

Health Complaint Form

The SPSO is the final stage for complaints about public services. We can usually only look at complaints that:

- have completed the organisation's own complaints procedure
- have not been considered in court
- the person complaining knew about less than 12 months ago

This complaint form is for people who have completed the organisation's own complaints procedure. If you have not done so, and are experiencing difficulties or delays, there is advice on our website: www.spso.org.uk/how-to-complain-about-public-service or telephone **0800 377 7330**

We need to check that you have the information we require to consider your complaint. This will ensure there are no delays in having to return to you for further correspondence. Please use the box below to record (✓) the correspondence you are sending:

I am enclosing the following documents:	YES	NO – I don't have this
Final stage two response from the organisation (it is important we see this in full and it should refer to the SPSO)	<input type="checkbox"/>	See pink box above
Stage one response	<input type="checkbox"/>	<input type="checkbox"/>
The original complaint to the organisation	<input type="checkbox"/>	<input type="checkbox"/>
Any other additional complaint correspondence which is specifically referred to in this form and/or your stage two response	<input type="checkbox"/>	<input type="checkbox"/>

Please do not send any other documents or medical records at this stage. If we need any further information, we will contact you.

If you need help filling in the form the following organisations can assist:

Patient Advice and Support Service

Tel: **0800 917 2127** Website: www.cas.org.uk/pass

Scottish Independent Advocacy Alliance

Tel: **0131 510 9410** Email: enquiry@siaa.org.uk Website: www.siaa.org.uk

What we will and won't investigate

The law says that we can normally only look at complaints that:

- have completed the organisation's complaints procedure
- have not been dealt with by a court

Unless there are special circumstances, we can't investigate issues that you knew about more than 12 months ago.

When did the problem you are complaining about happen?

Month: Year:

If you have known about this for more than 12 months, please tell us why you are bringing it to us now.

Our Assessment & Guidance team is here to help. If you need advice before sending your complaint to us, please call us on freephone **0800 377 7330**.

You can also fill in this form online at **forms.spso.org.uk/spso**. You don't have to complete the form all at once – the draft will be saved for you to come back to, for up to 30 days.

Children and young people

Were there any children or young people under the age of 18 affected by the matters you are complaining about?

Yes No

We are asking you this because children and young people have a right to provide their thoughts, comments, and views on the matter. If you think they are unable to provide their views, are concerned about their wellbeing in doing so, or think they will need support to do so, please let us know so that we can explore this further with you.

We recognise some complaints will concern the care or service provided to a child or young person who has died or has had life changing experiences. We understand that complaining in these circumstances can be extremely difficult and upsetting.

Please let us know if this applies to you, so we can talk through whether it is possible to reflect your child's wishes in our handling of your complaint.

Common areas

If your complaint is about any of the areas listed below, please check the details under each heading to see what we can and can't help with. This is not a complete list, but it gives you a general idea.

Removal from a GP or dentist's register

We can look into a complaint that you were unreasonably removed from a practice list, including the way the removal was handled. However, 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.

For more information, please read our removal from a GP or dentist register leaflet on our website: www.spso.org.uk/information-leaflets.

Clinical treatment

We can look into a number of different areas. Some examples include inappropriate treatment, failing to give a patient or relatives the details they need to make an informed decision about treatment or failing to meet a patient's basic needs or to respect their dignity (e.g. not feeding them properly in hospital; not keeping them clean). We cannot look into treatment that was not paid for by the NHS or arrange medical treatment for you.

For more information, please read our NHS Scotland leaflet on our website: www.spso.org.uk/information-leaflets.

Waiting lists

Information about NHS waiting times/delays are regularly reported and publicly available via the NHS inform website (www.nhsinform.scot/waiting-times). We know this is an area of real concern. If you bring a waiting time complaint to SPSO we can check that it has been correctly prioritised in line with your health needs, but we cannot ask for you to be treated before others who may have been waiting longer, or whose needs are greater.

Medical notes

We cannot get your medical records altered. You will usually be able to put a note on the record saying what you disagree with.

Compensation

We cannot award you compensation for losses or damages in the way that a Court or Tribunal can. We can instruct payment for financial redress (direct loss) but this is

rare. More details can be found in our Redress Policy on our website: www.spso.org.uk/information-leaflets.

