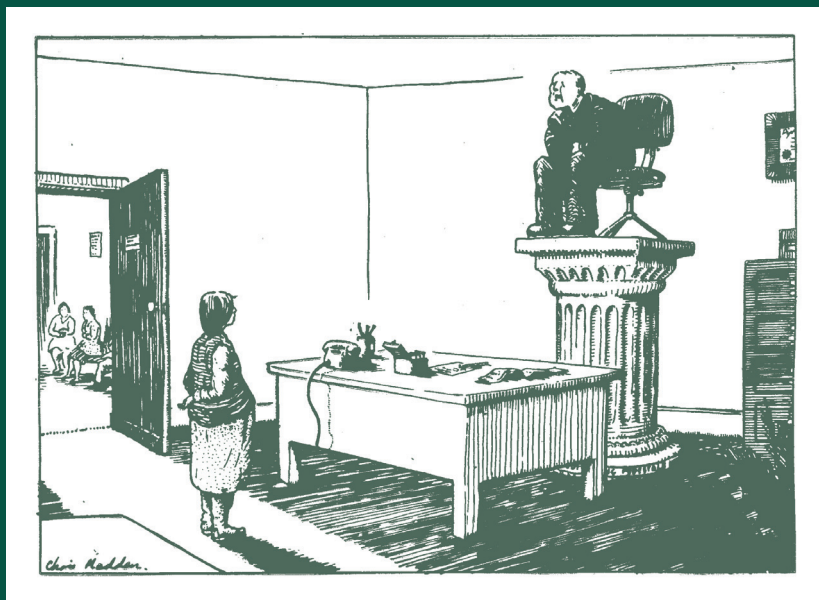


Making a Complaint About Maternity Care



AIMS

ASSOCIATION FOR IMPROVEMENTS IN THE MATERNITY SERVICES

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Beverley A Lawrence Beech

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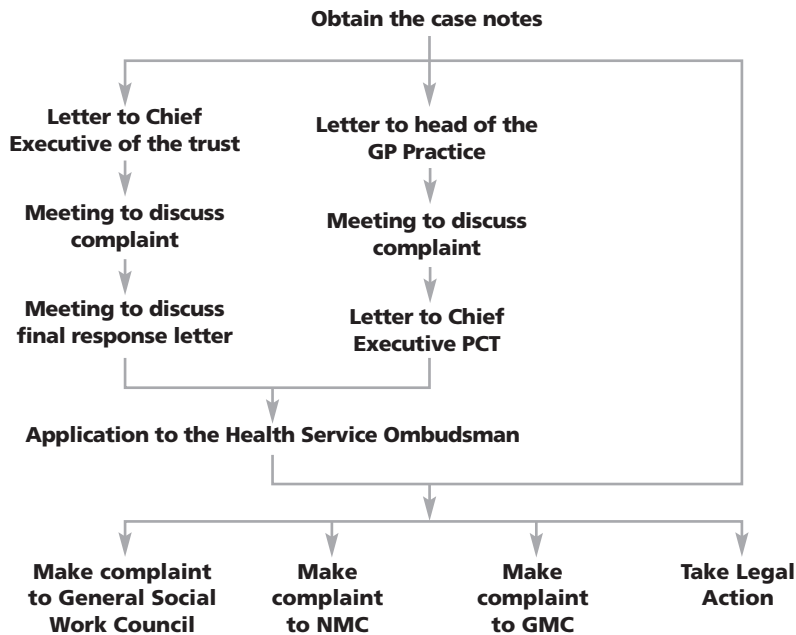
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Making a complaint about maternity care

If you are thinking of making a complaint about the maternity care this guide will give you information about the procedures.

Birth can be a profound, life-enhancing, fulfilling and empowering experience, a transformation to womanhood. For some women birth can be painful, frightening, disempowering and very unsatisfactory. The reasons for this may be many, and the woman may take some time to think her way through the reasons. You may conclude that there were aspects of your care that were avoidable, you may have been attended by staff who were unsympathetic and, occasionally, incompetent, or you may feel that some of the treatment you had was avoidable or unnecessary. You may decide that you want to complain. Before you decide exactly what it is you want to complain about it is essential that you obtain a copy of your case notes. There are numerous decisions to be made as you travel through the complaints procedures, the following chart gives a rough outline of what options are available:



GETTING YOUR CASE NOTES

Before making any complaint ALWAYS obtain a copy of your case notes, the computerised records, and your baby's case notes too, and any additional letters or memos contained within or relating to your case notes. Until you have a copy of your case notes you will not know what is on them.

