

# Consultation on Charter of Patient Rights and Responsibilities

## Introduction and background to the Charter

This consultation seeks your views on the draft Charter of Patient Rights and Responsibilities (the Charter), which will be laid before the Scottish Parliament and published by 1 October 2012.

The Charter is introduced by The Patient Rights (Scotland) Act 2011, which requires Ministers to publish a Charter setting out a summary of the rights and responsibilities of patients and other relevant people.

The Patient Rights (Scotland) Act 2011 aims to improve peoples' experiences of using health services, and to enable them to become more involved in their health and decisions about their health care. It supports the NHSScotland Quality Strategy ambition for a person-centred NHS, with mutually beneficial partnerships between patients, their families and those delivering health care services.

More detailed information about the Act can be found online at:

<http://www.scotland.gov.uk/Topics/Health/PatientRightsBill>

## Purpose of the Charter

The Charter is an information document for patients and members of the public which sets out what you can expect when you use NHS services and receive NHS care in Scotland. It also details what the NHS in Scotland expects of you in return; to help it work effectively and make sure its resources are used responsibly.

There will be other information available to support the Charter such as a leaflet summarising the information in the Charter, fact sheets that provide practical examples of the rights and responsibilities outlined in the Charter, information for staff and information in alternative formats will be available on request.

## Scope of the Charter

The Charter does not introduce any new rights and responsibilities. Rather, it summarises existing rights and responsibilities at the time of drafting. These are drawn from a number of sources, including the Patient Rights (Scotland) Act 2011, the Data Protection Act 1998 and the Equality Act 2010.

Some of these rights describe the services you can expect from the NHS in Scotland, and some describe the way you can expect to be treated.

The Charter will be reviewed at least once every five years: we will consider whether it needs to be updated, and seek feedback on how useful the Charter is to patients and members of the public.

## **Development of the Charter**

The Scottish Government has worked with Health Rights Information Scotland to develop the Charter. An advisory group provided guidance on the proposed format of the Charter, and a detailed source document, covering the full range of rights and responsibilities existing in legislation, was composed.

Members of the advisory group commented on an early draft of the Charter, and a period of user testing was carried out. Feedback from these groups has allowed us to produce this draft Charter for consultation.

## **Availability of the Charter**

The Charter, and supporting information, will be published online. The Patient Rights (Scotland) Act 2011 says that Health Boards must make copies available to patients, staff and members of the public, and we are keen to hear how this can best be achieved.

## Responding to this consultation paper

We are inviting written responses to this consultation paper by 30 June 2012. Please send your response with the completed Respondent Information Form (see “Handling your Response” below) to:

[patient.rights@scotland.gsi.gov.uk](mailto:patient.rights@scotland.gsi.gov.uk)

or

Fiona Wherrett  
Patient Support and Participation Division  
Scottish Government  
St Andrew’s House (GER)  
Regent Road  
Edinburgh  
EH1 3DG

If you have any queries, or would like this consultation paper in an alternative format, please contact Fiona Wherrett on 0131 244 2454, or at the address above.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at:

<http://www.scotland.gov.uk/Consultations/Current>

The Scottish Government has an email alert system for consultations:

<http://register.scotland.gov.uk/Subscribe/Step1>

This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces, SG distribution lists and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

## Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return **the Respondent Information Form** enclosed with this consultation paper, as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Where respondents have given permission for their response to be made public, responses will be made available on the Scottish Government consultation web pages, and in the Scottish Government library. You can make an appointment to view the responses by contacting the SG Library on 0131 244 4552.

### **What happens next?**

We will write to you within 10 days acknowledging receipt of your response. Following the closing date, all responses will be analysed and considered along with any other available evidence to help us prepare the Charter for publication by 1 October.

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We aim to publish a summary of responses, and highlight the changes we have made as a result in autumn 2012.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to Fiona Wherrett using the contact details on page 1.

