



National Health Service in Scotland  
Management Executive

St. Andrew's House  
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17 November 1995

Dear Colleague

**IMPLEMENTATION OF NEW NHS COMPLAINTS  
PROCEDURES -INTERIM GUIDANCE**

**Summary**

1. The Government's response to the Wilson Committee Report "Being Heard" was announced in March 1995 and promised further guidance on the operation of the new complaints procedures to be introduced from 1 April 1996. As a first step to informing the NHS about the new system the attached Interim Guidance has been produced. Final Guidance will be issued in February 1996 once the formal Directions and Regulations underpinning the new system have been published.

**Action**

2. Board General Managers and NHS Trust Chief Executives are asked to bring the Interim Guidance to the attention of managers responsible for complaints and associated training. Board General Managers are also asked to ensure that the Guidance is brought to the attention of their local consultative committees representing primary care practitioners.

**Other Information**

3. Further information on the Interim Guidance and the implementation of the new system is contained in Annex A to this letter. Also enclosed as Annex B is a bibliography of source material, which has been developed by the Department of Health's NHS Training Directorate to assist those responsible for implementing the new procedures and, in particular, those who are planning local training initiatives.

Yours sincerely

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Director of Purchasing

November 1995

**Addressees**

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## Guidance

1. Ministers have laid great emphasis on the early resolution of complaints and in order to promote this objective the Interim Guidance now refers to **Local Resolution** (instead of Stage I) and **Independent Review** (instead of Stage II). We believe this will convey more clearly the significance of the early part of the new procedure and that progression to Independent Review is not an automatic part of the resolution of complaints.

## Training

2. The Wilson Report emphasised the need for effective training and communications to ensure that complaints handling is improved at all levels in the NHS. A generic training pack on Local Resolution procedures for front-line staff will issue to Health Boards and NHS Trusts in January 1996. The pack will cover the new National Complaints Procedure and include material on communications, leaving room for material on local systems and procedures to be included. In formulating their training plans, Health Boards and NHS Trusts will wish to consider who in the organisation is best placed to deliver the training.

3. In addition, a leaflet on practice-based procedures will issue to primary care practitioners in December.

4. An Independent Review training pack will issue in March or April 1996 and arrangements for a national course for panel members will be put in place so that the training is fresh in panel members' minds when they come to handle their first cases.

5. The timetable at Appendix 2 of the Interim Guidance also refers to regional seminars to be held in January 1996. The intention is that these events should support local initiatives and help raise the level of awareness of what is needed to develop and enhance the general handling of complaints, so that the new procedure is adopted throughout the NHS in a confident and effective manner. We will inform General Managers and Chief Executives and others about the arrangements for these seminars very soon.

## Outstanding Issues

6. We recognise that a number of issues remain to be resolved, not least because formal negotiations with the primary care services contractor professions are still ongoing. Similarly the detailed arrangements for lists of assessors have still to be formally agreed with national professional bodies. Details of fee payments for panel members and assessors will be notified as soon as possible.

## Implementation

7. Ministers place great importance on the need to establish the new complaints procedure as part of the ethos of the newly structured Service, and look to General Managers and Chief Executives, with their boards, to ensure appropriate local preparations are made for successful implementation of the new arrangements from 1 April 1996.

## BIBLIOGRAPHY OF SOURCE MATERIALS

- SEPTEMBER 1995

## 1. COMMUNICATION AND COMPLAINTS HANDLING

## Handling

Steele K (1993) *'National Service Complaints Procedures: the Way Forward'*. 'Public Money and Management' Volume 13, Number 4, pages 45-52.

George M (1992) *'The Trouble About Complaining'*. 'Community Care' 9 April pages 16-18.

Industrial Society (1995) *'Managing Best Practice. The Regular Benchmark: Customer Care'* Journal Number 9 page 64.

Joyce (1994) *'Community Health Councils and FHSA Complaints: CHCs and Clinical Advice'* The Greater London Association of Community Health Councils.

## Patient/Complainant Support

Consumers Association (1993) *'Complaining to the NHS'*, 'Which?' April 1993, London.

Eagle R (1993) *'Today's Health Service: A User's Guide'*, Channel 4 Television, London (112 pages ISBN 185440577).

Blaney P (1995) *'Evaluating the Role of Patient Advocate'*, 'Nursing Times' Volume 91, Number 15, pages 11-12.

Bush H (1991) *'Complaints and the Health Service. A Community Health Council Perspective'*, Yorkshire Regional Association of Community Health Councils, Dewsbury.

Hogg C (1992) *'Complaints about Family Practitioners. Community Health Councils and FHSA complaints'*, Greater London Association of Community Health Councils, London.

Hogg C (1994) *'Performance Standards for CHCs: Developing the Framework'*, Association of Community Health Councils for England and Wales, London.

Mclver S (1993) *'Investing in Patient's Representatives'*, NAHAT, Birmingham.

