

## Making a Complaint

The Trust is dedicated to listening, responding and improving our services when a complaint is made.

Sometimes people feel let down by the NHS. They might think that the service, care or communication with them has not been satisfactory. University Hospitals of North Midlands, Royal Stoke University Hospital and County Hospital (Stafford) encourages you to raise your concerns with staff involved in your care, such as a sister, doctor or nurse.

If you remain unhappy after doing so, or prefer to raise your concerns through the Patient Advice and Liaison Service (PALS) or the Complaints Team from the outset, we will do our best to resolve them with you quickly and effectively.

The most important aspect of listening to your complaint is making sure we fully understand your concerns and seek agreement with you about what you want to happen as a result of the complaint.

If you have raised your complaint in a letter or email we will make sure we acknowledge its receipt within three working days, either by calling you or by letter/email.

When we contact you about a complaint we will discuss with you how we can best resolve or investigate your complaint. The purpose of the discussion will be to identify what the concerns are and how best they might be resolved.

Sometimes complaints can be resolved through providing an explanation and apology or taking actions to put things right.

Depending on the complexity of the issues, we will seek to agree with you a reasonable timescale to investigate and resolve your complaint. If you do not wish to discuss this with us we will decide and write to you to let you know how long it is likely to take to respond to your complaint.

Serious or complex complaints and concerns that take more than one working day to resolve will be subject to the regulations set down by Parliament, the Local Authority Social Services and NHS Complaints (England) regulations 2009.

If your complaint includes services provided by other organisations, which are also covered by the regulations, we will seek to agree with all parties on how best the complaint can be addressed.

## Investigating Complaints

If it is agreed that your complaint requires us to carry out an internal investigation, we will:

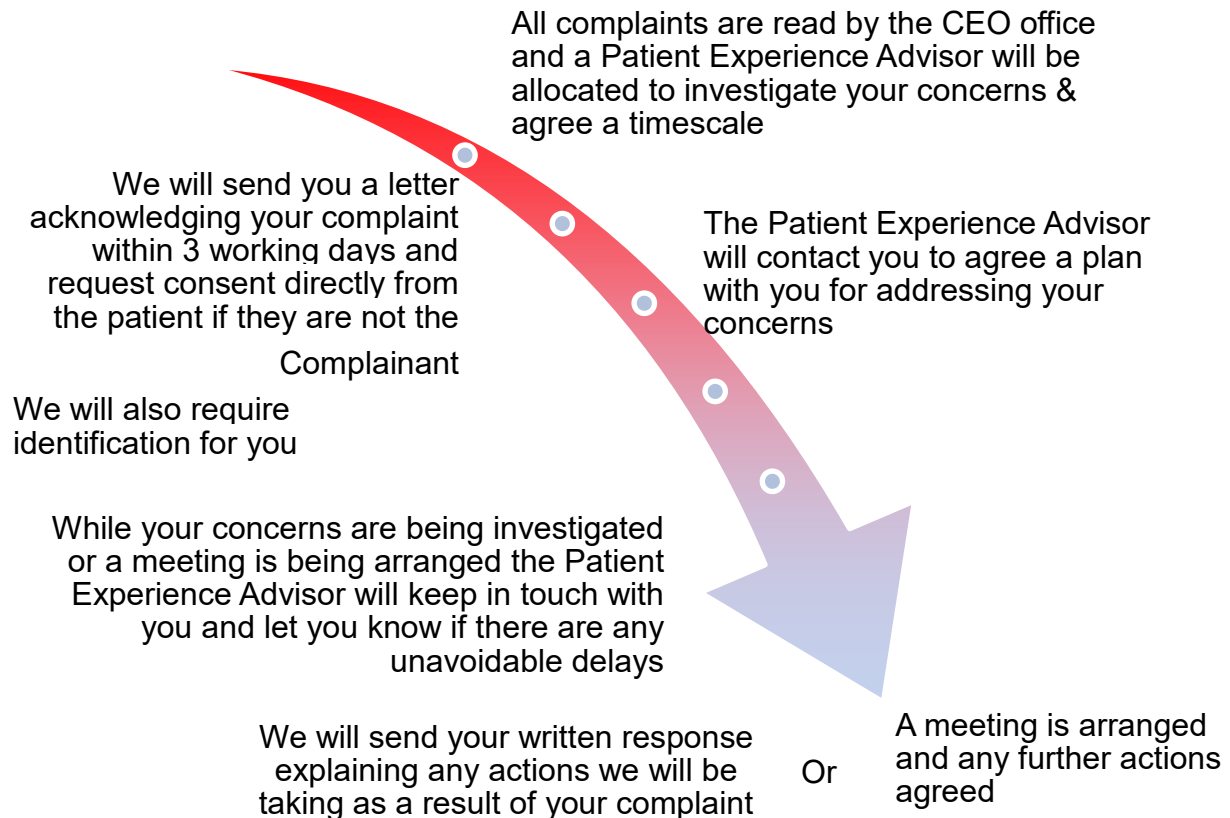
- Allocate a Patient Experience Advisor to investigate your concerns on behalf of the Chief Executive
- Investigate the complaint to try and resolve it quickly and effectively (following receipt of consent where applicable)
- Keep you informed of the progress of the investigation as far as is practical

