

## Making a Complaint – Scotland

We hope the vast majority of families will be provided with the range of care and support that they need from local services. If, however, you feel that you have not received the standard of support or care that you are entitled to, you may wish to make a complaint.

This factsheet looks at the processes in place as well as agencies that can provide you with support if you wish to complain about health, social care or education provision.

### Making a complaint about NHS services in Scotland

There are three levels of complaint if you are not satisfied with your health provision:

1. Complaints procedure of the individual service
2. Health Services Ombudsman
3. Taking legal action

#### 1. Complaints procedure of the individual service

You are encouraged to complain as early as possible when an issue arises or you have a concern. You have a year from the date of the event occurring or you being made aware of the concern to lodge your complaint.

Request a copy of the complaints procedure of the service provider for whom you wish to make a complaint about. In larger centres there is usually a complaints manager that will deal with your complaint. In smaller centres, such as family practices, there is not likely to be a complaints manager; rather, there will be a designated person to oversee the procedure. Follow the steps outlined in the complaints procedure provided. Most complaints can be resolved at this level.

If you would like help with the complaints process with the NHS you can access a PASS (Patient Advice and Support Services) which is operated through the Citizens Advice Bureaus in Scotland. You can find your local PASS office by visiting [www.patientadvicescotland.org.uk](http://www.patientadvicescotland.org.uk).

If you wish to complain about a private health service that you have paid for you must request and follow their complaints procedure. If the private service is being paid for by the NHS you should use the NHS complaints procedure.

## 2. Taking your complaint to the Health Services Ombudsman in Scotland

If you are unhappy with the results of the local complaint procedure you should escalate your concerns to the Scottish Public Services Ombudsman. To complain to the Ombudsman you need to complete a form that can be found at [www.spso.org.uk](http://www.spso.org.uk) or you can ring 0800 377 7330.

The Ombudsman will be able to help if you have already gone through the entire complaints procedure through the NHS and are not satisfied with the outcome.

## 3. Taking legal action against the NHS in Scotland

Taking legal action against the NHS can be quite a complicated and expensive process and it is recommended that you seek legal advice regarding any legal proceeding. If possible, apply for Legal Aid. You can check your eligibility for legal aid and get additional information about how to apply at [www.slab.org.uk/public/advice/index.html](http://www.slab.org.uk/public/advice/index.html). You may be able to access legal advice through a local law centre [www.lawcentres.org.uk](http://www.lawcentres.org.uk).

## Making a complaint about social services in Scotland

For information regarding a complaint about social service provision in Scotland please contact Citizens Advice Scotland at [www.cas.org.uk](http://www.cas.org.uk).

## Legal Clinics

A legal clinic is a free legal service which is intended to provide initial advice. Each clinic varies as to what areas of law they offer advice in. Typically, clinics are staffed by volunteer solicitors and barristers and law students often help with the administration of the clinic.

There are clinics operating throughout the UK. These clinics may operate out of Law Centres, GP surgeries, Citizen's Advice Bureaus or universities. These might be advertised locally or on the internet. One way to find a legal clinic is to check the LawWorks website [www.lawworks.org.uk/clinics](http://www.lawworks.org.uk/clinics). LawWorks is the pro bono charity for solicitors.

Some clinics offer set appointment times while others operate on a drop-in basis, a small number of clinics also offer advice over the phone. Contact the clinic you intend to visit or view their website to find out how they operate. Some clinics offer a general advice service and will provide brief advice on a wide range of issues and help you decide what to do next. Other clinics offer specialist advice in particular areas of law, such as housing or employment, for example.

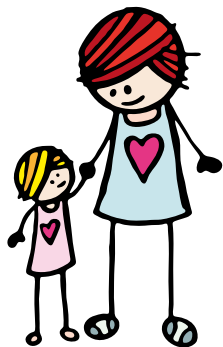
Some clinics can help you to complete simple forms, or draft a letter for you to send or make a telephone call on your behalf. Very occasionally and only after receiving your express permission, a clinic may agree to undertake a limited amount of additional work on your behalf.

It is important to remember that sometimes legal advisers may have 30 minutes or less to hear your story and provide advice. Being clear about your query will help you to get the most out of your session.

You should take any documents pertaining to your query with you to an appointment. This might include letters, assessments, contracts or court documents. Any documents that are critical to the query should be taken. It is important to remember that advisers have limited time to spend with you so limiting documents to only the most necessary is the best way to get the most from your appointment.

*We are grateful to LawWorks, the pro bono charity for solicitors for their help in preparing this fact sheet.*





Together for Families Helpline  
7am-Midnight, 7 days a week

**0808 8088 100**

[info@togetherforshortlives.org.uk](mailto:info@togetherforshortlives.org.uk)

[www.togetherforshortlives.org.uk](http://www.togetherforshortlives.org.uk)



Follow Together for Short Lives on Twitter @**Tog4ShortLives**



Like Together for Short Lives on Facebook at

[www.facebook.com/togetherforshortlives](http://www.facebook.com/togetherforshortlives)