

Healthcare Commission  
5<sup>th</sup> Floor, Peter House  
Oxford Street  
Manchester M1 5AX

Switchboard 020 7448 9100  
Facsimile 020 7448 9180  
Helpline 0845 601 3012  
(typetalk calls accepted)

feedback@healthcarecommission.org.uk  
www.healthcarecommission.org.uk

**Addressee only**

Mrs P Ripley

**Code A**



Case reference: C200702\_0462 (please quote if you contact us)

February 22<sup>nd</sup> 2007

Dear Mrs Ripley

**Re: Request for independent review**

I acknowledge receipt of your request for an independent review of your complaint concerning Queen Alexandra Hospital, received on February 22<sup>nd</sup> 2007. I am sorry to hear of the difficulties you have experienced and I would like to express my sincere condolences on your sad loss. I will be preparing your case ready for detailed consideration by a case manager. If you have any queries, please do not hesitate to contact me.

I intend to contact the trust to notify them that I have received this request and that the Healthcare Commission is carrying out an independent review of the complaint. I will also be providing them with a copy of the request so that they are aware of the outstanding issues of concern.

In order to consider your complaint in more detail we need to obtain the complaint case file from the trust. I would therefore be grateful if you could complete and return the enclosed consent form. The enclosed document 'Consent, confidentiality and data protection' explains how we will use any information we obtain in carrying out our review of your complaint. The consent will enable me to obtain the complaint case file.

Please sign and return the completed consent form to me in the enclosed prepaid envelope by March 9<sup>th</sup> 2007. Once I receive your completed consent form, I will request the complaint case file from the trust.

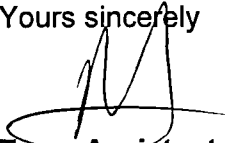
If you would like any assistance or support in dealing with your complaint, your local Independent Complaints Advocacy Service (ICAS) may be able to help. ICAS aims to ensure that individuals making complaints about NHS services have access to the support they need to voice their concerns. Your local ICAS provider's contact details can be found on the enclosed information sheet.

In order to help us improve the way that the Healthcare Commission works with individuals, I would be grateful if you could complete the enclosed ethnicity monitoring form and return it in the enclosed prepaid envelope. I would like to reassure you that the completed form is confidential and plays no part in the independent review of your complaint.

I hope the information provided answers any questions that you may have. If you do need any further information or clarification, please do not hesitate to contact me.

I will keep you up to date with progress.

Yours sincerely



**Team Assistant**  
**Initial Review Team- Complaints**  
**Ph:** (  )  
**Fax: 020 7448 9180**

*Enclosures: 'Useful contacts' information sheet*  
*'Consent, confidentiality and data protection' information sheet*  
*Consent form*  
*Prepaid envelope*  
*Ethnicity monitoring form*

## Complaints to the Healthcare Commission - Information Sheet



### Consent, confidentiality and data protection

This information sheet provides basic details about what the Healthcare Commission will do with the information given to them during an independent review of your complaint about the NHS.

#### Who can give consent?

The Healthcare Commission can only begin to review your complaint if we have the written consent of the patient concerned. Where the complainant is not the patient, for example if the patient has died, then the patient's next of kin or another suitable person can take forward a complaint. However, the Commission will still need the consent of the patient or their next of kin. If we receive details of a complaint where explicit consent has not been given the Commission will always contact the complainant and the patient, if they are different, before going ahead with any review.

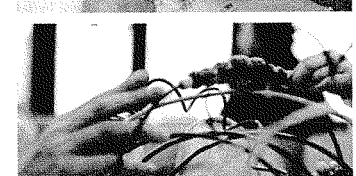
#### What happens if I don't give my consent, or withdraw consent during the Healthcare Commission's review?

If the Healthcare Commission does not receive a completed consent form we would not normally proceed with the review. The Commission would send a reminder letter to you and the case would be put on hold until consent is received. There may be some occasions when the Healthcare Commission decides to proceed with a review even if you change your mind or don't give consent. This would be when the Commission believes that the complaint is so serious that it may affect the welfare of other patients if it is not investigated. The Healthcare Commission has legal powers that enable us to do this.

#### When I sign the consent form, what am I giving consent for the Healthcare Commission to do?

When you sign the consent form you are giving consent for the Commission to:

- review your complaint
- request any information about the complaint such as the reports of the original investigation and relevant medical records
- send the information to anyone we think can help us with our review
- send your case to other regulatory bodies, such as the General Medical Council or the Health Service Ombudsman
- to publish an anonymised report of our review to help with our aims of learning lessons and improving NHS services



However, the Commission will always abide by the following principles:

- we will only seek relevant information
- we will only share information in accordance with the strict information-sharing agreements we are developing
- we will ask you before we pass on details to other organisations
- we will make sure that you can not be identified in any publicly available report

### **How will you ensure that information about me and my complaint is kept safe?**

The Healthcare Commission has an information governance team whose job it is to ensure that all information we receive in the course of our work is used, transported and stored securely. We comply with the requirements of the Data Protection Act 1998 and other relevant legislation and guidance. All of our staff take steps to protect personal information at all stages of their work. The Data Protection Act 1998 protects the use of personal information and gives you the following rights:

- to find out what information about you is held
- to be given a description of the reasons for which it is held
- to know who else might be given the information
- to be given a hard (paper) copy of the information
- to have inaccurate personal information corrected, or have it blocked, removed or destroyed
- to ask for the use of the information to be stopped if you believe that using it is likely to cause you or someone else to suffer substantial damage or distress

Our helpline **0845 6013012** will deal with requests to see the information we hold about you.

