
Who to complain to – information for patients in Northern Ireland

The process of making a complaint will be easier and less stressful if you complain to the right organisation first time round.

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1. Complaining locally (National healthcare)

If I have a complaint, who should I speak to?

If you want to make a complaint about any aspect of treatment you have received or been refused, go to the facility involved and speak to either the member of staff concerned or the Complaints Officer.

If you cannot reach agreement or wish your complaint to be dealt with more formally, you can write to the Complaints Officer of the organisation where you received the care. Complaints should be made within six months of the incident or within six months of becoming aware something is wrong. All health organisations and all GP practices have nominated Complaints Officers.

What should I do if I am not happy with the response I receive?

If you remain unhappy after making a formal complaint you may apply for a further review of your complaint. An application should be made

within 28 days of the date of the letter concluding local resolution. This is called an Independent Review. To request an Independent Review you should contact the Convenor at your Health and Social Services Board (see below).

The role of the Convenor is to decide whether or not an Independent Review should be undertaken. Independent Reviews are undertaken by a panel of a Convenor and two independent people.

If you still have concerns after applying for an Independent Review you can contact the Northern Ireland Ombudsman. The Ombudsman is completely independent of the health and social services.

If after pursuing these options, I continue to disagree with the decision, is there anything else I can consider?

It may be possible to challenge the final decision on your complaint by seeking a judicial review. The judicial review process allows a court of law to review decisions made by public bodies. You will need to consult a solicitor if you plan to seek a judicial review.

How do I write a complaint?

A complaint letter need not be long or detailed, but it should include:

- who or what you are complaining about, including the names of staff if you know them
- where and when the events of the complaint happened. If you are complaining about several matters, make it clear which are the most important ones
- what, if anything, you have already done about the issues
- what you would like from the complaint, (for example, an apology or an explanation, or changes to services).

Further information

Health and Social Services Councils (HSSCs)

There are four HSSCs in Northern Ireland. These are independent consumer organisations, which have a duty to represent the public's

views and interests, to review the work of health and social services and to recommend any improvements needed.

To find out more about your local HSSC, click on your area below or call 0800 917 0222

- Northern www.nhssc.org
- Southern www.shsscouncil.net
- Eastern www.ehssc.org
- Western www.whssc.org

Citizens Advice Bureau (CAB)

For further and more detailed information see the CAB on making a complaint about the NHS in Northern Ireland. See http://www.adviceguide.org.uk/nireland/family_parent/health_northern_ireland/nhs_complaints.htm

Central Service Agency

A helpful booklet, primarily aimed at people new to the Northern Ireland Social Care system, can be obtained from the Central Service Agency.

The booklet can be accessed in a number of different languages at

<http://www.centralservicesagency.n-i.nhs.uk/display/healthandsocialcareni>

2. Complaining locally (private care)

If you received private healthcare, such as care from:

- independent (private) healthcare providers including independent (private) hospitals and clinics, and private doctors
- nursing Homes
- hospice Care
- residential Care Homes
- children's Homes

Please contact the Regulation and Quality Improvement Authority: www.rqia.org.uk.

You can also view the RQIA complaints procedure.

www.rqia.org.uk/cms_resources/RQIA%20Complaints%20Policy%20Oct%2007.pdf.

In a small number of cases, there may be doctors working completely independently from any structured organisation and there will be no complaints procedure.

If you do have a concern about a doctor who works independently, then the GMC will look at your complaint. If you have any queries, talk to someone from our contact centre (0161 923 6602) who will be able to advise you.

3. Complaining to the GMC

The General Medical Council is responsible for ensuring that doctors in the UK meet the standards of good medical practice we set for them. This means that in more serious cases, we can take action to stop a doctor from practising or to restrict their practice in some way.

If you think your doctor is not fit to practise or may be a risk to patients, then please contact us. If you are not sure whether you should make a complaint, it may be helpful to discuss your concerns with us by ringing 0161 923 6602. All calls are confidential and we will advise you what to do.

These are examples of the types of cases where 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
- fraud or dishonesty
- serious breaches of a patient's confidentiality
- 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.

What can the GMC do?

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

- issue a warning

- put conditions on the doctor's registration so that they are only allowed to do medical work under supervision or so that they are restricted to certain areas of practice
- agree undertakings, for example they agree to re-train, or work under supervision
- suspend the doctor's name from the register – so that they cannot practise during the suspension period
- remove the doctor's name from the register.

What can't the GMC do?

We cannot:

- 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
- order a doctor to give you access to your records
- make a doctor apologise to you.

4. Help and advice organisations

If you feel unable to deal with a complaint alone, your local Health and Social Services Council (HSSC) can provide assistance and support at any stage of the health service complaints procedure.

HSSCs are independent bodies who represent the views of the public in all areas of health and social services. They can also assist you to make a complaint. This is a confidential and free service.

While the councils cannot investigate complaints on your behalf, they can:

- advise you on how to make a complaint
- advise you who to complain to
- help you with making your complaint.

In some cases council staff will draft letters for you and accompany you to meetings.

Further information

To find out more about your local health and social services council, click on your area below or call 0800 917 0222

- Northern www.nhssc.org
- Southern www.shsscouncil.net
- Eastern www.ehssc.org
- Western www.whssc.org

Private healthcare / other independent help organisations

If you need support with a complaint about private healthcare, you can approach your local Citizen's Advice Bureau for independent advice.

To find out how to get CAB advice in your local area click on the following link where you will find sections for each of the four UK countries.

http://www.adviceguide.org.uk/index/family_parent/health/nhs_complaints.htm

Details about the help and support the CAB service can provide as well as information on how to access the CAB's online advice service can be found at the following link:

<http://www.citizensadvice.org.uk/index/getadvice>

There are also a number of independent organisations able to provide support and advice for complaints about both NHS care and private health care. The CAB website lists some of these and there are also other details available on the Useful links page.

5. Other complaints

There are a range of complaints, which the GMC cannot deal with, for example if

- the patient feels let down by a system, not an individual
- the patient feels let down by a team of people, not an individual
- the patient feels let down by an individual who is not a doctor

In these cases, patients are advised to contact the help and advice organisations which are named on the Local help services page. These organisations will advise you on the appropriate organisation to contact to make your complaint.