On completion of an internal investigation we will write to you with our response, which will include:

- A letter on how we have looked into your complaint
- What conclusions we have reached
- If we think we need to take remedial action as a result, we will let you know what actions and when they are likely to be carried out

We will also give you a telephone number to contact if you are not satisfied with the response

### Your complaint letter arrives in the UHNM



## **What can I complain about?**

The regulations cover any matter connected with the provision of NHS services. There are restrictions but we would let you know if your complaint is not suitable for consideration under the regulations.

## **Who can complain?**

A complaint can be made by a patient or person affected or likely to be affected by the actions or decisions of the Trust. A complaint can also be made on behalf of a patient or person with their consent;

## **Why do we need consent?**

We have an obligation to protect the privacy of our patients. In order to comply with current General Data Protection Regulations (GDPR) and NHS regulations University Hospitals of North Midlands NHS Trust requires written consent to request and share information for the purpose of investigating a complaint.

We may also need your consent if a family member or a friend writes to us about your care. This will be to confirm that you are happy for us to investigate and share your information internally if appropriate.

## **Making a complaint about the care or treatment that you have received**

We do not need consent unless we need to share your information with another service provider or partner organisation that may be linked to your complaint. This could be an organisation such as West Midlands Ambulance Service, your GP surgery or the local Council. If we do need to do this we will contact you explaining the reason why and providing you with a consent form. How we will investigate your complaint is explained later in this leaflet

## **Making a complaint on behalf of someone else**

If you are unhappy with the care of a relative or a friend you may wish to raise your concern with us. We are very happy to receive complaints from a patient's loved one. However in all cases we will require Identification of who the person says they are to ensure that we are conforming to the General Data Protection Regulations. We will need to write to the patient enclosing a consent form with a copy of your complaint to ask for written consent to act, if the patient is physically able and has capacity to understand what they are signing. (If the patient is not physically able or lacks capacity to understand what they are signing what to do next is explained below). If different members of the family wish to be involved in making the complaint you need to agree

for one person to be the nominated complainant. **This person will need to provide their identification e.g. Birth Certificate or Marriage Certificate.**

It is this individual that will be named on the complaint/consent form and we will speak with them by telephone and send any correspondence to their home address. We cannot investigate a complaint about a patient's care unless they have agreed that they want the complaint to be raised and that they are happy for you to act as their representative. This means that we cannot give you any private details about the patient's care unless they give us permission to do so. Unfortunately in line with Data Protection regulations if we do not receive written consent we will be unable to look into concerns raised and all correspondence will be destroyed within 6 months.

### **What if the patient is a child?**

If the patient is a child, and they are old enough (aged 16 or over), they should make the complaint themselves if possible. However for a younger child it is necessary for you to provide evidence that you have authority to act on that child's behalf. This is usually in the form of a copy of their birth certificate which shows that you are their parent or another document that shows you have parental responsibility as their guardian. Additionally you will need to provide your own identification as parent/carer e.g. birth certificate or marriage certificate etc.

### **What if the patient lacks capacity?**

The person legally charged with looking after their affairs can agree to the complaint being made. It will be necessary for you to provide evidence that you have authority to act on the patient's behalf. This is usually in the form of a copy of an appropriately authorised Lasting Power of Attorney for Health and Welfare Matters. Additionally you will need to provide your own Identification, e.g. birth certificate or marriage certificate etc.

### **What if the patient is deceased?**

If you are making a complaint on behalf of someone who has died, it is necessary for you to provide evidence that you have authority to act on their behalf. This is usually in the form of:

- A copy of a historic and appropriately authorised Lasting Power of Attorney
- A copy of your birth certificate
- A copy of your wedding certificate showing that you were married to the deceased
- Or a copy of their will that shows you are either an executor of their estate or a beneficiary

### **What is the time limit for making a complaint?**

You should normally make your complaint within 12 months of the events concerned or within 12 months of becoming aware that you have something to complain about. Complaints managers in NHS organisations have discretion to consider longer time periods subject to the circumstances.

## **Who should I complain to?**

You can raise concerns immediately by speaking to a member of staff, e.g. a doctor, nurse or manager. Ward and community staff are encouraged to try and resolve your concerns quickly and effectively.

However if you are dissatisfied with their response or prefer to speak to our team from the outset, you can contact PALS or the Complaints Team.

## **What if I'm not satisfied?**

Our aim is to resolve complaints as soon as possible. If we have written to you to say that we feel we have done all we can to resolve your concerns but you are still not satisfied, you are entitled to contact the Parliamentary and Health Service Ombudsman (see page 5).