Mclver S (1994) *'Establishing Patient's Representatives. The Second Report of the Patient's Representative Project'*, NAHAT, Birmingham.

Hogg C (1992) *'Having Your Say About Health Services'*, Supplement to 'Consumer Voice' April 1992.

Mclver S (1993) *'Investing in Patient's Representatives'* NAHAT, Birmingham.

Rode D (1990) *'Patient Complaints Require Proper Handling'*, Healthcare Finance Management Volume 44, Number 15.

*'Patients' Rights Factsheet: Making a Complaint'*, Association of Community Health Councils for England and Wales 1994.

#### General

Health Service Commissioner *'Annual Report 1993/94'* HMSO, London ISBN 0102499942 cost £12.90

Health Service Commissioner *'Report of the Health Service Commissioner, Selected Investigations Completed October 1994 to March 1995'* HMSO, London ISBN 0-10-254595-2 cost £20.30

Health Service Commissioner for England, for Scotland and for Wales *'Annual Report 1994/95'* HMSO, London ISBN 0-10-254495-6 cost £14.30

Audit Commission (1993) *'What seems to be the matter?: Communication between Hospitals and Patients'* HMSO, London

Citizen's Charter Complaints Task Force (1993) *'Effective Complaints Systems: Principles and Checklists'*, HMSO, London.

Department of Health (1992) *'The Patient's Charter'* London.

Department of Health (1994) *'Being Heard, Report of the Review Committee on NHS Complaints Procedures'*, chaired by Professor Alan Wilson. Department of Health (D106/BH/1.5m HSSH JO7 3274 July 1994).

Department of Health (1995) *'Acting on Complaints'*, Department of Health (2273 IP 45k March 1995).

Giddings P (1993) *'Complaints, Remedies and the Health Service Commissioners'*, 'Public Administration' Volume 71, Number 3.

Appleby A (1993) *'Can't Complain'* 'Health Service Journal' Volume 103, Number 5382 pages 28-29.

Hunter H (1994) *'Flies in the Soup'*. 'Health Service Journal' Volume 104, Number 5403. pages 11-13.

The Institute of Health Services Management (1995) *'The IHSM Network'* Issue devoted to all aspects of dealing with complaints. Volume 2, Number 16, August 1995.

Howland, Guy and Fontes, Jodi (1995) *'Putting Power into Patients Hands: a Guide for Managers'*, The Institute of Health Service Management, London.

Dabbs C (1995) *'Hearing and Acting: A Guide to Developing Effective Complaints Procedures in NHS and Community Care Services'*, Salford Joint Complaints Working Group/Salford Community Health Council. Salford.

## 2. PROFESSIONAL AND STAFF ISSUES

### Clinical

Jost T, Mulcahy L, Strasser S and Sachs, L A (1993), *'Consumers, Complaints and Professional Discipline: A look at Medical Licensure Boards'*, *'Health Matrix, Journal of Law-Medicine'* Volume 3, Number 2, pages 309-338.

Kerfoot K (1992) *'Celebrating Complaints'*, *'Nursing Economics'* Volume 10, Number 5, pages 262-264.

Owen A V (1995) *'Getting the Best from People'*, *'British Medical Journal'* March 1995, London.

Spinks M (1995) *'First Line of Defence'*, *'Nursing Times'* Volume 91, Number 16, page 53.

### Medical Support

Forbes T (1994) *'Complaining to the Commissioner'*. *'Radiography Today'* Volume 60, Number 683, pages 55-57.

### Management

Calnan M, Cant S and Gabe J (1993) *'You Pays Your Money'*, *'Health Service Journal'* Volume 103, Number 5353, page 31.

Finch J (1994) *'Speller's Law Relating to Hospitals'*, 7th edition. Chapman and Hall, London.

Mulcahy L and Tritter J (1994) *'Hidden Depths'*, *'Health Service Journal'* Volume 104, Number 5411, pages 24-26.

Bailey D (1994) *'Recovery from Customer Service Shortfalls'*, *'Managing Service Quality'* Volume 4, Number 6, pages 25-28.

Seelos L and Adamson C (1994) *'Redefining NHS Complaint Handling - The Real Challenge'*. *'International Journal of Health Care Quality Assurance'* Volume 7, Number 6, pages 26-31.

Winkler F (1993) *'Complaints by Patients'*, *'British Medical Journal'* Volume 336, pages 472-473.

Association of Community Health Councils for England and Wales (1994) *'The Future of NHS Complaints - Report of a Seminar'*, Association of Community Health Councils for England and Wales, London.

### General

Harrison A and Bruscini S (1994) *'Health Care UK 1993/94: An Annual Review Health Care Policy'* King's Fund Institute London.

Hoyte P (1995) *'Acting on Complaints; the New Structure'*, *'Health Care Risks'*

Report 1995' Volume 1, Number 7, pages 8-9.

Millar B (1995) *'Hearing Things'*, 'Health Service Journal' 6 April, page 15.

