

# How to give feedback or make a complaint about your NHS care in Scotland

A guide for bereaved  
parents

We are very sorry that your baby has died.

**The Sands National Helpline** provides a safe, confidential place for anyone who has been affected by pregnancy loss or the death of a baby before, during or shortly after birth.

Whether your baby died long ago or recently, we are here for you.

The telephone helpline is free to call from landlines and mobiles on 0808 164 3332.

You can also email the team at [helpline@sands.org.uk](mailto:helpline@sands.org.uk).

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## 1. Introduction

Your experiences are important. By sharing them, you can show where improvements are needed and help make care safer. But parents at Sands have told us that they don't always know where to start.

This guide talks about:

- Deciding if you want to give feedback or make a complaint about your care.
- Getting ready to give feedback or make a complaint.
- Different options for sharing feedback.
- Making a complaint.
- Getting the right support.

If you need help at any stage, you can speak to the [Patient Advice and Support Service](#) (PASS) an independent service offered by Citizen's Advice.

## 2. Deciding if you want to give feedback or make a complaint

There are different reasons why people might give feedback or make a complaint.

**Feedback** - Feedback can be either positive or negative. Providing feedback is a less formal process, so you may not get a meaningful response.

**Complaints** - The NHS complaints process is more formal, and this means you should get an answer to your complaint.

Thinking about why you want to share your experience and what you want to happen will help you decide which approach is the best for you. You do not have to choose between providing feedback and making a complaint, you can do both.

## 3. Getting ready to share your experience

### Planning what you want to talk about

Planning what you want to talk about will help you focus on the parts of your experience that are important to you.

Your feedback or complaint can be about any part (or parts) of your own or your baby's care, including:

- during pregnancy
- during the birth or delivery
- after the birth or delivery
- after your baby died (this could include bereavement care, the hospital review process, mental health care, and any other support).

### Making written notes

Having detailed written notes can make it easier to write or talk about your experience. You can make notes about:

- What happened.
- Who was involved (include names if you remember them).
- When and where things happened.
- How this has affected you (for example, changes to your physical or emotional health or financial situation).
- What you would like to happen.

### Getting your medical records

You might want to see the record that the hospital has made about your care. Your hospital records should say what care was given, when, and who was involved. They might also include hospital letters and results from tests and scans. The information you want may be in different records.

**Information about care given in pregnancy** is in the mother's or birthing person's medical record. Only they can ask to see them. Fathers and partners can only see these records if the mother or birthing person agrees.

**A baby who is born alive will have their own medical record.** Either of the baby's parents can ask for their baby's medical records. A baby who dies before they are born will not have their own medical record.

You can get a copy of these records by asking a member of staff or writing a letter or email. You might also be asked to fill out a form. To find out how to do this, search the name of your hospital and 'medical records request' online.

**The hospital cannot charge you for a copy of your medical records. It can take up to 42 days to receive them.** If you have not heard back within this time you can make a complaint, see section 5.

If you need help to understand your notes, speak to a trusted midwife or doctor or the [Patient Advice and Support Service \(PASS\)](#).

### Making a subject access request

You can also ask for copies of any other information the hospital has about you. This is known as a 'subject access request'. [Get more information about how to make a subject access request.](#)

## 4. Options for giving feedback

The table below shows different options for contacting staff, managers or support services to share your feedback. It is up to you who you contact. It could be the person you feel most comfortable approaching. Or it might be the person you feel is best placed to act on your feedback, for example if your feedback is about the hospital review you could get in touch with your Key contact.

| Who to contact  | How   |
|---|---|
| <b>The midwives or doctors involved in your care</b>  | You might already have an email address or telephone number for a doctor or midwife you feel comfortable talking to.                                      |
| <b>Your key contact from the hospital review</b> (sometimes this is called the Perinatal Mortality Review Tool or 'PMRT') | After your baby died, you should have been given the contact details for a key contact who will support you through the review of your care.              |
| <b>The Head of Midwifery and Neonatal Services</b>  | You can email or write a letter addressed directly to the Head of Midwifery and Neonatal Services in your area.   |
| <b>Your hospital's Feedback and Complaints Officer</b>  | This role can have different names depending on the hospital. Your hospital's website should have information about how to contact their complaints team. |

### Your local NHS Health Board

You can your local [NHS Health Board](#) by phone, email or in writing

### Online feedback forms

**The hospital's maternity feedback webpage**  
Most hospitals have a webpage where you can give feedback on maternity care. Some maternity services have feedback services especially for bereaved parents. To find your local service, search for the name of your hospital and 'give feedback maternity care'.

**Care Opinion, an independent feedback platform** [Give feedback through Care Opinion](#)

## 5. Making a complaint

Anyone who provides NHS services must have a complaints process. This section describes complaints against hospitals and maternity units.