You are entitled to a copy of your case notes, and your baby's case notes, under the Data Protection Act 1998. (This only applies to records made after November 1991).

You may find that the staff had good reasons for their actions, equally you may find more issues about which you should complain. For example: there may be entries which are untrue or inaccurate, or entries made by staff that were not present.

If there is to be an investigation into your care you need to know what the notes say. If those notes are inaccurate the staff investigating your complaint will be acting on misleading information which they believe to be true. If you find that the notes are factually incorrect you have the right to have the notes corrected, or a note from you inserted putting your view of the events.

Your complaint may involve previous obstetric or gynaecological experiences that may have occurred in other hospitals which are relevant to your current complaint. For example, you may be a Strep B carrier which the previous hospital knew about but did not inform your current hospital. Your complaint may involve your health visitor, general practitioner, private care, or social workers. You can apply for their notes too.

It is useful to apply for your records shortly after an appointment, or ask for a copy so that you can leave the hospital with your notes, you can view the notes and if they have been added to in the last 40 days you are entitled to view them for free. See page 9 for more details of the regulations relating to the charges.

If you apply later and cannot afford the charge (up to £50 for NHS notes and £10 for SS notes), you can view your notes (and there is now a maximum charge of £10 for this). Also, many hospitals now charge a standard £50 fee for a copy of the notes. You can challenge this as the Act allows for a reasonable fee (up to £50). A charge of £50 for a small number of notes is not reasonable. A few hospitals do not make a charge if there is a complaint about the care.

If you have access difficulties we suggest you contact the Freedom of Information Campaign, Suite 102, 16 Baldwins Gardens, London, EC1N 7RJ.

See: Guidance for Access to Health Records Requests - http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/@ps/documents/digitalasset/dh_113206.pdf

"To the Data Controller, at your local maternity unit

Dear Sir/Madam,
Please supply me with a copy of all the records you hold on me, on computer

or on paper, including administrative, clinical, midwifery. I also want copies of the full records on my baby (insert name and date of birth). I understand that under the Data Protection Act 1998 you will supply these within a maximum time of 40 calendar days.

Yours sincerely, "

(Note: A Data Controller has 40 working days, under the Data Protection Act, in which to respond to a request for the records, however, a Government commitment requires that for health records requests should normally be handled within 21 days. This takes effect from the date they receive the request or the date they receive the required fee, if this is later).

If you apply for a copy of your record from a hospital the Data Controller will send you a form to complete to establish your identity. Although some forms ask the reason for your request, you do not have to give a reason.

If your complaint involves care in more than one hospital you will have to write to each hospital for a copy of your notes, and each hospital can charge you a fee.

If the Data Controller states that you can come to the hospital to view the notes you can write stating that you do not wish to view them at this stage, you want a copy and you would appreciate receiving it by return.

Once you have received a copy of your notes

It is better to get photocopies first and study them before attending any meeting that may be offered. Many women wanting to see their notes wish to do so because they are not satisfied with the birth and have many questions. Having a copy of the notes at home means that you can go through the notes at your own speed, you can seek opinions from others (such as Action Against Medical Accidents or AIMS) and if the experience is upsetting you can put the notes away and return to them at a time that suits you. There are fewer time pressures. Furthermore, having got a copy of the notes you can always go into the hospital later and view the originals (and some people having done this find that the originals have been altered, they find material that they had not been given, or discover that the original copy of the papers they already hold no longer exists in the file).

Some hospitals take a request for the case notes literally, and deliberately exclude letters or memos which are relevant but are not part of the 'case notes'. So, once you have the copies it is preferable to view the originals, as you are entitled to do. Sometimes the photocopies are indistinct and it is worthwhile checking exactly what is written. You can also check that the times and dates are clear, as these are near the edge of the pages and it is not uncommon for them not to appear on the photocopy. Also, original copies sometimes clearly show where there has been an alteration or an addition - photocopies often do not reveal that.

If the staff state that they will attend the viewing so that they can discuss the notes with you, you can inform them that you do not wish to discuss the notes at this

stage as you have not yet had an opportunity to examine them, and it is wise not to make any comments about the notes during the viewing. Reserve your comments for any letter you may wish to write later. You should also make it clear that this viewing of the notes is not to be considered as a conciliation meeting.

