

## Content

The Charter contains information on rights and responsibilities in six areas: Access, Communication and Participation; Confidentiality; Respect; Safety; and Complaints and Complaints.

There are also sections describing what you can do if your rights have not been respected, and where you can get further information and support.

A leaflet will be produced to summarise this information further, and factsheets will provide practical examples of your rights and responsibilities in the six areas described above.

### Question 1

- a) Do you think the level of detail in the Charter is useful and appropriate?
- b) Is there any information not included in the Charter that should be covered?
- c) What would make it better?

### Question 1 Answer

a) No.

b) Clarification that the NHS is a service provider to the public and on that basis should be consumer driven.

How a patient can take matters further in cases where a complaint outcome is unsatisfactory – particularly where this has caused deterioration of the patient's condition/ health or concerns third parties and where referral to legal action is more suitable to achieve an equitable outcome than arbitration via the ombudsman.

c) Rethink of the leaflet with more emphasis on the Patient/ consumer rather than the terms of the service the service provider wishes to provide.

## Accessibility

We want the Charter to be as accessible as possible. This means that the language is easy to understand, and it is set out in a way that is easy to read.

### Question 2

- a) Do you think the information in the Charter is written in a way that is easy to understand?
- b) Does the format of the Charter make it easy to find the information you need?
- c) What would make it better?

- a) No. There are too many vague and ambiguous phrases included.
- b) No. It only makes the document more complicated than it needs to be.
- c) A common sense approach to the subject matter rather than wrapping the Charter up in [Content screened].

## **Design**

The Charter is presented in A4 format, with a different colour and icon for each section.

### **Question 3**

Do you have any comments on the design of the Charter?

### **Question 3 Answer**

Has any thought been given in the design in respect of colour blind people?

The symbols do not readily bring the discussion themes to mind.

## **Availability**

The Patient Rights (Scotland) Act 2011 says Health Boards must make copies of the Charter available without charge to patients, staff and members of the public.

The Charter will also be published online, and supporting information such as a summary leaflet and fact sheets will be available.

We are considering what the most appropriate alternative formats for the Charter or the supporting information is. For example, different languages, large print or audio may be produced. We would normally make available alternative formats on request.

### **Question 4:**

- a) What do you think is the most appropriate way for people to get a copy of the Charter?
- b) Do you agree that we should only make alternative formats available on request?

### **Question 4 Answer**

a) Leave it to PHA as they will no doubt “roll out” and treat this leaflet as a management manual for dealing with patients rights within the NHS.  
[Content screened].

b) Uncertain as to exactly what is envisaged by this question.

## **Rights and Responsibilities**

The Charter outlines responsibilities as well as rights. These are things that people using health services can do to help the NHS in Scotland work effectively and deliver quality care and treatment.

### **Question 5**

- a) Do you have any comments on the balance of rights and responsibilities set out in the Charter?
- b) What would make it better?

### **Question 5 Answer**

a) With regard to the balance of rights and responsibilities, I find this document biased in favour of the service provider.

For example, the warning is made to patients that they may be subject to legal action if they are abusive or aggressive toward staff etc., whereas a patient receiving the same from staff should only make a complaint or “raise a concern”. [Content screened].

## General

### Question 6

Do you have any additional comments to make about the Charter of Patient Rights and Responsibilities?

### Question 6 Answer

In all, I find this document designed primarily for the purposes of NHS management and very little to do with patient rights. My worry is that this will be rolled out by NHS Scotland as a new management tool for the function of managing people and as a convenient excuse to regulate patient usage of the service. I have no doubt that the service provider will soon seek to utilise the relevant legislation, for example, to penalise patients who fail to turn up for appointments, and this leaflet will be used as a written authority for for them (NHS(S)) to do that.

The document starts with a wrong impression by stating that "*the NHS services you receive in Scotland are free of charge*". My understanding is that statutory deductions from personal income such as NI contributions and taxation contribute towards this service.

Another worrying aspect of the leaflet is that it discusses "unlawful discrimination" but omits to condemn other forms of discrimination which may be made against a patient because, for example, he/she is overweight, a tobacco smoker, or a consumer of alcohol.

Also mentioned is removal of a patient from a GP's list for being verbally abusive. Although there may be some justification in some cases, there are also cases where a patient has been removed from the GP's List merely at the whim of the GP. There should be an appeal system in place to safeguard the rights of the patient in these circumstances.

With regard to appointments, I am a little concerned about appointments that are not created at the request of the patient – screening appointments etc.,. Where such an appointment has been made, is the onus still with the patient to adhere to an appointment at a time/place which not of his/her making?

I am also concerned by the use of phrases such as "*if you are unable to make a decision for yourself*". This statement, particularly, needs clarification [Content screened].

I am also worried by the requirement of people visiting hospital inpatients to wash their hands, not sit on beds and not bring flowers or other items to the hospital. Can we summarise this to "NHS (S) don't want people to visit patients in hospital"?

In conclusion, I am not satisfied that the document will be helpful to patients, and is, I regret, merely a patient management tool for NHS Scotland. One of the main stumbling blocks to this charter is the poor attitude of staff towards patients. How often have we heard NHS employees referred to as "front line" staff? This infers two battling, opposing sides. As a relative of a soldier who fought at Ypres during WW 1, I find the use of that metaphor to describe "dealing with the public" particularly

offensive. This attitude is readily demonstrated by any “patient” who has had to sit in the A & E department of the local hospital only to be faced with poster after poster on the walls proclaiming how the local NHS management will not stand for abuse from patients towards their staff. [Content screened]

I regret that the Charter, although, I would like to think, conceived with good intentions, will be manipulated by the service provider to regulate patient accessibility to/of the service