

Guidance on making a complaint

This guidance document was originally published by the Patient Advice and Complaints Service

If you are unhappy with the service we have provided, we want to know what we can do to help. We will talk to you to find out if it is a problem we can resolve quickly and easily, or a problem that needs a more formal investigation and response.

When you contact us, we will want to talk to you to understand the problem and agree what you would like to happen. If the problem can be resolved quickly, we will confirm what we will do and when we will contact you. This is most useful at the time that problems are happening, and action can be taken to make the situation better for you or your relative.

If you are happy with the action we take, and further investigations are not needed, we will document this as a concern.

If a problem needs to be investigated, or needs a formal response, we will confirm the issues to be investigated, how you would like to receive the information from the investigation, and when this will be available. This will be investigated as a complaint.

We are responsible for dealing with your complaint efficiently and ensuring it is properly investigated. We will treat you with respect and courtesy and provide a timely and appropriate response.

We will tell you the investigation findings and any action we will be taking. All concerns and complaints are recorded so we can monitor our services and report on the issues raised.

All complaints will be handled in accordance with the Local Authority Social Services and National Health Service (England) (Amendment) Regulations 2009. The first stage is called Local Resolution, where we investigate the issues raised.

Independent help or support available in making a complaint

The NHS Complaints Advocacy Service is not part of the Foundation Trust and can provide independent advice and support. Their contact details are:

For Halifax Residents

Healthwatch Calderdale

Elsie Whitley Innovation Centre

Hopwood Lane

Halifax

HX1 5ER

Tel: 01422 399433

Email: info@healthwatchcalderdale.co.uk

For Huddersfield Residents

Kirklees Law Centre

Units 11 and 12

Empire House

Wakefield Old Road

Dewsbury WF12 8DJ

Tel: 01924 868145

Email: nhscomplaints@kirkleeslc.org.uk

What if my complaint involves one or more organisation?

If the issues raised involve services not provided by the Calderdale and Huddersfield NHS Foundation Trust, we will discuss with you whether separate responses or a joint response will be most helpful for you. If a joint response will be helpful we will need the patient's permission to obtain and share information with the other agencies involved. We will then contact the other agencies to agree who will lead the complaint and how long it will take.

Is there a time limit to make a complaint?

A complaint will normally need to be made within 12 months of the issue arising, or 12 months from when you became aware of the issue. Requests for investigations beyond this time will be considered on the individual circumstances by the Patient Advice and Complaints Manager.

Can I make a complaint on behalf of someone else?

If you are making a complaint on behalf of another person, we will need their permission to share information with you. In circumstances where they are unable to give permission, we will need the agreement of the next of kin.

Members of Parliament (MP) are considered to have the consent of the patient when pursuing complaints on their behalf (Data Protection Act 1998 – Processing Sensitive Personal Data – Elective Representatives Order 2002).

Children are able to make a complaint about a service they have received. Parents and legal guardians may also raise complaints for children, however consent will be required from the patient if he or she is over 16 years old.

What happens when I make a complaint?

Receiving your complaint

A written record must be made of your complaint. This can be in a letter or email from you or a signed agreement of the issues raised following a discussion with us.

Complaint is Acknowledged

We will write to formally confirm acknowledgement of your complaint

Appointment of an Investigator

The complaint is then sent to an investigator. Many investigations are carried out by a Matron, General Manager, or Service Manager, however some investigations are felt to need two investigators due to the complexity or seriousness of the issues raised and will often be led by more senior members of staff.

The Investigation Process

The investigator will contact you to clarify the issues for investigation and the timescales for their enquiries. During the investigation they will look at any records that have been made and speak to the staff involved to understand what should have happened and compare this to what actually happened.

Our response

The completed investigation and response is then reviewed by senior divisional managers to confirm that the investigations have addressed the issues confirmed in the resolution plan, before being passed to the Chief Executive's Office for review.

All findings will be reviewed by an Executive Director before being shared with you.

What if I'm not satisfied with the response you provide?

If you are not satisfied with the way we have dealt with your complaint, you have the right to approach the **Parliamentary and Health Service Ombudsman** who will consider whether we have acted properly and fairly.

You may **contact** them:

via their website, www.ombudsman.org.uk

by telephone, Monday to Friday 8.30am - 5.30pm, on **0345 015 4033**;

By e-mail, phso.enquiries@ombudsman.org.uk;

By fax, 0300 061 4000;

Or, **by writing** to them at:

The Parliamentary and Health Service Ombudsman

Millbank Tower

Millbank

London, SW1P 4QP

The Ombudsman will first consider whether your complaint can be resolved by further action by the Trust. It is important therefore to be sure we cannot offer any further help.