If you are concerned that you may not be able to understand the jargon that is often written in the case notes you could ask a member of Independent Complaints Advisory Service (ICAS), Patient Advice and Liaison Services (PALS), and in Wales your local Community Health Council (CHC), a local antenatal teacher (often a member of the National Childbirth Trust) or a friendly midwife to explain any of the contents that you do not understand before you attend the hospital.

GETTING YOUR SOCIAL SERVICES CASE NOTES

It is not uncommon in this current climate of 'monitoring' for women to be reported, by the medical, midwifery and health visiting staff, to Social Services. Where this has occurred you also need to obtain copies of your Social Services case notes and a copy of the hospital's, midwife's or health visitor's referral letter or the note that provoked Social Service interest. Before a referral to social services is made the hospital should have had a meeting to discuss your case, in which case you require a copy of the minutes of the meeting, and a copy of the referral letter or telephone record if they referred you by telephone..

If a request for information is made to social services, they are obliged to take account of the Data Protection (Subject Access Modification) (Social Work) Order 2000 which requires them to provide a copy of the notes within 20 days (a shorter period than that required for health records).

There are exemptions:

information can be withheld where disclosure would cause serious harm to the physical or mental health or condition of the data subject or another person and therefore be likely to prejudice the carrying out of social work. If they use this excuse you can appeal to the Information Commissioner.

allow information provided by a child or a mentally handicapped adult to be withheld from a parent/guardian or person appointed by the court who was entitled in law to apply for access to the child's/handicapped adult's records if it was provided in the expectation it would not be disclosed to the parent etc

In some cases the police have been involved, in which case you have the right to apply to the Chief Constable for the police records relating to your case. They are not entitled to withhold the details of who made the report unless they can show it would be damaging to your mental health or would put a professional in danger. If a report has been made to the police you should also ask for a copy from the organisation that employed the person who made the report (i.e. Social services, a GP practice or a local Trust).

It is important to put your application for any notes in writing, date it, and keep a

copy, and in some instances it may be preferable to send the request by recorded delivery. Some Trusts try to avoid sending the records and encourage you to view them instead, many Social Services departments are obstructive and we even have a case of one woman who waited over 2 years before she obtained her records, and they were not complete even then. Unfortunately, there are no stringent sanctions on those who refuse to release the records.

Your application to Social Services could be along the following lines:

“To the Data Controller, Social Services Department

Dear Sir/Madam,

Please supply me with a copy of all the records you hold on me, on computer or on paper, including a copy of the referral note. I also want copies of any records you hold on my baby. I understand that under the Data Protection (Subject Access Modification) (Social Work) Order 2000 you are required to provide a copy of the notes within 20 days

Yours sincerely, ”

As for the medical information said to have been forwarded by the midwife, health visitor or doctor, to social services and by them to other non-medical personnel, the obvious question is whether that disclosure constitutes a breach of medical confidentiality and a breach of confidence at common law.

SOCIAL SERVICES REFUSAL TO RELEASE THE NOTES

The Data Protection Act gives you the right to have a copy of information that is held about you. While it can sometimes be difficult getting copies of your case notes from the hospital this difficulty pales into insignificance when parents try to get their case notes from social services.

It is not uncommon for parents to be told that it is not possible to release the notes. The Data Protection Act does not protect an individual who has not consented to disclosure where the information is about another person i.e. you. They may conceal the name of the informant, but they have no right to retain the information, and they can disclose without consent. The Data Protection Act does not protect the identity of the social workers or any other health professional or any organization or corporate body from disclosure.

Occasionally, clients have been informed that they cannot have their notes because there are ongoing court proceedings. This is not a justification for denying access and an immediate appeal should be made to the Information Commissioner.

If they persist in refusing, or if they have claimed that access is denied because of ongoing court proceedings, you have the right to go to the Information

Commissioner and inform him of the refusal to disclose which you believe to be unreasonable and you wish the Information Commissioner to take immediate action.

WHERE TO APPLY FOR COPIES OF CASE NOTES

Hospital case notes. The application for a copy of your maternity records and the computerised records should be made in writing to the Data Controller, Medical Records Department, at the hospital concerned.

