National Health Service
Complaints Procedure
A Patient’s Guide

Issue Date January 2012
The Complaints Procedure

The people who provide your care will do whatever they can to ensure you are treated properly and without delay. However, sometimes things can go wrong.

This brochure describes the Complaints Procedure covering the National Health Services provided by the Department of Health or on its behalf by others including the Mental Health Service.

The Department’s aim is to give you a comprehensive response, which answers your concerns and, where possible, by those who know the most about your care.

Who can complain?

Anyone who is receiving or has received health care or services provided by the National Health Service and is dissatisfied with the treatment received.

If you are unable to complain yourself then someone else, such as a close relative or friend, can complain for you on your behalf. Your consent will be required; you should be mindful that the response to your complaint may contain some personal and sensitive information that you may not wish to share with a third party.

When can you complain?

It is important that you make your complaint as soon as possible after the event you wish to complain about. Complaints will only be investigated within 6-months of the event.

How do I complain?

Initially you should tell someone close to the cause of your complaint, for example a doctor, a nurse, receptionist or manager. In many cases it should be possible to sort out the problem for you straightaway.

You can complain either verbally or in writing, but are encouraged to put your concerns in writing which will define your complaint and make it easier for us to provide the answers that you are seeking.

Local Resolution

If your concerns have not been successfully resolved with someone close to your complaint you can make a formal written complaint to the Patient Safety and Governance Manager at Noble’s Hospital. This is called Local Resolution.
Local Resolution under the Complaints procedure gives you the right to have a comprehensive written reply from a relevant senior manager. The Department aims to do this within 20 working days of receiving your written complaint.

It is possible however, that due to the complexity of a complaint that might involve more than one area of service, that this time frame may be exceeded. Where there are good reasons why this cannot be achieved, you will be kept informed of progress periodically.

As part of the procedures, you will be offered a meeting early in the process to see if we can bring about an early resolution to some, if not all, of your concerns and the issues you have identified. If you think this would be useful a meeting will be arranged for you and you may, of course, be accompanied at this meeting. If you agree to the meeting this would be with the most appropriate senior manager and/or clinician that can help in your case.

Your complaint will be investigated by the most appropriate senior clinician or manager. They will do their best to sort out the issues as quickly as possible. Sometimes they may need to involve other staff to establish what happened and to decide what action to take. In some circumstances it may be necessary to review the health records the complaint relates to and care will be taken to ensure confidentiality.

**Contracted Health Services**

GP Practices, General Dental Practices, Community Pharmacists and Opticians have their own complaints procedures. Staff in these practices will be able to give you details of how to complain. Where matters cannot be resolved the assistance of the Family Practitioners Services at Crookall House can be obtained.

**What if Local Resolution is unsuccessful?**

If you are not satisfied with the outcome of Local Resolution, then you can apply for your complaint to be considered by the Independent Review Body. You should do this within 28 working days of the date of the letter telling you about the outcome of Local Resolution.

Your request for an independent review of your complaint will be considered by an independent Convenor, who will ask you to explain in writing why you are not satisfied with the outcome of Local Resolution. The Convenor will consider if any other Local Resolution action might resolve your problem. If not, the Convenor will call an Independent Review of your complaint by a special panel.

If the Convenor decides not to set up a panel and you are not satisfied with that decision, you may appeal that decision and ask for another Convenor to consider your complaint. Where the second Convenor decides not to set up a panel, this is the end of the complaints procedure.

Please bear in mind that the Independent Review Body process will only review those elements of your complaint that have already been considered at Local Resolution.
Independent Review Body

The Independent Review Body Panel, if convened, will consist of three people who are independent of the Department of Health, a Chairperson, a Convenor and one other person. The Panel will re-examine fully the concerns referred to it by the Convenor and, so far as is possible, talk to the people the Panel considers to be relevant.

The Panel will also obtain any specialist advice which it feels is needed. Difficulties may arise in finding a suitable date when all relevant parties can attend; therefore it may take some time before it is possible to announce the date for the hearing. After the hearing a report will be prepared setting out the results of the investigation, together with its conclusions and any appropriate comments or suggestions.

You will be given a copy of the report and the relevant senior manager will write to tell you of any action being taken as a result of the Panel’s recommendations.

Issues that cannot be dealt with under the NHS Complaints Procedure

These include:

- Detention under the Mental Health Act 1998;
- Complaints about private treatment;
- Events requiring referral and/or investigation by a professional body, e.g. General Medical Council, Nursing and Midwifery Council;
- Events about which you are already taking legal action;
- Events outside of the 6-month time scale.

For your assistance

If you are not sure whether your complaint can be dealt with under the NHS Complaints Procedure please do not hesitate to contact the Patient Safety and Governance Manager at Noble’s Hospital who will be happy to advise you.

If you do not wish to make direct contact with the service, i.e. through the Patient Safety and Governance Manager, then Age Isle of Man can provide you with independent assistance and advice.

Age Isle of Man is an independent, confidential advocacy service, which provides support free of charge. They can help you set out your complaint and then liaise on your behalf with the Patient Safety and Governance Manager. They can also act as your representative throughout the entire complaints procedure at your request.

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19 Drinkwater Street
Douglas
Isle of Man
IM1 1AT
Telephone (01624) 613044
Contact details

Patient Safety and Governance Manager
Noble’s Hospital
Strang
Douglas
Isle of Man IM4 4RJ
Telephone (01624) 650793
noblescomplaints.dh@gov.im

Family Practitioner Services
Crookall House
Demesne Road
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Isle of Man
IM1 3QA
Telephone (01624) 642613
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Independent Review Body
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IM99 2SH
Rheynn Slaynt

The information in this booklet can be provided in large print or audio tape/CD on request

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