



What to do if you have a complaint about being removed from the list of a GP or dental practice

We provide a free, independent and impartial service for dealing with complaints about public services in Scotland. You may feel that an organisation provided a poor service, delivered a service badly or failed to provide a service. If this has caused you hardship or injustice, we may be able to look into your complaint. We can normally only deal with complaints if you have already gone through the complaints procedure of the organisation that provided the service.

This leaflet tells you what you can do if you have a complaint about a doctor or dentist removing you from their list. It also explains what we can and cannot do.

Information about GPs and dentists

General Practitioners (GPs) and dental practices must have a complaints procedure. There are also rules about how they should deal with a person with whom they believe their professional relationship has broken down.

What should I do if I have a problem with a service?

If you are unhappy with the service you've received, you should report the problem to the practice. They will consider your concerns and they should try to deal with them.

I reported the problem and am still unhappy. How do I complain?

You should complain to the practice if they have still not dealt with the matter after you reported it. This doesn't just mean telling staff about it. It means making a formal complaint telling the practice that they have not sorted it out.

You should complain in writing to the Practice Manager or the Senior Partner. They should acknowledge your complaint within three working days, and send a full response within 20 working days. If they can't meet this target then they should tell you why there's a delay and when they plan to reply. The final response from the practice should tell you how to contact the SPSO.

We normally expect you to have gone through this procedure before we will look at your complaint. This gives the practice the chance to try to put things right. If you're still unhappy after going through their complaints procedure, or if the time they're taking to look into your complaint is unreasonable, you can complain to us.

You should make your complaint to us within 12 months of realising that you think the organisation have done something wrong.



SPSO freephone **0800 377 7330**



What we can look into

The relationship between a GP or a dentist and a patient can break down. If the practice believe that this cannot be mended then they're entitled to remove the person from their list. However, this should normally only be done after telling the person that there's a problem and considering alternative action. The person may be asked to change the way they behave, or a staff training need may be identified. Alternatively, the practice may arrange things so that the person always sees the same health professional. If a person doesn't do what they're asked, removal may well be the next step. And where someone has been violent or particularly abusive, they may be removed from the list without any warning. The practice should always explain why someone has been removed.

We can look into a complaint that you were unreasonably removed from a practice list, including the way the removal was handled. We could look at whether they told you that your actions were giving cause for concern and that if this didn't change then you would be removed from the list. The following situations may justify removal from a list:

- physical violence or physical abuse including threats or gestures
- discriminatory abuse
- intentional damage to premises
- theft from practice premises or personnel
- making a malicious complaint
- the person was told in writing within the last 12 months that they were at risk of being removed and why, but has not changed their behaviour.

The following would not normally justify removal from a list:

- refusal to participate in screening programmes
- refusal to allow children to be immunised
- failure to comply with therapeutic or other health advice
- questioning clinical techniques or other practice matters
- making a complaint.

What we can't do

- We cannot make a practice put you back on their list, nor can we have a GP, dentist or member of staff sacked or disciplined.
- We cannot look at complaints that have been considered in court, or that are the subject of court proceedings.

How we put things right

If we find a fault, as well as putting things right for you we want to try and stop the same thing happening to someone else. That's why some of our decisions and reports also have recommendations. These may include recommending that the organisation apologise or change their procedures. Our complaints reviewer will check that the organisation carry out our recommendations.

We also make some of our investigations public. We do this to share what we have learnt from complaints and to help improve how public services are delivered in Scotland.

You can search our public reports at:
www.spsso.org.uk/our-findings

How to complain to SPSO

- Write to us and tell us what happened. It's best to use our complaint form if possible. You can find this on our website at www.spsso.org.uk where you can fill it in online or print it off to complete. Or phone our freephone helpline number on **0800 377 7330** and we will send you one.
- Tell us what went wrong, and what you would like to happen to get things put right.
- Send us copies of the main paperwork about your complaint. Please make sure you include the final response you received from the organisation after you complained. It also helps if you send us your original letter of complaint to them.

Can someone else make a complaint for me?

Yes, if you give them written permission. Phone us on 0800 377 7330 and ask for a consent form. You can get help from your local Citizens Advice Bureau, where an adviser can help you fill in a complaint form or complain for you. Your Member of the Scottish Parliament (MSP), councillor, Member of Parliament (MP), or a friend or relative may also be able to help.

If you've not yet made a complaint, please see our website for more information: <https://www.spsso.org.uk/how-to-complain-about-public-service>

More help, advice and information

Citizens Advice Bureau

Citizens Advice Scotland may be able to give you further advice and guidance. You can discuss your concerns with your local Citizens Advice Bureau. To find your nearest bureau please visit www.cas.org.uk, or look in the phone book.

NHS Inform

NHS Inform can give you details of all pharmacies, GP and dental practices in Scotland. They can also give you information about illnesses and conditions, treatments, NHS and other support services. Helpline **0800 22 44 88** Website: <https://www.nhsinform.scot/>

Care Opinion

If you want to share your recent health experience and help improve health services, you can do so using the Care Opinion service. For more information go to www.careopinion.org.uk, email team@careopinion.org.uk, or phone freephone **0800 122 3135**.

We have separate leaflets about continuing care and about complaining about the NHS in Scotland. You can get these on our website or by getting in touch with us. All our contact details are on the next page.

We can give you this leaflet in other languages and formats (such as large print or Braille) if you ask.

Contacting us

If you're not sure whether we can look at your complaint, please contact us. You can also call us if you're not sure whether you have gone through the complaints procedure of the organisation you are unhappy with. If appropriate, we'll guide you through that.

We're happy to talk to you. One of our complaints reviewers is always available to discuss your complaint with you.

You can contact us by phone, in writing or by visiting our office. Visits are by appointment only and can be arranged by calling the number below.

Our address is: **SPSO**
Bridgeside House 99
McDonald Road
Edinburgh
EH7 4NS

A Freepost envelope can be supplied if this is required

Opening hours: **Monday, Wednesday, Thursday, Friday 9am**
– 5pm, Tuesday 10am – 5pm

Freephone: **0800 377 7330**

Website: **www.spsso.org.uk**

Calls to and from SPSO phone lines may be recorded to check the quality of our service and help us do our job to help you. More details are in the privacy notice: www.spsso.org.uk/privacy-notice. Please ask if you want to confirm if a call is or is not being recorded or if you would like to know what options may be available to you if you do not wish to be recorded.

