

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) Yes
- b) and c) The Charter should cover information that spells out the implications for NHS patients being treated in independent sector hospitals as a significant number of patients receive treatment in independent sector hospitals paid for by the NHS.

Indeed, the Scottish Independent Hospitals Association (SIHA) Credentials 2011 document, profiling the independent healthcare sector across Scotland, demonstrates the size of the sector. For example:

- The Scottish independent mental healthcare sector provided 36,500 patient bed days in 2010.
- Of the 36,500 bed days, more than 19,000 were NHS patient bed days.

For a full list of SIHA members, please see:

<http://www.independenthealthcare.org.uk/index.php?/scotland/scotland.html>

SIHA consider the Charter an excellent document, but aspects of it have implications for NHS patients treated in independent hospitals and the relationship between the two sectors is not fully defined. For example, the Charter states:

You have the right to be given the information you need to make informed choices about your health care and treatment options.

- *You should be told about the care and treatment options available to you.*
- *You should be told what the care or treatment will involve, including the risks and benefits, and what may happen if you do not have it.*
- *You can ask for more information if you want to know more.*
- *You should be given information in a way you can understand. (page 9)*

However, how will this be managed between NHS and independent sector providers where a patient's care moves between the two sectors?

Another example of where the liaison relationship needs to be clarified is:

You have the right to clear communication about your care and treatment from NHS staff.

You can expect to be given information about support that is available from the NHS in Scotland and other relevant agencies for example local authorities and the voluntary sector, and any follow-on care that is available to you. (page 12)

An important aspect of patient service is that of:

Comments and complaints: the right to have a say about your care and have any concerns dealt with (pages 20-21).

The responsibility for patient complaints where NHS patients are treated in independent sector hospitals must be set out for patients. SIHA members operate a three-stage complaints procedure which is a well established framework in operation in the UK independent healthcare sector. SIHA recognises that NHS funded patients have the right to use the NHS complaints framework. However recognition of the independent sector's complaints process known as the Independent Sector Complaints and Adjudication Service would be helpful. This affords a comprehensive three stage process with an independent adjudication process at the end for unresolved complaints. More information is available at www.iscas.org.uk

Page 25 lists various reference documents for NHS Services in Scotland. SIHA suggests including a reference to the SIHA *Patient Complaints Leaflet*.

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) Yes
- b) Yes

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

None.

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) Leaflets in hospitals and GP practices and online. There may be voluntary sector and patient representative organisations that need to be included.
- b) Yes

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) The balance is about right. Patients need to understand that their rights and responsibilities extend across both sectors when receiving NHS treatment in the independent sector.

General

Question 6

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

Question 6 Answer

None.