

This Factsheet is about complaints about primary care providers. It should be read together with the general information leaflet about our service. Primary care includes the services provided by General Practitioners (GPs) and other practitioners (for example community dentists, opticians, or pharmacists) under contract to their local Health Board. You should note that the Ombudsman can only consider complaints about care provided under the NHS; he cannot look at treatment provided on a private basis.

Practitioners may work alone or with others to form a Practice. Practice staff, such as nurses or receptionists, are employed by GPs (or dentists etc) who are responsible for their actions.

Before approaching the Ombudsman with your complaint, you should give your GP (or dentist etc) the opportunity to resolve the matter. If you are unhappy with the response you receive from them, you have two options open to you. You may choose to request a review of your complaint by an independent lay person appointed by the Welsh Assembly Government, or you may approach the Ombudsman directly.

What the Ombudsman can do

He can:

- consider complaints about the standard of clinical care provided to you, your child, or someone you represent.
- consider complaints about rudeness, administrative failure, or other poor service provided on behalf of the NHS.
- consider complaints that you have been incorrectly removed from a GP Practice list.
- consider complaints about out-of-hours services (usually these are provided by private companies on behalf of the relevant Health Board).

What the Ombudsman cannot do

He cannot:

- stop your GP (community dentist, optician, or pharmacist) from practising - although if his investigation suggests that there are serious concerns about professional competence, the Ombudsman may notify the relevant regulatory body.
- Intervene in your current treatment, obtain a second opinion for you or arrange that you are given an alternative treatment if the treatment you are currently receiving is reasonable.
- reinstate you on the Practice list if you have been removed.

Issues to bear in mind

When considering complaints about clinical care, the Ombudsman will assess whether the standard of care was reasonable in the circumstances present at the time, rather than of a “gold standard”.

There are a number of circumstances where GPs are entitled to remove patients from their list. These might include when a patient moves away from the Practice’s area, or when the professional relationship between doctor and patient has broken down. You should normally be given a written warning before being removed from the list and given reasons for why you are being removed. You should not normally be removed from a Practice list simply because you have made a complaint.

Complaints about NHS out-of-hours services should normally be directed to the relevant Health Board in the first instance (see below for contact details).

The Ombudsman is independent and impartial; he cannot order public bodies to do what he recommends – but, in practice, they almost always do.

Further information

Your local **Community Health Council** (CHC) can provide free help and support with making your complaint. Contact details for your local CHC can be obtained via your local telephone directory. Alternatively, you can obtain them through the **Board of Community Health Councils in Wales’** website at www.patienthelp.wales.nhs.uk or via their helpline on 0845 6447814.

Your local **Health Board** may also be able to help you. Contact details for the Health Board for your area can be found at www.wales.nhs.uk/directory.cfm

Examples of cases that the Ombudsman has looked at can be found on our website. Please see www.ombudsman-wales.org.uk

If you are unsure whether the Ombudsman would be able to look into your complaint, please contact us:

- **phone** 0845 601 0987;
- **e-mail** ask@ombudsman-wales.org.uk;
- **visit the website at** www.ombudsman-wales.org.uk;
- **write to:** The Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