# Charter of Patient Rights and Responsibilities

## RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

### 1. Name/Organisation

Organisation Name

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

Forename

### 2. Postal Address

Postcode	Phone	Email

### 3. Permissions - I am responding as...

**Individual** / **Group/Organisation**   
*Please tick as appropriate*

**(a)** Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

*Please tick as appropriate*  Yes  No

**(b)** Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

**(c)** The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

*Please tick as appropriate*  Yes  No

**(d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

*Please tick as appropriate*  Yes  No

## Content

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

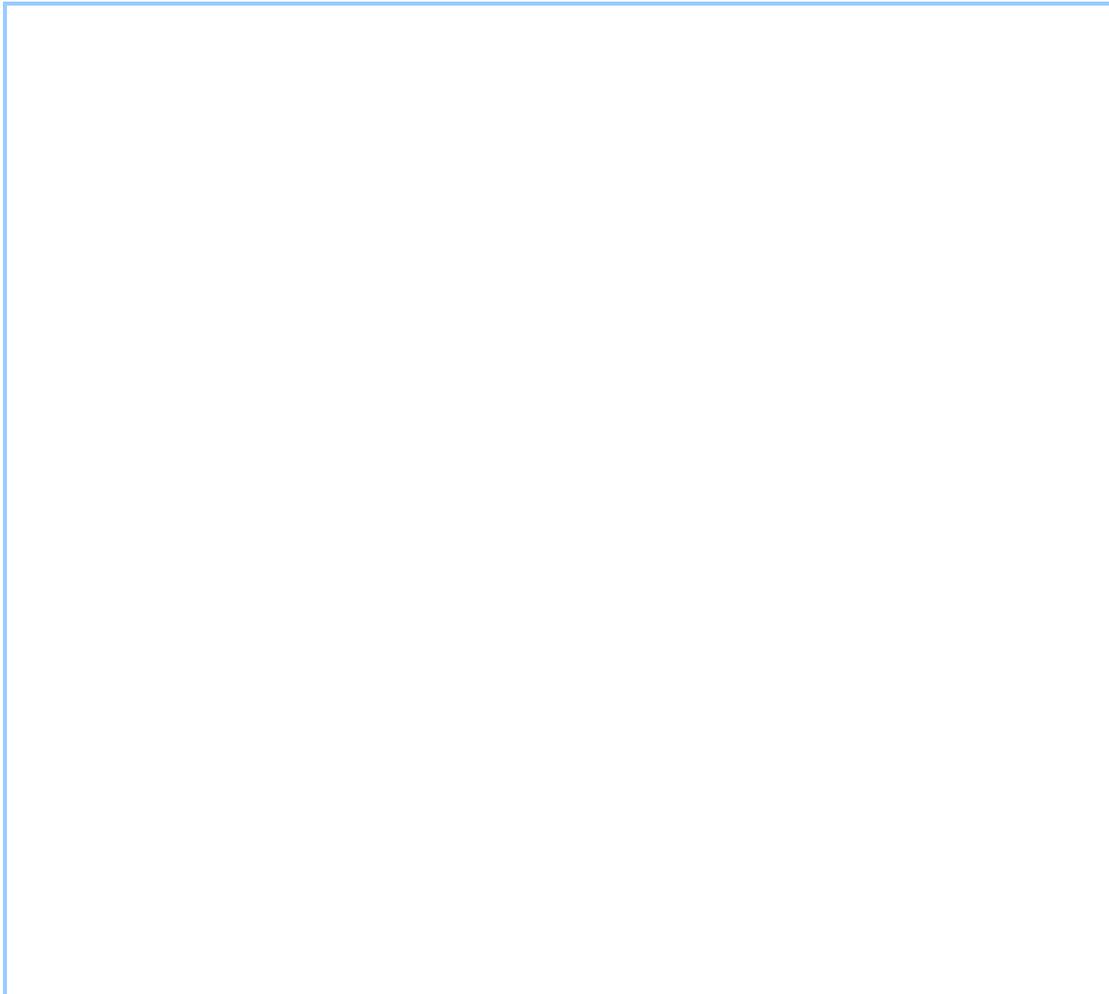
There are also sections describing what you can do if your rights have not been respected, and where you can get further information and support.

