

The Charter of Patient Rights and Responsibilities - Easy Read

Revised: June 2019



Part 4 - Feedback, Complaints and My Rights

NHS Scotland

The Charter of Patient Rights and Responsibilities

Revised: June 2019

'The Charter of Patient Rights and Responsibilities' (the 'charter') summarises what you are entitled to when you use NHS services and receive NHS care in Scotland, and what you can do if you feel that your rights have not been respected.

This 'Easy Read' version is provided to enable users to gain a level of understanding about their Patient Rights and Responsibilities.

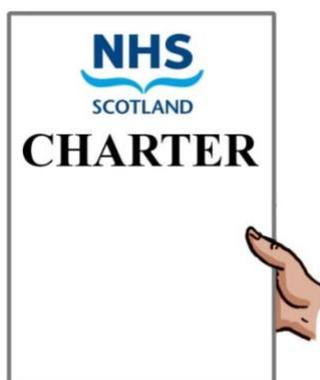
For more detailed information the full document is available here:

<https://www.gov.scot/publications/charter-patient-rights-responsibilities-2>

Part 4: Feedback, complaints and my rights

There are 4 parts to 'The Charter of Patient Rights and Responsibilities'. This document is Part 4. There is a further information section at the end of each part. This has contact details and important information.

Introduction



A charter is a document that says what an organisation will do. It is an agreement between the organisation and the people who use its services.

In Scotland the law says there must be a charter for people who use the NHS in Scotland.



The law gives everyone the right to receive healthcare that:

- meets their needs
- does what is best for their health and wellbeing
- gives them information and support to take part in decisions about their care.



It gives people the right to give feedback and comments or make complaints.



It says what I should expect when I use NHS services. It says what I can do if I think my rights have not been met.



The Charter says what I need to do when using the NHS. We want the NHS to use its resources in the fairest way.



Everyone who uses and provides NHS services has a right to be treated as an individual with dignity and respect.



The Charter is for everyone who uses NHS services in Scotland. NHS services are the services provided by health boards and include hospitals and services such as GPs, dentists, opticians, and pharmacists.



Some NHS services are now integrated. This means that decisions are made jointly by the Local Authority, the NHS and people from the community. Service users should be involved in developing health services. See further information.

My health, my rights, my NHS

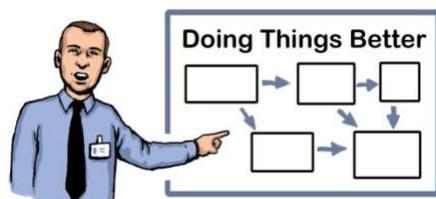
Part 4: Feedback, complaints and my rights

I have the right to give any feedback about my treatment and care and to have my complaints dealt with quickly and properly. This helps to make services better for everyone.

Using feedback to make services better



I can give feedback about what has gone well to help the NHS to share the best ways of doing things.



I can give feedback about what could have been better to help the NHS do better in the future. I can do this by speaking to NHS staff or online. See further information.



My relatives or carers can give feedback about the healthcare I get. They may also be able to make a complaint.



I have the right to be given information and advice on how to give feedback or make a complaint. I have the right to be told how my feedback will be used.

Support



I have the right to independent advice and support to give feedback or make a complaint. The Patient Advice and Support Service (PASS) can help me with this. See further information.

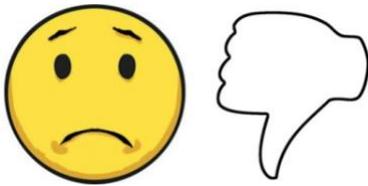
I can ask to have an independent advocate (representative) to help me give my views.

Mediation



In some cases mediation can be used to help sort out my complaint. This means an independent person can work with me and the NHS. The feedback and complaints officer at my local health board can give me more information about mediation.

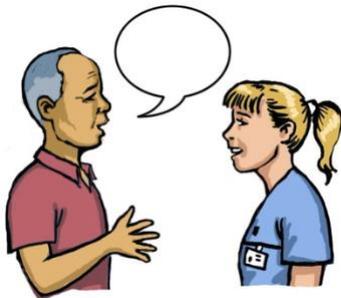
NHS complaints procedure



I have the right to make a complaint if I am not happy with NHS services provided to me. To find out how to make a complaint, see further information.



If I make a complaint, it will not mean I get a lower quality of care and treatment from NHS in the future.



I can talk first to a member of NHS staff involved in my care to see if my complaint can be sorted out right away.



The NHS aims to deal with complaints quickly and close to where the service was given.



The next stage deals with complaints that have not been settled.



There is more information if I am under 16 and want to make a complaint or give feedback about the NHS. See further information.

Investigation



I can expect my complaints to be looked into properly.



I have the right to be told the result of my complaint and can expect to get a full explanation. I should get an apology if a mistake has been made.

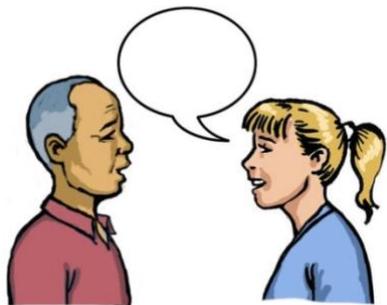


If the investigation is taking longer than expected, I will be told why and how long it should take.



I have the right to take my complaint to the Scottish Public Services Ombudsman (SPSO) if I am not happy with how my complaint was handled. See further information.