### **What about the Freedom of Information Act?**

The Freedom of Information Act 2000 enables people to gain access to information held by public authorities such as the Healthcare Commission and NHS trusts. From January 01st 2005, anyone will have the right to make a request for any information held by us, subject to a number of exemptions. Your personal data cannot be disclosed under this Act.

### **What happens to the information after my complaint has been reviewed?**

All records, both paper based and electronic, will be returned to the Healthcare Commission. They will then be archived or destroyed as appropriate. We will keep records about your complaint for 25 years after which they will be destroyed. These archived records are kept securely and in accordance with best practice.

### **What happens if I think the Healthcare Commission is at fault in their handling of my information?**

If you think that the Healthcare Commission has not fulfilled its legal or ethical duties in relation to the handling of your information, please contact our helpline on **0845 601 3012**. We will discuss your concerns with you and take any action needed. Depending on where you think we are at fault, we may refer you to another organisation to investigate your concerns. If you are not satisfied with our response you may be able to complain to the Information Commissioner (contact details below).

### **Further information**

We operate a code of practice on our use of personal information. If you would like further information on this, or any of the issues raised in this information sheet, please feel free to contact us. You can also contact us if you would like to request access to personal information under the Data Protection Act 1998 or make a request for information under the Freedom of Information Act 2000.

Telephone: **0845 601 3012**

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

email: [feedback@healthcarecommission.org.uk](mailto:feedback@healthcarecommission.org.uk)

The **Information Commissioner** can give you more information about the Data Protection Act 1998 and the Freedom of Information Act 2000. Visit their website at: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk) or telephone: **01625 545 700** or e-mail: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

## Complaints to the Healthcare Commission - Information Sheet



### Useful contact details when making a complaint

This information sheet provides details about other organisations that you might find useful to contact if:

- you are involved in bringing a complaint to the Healthcare Commission or
- if we have ended our review of your complaint and you remain dissatisfied

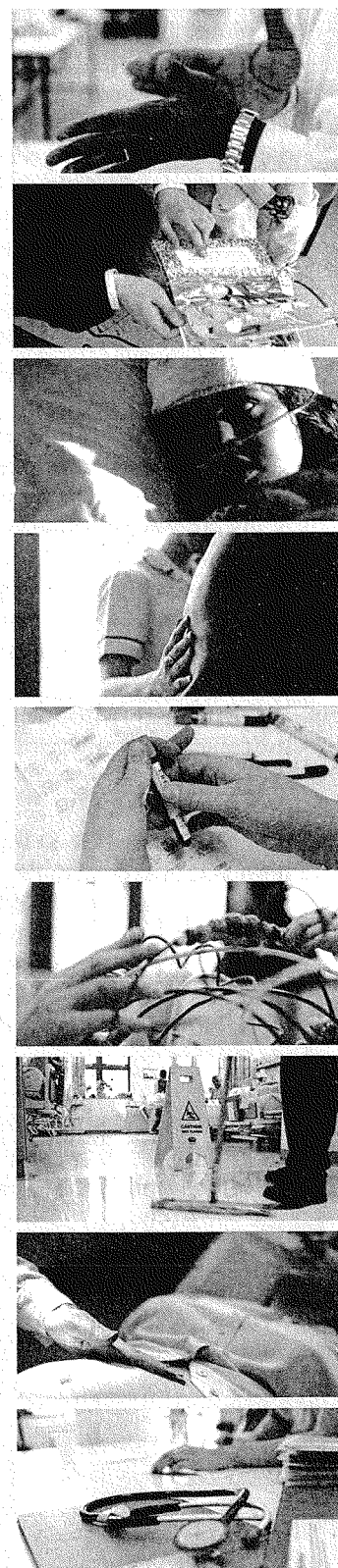
A representative from your local Independent Complaints Advocacy Services (ICAS) or a Healthcare Commission Case Manager will be able to help you decide when would be the best stage in your complaint to make contact with any of the organisations listed.