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



## **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?



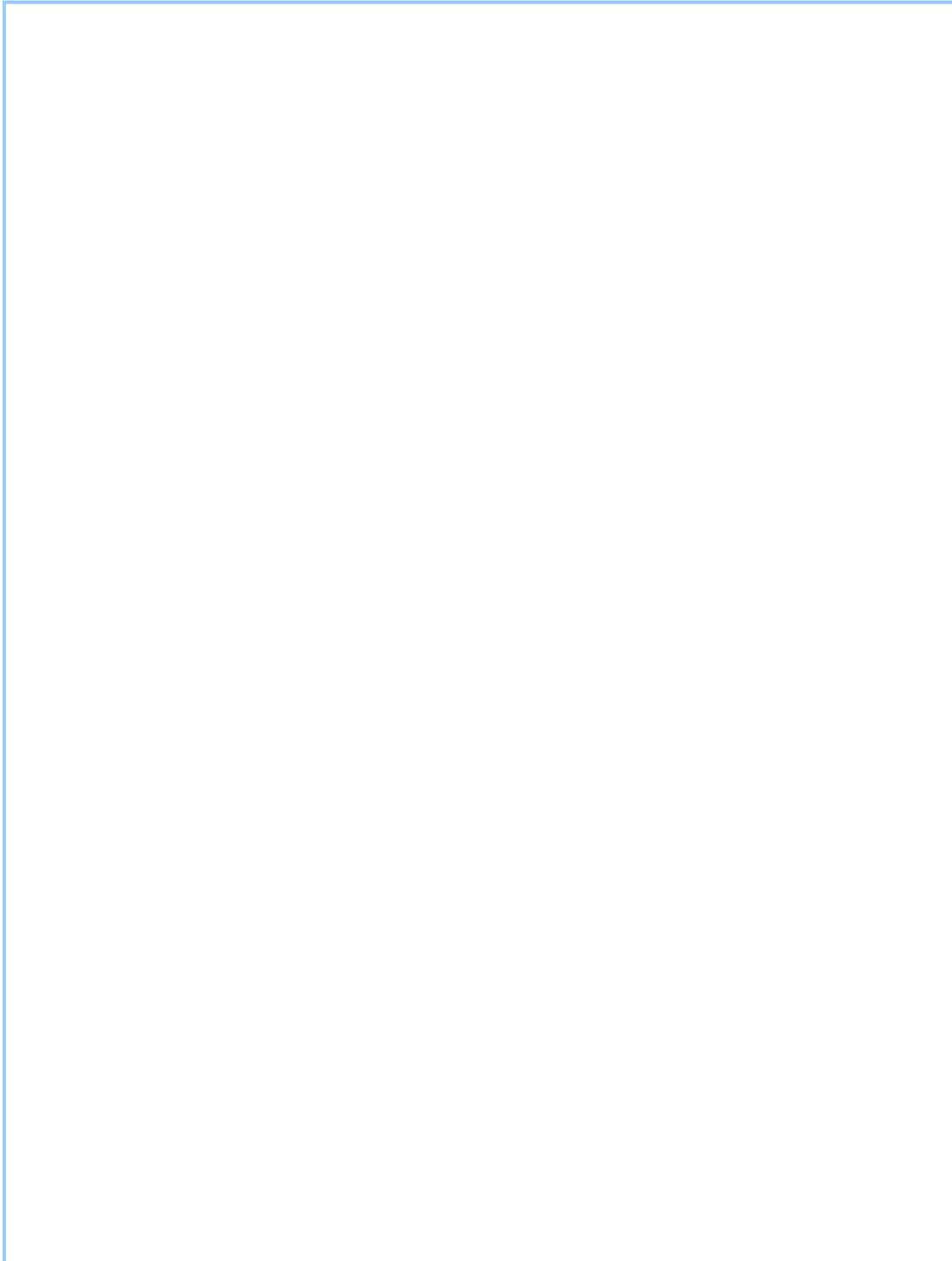
## **Design**

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**