## **What can I do to help the complaints process?**

We understand that many complainants can feel angry and distressed about the issues they have raised. This can affect the way that they communicate with Trust staff. We would ask for respect and politeness from both parties to support a successful outcome for all.

## **What if I am seeking financial compensation?**

The NHS complaints procedure rarely results in compensation unless the case is upheld by the Ombudsman and they make the recommendation that 'financial redress' should be awarded. If you are seeking financial compensation you will need to seek legal advice.

## **Getting in touch**

Whatever your enquiry, comment or concern, you can contact our PALS and Complaints team based at Royal Stoke University Hospital or County Hospital Stafford by:

**Telephone: PALS:** 01782 676450

**Complaints:** 01782 676453 or 01782 676435

**In writing:** Chief Executive

University Hospitals of North Midlands NHS Trust  
Royal Stoke University Hospital  
Springfield  
Trust Headquarters  
Newcastle Road  
Stoke on Trent  
ST4 6QG

**Website:** [www.uhnm.nhs.uk](http://www.uhnm.nhs.uk)

**Email: PALS:** [patientadvice.uhnm@nhs.net](mailto:patientadvice.uhnm@nhs.net)

**Complaints:** [complaints.department@uhnm.nhs.uk](mailto:complaints.department@uhnm.nhs.uk)

**Note:**

- **These are generic account's which can be accessed by multiple members of staff.**
- **E-mails sent to either address are not automatically encrypted so please do not include personal or sensitive information about yourself or others, unless you have chosen to encrypt or password protect the information. If you would rather not use this facility please contact PALS/Complaints on the telephone numbers given above.**

Members of the team are there to listen and respond to your request, problem or complaint. They will listen to your compliments and comments too.

The PALS Team is available between 9.00am and 4.00pm, Monday to Friday (not including Bank Holidays). You can leave a message on voicemail outside office hours.

## **Your health records**

We use your information to provide your care and we take measures to ensure that the information remains confidential and secure.

The Data Protection Act 1998, allows you to find out what information about you is held by this hospital. This right is known as "Subject Access" and applies to both your written Health Records and to any computerised Health Records.

If you wish to see your records or have copies of the information you should email:

[Ministries.Office@uhnm.nhs.uk](mailto:Ministries.Office@uhnm.nhs.uk)

You should also be aware, in certain circumstances or in your interest; your right to see or have copies of your information may be limited. If this is the case we will inform you and explain your options. Further information concerning the Act can be found at:

[www.informationcommissioner.org.uk](http://www.informationcommissioner.org.uk)

## **The Parliamentary and Health Service Ombudsman**

The Parliamentary and Health Service Ombudsman (PHSO) carries out independent investigations into complaints about unfair or improper actions or poor service by UK government departments and agencies, including the NHS.

The PHSO works to put things right where she can and share lessons learned to improve public services. It is a free service open to everyone but you cannot ask them to look at your complaint until you have gone through the complaints process and received our response as described previously.

If you are unsure about what to do next after we have responded to your complaint, or would like further help and advice, contact the Ombudsman's Helpline on 0345 015 4033 or visit [www.ombudsman.org.uk](http://www.ombudsman.org.uk)

## **NHS Complaints Advocacy Service (ASIST) provides a service to Stoke on Trent and Staffordshire**

ASIST provide a free, independent and confidential advocacy service. They can help if you are considering making a formal complaint. ASIST are committed to giving people a voice and recognise the inequality that exists in society, working to promote respect and dignity for all.

### **NHS Complaints Advocacy Service can:**

- Support you with your complaint
- Put you in touch with other people who could help
- Involve an interpreter or a translator if you need one
- Meet you in a neutral venue, if desirable, to discuss your concerns
- Help you to write letters to the right people
- Prepare you for meetings and go to meetings with you
- Give you an opportunity to speak confidentially to someone who is independent of the NHS
- Help you to explore your options at every stage of the complaints procedure
- Answer questions to help you make decisions
- Act on your direction rather than the wishes of others

### **What NHS Complaints Advocacy Service doesn't do:**

- Help you claim compensation
- Discipline NHS employees
- Give legal or medical advice
- Help you with complaints about private medical treatment unless it was paid for by the NHS
- Investigate complaints

NHS Complaints Advocacy Services can be contacted at:

ASIST (for Stoke on Trent)  
Winton House  
Stoke Road  
Stoke on Trent  
ST4 2RW

**Telephone:** 01782 845584

**Email:** [enquiries@asist.co.uk](mailto:enquiries@asist.co.uk)

ASIST (for Stafford)  
Tollgate Court Business Centre  
Tollgate Drive  
Stafford  
ST16 3HS

**Telephone:** 01785 246709

**Email:** [nhscomplaints@asist.co.uk](mailto:nhscomplaints@asist.co.uk)