GP notes. Apply to the Practice Manager at your local GP's surgery.

Health visitor notes. Apply to the local health authority that employs her/him. You can find out who that is by asking at your local GP surgery.

Social Services notes. Apply to the Head of Social Services at your local SS office.

The police. Apply to the Chief Constable, his address can be obtained from your local police station.

COSTS

It is useful to apply for your records shortly after an appointment, or ask for a copy so that you can leave the hospital with your notes and in which care the notes are free. If you apply later and cannot afford the charge (up to £50 for NHS notes and £10 for SS notes), you can VIEW YOUR NOTES but they are now likely to make a charge up to £10. Also, many hospitals now charge a standard £50 fee for a copy of the notes. You can challenge this as the Act allows for a reasonable fee (up to £50). A charge of £50 for a small number of notes is not reasonable. If you have access difficulties we suggest you contact the Freedom of Information Campaign, Suite 102, 16 Baldwins Gardens, London, EC1N 7RJ.

MAKING A FORMAL COMPLAINT

Many complaints about maternity care involve a whole series of events that slowly unfold during the pregnancy, labour and sometimes post-natally too.

While waiting for the notes to arrive it can be helpful to spend some time writing an account of what happened. If your experiences were traumatic you may find this exercise very difficult. There is no need to rush it, write what you can, when you can, and over time the story will unfold and you may also find that the exercise itself helps heal any psychological wounds. It is important also to ask whoever accompanied you, or witnessed what occurred, to write their account and give you a copy.

From your account you can then prepare a letter of complaint in which you identify the key issues that you want addressed. If possible, your letter should not exceed three sides of A4 paper. If there are important and specific questions you want

answered it is clearer if you number each point. If the response to your letter fails to address a particular question it is easier in your next letter to say, *'Thank you for the information, however, you have not answered questions 5, 6 and 7'*. The regulations require a primary care trust or hospital to send you a full response within 25 working days.

The formal complaint should be addressed to the Chief Executive at the hospital. (If your baby was born at home the complaint should also be addressed to this person). If the complaint involves Social Services then the complaint should be sent to the Head of Social Services.

The Chief Executive may invite you to the hospital to discuss your complaint (each Trust has a slightly different system so the invitation may come from the Complaints Manager, the Head or Director of Midwifery or the consultant concerned). You may decline his/her invitation and state that you wish to receive a response, in writing, before you consider any meeting; or you may wish to go ahead and attend the meeting in the hope that your complaint can be resolved without you having to take further action. If it would be too distressing for you to attend a meeting at the hospital you can suggest that the meeting be held at another venue e.g. local ICAS offices or even your own home or that of a relative.

If you decide to attend a meeting, do not go alone. Wherever possible, take a third party who was not involved at the time. These meetings can be very intimidating and overwhelming for a complainant who finds herself alone and facing a group of professionals (even when they are sympathetic to her complaint). Local Community Health Councils, MSLC members, National Childbirth Trust or AIMS members may be willing to accompany you.

If you are not happy about your care or treatment but you do not want to make a formal complaint, you can speak to the Patient Advice and Liaison Service (PALS) based in the trust you are complaining about. It may be able to resolve your concerns quickly and confidentially and, if this is not possible, it can advise you about the complaints procedure. It will also arrange an interpreter for you if you need one. You cannot use PALS and the complaints service at the same time.

PALS is part of the government's new system of patient and public involvement (PPI) replacing Community Health Councils in England. The government dismantled a functioning and largely effective independent system replacing it with PALS services that are based in all hospitals and paid for by the Trusts. The quality of PALS services vary enormously. They are required to give confidential advice and support to patients, families and their carers to enable a swift resolution of any problems and will liaise with staff, managers, and, where appropriate, other relevant organisations.

TIME LIMITS

The NHS Complaints procedures require that a complaint should be made within 6 months from the incident that caused the problem, or within 6 months of discovering the problem, provided this is within 12 months of the incident. It is,

however, not uncommon for women to be so traumatised that they cannot face addressing their experiences for many months (and in some cases many years) this time limit should not inhibit you from writing your complaint even if a year or so has passed, particularly if your complaint is serious.