Employee matters

We don't have powers to consider complaints about appointments or dismissals, and we can't recommend these things. Disciplinary matters are for the organisation concerned to decide on. Some NHS practitioners have a professional registration body that you can raise complaints and concerns with. Some examples include General Medical Council (www.gmc-uk.org), Nursing and Midwifery Council (www.nmc.org.uk) and General Dental Council (www.gdc-uk.org).

Private health care

We cannot consider complaints about treatment that was not paid for by the NHS.

Copies of our leaflets can be sent to you. Please let us know if you need any.

Section 1

Person making the complaint

Please fill in this section with your details using CAPITAL LETTERS.

If you are complaining for someone else you must fill in this section **and** Section 2. If you include an organisation below, the consent in Section 2 authorises us to deal with anyone in your organisation on that person's behalf.

Your title (Mr/Miss/Ms/Mrs/Mx/other):

Your first name:

Your surname:

Organisation (where appropriate):

Your address:

postcode

Your phone number:

Your email:

I am happy to be contacted by:

Email

Telephone

If you choose an email address as your preferred contact, please be aware that we may be sending you sensitive and personal information to that email address. We use Transport Layer Security (TLS) to encrypt and protect email traffic. If your mail server does not support TLS, you should be aware that any emails you send to us may not be protected in transit. Email security cannot always be guaranteed. If you choose this method of contact, you are confirming that you accept that risk.

Your signature:

Date:

In completing this form, I understand that the SPSO may share information about me with the organisation I am complaining about. Depending on the nature of the complaint, this may include sensitive personal information. The SPSO may access and review information held by the organisation I am complaining about. If the SPSO need to contact a third party about my complaint, they will usually let me know.

More information about how we process and protect your information can be found on our website: www.spso.org.uk/privacy-notice. Please note: If you have any questions or concerns please contact SPSO to discuss.

Please tell us if you need future information from us in a different format:

Braille

Audio version

Large font

Another language:

Other format:

Section 2

Complaining for someone else

If you are complaining for someone else, fill in this section with their details using CAPITAL LETTERS.

Their title: (Mr/Miss/Ms/Mrs/Mx/other):

Their first name:

Their surname:

Their address:

postcode

Their phone numbers:

Daytime:

Mobile:

Their email:

What is your relationship to this person on whose behalf you are complaining?

Please tell us why that person is not making the complaint themselves. If the person affected is deceased, please provide us with their date of death.

We need the person affected by the complaint to sign the consent form on the next page, if they can, to allow you to complain for them. If they are unable to sign for any reason, please tell us why in the box below. If the person affected is deceased, you can skip this question.

Consent

I authorise the person or organisation named in Section 1 to make my complaint to the SPSO for me.

I understand that if I have authorised an MSP or an organisation, this authorisation will include people working for the MSP and anyone working for the named organisation.

I understand that the SPSO may access and review information held by the organisation I am complaining about. If the SPSO need to contact a third party about my complaint (i.e. someone other than the organisation complained about), they will usually let my representative(s) know.

I also understand that the SPSO may share information about me with my representative(s) and the organisation complained about. Depending on the nature of the complaint, this may include sensitive personal information.

Please note: If you have any questions or concerns, please contact SPSO to discuss. By signing this section of the form, you are agreeing that all communication with the SPSO on your complaint will be done via the person or organisation authorised to make the complaint on your behalf.

Signed:

Date:

In some cases we may ask you to fill out a separate form before obtaining information from the organisation complained about. We will tell you if this is needed.

More information about how we process and protect your information can be found on our website: <https://www.spso.org.uk/privacy-notice> or ask us for a copy.

Section 3

What are you complaining about?

Write the name of the organisation you are making a complaint about. If your complaint is about more than one health service provider, please contact us for a separate form. You will also need a stage 2 response from each of the providers.

Please provide your NHS complaint reference number if you have it.

Please tell us in the box below what your complaint is about and what has gone wrong. There is more space on pages 13-14 if you need it.

Please avoid saying 'see attached'. We will use this form to carry out our initial checks and if you do not give enough information we may not be able to consider your complaint.

Section 4

Background information

If you have any background information about the complaint that you think will be helpful (e.g. what first led you to make the complaint, a timeline of issues), please include details in the box below.

Section 5

Please tell us how this has affected you

Section 6

Resolution

Tell us what would resolve the complaint for you, or what outcome you want us to achieve?

Where possible, we attempt to find a solution to resolve complaints with both parties as efficiently as possible. We do not always have to investigate a complaint in order to establish a solution to resolve the complaint. Please note, a request for us to 'investigate the complaint' is not a resolution. Please consider the examples below of what we may be able to do to put things right for you:

- ask the organisation to apologise to you
- ask the organisation to take action to sort out a problem
- ask the organisation to answer your questions or provide an additional response
- change how the organisation does things
- make sure the organisation deal with complaints properly.

