



**Scottish
Ambulance
Service**
Taking Care to the Patient



The Scottish Ambulance Service

Model Complaints Handling Procedure

Patient/Public Guide



Scottish Government
Riaghaltas na h-Alba
gov.scot

SPSO Scottish
Public
Services
Ombudsman

Quick guide to the NHS complaints procedure



NHS Scotland Complaints Procedure

The Scottish Ambulance Service is committed to providing high quality care and treatment to people in our communities through the delivery of safe, effective and person-centred care. We understand, however, that sometimes things go wrong. If you are dissatisfied with something we have done, or have not done, please tell us and we will do our best to put things right. If we cannot resolve matters in the way you want, we will explain why it is not possible to do as you suggest.

This leaflet tells you about our complaints procedure and how to make a complaint. It includes information about what you can expect from us when we are dealing with your complaint.

What is a complaint?

We regard a complaint as:

Any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

If you need to complain about something, we encourage you to do so. We also understand that your complaint may involve more than one NHS body or service, or relate to both health and social care services, or may be about someone working on our behalf. Our complaints procedure covers all of those possibilities.

Who can complain?

Anyone can make a complaint to us. You can complain directly to us, or if you would rather have someone make the complaint on your behalf, we can deal with your representative. This could be a relative, carer, a friend or any other person that you choose. We can also give you information about advocacy services, and about the Patient Advice and Support Service, who can help you make your complaint. If you agree to someone making a complaint on your behalf it is important for you to know that we will need to ask for your permission for us to deal with that person.

What can I complain about?

You may wish to complain about:

- You care and/or treatment
- Delays
- A failure to provide a service
- An inadequate standard of service
- A lack of information and clarity about appointments
- Difficulty in making contact with us for appointments or queries
- Treatment by, or the attitude of a member of our staff
- Scheduled or unscheduled ambulance care
- Transport concerns, either to, from or within the healthcare environment
- Environmental or domestic issues
- Operational and procedural issues
- Our failure to follow the appropriate process
- Your dissatisfaction with our policy
- National Whistleblowing guidelines and procedures have been implemented across Scotland as of 1st April 2021. If you have a concern to raise under these regulations, please contact sas.feedback@nhs.scot or on 01313140000 (option 3)

Whistleblowing

Whistleblowing is defined in the Public Services Reform (Scottish Public Services Ombudsman) Healthcare Whistleblowing Order 2020 as:

"when a person who delivers services or used to deliver services on behalf of a health service body, family health service provider or independent provider (as defined in section 23 of the Scottish Public Services Ombudsman Act 2002) raises a concern that relates to speaking up, in the public interest, about an NHS service, where an act or omission has created, or may create, a risk of harm or wrong doing."

This includes an issue that:

has happened, is happening or is likely to happen
affects the public, other staff or the NHS provider (the organisation) itself.

Anyone who provides services for or on behalf of the NHS can raise a concern, i.e. speaking up or whistleblowing. This includes current (and former) employees, agency workers (and others on short or insecure contracts such as locums and bank staff), contractors (including third-sector service providers), trainees and students, volunteers, non-executive directors, and anyone working alongside NHS staff, such as those in health and social care partnerships. A person raising a whistleblowing concern has usually witnessed an event, but they may have no direct personal involvement in the issue they are raising.

Whistleblowing concerns raised within the NHS must be handled in line with the [National Whistleblowing Standards](#). These Standards have the same function for whistleblowing as the NHS Complaints Handling Procedure has for complaints. The SPSO also has the role of Independent National Whistleblowing Officer (INWO), and provides the third stage, independent review for whistleblowing concerns.

It is important to identify where a non-whistleblowing issue is raised by someone who provides services for the NHS; i.e. the issue is about their experience as a service user / patient or where they are raising an issue on behalf of a service user / patient. We should consider carefully whether the issue more properly falls under the definition of a complaint (*an expression of dissatisfaction about the NHS organisation's action or lack of action, or about the standard of service provided by or on behalf of the organisation*) and should be handled under the complaints handling procedure (CHP).

Where an issue raised in a complaint overlaps with issues raised under the whistleblowing process, we still need to respond to the complaint through the CHP.

The complaint response must not to share confidential information (such as anything about the whistleblowing procedure, personal data of anyone involved, or outcomes for individual staff members). It should focus on whether we failed to meet service standards, where relevant, or expected standards and what we have done to improve things, in general terms.

Staff investigating such complaints will need to take extra care to ensure that:

they comply with all requirements of the CHP in relation to the complaint (as well as recognising if they also, or alternatively, meet the requirements of the whistleblowing process)
all complaint issues are addressed (sometimes issues can get missed if they are not also relevant to the overlapping whistleblowing process); and
records of the complaint investigation are kept and can be made available to the SPSO if required. Consideration must be given to whether there is confidential whistleblowing related information. If there is, but it is also relevant to the complaint, SPSO will still normally require details of any correspondence and interviews to show how conclusions were reached. Staff will

need to bear this in mind when planning and recording the service complaint investigation, especially elements that might overlap with the whistleblowing process (for example, if staff are interviewed for the purposes of both the complaint and the whistleblowing process, they should be told that any evidence given may be made available to both the SPSO and/ or the INWO).

