
Who to complain to – information for patients in Wales

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 (NHS care)

Most complaints are dealt with locally at the place where you received care.

The following advice is taken from advice provided on the Welsh Assembly Government website. A link to more detailed information is provided below.

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

First talk to the member of staff who provided you with the service that you are concerned about. If you are not sure who to speak to, ask the receptionist or the person in charge.

Often they will be able to deal with the problem straight away. If you do not want to do this, you can contact the complaints manager in the NHS Trust (if your complaint is about hospital or community services) or the Local Health Board (if your complaint is about general

practitioners or dentists, pharmacists or opticians). NHS Direct Wales can give you contact details. You can contact NHS Direct Wales on 0845 46 47 or on www.nhsdirect.wales.nhs.uk/

If you prefer you can put your comment or complaint in a letter. Advice on this is provided in the next section.

What if I am not satisfied or I am not comfortable approaching the place where I received care?

If you do not want to do this, you can contact the complaints manager in the NHS Trust (if your complaint is about hospital or community services) or the Local Health Board (if your complaint is about general practitioners or dentists, pharmacists or opticians). NHS Direct Wales can give you contact details.

If you prefer you can put your comment or complaint in a letter. Advice on this is provided below.

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).

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

The Public Services Ombudsman for Wales is appointed by the Queen to look into complaints about public services in Wales. The Ombudsman is independent and unbiased. The service is free of charge.

The bodies that can be looked into include local government, the National Health Service and the National Assembly for Wales.

The Ombudsman can look into complaints that you have been treated unfairly, or received a bad service through some failure on the part of the body providing it.

If your complaint is upheld, the Ombudsman will tell the body what it should do to put matters right. Public bodies have no legal requirement to carry out the Ombudsman's recommendations— but, in practice, they almost always do.

The Ombudsman suggests that you do the following when considering making a complaint:

1. Complain to the body concerned first
2. Complain within a reasonable time
3. Put your complaint in writing (the Ombudsman's office can help you with this)

If you are not sure about whether you can complain to the Ombudsman, you can ring and talk to someone on 0845 601 0987 (this will cost no more than a local call, no matter where you are calling from).

Further information

For extended information including who can complain, time limits and more, please see A guide to making a complaint about the NHS in Wales -

http://new.wales.gov.uk/docrepos/40382/dhss/822998/Complaints_about_NHS_leaflet2.pdf?lang=en)

2. Complaining locally (private care)

If you received private healthcare, such as care from:

- an independent (private) hospital
- an independent (private) specialist clinic
- an independent (private) GP
- hospice care
- other care settings

each private healthcare provider has its own complaints procedure and will be able to advise you on the process for making a complaint.

Also, you can contact Healthcare Inspectorate Wales who have responsibility for the regulation of private and voluntary health care services in Wales.

hiw@wales.gsi.gov.uk

Healthcare Inspectorate Wales
Bevan House
Caerphilly Business Park
Van Road
Caerphilly
CF83 3ED

Telephone Number: 029 2092 8850

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 want advice, there are people to give you help with what can be a complicated system.

You can ask for advice and support from your local Community Health Council (CHC) who provide a free independent advice and advocacy service. See www.patienthelp.wales.nhs.uk.

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.