For information about other healthcare complaints, eg complaints about a GP practice, see the [NHS Inform website](#).

### Who to contact to make a complaint

Complaints about hospitals and maternity units should be made to your local health board. They will take forward any investigation with specific hospitals or clinicians. You can find the details for your Local Health Board on the [NHS Inform website](#).

### Time limits

You should make a complaint within 12 months of the incident you want to complain about.

### What you should include in your complaint

You can make your complaint by talking to someone in person or on the phone (**a verbal complaint**) or by writing it down in an email or letter (**a written**

**complaint**). Or you can do both, for example speak to someone then follow it up with a written complaint.

**In any written or verbal complaint, you should:**

- Explain clearly that you are making a formal complaint.
- Describe what happened, including who was involved and when and where things happened.
- Explain how this has affected you (for example, changes to your physical or emotional health or financial situation).
- Tell them what you would like to happen as a result of your complaint.
- Ask what the next steps will be.
- Make a record of the person or service you contacted, when (date and time), and how (e.g. by email, letter or by speaking to them).

**If you are making a written complaint:**

- Keep copies of any emails or letters you send.

**If you are making a verbal complaint:**

- Note down the name of the person you speak to and what they said.
- Check they are writing down what you talk about.
- Ask when you will receive a copy of the written notes they have made of your conversation.
- If you don't get a copy of the notes by the time they said you would, you can contact them and ask for it.

## The response to your complaint

In Scotland there are two pathways for complaints. Each pathway has time limits on how long the whole complaint process will take.

- **Early Resolution.** More straightforward complaints will go down an Early Resolution pathway and you should have an answer in 5-10 working days. If you are not happy with the Early Resolution you can ask for an Investigation.
- **Investigation.** Investigations are more in-depth. They are used for more complex complaints and complaints that have not been resolved by early resolution. You should get an acknowledgement within three days. This should confirm an investigation will happen or explain why not.

If you have not heard from the hospital within these timeframes, you can ask the [Scottish Public Services Ombudsman](#) (SPSO) for help.

## Complaints about an individual doctor, midwife or nurse

If you are worried about the skills or safety of a doctor or midwife, you can make a complaint directly to their professional regulator. Professional regulators set the standards that doctors and midwives have to meet in their work.

- To complain about a doctor, you need to [contact the General Medical Council \(GMC\)](#).
- To complain about a midwife or nurse, you need to [contact the Nursing and Midwifery Council \(NMC\)](#).

## If you are taking legal action

If you are taking legal action against a healthcare provider, you should talk to your solicitor before complaining. A hospital you are suing does not have to respond to your complaint. It will be up to them if they respond to your complaint.

## 6. If you are not happy with the complaints process and want to speak to someone else

The complaints process may have given you the answers and outcomes you wanted. If not, you may want to continue looking for answers.

Once the complaints process has finished, raising your concerns with the hospital may be more difficult. You might find they that are slow to respond or do not respond at all.

If you want to speak to someone else about your complaint, you can contact:

### The Scottish Public Services Ombudsman (SPSO)

The Ombudsman's role is to investigate unresolved complaints. They are independent of the NHS and government. You can contact the Ombudsman when the complaints process with your local Trust has ended. The Ombudsman will not accept your complaint until this time. Contact the [Scottish Public Service Ombudsman's \(SPSO\)](#).

## Your local Elected Representative

MSPs, MPs and local officials often have a good understanding of what's happening in their local Trust or Health board. While they can't have start an investigation, they can raise issues on your behalf or apply pressure to Trusts and Health boards. You can find your elected representative and their contact details online.

The [Scottish Parliament website](#) tells you about your MSP.

[They Work For You](#) website tells you about your MP.

## 7. Support and more information

We hope you have found the information in this guide useful.

If you would like support or more information, please look at the list below.

### Where to go for support and information

#### Your local Maternity Services Liaison Committee (MSLC)

Your local MSLC can help make sure your feedback or concerns reach the right people at the hospital. You can find your MSLC by:

- using your local hospital website.
- asking a midwife
- asking on the MSLC Leaders and Members Facebook group

#### The Patient Advice and Support Service (PASS)/ Citizens Advice

PASS is a service offered by Citizens Advice. Any Citizens Advice Bureau in Scotland can help you access PASS, which offers confidential advice, support and information and are independent of the hospital. [Find our more about the Patient Advice and Support Service \(PASS\).](#)

#### Action against Medical Accidents (AvMA)

AvMA is a UK charity that provides free, independent advice and support to people affected by medical accidents. They have helpful guides for making a complaint.

[Find out more about AVMA.](#)

Sands can support you online and over the phone, too. For more information visit: [sands.org.uk/Support](https://sands.org.uk/Support).

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