Please note there are some things we can't do:

- We rarely make a recommendation of financial payment. When we do it is for financial redress (direct loss) and not compensation. You can find more information on this in our redress policy on our website or we can send you the leaflet on request.
- We cannot simply overturn a decision because you disagree with it, if there was no fault in the way it was made.
- We can't have someone dismissed from their job or force disciplinary action.

You can find examples of previous complaints that we have published and their outcomes in our investigation and decision reports on our website.



Section 7

Additional information about your complaint

Has your complaint been subject to any other reviews e.g. a Significant Adverse Event Review (SAER) or Significant Clinical Incident (SCI)?

Yes No

These reviews are separate from the complaints process. The outcome of the SAER review can also be the organisation's final complaint response. However, we still need to see something in writing that clearly states this and refers you to the SPSO. If you do not have this, please contact the organisation to request this.

Have you reported the matter to any regulators? For example, General Medical Council or the Nursing and Midwifery Council?

Yes No

If you ticked yes, please provide more information:

Additional space

Additional space

Your information

We are committed to protecting your privacy. We use information given to us about you and your complaint for its intended purpose and in line with the Data Protection Act 2018 and the SPSO Act 2002. We may need to collect and share information with a number of sources to carry out our investigation and we may do this orally, in hard copy or by email. We may report on the outcome of the investigation. When we do so we do not name individuals. We may also use information we collect to compile statistics and undertake research and analysis. There may be public interest benefits in reusing information for these purposes. Information is completely anonymised.

Your views are valuable to us, and we may contact you again to invite you to take part in our surveys for research purposes.

To find out more about how we handle your information and your rights, see our website www.spso.org.uk/privacy-notice or ask us for a copy. If you have any concerns about what we do, please let us know straight away.

Our service standards

We want to offer a high standard of service to everyone who uses our service.

We have customer service standards so that our customers know what service they can expect to receive and how we'll provide it. You have the right to complain if you feel we're not meeting our standards. You can contact us for more information about how to do this.

Working with us: respecting each other

We are committed to providing a fair and accessible service. We believe that everyone who contacts us has the right to be treated with respect and dignity.

We will do our best to engage with you positively and use the best method for you.

Tell us if something is going wrong

- We want to fix problems and to know if you are unhappy.
- Please tell us; we will check what we have done against our standards and make changes if we can.

Remember we are people too

- Our staff have the same rights to be treated with respect and dignity as our users, and we must provide a safe working environment for them.
- We must also provide a service to all our customers.

This means we need to handle any situation or actions which could have a negative impact on our staff or our ability to work. We may need to speak with you about this or we may need to change the way we engage with you. If this happens, we will explain what we are doing and why. Details of our policy about this can be found at <https://www.spso.org.uk/engagement-policy>, or we can send you a copy of this policy on request.

Ready to send your form?

You can submit your completed form and copies of supporting paperwork to:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

Where possible please do not send us original documents. Documents will be added to your complaint record in electronic format. Physical versions of documents we are able to store electronically will be securely destroyed one month after the case is allocated to a complaints reviewer.

Any physical documents you send after your case has been allocated will also be destroyed within one month of receipt. If you are posting us documents that you need us to return then please make this clear at the point of submitting them or tell us within one month of sending them. Please note that any documents returned will be sent via standard post.

Please do not send medical records.

If you would like to send us documents electronically, please get in contact with us using the details on the back of this form.

For information about what to expect from SPSO after you submit your complaint, please see our website <https://www.spso.org.uk/how-we-handle-complaints>.

Diversity monitoring form

We'd be very grateful if you would fill in this anonymous diversity monitoring form and return it to us with your complaint form or in a separate envelope to:

**SPSO, Bridgeside House
99 McDonald Road
Edinburgh EH7 4NS**

A freepost envelope can be supplied if this is required.

We collect this information to help us ensure we are reaching as many people as possible. It also helps us check for and remove any barriers that could prevent people using our service.

What you tell us on the form will be kept separate from what you tell us about your case. It does not affect how we look at your case. We store it anonymously on our secure database. Filling in the form is voluntary. We won't treat you less favourably if you choose not to return it.

Thank you

Please choose one option from each of the sections listed below by placing an X in the appropriate box.