Salford Community Health Council (1993) *'Complaints in the NHS in Salford - A Survey'*, Salford Community Health Council.

Citizen's Charter Complaints Task Force (1994) HMSO, London. All available from The Citizen's Charter Unit, Horse Guards Road, London SW1P 3AL.- a series of six discussion papers:

Number 1 *'Access to complaints systems'* (June 1994), Dd 8389685 6/94

Number 2 *'Complaints systems: simplicity and speed'* (July 1994) Dd 8389697 7/94

Number 3 *'Complaints systems: fairness'* (September 1994) Dd 8389314 9/94

Number 4 *'Complaints systems: attitude and motivation'* (October 1994) Dd 8389327 10/94

Number 5 *'Information: learning the lessons from complaints'* (November 1994) Dd 8389338 11/94.

Number 6 *'Complaints systems: redress'* (December 1994) Dd 8389344 12/94.

Citizen's Charter Complaints Task Force (1994) *"Complaints: Literature Review"* Dd 8389334 11/94

Citizen's Charter Complaints Task Force (1995) Final Report. All available from the Citizen's Charter Unit, Horse Guards Road, London, SW1P 3AL (Tel 0171-270 6954).(3 documents).

*'Putting Things Right'*, Executive Summary.

*'Putting Things Right'*, Main Report.

*Good Practice Guide.*

Citizen's Charter Complaints Task Force, *'Complaints Handling in the Public Sector'*, HMSO (1995) ISBN 0-11-430135-2, cost £13.50.

Citizen's Charter Complaints Task Force (1995) *'Complaints: Literature Review Update'*, HMSO Dd 8439260 9/95 C10 59064

### 3. COMPLAINTS PROCEDURES IN PRACTICE

#### Pilots

Le-Pine L (1993) *'Good Practice: Learning to Complain'*, 'Health Director' Number 2, page 10.

McIver M (1994) *'Establishing Patients Representatives -second report of the Patient's Representatives Project'* NAHAT, Birmingham.

Longley D (1992) *'Out of Order'*, 'Health Service Journal' Volume 102, Number 26, pages 22-24.

#### **Materials Supporting Complaints Procedures**

Wrekin Council (1994) *'Comments and Complaints Procedure'*, Wrekin Council, Telford.

Leicester City Council (1994) *'Complaining about City Council Services'*, Leicester City Council, Council Complaints Unit, Leicester.

Colchester Borough Council (1995) *'Help Us Get it Right: Compliment or Complaint?'*, Colchester Borough Council, Colchester.

Hull and Holderness Community Health NHS Trust (1995) *'If You Don't Like it, Do Something'*, Hull and Holderness Community Health NHS Trust, Kingston-upon-Hull.

Hertfordshire Social Care (1994 and 1995) *'Open to Complaint'*, Hertfordshire County Council, Hertford.

Leonard Cheshire Foundation (1993 being updated 1995) *'Complaints Procedure'*, Leonard Cheshire Foundation, London.

Phoenix NHS Trust *'Health Service Rights and People with learning difficulties'* (1995), Phoenix NHS Trust, Stoke Park, Stoke Lane, Bristol BS16 1QU.

Phoenix NHS Trust *'Are you happy with the help you get?'* (1993/1994) Booklet and audio tape, Phoenix NHS Trust, Stoke Park, Stoke Lane, Bristol BS16 1QU

#### **4. TRAINING AND LEARNING**

Macaulay S and Cook S (1994) *'Handling Difficult Customers'*, 'Training Officer' Volume 30, Number 2, pages 53-55.

Martin D M (1994) *'Dealing with Demanding Customers: How to Turn Complaints into Opportunities'* Institute of Management, Better Business Performance Series, Pitman, London.

Fry M and Eardley A *'Ever so Sorry'*, 'Health Service Journal' Volume 104, Number 5401, page 21.

Kazemak E A and Peterson K E (1987) *'Improving Complaint Management Skills'*, 'Healthcare Finance Management' Number 41, pages 122-123.

Young R (1992) *'New Help in Handling Complaints'*, 'Health Direct' June 1992, page 9.

(1991) *'The Right to Complain: Practice Guidance on complaints procedures in Social Services Departments'*, HMSO, London.

Singh J (1990) *'A Typology of Consumer Dissatisfaction Response Styles'*, Journal of Retailing' Volume 66, Number 1, pages 57-99.

Bell, David and Will Joyce (1995) '*Stage Effects*', 'Health Service Journal' 20 July 1995, pages 28-29.

Brotchie Jane and Wann Mai (1993) '*Training for lay participation in health - token voices or champions of the people?*' The Patients Association, London.

Hastings and Rother NHS Trust '*Coffee on the Seats*' (1995). A video training tool for staff. Dolly Daniel, Consumer Relations Manager, Hastings and Rother NHS Trust, 729 The Ridge, St Leonards on Sea, East Sussex TN37 7PT.