name

Department

Organisation's address

Postcode

Please give brief details of their response to your concern, including any verbal feedback that you may have been given.

If you have complained about this matter to more than two organisations, continue on a separate sheet and attach it securely to this form. Please tick here if you have continued on a separate sheet. ☐

Supporting documentation

If you have any documents, such as a copy of the complaint letter or the response that you received from the healthcare provider that you feel are relevant to your complaint, please enclose copies and list them here. If you ask us to, we will return any original documents you send once we have copied them.

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Consent and declaration

We would like your permission to tell the doctor(s) concerned, their employers and other relevant individuals or organisations about your complaint if necessary to progress an investigation. In some circumstances we can share your complaint without your consent, but would prefer to have your agreement. Where this is not the case, you need to be aware that, if you do not give your permission, **we may not be able to take your concern any further**. Please tick the box below to give us your permission to share your complaint in order to deal with your concerns or to assist another organisation or individual to do so.

Consent and declaration statements

I agree that the GMC can tell the doctor(s) concerned, their responsible officer/suitable person, their employers and any other relevant individuals or organisations about my complaint, and can share any information I provide in connection with it, in order to make enquiries and/or carry out an investigation in relation to the matter. I also agree that the GMC can pass the complaint to another appropriate body or individual (including the doctor's responsible officer/suitable person) if it is not (or not solely) a matter for the GMC.

Yes ☐ No ☐

I agree to co-operate with the GMC's investigation including, for example, providing a statement.

Yes ☐ No ☐

I declare that all the information I have given in this form is to the best of my knowledge complete and accurate.

Signature

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Date

dd	mm	yyyy
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If you are the patient, please also complete the following

I agree that the doctor(s) concerned, their employers or other relevant individuals or organisations can provide the GMC with any information about me that the GMC needs to consider my complaint, including my medical records.

Yes ☐ No ☐

Signature

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Date

dd	mm	yyyy
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Medical records consent

To consider your complaint we may need to get copies of the patient's medical records. To do this, we need to have the consent of the patient, their guardian or legal representative. We also need you to tell us the name(s) of the hospital or surgery holding the records, that relate to the matter being complained about. We may need to share these records with the doctor as part of our investigations.

We may not need copies of the medical records but, if we do, it will save time if you give us your consent at this stage.

Organisation's name where records are held

Organisation's address(if known)

Postcode (if known)

If relevant medical records are held in more than one location, please continue on a separate sheet

If you are the patient

I give permission for the GMC to obtain copies of my medical records for the period the GMC considers relevant to this complaint.

Your name

Signature

Date

Date of birth

If you are the next of kin or legal representative for a patient who is younger than 16 years or has died

Your name

Relationship to the patient

I give my permission for the GMC to obtain copies of the medical records for the patient for the period the GMC considers relevant to this complaint. I confirm that I have the legal authority to give this permission.

Patient's name

Patient's date of birth

Patient's date of death (if applicable)

Your signature

Date

Checklist

Please make sure that you have:

- checked that all pages of this form are filled in and additional pages are enclosed
- given us your name and, if possible, a daytime phone number
- given us as much information about the doctor(s) concerned as you can
- described your complaint as fully as possible
- enclosed any letters about your complaint that you have sent to, or received from, any other organisation you have complained to
- completed the *Consent and declaration* section.

What happens next?

When you have completed this form, please send it to:

Fitness to Practise, General Medical Council, 3 Hardman Street, Manchester M3 3AW.

We will review your complaint and tell you within two weeks whether we will be investigating it further. If we are unable to investigate, we will explain why.

Thank you for taking the time to complete this form.