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## Who to complain to – information for patients in Wales

The process of making a complaint will be easier and less stressful if you complain to the right organisation first time round.

### Contents

1. Complaining locally (NHS care)
2. Complaining locally (Private care)
3. Complaining to the GMC
4. Help and advice organisations
5. Other complaints

## 1. Complaining locally (NHS care)

Most complaints are dealt with locally at the place where you received care

The following advice is taken from the NHS Wales website *Putting Things Right*. A link to more detailed information can be found below

### Who should I talk to about my concern?

If you feel able to do so, the best place to start is by talking to the staff who were involved with your care and treatment. They can try to sort out your concern immediately. If this doesn't help or if you do not want to speak to staff who provided the service, then you can contact a member of the concerns team.

For concerns about health services, you will need to contact your Local Health Board or the relevant NHS Trust.

If you have a concern about services that you have received from your General Practitioner (GP), Dentist, Pharmacist or Optician you should normally ask the practice to look into it for you, but if you prefer, you can ask your Local Health Board to do so.

**You can contact the concerns team by:**

- Phoning
- Emailing
- Writing a letter
- Faxing
- Texting

If you need help to tell the organisation about your concern, please let them know, or contact your local Community Health Council (CHC).

Your local CHC provides a free and independent advocacy service, which is able to help patients or the people acting for them to raise a concern. The CHC will offer advice and support, including putting you in touch with specialist advocacy services if you need them. Your local CHC can be found by contacting the Board of CHCs on 0845 644 7814 or visiting [www.communityhealthcouncils.org.uk](http://www.communityhealthcouncils.org.uk)

**If after pursuing these options, I continue to disagree with the decision – is there anything else I can consider?**

The Public Services Ombudsman for Wales is appointed by the Queen to look into complaints about public services in Wales. The Ombudsman is independent and unbiased. The service is free of charge.

The bodies that can be looked into include local government, the National Health Service and the National Assembly for Wales.

The Ombudsman can look into complaints that you have been treated unfairly, or received a bad service through some failure on the part of the body providing it. If your complaint is upheld, the Ombudsman will tell the body what it should do to put matters right. Public bodies have no legal requirement to carry out the Ombudsman's recommendations—but, in practice, they almost always do.

The Ombudsman suggests that you do the following when considering making a complaint:

1. Complain to the body concerned first
2. Complain within a reasonable time
3. Put your complaint in writing (the Ombudsman's office can help you with this)

If you are not sure about whether you can complain to the Ombudsman, you can ring and talk to someone on 0845 601 0987 (this will cost no more than a local call, no matter where you are calling from).

### **Further information**

For extended information including who can complain, time limits and more, please see [Putting Things Right - Raising a Concern about the NHS in Wales from 1 April 2011 \(pdf\)](#).

## **2. Complaining locally (private care)**

If your complaint is about private or independent healthcare such as:

- an independent (private) hospital
- an independent (private) specialist clinic
- hospice care
- other care settings

Each private healthcare provider has its own complaints procedure and will be able to advise you on the process for making a complaint.

Also you can contact Healthcare Inspectorate Wales who have responsibility for the regulation of private and voluntary health care services in Wales

Healthcare Inspectorate Wales  
Bevan House  
Caerphilly Business Park  
Van Road  
Caerphilly  
CF83 3ED  
Telephone Number: 029 2092 8850  
[www.hiw.org.uk](http://www.hiw.org.uk)  
[hiw@wales.gsi.gov.uk](mailto:hiw@wales.gsi.gov.uk)

In a small number of cases, there may be doctors working completely independently from any structured organisation and there will be no complaints procedure.

If you do have a concern about a doctor who works independently, then the GMC will look at your complaint. If you have any queries, talk to someone from our contact centre (0161 923 6602) who will be able to advise you.

### **3. Complaining to the GMC**

The General Medical Council is responsible for ensuring that doctors in the UK meet the standards of good medical practice we set for them. This means that in more serious cases, we can take action to stop a doctor from practising or to restrict their practice in some way.

If you think your doctor is not fit to practise or may be a risk to patients, then please contact us.

If you are not sure whether you should make a complaint, it may be helpful to discuss your concerns with us by ringing 0845 357 0022. All calls are confidential and we will advise you what to do.

These are examples of the types of cases where we may need to act:

- serious or repeated mistakes in carrying out medical procedures or in diagnosis, such as prescribing drugs in a dangerous way
- failure to examine a patient properly or to respond reasonably to a patient's needs
- fraud or dishonesty
- serious breaches of a patient's confidentiality
- any serious criminal offence - If you think that a doctor has committed a criminal offence, you should contact the police as well as the GMC.

#### **What can the GMC do?**

If we identify concerns about the doctor that mean we need to take action, we can:

- issue a warning
- agree undertakings, for example the doctor agrees to re-train, or work under supervision
- refer the doctor to the Medical Practitioners Tribunal Service for a medical practitioners tribunal hearing which as well as the above can additionally:
  - put conditions on the doctor's registration so that they are only allowed to do medical work under supervision or so that they are restricted to certain areas of practice
  - suspend the doctor's name from the register – so that they cannot practise during the suspension period
  - remove the doctor's name from the register.

### **What can't the GMC do?**

We cannot:

- give you a detailed explanation of what happened to you – this can only come from the doctor or the healthcare organisation
- order a doctor to provide the treatment you want
- help you with a claim for compensation
- fine a doctor
- order a doctor to give you access to your records
- make a doctor apologise to you.

## **4. Help and advice organisations**

If you want advice, there are people to give you help with what can be a complicated system.

You can ask for advice and support from your local Community Health Council (CHC) who provide a free, independent advice and advocacy service. See [www.communityhealthcouncils.org.uk](http://www.communityhealthcouncils.org.uk)

### **Private healthcare / other independent help organisations**

If you need support with a complaint about private healthcare, you can approach your local Citizen's Advice Bureau for independent advice.

To find out how to get CAB advice in your local area click on the following link where you will find sections for each of the four UK countries.

[http://www.adviceguide.org.uk/index/family\\_parent/health/nhs\\_complaints.htm](http://www.adviceguide.org.uk/index/family_parent/health/nhs_complaints.htm)

Details about the help and support the CAB service can provide as well as information on how to access the CAB's online advice service can be found at the following link:

<http://www.citizensadvice.org.uk/index/getadvice>

There are also a number of independent organisations able to provide support and advice for complaints about both NHS care and private health care. The CAB website lists some of these and there are also other details available on the Useful links page.

## **5. Other complaints**

There are a range of complaints, which the GMC cannot deal with, for example if

- the patient feels let down by a system, not an individual
- the patient feels let down by a team of people, not an individual
- the patient feels let down by an individual who is not a doctor

In these cases, patients are advised to contact the help and advice organisations which are named on the Local help services page.

These organisations will advise you on the appropriate organisation to contact to make your complaint.