If you are close to the deadline, you can write to the Trust stating that: 'I intend making a complaint about my care but I am not well enough to deal with it at the moment but I shall take action as soon as I am able'. Wherever possible, do not send this statement before you have obtained a copy of the case notes. The letter will ensure that you are within the deadline and the Trust will be obliged to investigate under the complaints procedures. Even if you are outside the deadline and your complaint is a serious one this limit can be extended should you have valid reasons for not complaining within the deadline. Contact AIMS if the Trust persists in refusing to investigate.

The NHS complaints procedures require that an acknowledgement of your complaint is made within 2-3 working days and a full response within 20 working days. If this is not achieved the Trusts are expected to send a 'holding' letter explaining why there has been a delay. Failure to respond within the deadline entitles you to make a formal complaint to the Health Service Ombudsman.

MEETING THE STAFF

Having sent a response in writing, the Complaints Manager may suggest that you now meet with the staff involved and finally resolve your complaint.

You do not have to have a face-to-face meeting with the staff if you do not wish to. Sometimes, however, parents attend the meeting expecting to meet the staff directly involved only to find that another consultant or manager is there in their place. You should ask ahead of the meeting who will be there. Complaints can cover obstetric, midwifery or paediatric care and you need a representative there from each specialty i.e. the consultant obstetrician, the Director of Midwifery, the consultant paediatrician, as well as an administrator, whichever is appropriate.

You can agree to attend the meeting and establish that minutes of the meeting will be taken. You will receive a copy and a final letter will be written responding to the points you raised. You can also take a tape recorder and ask if you can record the meeting as these meetings are very stressful and a recording will help you recall precisely what was said.

APPLICATION TO THE HEALTHCARE COMMISSIONER

If following this meeting, you are dissatisfied with the investigation, or their response to the issues you raised, you can approach the Healthcare Commission and ask them to investigate and conduct an Independent Review. You have 28 days from the end of local resolution to request an Independent Review.

THE OMBUDSMAN

If you are dissatisfied with the findings of the Healthcare Commission you can appeal to the Ombudsman. He has a time limit of one year from when your complaint started, so do not delay sending your appeal to him. He can extend the deadline if, for example, the complaint took much longer than usual to investigate. If you are finding it too difficult to address your issues yet again you can write to the Ombudsman and inform him that you intend making an appeal but that you are too upset at the moment to submit details and you will do that as soon as possible.

The Ombudsman will not investigate a case if you intend taking legal action. However, he can investigate if the legal action issue is different to that which you want him to investigate. E.g. Your complaint to the Ombudsman may be about the way the Trust dealt with your complaint about the attitudes of the health visitor involved with your care, but your legal action is about the negligence of a particular doctor.

LEGAL ACTION

You can take legal action at any time if you feel the staff has behaved negligently. Many people believe that legal action will enable the truth to come out, will give them their day in court, and will expose what happened. Unfortunately, this is rarely true and many people having taken legal action still find that they are no nearer finding out the truth. The dice are heavily weighed against a complainant in medical legal actions and the lawyers' objective is only to sue for damages and obtain a financial settlement. If you have a strong case it is very likely to be settled out of court with no hearing and a weak case will get nowhere.

If you decide to take legal action your solicitors will be required to serve a writ on the Trust within three years of the incident; or within 3 years of when you had knowledge of the incident (this does not apply to the baby who can sue when s/he becomes an adult). You should, therefore, give your solicitors copies of all the material before two years have passed, at the latest, as the lawyers will need time to prepare the legal case. Do not give them the only copy, ensure that you have your own set. We would strongly recommend that anyone considering legal action should contact Action Against Medical Accidents (AvMA), a charity which will suggest a solicitor in your area who has a track record fighting medical negligence cases if they believe that you have a valid case. They do not advise on the complaints procedures.

Many people with serious complaints approach a solicitor immediately, unaware that a great deal of information can be obtained by going through the complaints procedure and meeting with members of the Trust. These meetings can sometimes reveal information which your solicitors cannot get. Once you have taken legal action your case will be handed to the Trust's solicitors and you will not be able to meet with the Trust officers.

INFORMATION COMMISSIONER

Occasionally, women find that there is considerable delay in supplying copies of their case notes. The Trusts (under the Data Protection Act) are required to supply copies of the notes within 40 working days, and Social Services are required to produce the notes within 20 working days. If there is a delay past this time you should write a letter of protest to the Information Commissioner asking him to investigate.

