



the brain injury
association

Making a Complaint about NHS treatment

Although the majority of people are satisfied with the service that the NHS provides, some people may have reasons to complain.

Making a complaint

There is usually a time limit of six months in which to make a complaint, or six months from the time you were aware that you had an issue to complain about. In some cases this time can be extended. The procedure for complaining is similar within hospitals, rehabilitation centres, GP's, or social services. There are variations between the different countries in the UK, so some of the stages below may not be available or may be altered. See the 'Differences in complaints procedure across the UK' section for more details.

- **Local Resolution**

The first step is to speak to the person or medical team involved. This is called 'local resolution' and aims to solve the problem quickly. Try and arrange a meeting with whoever is managing the care. Write down any complaints you have and make sure that they give you adequate answers. If you are still unhappy, there are a number of further steps that you can take.

- **Complaints manager**

If you want to pursue your complaint further you will need to speak to the complaints manager who will write down your complaint. You should receive a response in 10-20 working days. If not, you should be kept informed of any progress.

- **Healthcare Commission**

If you are unhappy with the response from the complaints manager, you can then ask the Healthcare Commission for an independent review. They will decide if they can help you, and, if so, a case manager will review your complaint. If they cannot help you, they will advise you and put you in touch with someone who can, for example the General Medical Council. All complaints should be resolved within six months.

- **Health Service Ombudsman**

If you are still unsatisfied with the result, you can complain to the Health Service Ombudsman. The Ombudsman is independent but cannot review all complaints. If the Ombudsman cannot review your case, you will be put in touch with someone who can.

- **Court**

If all else fails you can take your dispute to court. Contact the Community Legal Service on 0845 345 4 345, as they may be able to give you free legal advice.

factsheet

4 King Edward Court
King Edward Street
Nottingham
NG1 1EW

Helpline: 0808 800 2244
Minicom: 0115 958 7825
Email: helpline@headway.org.uk
Website: www.headway.org.uk



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Support services

PALS – the Patient Advice & Liaison Service (England only)

In **England**, this is a service set up to offer confidential advice and support to patients and their families and carers who have concerns about their treatment. PALS will liaise with Trust staff and managers and, if appropriate, with other PALS and healthcare organisations, to help patients. They can give you information on the NHS and health matters and advise on the complaints procedure.

You can find details of your local PALS in the telephone directory, in your local hospital, by asking at your GP's surgery or by calling NHS Direct on 0845 46 47.

ICAS – Independent Complaints Advisory Service

This service supports people who want to make a complaint about the NHS. They will help you with the complaints system and can write letters and attend meetings. To find your nearest ICAS office call 0845 120 3734.

Advocacy services

If you need help with making a complaint, you may be able to use an advocate. These are people who work with specific groups of people to help them access better services. Some Headway groups offer advocacy services, and with their knowledge of brain injury, they may be a good first port of call.

Your local Citizens Advice Bureau may be able to help you find an advocacy service. To view a directory of advocacy services online, go to www.actionforadvocacy.org.uk for England & Wales or www.siaa.org.uk for Scotland. Note that there are few services specifically for brain injury, but some of the general disability services may be able to help – do contact them first to make sure they can meet your needs.

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Differences in complaints procedure across the UK

In **Scotland**, no service similar to PALS exists, but you can call NHS24 on 0845 4 24 24 24 to discuss your options – they should be able to give you details of your local health organisation who you can contact to take your complaint forward.

In **Wales**, the Board of Community Health Councils can provide help and advice if you have problems with NHS services. For information about your local team, call 0845 644 7814.

In **Northern Ireland**, if a complaint cannot be resolved locally, contact your local Health Board. There are 4 health boards in the country at the moment, and you can find details of these on the Internet at www.healthandcareni.co.uk. Please give us a call on the Headway helpline if you would like us to find them for you.

On the **Isle of Man**, different procedures apply. The Isle of Man government have produced a leaflet, 'A patient's guide to the complaints procedure for hospital and community health services in the Isle of Man', which you can download from www.gov.im/dhss/health/complaints/.

The **Channel Islands** usually require complaints in writing if they cannot be resolved locally – speak to your GP surgery or hospital, or go to the British Medical Association's website – www.bma.org.uk. Click 'Patients and Public' on the left hand side, then 'How to raise concerns about your care'.

Further Information

If you have access to the Internet, you can find a complete guide to the complaints procedure on the British Medical Association's website. Go to www.bma.org.uk, click 'Patients and Public' on the left hand side, then 'How to raise concerns about your care'. **If you would like to discuss any of the issues covered here, or any other aspects of brain injury, please call our free, confidential helpline on 0808 800 2244. Alternatively, you can email helpline@headway.org.uk.**

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