#### Independent Complaints Advocacy Services (ICAS)

ICAS Supports and represents individuals complaining about the NHS. This Service is free of charge. Please check below for the number of the ICAS provider in your local area.

| ICAS Area  | Contact details |
|--|-----------------|
| <b>North East</b> (Northumberland and Tyne & Wear)   | 0845 120 3732   |
| <b>North West</b> (Cumbria, Lancashire, Greater Manchester, Cheshire and Merseyside)   | 0845 120 3735   |
| <b>Yorkshire</b> (North Yorkshire, West Yorkshire and South Yorkshire)   | 0845 120 3734   |
| <b>East Midlands</b> (Nottinghamshire, Leicestershire & Derby, Northamptonshire)   | 0845 650 0088   |
| <b>East of England</b> (Cambridgeshire, Norfolk and Suffolk)   | 0845 456 1084   |
| <b>London</b>  | 0845 120 3784   |
| <b>Essex</b>   | 0845 456 1083   |
| <b>Other regions</b> (Bedfordshire & Hertfordshire)  | 0845 456 1082   |
| <b>West Midlands</b> (Shropshire, Staffordshire, Warwickshire, Herefordshire & Worcestershire)                                   | 0845 120 3748   |
| <b>South East</b> (Oxfordshire, Buckinghamshire & Berkshire, Hampshire & Isle of Wight, Surrey, West Sussex & East Sussex, Kent) | 0845 600 8616   |
| <b>South West</b> (Gloucestershire, Wiltshire, Somerset, Dorset, Devon & Cornwall)   | 0845 120 3782   |

May 2006



| <b>Organisation name and purpose</b>  | <b>Contact details</b>   |
|---|--|
| <b>Action Against Medical Accidents (AVMA)</b><br>AVMA is an independent charity which promotes better patient safety and justice for people who have been affected by a medical accident   | Tel: 0845 123 23 52<br><a href="http://www.avma.org.uk">www.avma.org.uk</a>  |
| <b>General Dental Council</b><br>The General Dental Council's purpose is to protect the public by regulating dental professionals in the UK.  | Tel: 020 7887 3800<br><a href="http://www.gdc-uk.org">www.gdc-uk.org</a>   |
| <b>General Medical Council (GMC)</b><br>The GMC has a number of roles, including dealing with doctors whose fitness to practice is under question   | Tel: 0845 357 0022<br><a href="http://www.gmc-uk.org">www.gmc-uk.org</a>   |
| <b>General Optical Council</b><br>The General Optical Council is the statutory body which regulates the optical professions (dispensing opticians and optometrists).  | Tel: 020 7580 3898<br><a href="http://www.optical.org">www.optical.org</a>   |
| <b>Health Professions Council</b><br>The Health Professions Council is responsible for the regulation of the following professions: arts therapists, biomedical scientists, chiropodists/podiatrists, clinical scientists, dietitians, occupational therapists, orthoptists, paramedics, physiotherapists, prosthetists & orthotists, radiographers, speech and language therapists | Tel: 020 7582 0866<br><a href="http://www.hpc-uk.org">www.hpc-uk.org</a>   |
| <b>Health Service Ombudsman</b><br>The Health Service Ombudsman undertakes independent investigations into complaints about the National Health Service.  | Tel: 0845 0154033 <a href="http://www.ombudsman.org.uk">www.ombudsman.org.uk</a>   |
| <b>Information Commissioner</b><br>The Information Commissioner promotes good information handling practice and enforce data protection and freedom of information legislation  | Tel: 01625 545745<br><a href="http://www.informationcommissioner.gov.uk">www.informationcommissioner.gov.uk</a>  |
| <b>Nursing and Midwifery Council</b><br>The Nursing and Midwifery Council is an organisation set up by Parliament to ensure nurses, midwives and health visitors provide high standards of care to their patients and clients.  | Tel: 020 7333 6564<br><a href="http://www.nmc-uk.org">www.nmc-uk.org</a>   |
| <b>Prisons and Probation Ombudsman</b><br>Investigates complaints from prisoners and those subject to probation supervision   | Tel: 0207 035 2876<br><a href="http://www.ppo.gov.uk">www.ppo.gov.uk</a>   |
| <b>The Law Society</b><br>Should you decide to take legal action, the law society can help you find a suitable solicitor in your area   | Tel: 0870 606 6575<br><a href="http://www.lawsociety.org.uk">www.lawsociety.org.uk</a>   |
| <b>Royal Pharmaceutical Society</b><br>The Royal Pharmaceutical Society of Great Britain is the regulatory and professional body for pharmacists in England, Scotland and Wales. The primary objective of the organisation is to lead, regulate and develop the pharmacy profession.  | Email:<br><a href="mailto:complaintsaboutpharmacists@rpsgb.org">complaintsaboutpharmacists@rpsgb.org</a><br>Fax: 020 7572 2510<br><a href="http://www.rpsgb.org.uk">www.rpsgb.org.uk</a> |

### Healthcare Commission

FREEPOST NAT18958, Complaints Investigation Team, Manchester, M1 9XZ  
 Tel: 0845 6013012, [www.healthcarecommission.org.uk](http://www.healthcarecommission.org.uk)