The Information Commissioner oversees and enforces the Data Protection Act 1998 and Freedom of Information Act 2000. It is an independent supervisory authority for the UK, which reports directly to Parliament. Unfortunately, it has little or no teeth and there is no effective method of sanctioning those Trusts or Social Services departments that are obstructive. That should not, however, put you off complaining, the more complaints they have about their behaviour the more likely it will be that they will be encouraged to improve.

Details of the Freedom of Information Act can be found on <http://www.direct.gov.uk>

A SERIOUS UNTOWARD INCIDENT

NHS trusts are required to report all serious untoward incidents (SUIs) to the Strategic Health Authority responsible for commissioning maternity services in your area.

There is no national guidance about the timescales for when a Trust should inform its Strategic Health Authority that a serious untoward incident has occurred. If you have a complaint which you think amounts to a SUI you can write to the Trust and ask them for a copy of their policy on serious untoward incidents and see if they have done what they were supposed to do.

The National Patient Safety Agency (NPSA) collects and analyses information on patient safety incidents in the NHS. They then make recommendations to reduce the risk of patient safety incidents. Such incidents are categorised as '*any unintended or unexpected incident which could have harmed or did lead to harm for one or more patients being cared for by the NHS*'. They do not investigate each report individually but they provide feedback to the health service as a whole from time to time, based on their analysis and findings from all reports as a whole. If you are not satisfied with the response you have had from the Trust then you may wish to consider alerting the NPSA and ask them to investigate. They can be contacted via their website:

<http://www.archive.npsa.nhs.uk/pleaseask/experience/reportanincident?contentId=4618> or you can write to them directly or telephone their Helpline on 0845 601 3012 and inform them that you are a patient who wishes to report a serious clinical incident.

The equivalent body in Scotland is called the National Clinical Assessment Service, and it is located at Hanover Buildings, 66 Rose Street, Edinburgh, EH2 2NN.

Freedom of Information Act

Under the Freedom of Information Act, any individual, anywhere in the world, is able to make a request to a public authority for information. An applicant is entitled to be informed in writing as to whether the information is held and have the information communicated to them. If any of the information is to be refused, the organisation must provide you with a Refusal Notice which clearly states the reasons why it is withholding the information you have requested and making clear the appeals process.

PROFESSIONAL BODIES

If your complaint is about a specific member of staff whom you believe has been incompetent you may wish to complain directly to their professional bodies – the Nursing and Midwifery Council (NMC) (about nurses, midwives or health visitors), or the General Medical Council (GMC) (about doctors), or the General Social Work Council (GSWC) (about social workers). Before you make any complaint, you should ask the Trust or Social Services department for the full name, status, registration number (for doctors), full name and qualifications (for midwives and nurses and social workers) and check with the relevant professional body whether they are registered, whether their qualifications are as they claim, and whether or not there have been any restrictions placed on their practice.

ACCESS TO HEALTH RECORDS – DATA PROTECTION ACT

The following is the guidance given by the Department of Health:

Guidance for Access to Health Records Requests – 2010

Fees to access and copy health records under DPA

17. The Data Protection Act (DPA) states that fees for a subject access should be paid in advance, but in the interest of providing a helpful service to patients, NHS organizations may request the fee at the release stage of the access request.

18. The Data Protection (subject Access) (Fees and Miscellaneous Provisions) Regulations 2000 sets out the fees a patient may be charged to view their records or to be provided with a copy of them. These are summarized below:

To provide copies of patient health records the maximum costs are:

Health records held electronically: up to a maximum £30 charge.

Health records held in part electronically and in part on other media (paper, x-ray film): up to a maximum £50 charge.

Health records held totally on other media [this means paper records]: up to a maximum £50 charge.

All these maximum charges include postage and packing costs. Any charges for access requests should not be made in order to make a financial gain.

To allow patients to view their health records (where no copy is required) the maximum costs are:

Health records held electronically: a maximum of £10

Health records held in part on computer and in part on other media: a maximum of £10.

Health records held entirely on other media [this means paper records]: up to a maximum £10 charge, unless the records have been added to in the last 40 days in which case there should be no charge.

Note: *If a person wishes to view their health records and then wants to be provided with copies this would still come under the one access request. The £10 maximum fee for viewing would be included within the £50 maximum fee for copies of health records, held in part on computer and in part manually.*

OTHER CONTACTS

You may wish to inform your local MP of the sub-standard care in your area. Your local Patient Advice and Liaison Services (PALS), Community Health Council (in Wales only) or Maternity Services Liaison Committee will be interested in your experience as they monitor local maternity care and represent the users' views to the health providers.