The SPSO's report [Making Complaints Work for Everyone](#) has more information on supporting staff who are the subject of complaints.

We realise that it is not possible to list everything that you can complain about. If you want to complain about something that we have not listed above, we encourage you to do so.

What you cannot complain about?

There are some things we cannot deal with through our complaints handling procedure. These include:

- A routine first-time request for a service, for example a request for an appointment or a request for a simple course of treatment
- A request for a second opinion in respect of care or treatment
- Matters relating to services not provided by or funded by the NHS
- A previously concluded complaint or a request to have a complaint reconsidered where we have already given our final decision
- A complaint made by an employee of the NHS Board or health service provider or other person in relation to their employment contract
- A complaint that is being or has been investigated by the Scottish Public Services Ombudsman (SPSO)
- A complaint arising from a suggested failure to comply with a request for information under the Freedom of Information Act
- A complaint about which you commenced legal proceedings, or have clearly stated that you intend to do so, rather than pursue the matter using the NHS complaints procedure

We also realise that it is not possible to list everything that you cannot complaint about. If other procedures can help you resolve your concerns. We will give information and advice to help you.

How do I complain?

You can complain in person at the place where you have received care, treatment or advice, or where the incident that you want to complain about happened. You can also complain by phone, in writing, by email. All of our contact details are listed below.

When complaining, please tell us:

- Your full name and address, and your email address if this is your preferred method of contact, a suitable contact telephone number as this may help facilitate an early resolution.
- The full name, address and date of birth of the person affected if you are complaining on behalf of somebody else
- As much as you can about the complaint
- What has gone wrong
- When did this happen
- Where did this happen
- How you want us to resolve the matter

Giving us this information will help us to clearly identify the problem and we need to do to resolve matters.

How long do I have to make a complaint?

Normally, you must make your complaint within six months of:

- The event you want to complain about; or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself

In exceptional circumstances, we may be able to accept a complaint after the above time limit. If you feel that the time limit should not apply to your complaint, please tell us why. If we decide that, because of the time that has passed since the incident occurred, we cannot consider your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to review our decision.

What happens when I have complained?

We will tell you who is going to deal with your complaint. Our complaint procedure has two processes: **Stage 1 - Early, local resolution**

We aim to resolve complaints quickly and close to where we provided the service. Where appropriate, this could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem.

Sometimes we will have to make some enquiries before we can respond to your complaint. We will give you our decision at Stage 1 in five working days or less, unless there are exceptional circumstances. We will often contact people who have complained to us to discuss their concerns. Therefore, if possible, please provide a contact telephone number when writing to us.

If we cannot resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you take your complaint to Stage 2. You may wish to do this immediately or sometime after you get our initial decision.

Stage 2 - Investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation. When processing a complaint at Stage 2 we will:

- acknowledge receipt of your complaint within three working days
- where appropriate, discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for; and
- give you a full response to the complaint as soon as possible and within twenty working days

If our investigation will take longer than 20 working days, we will discuss this with you. We will agree revised time limits with you and keep you updated on our progress.

What if I am still dissatisfied?

If you are still dissatisfied with our decision or the way in which we have dealt with your complaint when we have sent you a full response, you can ask the SPSO to look at it.

The SPSO cannot normally look at:

- a complaint that has not completed our complaints procedure, so please make sure that it has done so before contacting the SPSO
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post

Freepost SPSO

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service as long as the person has given their permission for us to deal with that person. We can take complaints from a friend, relative or an advocate, if you have given them consent to complain for you.

The Patient Advice and Support Service (PASS) is an organisation that provides free and confidential advice and support to patients and other members of the public in relation to NHS Scotland. They promote awareness and understanding of the rights and responsibilities of patients and can advise and support people who wish to make a complaint to the NHS. Further information and contact details can be found on the PASS website: www.patientadvicescotland.org.uk

We are committed to making NHS services easy to use for all members of the community. In line with our statutory duties, we will always ensure that reasonable adjustments are made to help you to access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, you can tell us in person, or contact us on 0131 314 0000 (then selecting option 4): email sas.feedback@nhs.scot

Our contact details

In writing: Patient Experience Team, Corporate Affairs & Engagement, Scottish Ambulance Service National Headquarters, 1 South Gyle Crescent, Edinburgh, EH12 9EB

Telephone: 0131 314 0000 (then selecting option 4)

Email: sas.feedback@nhs.scot

Complaints Mailbox: www.scottishambulance.com/TheService/complaint.aspx

Website: www.scottishambulance.com

This document can be made available in other languages and formats on request. Please contact us on any of the above methods and our Patient Experience Team will provide any necessary assistance.