

## Leeds Independent Health Complaints Advocacy

### The Health Service Ombudsman

If Local resolution has been completed and you are still not satisfied with the response you can ask the Parliamentary and Health Service Ombudsman to look at your complaint and how it was handled. The Ombudsman's services are confidential and free. The Ombudsman is independent of the NHS.

#### Time Limits

A complaint should be sent to Ombudsman within 12 months of the incident happening or within 12 months of you realising you have something to complain about. The Ombudsman may extend this time limit if the local resolution process took longer than a year. The Ombudsman will look at every complaint but is not required to investigate them all.

#### The Ombudsman has three choices:

- **Intervention**  
The Ombudsman may decide not to investigate the case but ask the NHS organisation or practitioner to take action which they think would resolve your complaint.
- **Investigation**  
The Ombudsman may decide to carry out a thorough investigation, which can take some time resulting, in a detailed report. If your complaint is upheld the Ombudsman can make recommendations to the NHS organisation or practitioner to put things right.
- **No Investigation**  
The Ombudsman may decide not to investigate the case and take no further action.

#### Will the Ombudsman Investigate?

A member of the Ombudsman's staff will consider whether your case meets the criteria for investigation. To make this assessment they may need to see clinical records and other documentation. A member of the Ombudsman's staff will contact you to ask for any papers they need. **The Ombudsman will not usually investigate a complaint if:**

- You have not tried or completed Local Resolution
- They think that the NHS organisation could do more to resolve your complaint – they will refer your complaint back to the NHS Organisation
- you don't agree with the response from the NHS organisation but can't provide any evidence to show why their decision is wrong or unsatisfactory
- they decide that there is no evidence that the NHS organisation did anything they shouldn't have done
- they decide that the NHS organisation has done all that they reasonably could to put things right and nothing further can be done
- they decide that there would not be a worthwhile outcome from an investigation (for example, if the solution sought by the complainant is not obtainable).

#### If you think the Ombudsman's decision is wrong

There will be an opportunity to go back to them if you think they have used inaccurate information to reach their decision, missed or misinterpreted something or if you have new information that may affect the decision they made.

**Whatever the decision the Ombudsman will write to you to let you know the outcome.**