Community Health Councils

The Welsh decided not to disband their Community Health Councils and 19 of these organisations are still functioning in Wales. They provide a similar service to ICAS and, unlike PALS, they are independent. 0845 644 7814
Local contact details available at www.patienthelp.wales.nhs.uk

Commission for Social Care Inspection

The Commission is independent and has been set up by Government to improve social care and stamp out bad practice.
Address: 33 Greycoat Street, London, SW1P 2QF
Tel: 020 7979 2000
Fax: 020 7979 2111
Email: enquiries@csci.gsi.gov.uk

Data Protection Information Commissioner

Regulates and uphold the Data Protection act and deals with issues of confidentiality and accuracy. www.dataprotection.gov.uk Tel: 01625 545700.
Address: Wycliffe House, Water Lane, Wilmslow, SK9 5AF

Healthcare Commission

The Commission (whose full title is the Commission for Health Care Audit) is responsible for reviewing formal complaints about the NHS and independent health care that have not been resolved locally by the organisation. Through their inspections, they measure compliance with the Government's national minimum standards, focusing on areas where previous inspections and other evidence suggest that there may be risks of non compliance. Some of these

inspections are unannounced . 'We're the body that checks the body that checks your body' (Prof Ian Kennedy, 2006)

The Commission replaced the Commission for Health Improvement and also took over the private and voluntary healthcare functions of the National Care Standards Commission and covers the elements of the Audit Commission's work which relate to efficiency, effectiveness and economy of healthcare. Email feedback@healthcarecommission.org.uk Tel: 0845 601 3012 Address: Finsbury Tower, 103-105 Bunhill Row, London, EC1Y 8TG

A similar role is undertaken by the **Healthcare Inspectorate Wales**, Bevan House, Caerphilly Business Park, Caerphilly, CF83 3ED

Independent Complaints Advisory Service (ICAS)

This organisation replaces the NHS complaints service that used to be given by Community Health Councils, and it is independent of the NHS. ICAS provides advocacy, support, help and advice, but it is a new service and the quality of their involvement has yet to be assessed. ICAS offers an information pack, help with compiling letters, advice on the options available and they will provide a supporter or advocate at any meeting.

ICAS does not give legal or medical advice, investigate complaints themselves, help with Social Services complaints or assist with claims for financial compensation or involve itself with complaints about private care. They will also arrange an interpreter for you if you need one. They have offices throughout the country. For more information Tel: 0845 120 3784, E-mail: www.adviceguide.org.uk Website: www.pohwer.net.

Information Commission

The Information Commissioner is responsible for ensuring that the Data Protection Act and the Freedom of Information Act is properly enforced and any failure to comply with these Acts should be referred to her. Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Tel 01629-545700. Advice line: 01629-545745. More information about the Information Commissioner is available at www.informationcommissioner.gov.uk.

In Scotland a similar organisation is called Quality Improvement Scotland, Elliott House, 8-10 Hillside Crescent, Edinburgh, EH7 5EA Tel: 0131 623 4300

Maternity Services Liaison Committee

Most hospitals have a Maternity Services Liaison Committee which is responsible for advising their Primary Care Trust and Hospital Trusts about the maternity care they provide, so if you have a complaint you can ask the MSLC Chair to raise the issues revealed by your complaint and take action to ensure the events do not recur.

MSLCs should have a mix of members drawn from local women, local maternity groups, members of the Trust and members of the medical and midwifery profession. The Department of Health has funded a new web site www.mslc.org.uk to give information about MSLCs. Many local MSLCs have produced their own web sites so it is worth looking to see if one exists in your area.

Members of Parliament

If you choose to contact your MP his/her details can be obtained at www.parliament.uk or www.writetothem.com or telephone (0)20 7219 3000.

National Patient Safety Agency (NPSA)

The NPSA can be contacted at 4-8 Maple Street, London W1T 5HD Tel: 020 7927 9500 Their helpline is 0845 6013012. You can make a report via their website: <http://www.archive.npsa.nhs.uk/pleaseask/experience/reportanincident?contentId=4618>

The equivalent body in Scotland is called the National Clinical Assessment Service, and it is located at Hanover Buildings, 66 Rose Street, Edinburgh, EH2 2NN.