The following questions are based on categories included in Scotland's Census 2022.

A. Who is completing the form

I am:

- Making a complaint about something that has happened to me
- Making a complaint on behalf of someone else - the issue did not happen to me
- The person who has experienced the issue and someone has helped me to make my complaint

B. Age

<input type="checkbox"/> Under 16	<input type="checkbox"/> 55-59
<input type="checkbox"/> 16-24	<input type="checkbox"/> 60-64
<input type="checkbox"/> 25-29	<input type="checkbox"/> 65-69
<input type="checkbox"/> 30-34	<input type="checkbox"/> 70-74
<input type="checkbox"/> 35-39	<input type="checkbox"/> 75 or over
<input type="checkbox"/> 40-44	<input type="checkbox"/> Prefer not to say
<input type="checkbox"/> 45-49	
<input type="checkbox"/> 50-54	

C. Disability

Do you have any of the following, which have lasted, or are expected to last, at least 12 months? Tick all that apply

- Deafness or partial hearing loss
- Blindness or partial sight loss
- Full or partial loss of voice or difficulty speaking (a condition that requires you to use equipment to speak)
- Learning disability (a condition that you have had since childhood that affects the way you learn, understand information and communicate)
- Learning difficulty (a specific learning condition that affects the way you learn and process information)
- Developmental disorder (a condition that you have had since childhood which affects motor, cognitive, social and emotional skills, and speech and language)
- Physical disability (a condition that substantially limits one or more basic physical activities such as walking, climbing stairs, lifting or carrying)
- Mental health condition (a condition that affects your emotional, physical and mental wellbeing)
- Long-term illness, disease or condition (a condition, not listed above, that you may have for life, which may be managed with treatment or medication)
- Other condition, please write in:

- No condition

Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Include problems related to old age

- Yes, limited a lot
- Yes, limited a little
- No

D. Language

Can you use British Sign Language (BSL)?

- Yes
- No

What is your main language?

- English
- Other, please write in (including BSL/Tactile BSL):

E. Ethnicity

White

- Scottish
- Other British
- Irish
- Polish
- Gypsy/Traveller
- Roma
- Showman/Showwoman
- Other white ethnic group, please write in:

Mixed or multiple ethnic groups

- Any mixed or multiple ethnic groups, please write in:

Asian, Scottish Asian or British Asian

- Pakistani, Scottish Pakistani or British Pakistani
- Indian, Scottish Indian or British Indian
- Bangladeshi, Scottish Bangladeshi or British Bangladeshi
- Chinese, Scottish Chinese or British Chinese
- Other, please write in:

African, Scottish African or British African

- Please write in (for example, Nigerian, Somali):

Caribbean or Black

- Please write in (for example, Scottish Caribbean, Black Scottish):

Other ethnic group

- Arab, Scottish Arab or British Arab
- Other, please write in (for example, Sikh, Jewish):

F. Sexual orientation

Which of the following options best describes how you think of yourself?

- Bisexual
- Gay/lesbian
- Heterosexual/straight
- Prefer not to say
- Other (specify if you wish)

F. Sex/Trans status

What is your sex?

- Female
- Male
- Prefer not to say

Do you consider yourself to be trans, or have a trans history? *Trans is a term used to describe people whose gender is not the same as the sex they were registered with at birth*

- No
- Yes
- Prefer not to say

If you would like to, please describe your trans status (for example, non-binary, trans man, trans woman)

H. Religion or belief

- Buddhist
- Christian (including the Church of Scotland/England, Catholic, Protestant and all other Christian denominations)
- Hindu
- Jewish
- Muslim
- Sikh
- No religion
- Prefer not to say
- Other (specify if you wish)

How to contact the SPSO



A freepost envelope can be sent to you. Please call us if you need one.



SPSO, Bridgeside House, 99 McDonald Road, Edinburgh EH7 4NS

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

If you would like to visit our office in person, you must arrange an appointment first by phoning 0800 377 7330 or using our online contact form.



Freephone 0800 377 7330

This line is open during the following hours: Mon, Wed & Fri 9am-1pm,
Tues & Thurs 1pm-5pm

Calls outside of these hours can be arranged by appointment using our online contact form.



Website **www.spso.org.uk**



Online contact form **www.spso.org.uk/contact-form**

You can fill in our complaints form online at **forms.spso.org.uk/spso**

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.spso.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.

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Please contact us if you would like this leaflet in another language or format (such as large print, audio, BSL or Braille).