## **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**

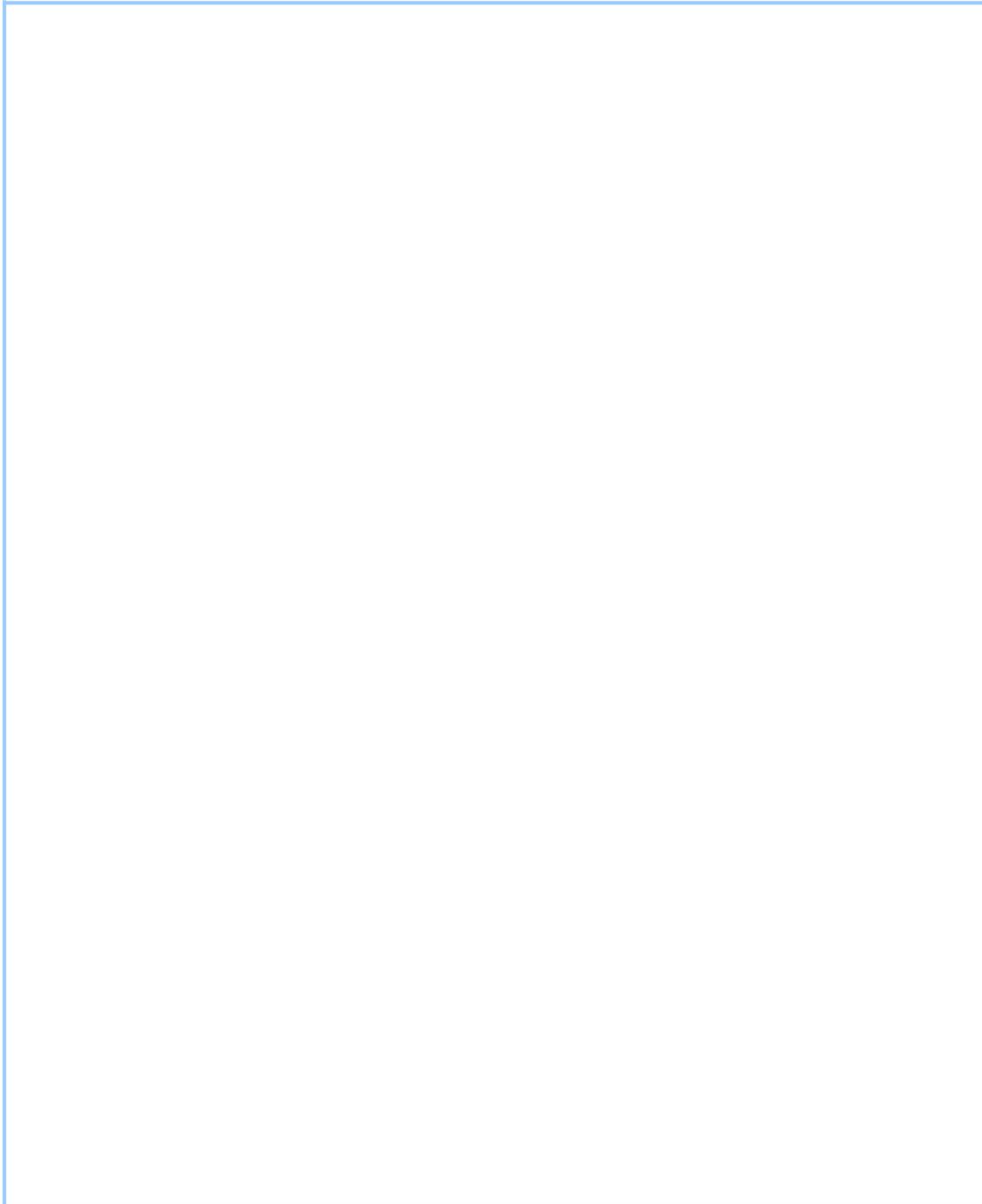
## **Rights and Responsibilities**

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**



## **General**

### **Question 6**

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

### **Question 6 Answer**