The Ombudsman

The Parliamentary and Health Service Ombudsman was established to carry out independent investigations into the NHS in England, but you have to have exhausted the complaints procedures first. Contact details are as follows: Complaints Helpline 0845 015 4033; email phso.enquiries@ombudsman.org.uk Fax: 020 7217 4000 www.ombudsman.org.uk. Address: The Parliamentary and Health Service Ombudsman, Millbank Tower, Millbank, London, SW1P 4QP.

Patient Advice and Liaison Services (PALS)

If you are not happy about your care or treatment but you do not want to make a formal complaint, you can speak to the Patient Advice and Liaison Service (PALS) based in the trust you are complaining about. It may be able to resolve your concerns quickly and confidentially and, if this is not possible, it can advise you about the complaints procedure. It will also arrange an interpreter for you if you need one. You cannot use PALS and the complaints service at the same time.

PALS is part of the government's new system of patient and public involvement (PPI) replacing Community Health Councils in England . The government dismantled a functioning and largely effective independent system replacing it with PALS services that are based in all hospitals and paid for by the Trusts. The quality of PALS services vary enormously. They are required to give confidential advice and support to patients, families and their carers to enable a swift resolution of any problems and will liaise with staff, managers, and, where appropriate, other relevant organisations.

Strategic Health Authorities

There are thirteen SHAs in England, in Scotland similar bodies are called Health Boards, in Wales they are called Health Inspectorates and in Northern Ireland they are called Health and Social Services Boards. These bodies commission health care from local Trusts. You can ask your local Trust for the contact details of whichever SHA covers your area or visit the following web site for Strategic Health Authorities in England

<http://www.nhs.uk/servicedirectories/pages/strategichealthauthoritylisting.aspx>

In Scotland: There are 14 Health Boards, details can be found at:
<http://www.scotland.gov.uk/topics/health.NHS-Scotland/Boards>

In Wales: Since October 2009 7 new Health Boards replaced 22 Local Health Boards (LHBs) and 7 of the NHS Trusts in Wales, details can be found at:
<http://www.nhsdirect.wales.nhs.uk/healthinformation/localhealthboards/>

In Northern Ireland: There are 4 Health and Social Services Boards, details can be found at:
<http://www.hpani.org/Healthpromotion/HPNI/mapofboardsandtrusts.htm>

Other Organisations:

Action Against Medical Accidents (AvMA), 44 High Street, Croydon, Surrey, CRO 1YB. Tel: 012 8686 8333. Offers free legal advice on possible medical negligence cases.
www.avma.org.uk

Freedom of Information Campaign, Suite 102, 16 Baldwins Gardens, London, EC1N 7RJ. Tel: 020-7831-7477.
<http://www.cfoi.org.uk/>

General Medical Council, 44 Hallam Street, London, W1 Tel: 020-7580-7642.
<http://www.gmc-uk.org/>

Nursing and Midwifery Council, 23 Portland Place, London, W1M 3AF Tel: 0207637-7181
<http://www.nmc-uk.org/>

Beverley A Lawrence Beech - Updated 15th March, 2010

Was the information in this book helpful to you?

Please let us know your views of this book. Particularly, if you think there is information that could be included, or amended. Send your views to: Chair@aims.org.uk

Other Publications

Other publications published by AIMS, many of which can be ordered via PayPal on the AIMS web site: www.aims.org.uk

- Am I Allowed?
- Birth After Caesarean
- Birthing Your Baby
- Breech Birth
- Delivering Your Placenta
- Home Birth
- Induction
- Ultrasound Unsound?
- Vitamin K
- Water Birth
- What's Right for Me
- AIMS Quarterly Journals

About AIMS

The Association for Improvements in the Maternity Services (AIMS) has been in the forefront of the childbirth movement for the last fifty years. Our day to day work includes providing independent support and information about maternity choices and raising awareness of current research on childbirth and related issues. AIMS actively supports parents and healthcare professionals who recognise that, for the majority of women, birth is a normal rather than a medical event.

There are no paid staff in AIMS, every member gives her/his time voluntarily, if this information has helped you, please help us to continue our work by joining AIMS or make a donation to help us continue to help others. You can join or donate via our web site www.aims.org.uk

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