

The Patient Rights (Scotland) Act 2011



The Patient Rights (Scotland) Act 2011 supports the Scottish Government's vision for a high quality, person-centred NHS. The Act applies to every member of staff working for NHSScotland, and for all independent contractors and their staff who provide NHS services. This factsheet outlines what Patient Feedback, Comments, Concerns and Complaints mean for you, your employer and independent contractors.

"It is about putting people at the heart of our NHS. It will mean that our NHS will listen to people's views, gather information about their perceptions and personal experience of care and use that information to further improve care."

*The Healthcare Quality Strategy for NHSScotland
Executive summary*

Patient Feedback, Comments, Concerns and Complaints

Feedback given by patients about their experience of healthcare and treatment is important to inform improvements to the way services are delivered. Patients will be encouraged and supported to provide feedback and share their comments, concerns and complaints.

Under the Act patients will have a legal right to give all forms of feedback, and your employer is required to record this, handle it appropriately and consistently and publicise how they have learned from patient experiences. Your employer is also required to provide training for staff to ensure that you are equipped to respond appropriately, effectively and efficiently and publicise the NHS complaints procedure and process for staff and public use. Effectively managing feedback may involve directing patients to relevant support, such as the new independent Patient Advice and Support Service (PASS) which is being provided by Citizens Advice Scotland or other support mechanisms such as independent advocacy or translation services.

You must:

- encourage patients and their families to say what they think about the healthcare and treatment they have received or are receiving
- listen to feedback and take all feedback, comments, concerns and complaints seriously, and deal with them quickly and thoroughly, wherever possible and appropriate
- help patients to access information about giving feedback and making comments, concerns and complaints
- check whether patients need information in a particular format or language, need an interpreter or a sign-language interpreter, or have other communication needs. You should help to arrange this if you can
- check that information has been understood
- make sure that clear, accurate and up-to-date information is available to patients to help them to provide feedback, make a comment or raise a concern or complaint
- give patients a copy of the leaflet *Making a complaint about the NHS* and information about the Patient Advice and Support Service (PASS), if they need it
- encourage patients to use the *Better Together* website to share their experiences
- treat patients with respect, and make sure they receive the support they need during the handling of any complaints

Your employer must:

- provide patients with the information they need to help them provide feedback, make a comment or raise a concern or complaint. For example, your board should give such patients a copy of the *Making a complaint about the NHS* leaflet, and information about PASS
- develop effective ways and ensure support is available to make it easy for patients to give their views, good or bad, on the care they have received and the services they have used, for example provide suggestion boxes or patient surveys
- provide staff with training and support in listening to, and acting upon, any comments or suggestions made by the people you care for
- use patients' and staff feedback to improve healthcare and services for everyone demonstrating the improvements made as a result of this feedback

How can I find out more?

- *Can I help you? Learning from comments, concerns and complaints* Scottish Executive Health Department, April 2012 www.knowledge.scot.nhs.uk
- *Information on the Patient and Advice Support Service (PASS)* is available at www.cas.org.uk/Projects/patientadvice
- *Staff Governance Standard* www.staffgovernance.scot.nhs.uk
- *Better Together* allows people to share their experiences of NHS services online www.bettertogetherscotland.com
- *Patient Rights (Scotland) Act 2011* sections 14-16 (patient feedback, comments, concerns or complaints) www.scotland.gov.uk/topics/health/patientrightsbill
- *Making a complaint about the NHS* www.hris.org.uk/index.aspx?o=1025
- *The Knowledge Network* www.knowledge.scot.nhs.uk
- *TeachBack* methodology to support health professionals check a patient's understanding of the information they have given to the patient www.nchealthliteracy.org/toolkit/tool5.pdf

You may find other sources of help and support including the other factsheets in this series on the Little Things Make a Big Difference website at www.knowledge.scot.nhs.uk/making-a-difference.aspx. NHS staff should find information on local arrangements on your staff intranet or from your line manager.



This resource can be made available, in full or summary form, in alternative formats and community languages. Please contact us on 0131 313 8000 or email altformats@nes.scot.nhs.uk to discuss how we can best meet your requirements.

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