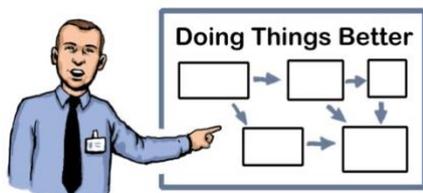
Being open and honest



I have a right to be told openly and honestly when something goes wrong with my treatment or care. This is called a 'duty of candour'.



The organisation giving my care must ask for my comments when they are reviewing what happened.



When the review is finished, the organisation must tell me what they have agreed to do to make the care better for me and others. See further information.

Respecting my rights and the rights of others



I may face legal action if I am abusive, violent or aggressive towards NHS staff, other patients, their carers or visitors when using NHS services.

If there is a lack of care and attention (clinical negligence)



I have the right to take legal action and claim compensation if the NHS in Scotland has not respected my rights and I have been harmed by the treatment.



I may get compensation if I can prove through legal action that I have been harmed by treatment by the NHS.



It is best to get legal advice if I think I may be entitled to compensation. See further information.

Judicial review



I have the right to ask for a judicial review if I think I have been affected by an act or decision of an NHS organisation that was against the law. This means the court looks at how the decision was made and decides if it was against the law.



It is best to get legal advice if I want to ask for a judicial review.

Privacy and data-protection rights



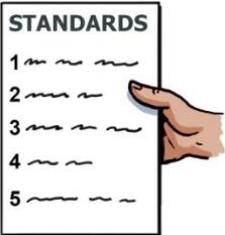
Data-protection means that personal information about me should be used in a fair and proper way. My information should be kept private and not shared if I do not want it to be.



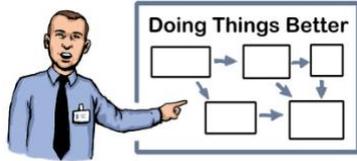
I have the right to complain to the Information Commissioner's Office (Scotland), or to take legal action and claim compensation if the NHS has not respected my data-protection rights. See further information.

Further information



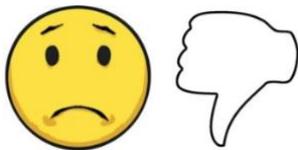
<p>NHS Inform</p> 	<p>For information about NHS services in Scotland I can contact NHS inform. I can call the NHS inform helpline free on 0800 22 44 88 or go to their website at: www.nhsinform.scot</p>
<p>The Patient Advice and Support Service</p> 	<p>The Patient Advice and Support Service (PASS)</p> <p>Provides support in giving feedback, comments, concerns or complaints about the NHS to help improve services. I can access the service by calling free on 0800 917 2127 or at my local citizens advice bureau or at www.patientadviceScotland.org.uk</p>
<p>Integration</p> 	<p>I can find out more about health and social care integration on the Scottish Government Health and Social Care Integration website (www.gov.scot) and the Health and Social Care Scotland website (www.hscscotland.scot).</p>
<p>Health & social care standards</p> 	<p>The Health and Social Care Standards say what people's health, social care and support should be like. I can get Easy Read information about the Standards from the Scottish Government website: www.gov.scot</p>

Using feedback to make services better



Give feedback, make comments or raise concerns about my healthcare online at www.careopinion.org.uk

NHS Complaints procedure



For more information about the NHS complaints procedure and how to make a complaint, I can go to my local health board's website, call the NHS inform helpline free on **0800 22 44 88**, or go to their website www.nhsinform.scot.

Complaints- under 16



'Have your say! Your right to be heard'

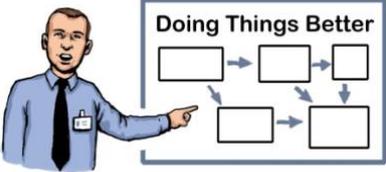
Leaflet that has useful information for people under 16 about how to give feedback or make a complaint about the NHS. To get a copy I can call the NHS inform helpline free on **0800 22 44 88** or go to the NHS inform website: www.nhsinform.scot

Investigation



Scottish Public Services Ombudsman (SPSO)

If I am not happy with the way my local health board have handled my complaint, I can contact the Scottish Public Services Ombudsman (SPSO):
Post: Freepost SPSO
Freephone **0800 377 7330**
or call **0131 225 5300**
Email: ask@spsso.org.uk
Website: www.spsso.org.uk
Online form: www.spsso.org.uk/contact-us

<p>Being open and honest</p> 	<p>‘What Happens When Things Go Wrong’</p> <p>Leaflet that tells me what the NHS have to do if something goes wrong with my treatment. I can find out more about this on the Scottish Government website: www.gov.scot</p>
<p>If there is a lack of care and attention (clinical negligence)</p> 	<p>To make a claim for clinical negligence against the providers of NHS primary care, I should contact my solicitor.</p> <p>To make a claim for clinical negligence against the NHS health boards, I should contact NHS National Services Scotland’s Central Legal Office (CLO). For further information and to make a claim for compensation, I can contact CLO by: Post: Anderson House, Breadalbane Street, Bonnington Road, Edinburgh EH6 5JR Phone: 0131 275 7800 Website: www.clo.scot.nhs.uk</p>
<p>Privacy and data-protection rights</p> 	<p>Information Commissioner’s Office (ICO)</p> <p>I can find more information about data-protection and my rights from the Information Commission Officer’s website (www.ico.org.uk) or I can contact their office by: Phone: 0131 244 9001 Post: 45 Melville Street, Edinburgh EH3 7HL Email: scotland@ico.gsi.gov.uk</p>



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2020



This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

This publication, part 4 of 4
ISBN 978-1-83960-672-4 (web only)

Also available as a single document
ISBN 978-1-83960-671-7 (web only)

Published by The Scottish Government, March 2020

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS604110 (03/20)