



The Scottish Parliament  
Pàrlamaid na h-Alba

**PUBLIC PETITION NO.**

**PE01844**

### **Name of petitioner**

Jennifer Greenhorn

### **Petition title**

Introduce an external regulatory complaints body for NHS boards

### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to introduce an external regulatory complaints body to improve complaints procedures within NHS boards.

### **Action taken to resolve issues of concern before submitting the petition**

I have previously raised this issue with Angus MacDonald MSP.

### **Petition background information**

At present each health board has its own complaints procedure, with every complaint lodged being investigated by said health board and its staff. The final conclusion of any investigation is never independently scrutinised and is essentially investigated by the perpetrators.

For significant adverse events (SAEs) in particular, this is a horrific ordeal for the complainer. The health board's final outcome can mean no further action is taken to ensure a similar SAE does not happen again. If any improvements/recommendations are noted there is no one else monitoring effectiveness or compliance going forward. There is no scrutiny involved as the complainer can never verify any plans of action and they rely on the actions of the health board.

At present, if a complainer is unhappy with the health board's way of dealing with a complaint or the complaint itself, the Scottish Public Services Ombudsman (SPSO) is the only organisation able to investigate and provide independent reports based on the evidence, which are then either upheld or dismissed and publicly available to view.

The SPSO do not investigate anything themselves however, and rely on the health board reports to allow them to essentially make an informed decision. This process again gives the NHS board in question full control over what is shared and what is withheld from the SPSO. If the SPSO confirms the complainer's complaint and its content, they are powerless to implement any change whatsoever.

Challenging the NHS over complaints is time consuming, taking years in some cases. This is simply unacceptable to the complainers and also to the patients still receiving the same standards of care while the health board have an infinite time to investigate complaints.

There is absolutely nowhere to turn to implement real life-saving change within the NHS. Yes, lessons can be learned, steering groups can be created and staff can be disciplined, however an independent external regulatory complaints body is the only way to make any change happen and for the changes to be measured independently.

The purpose of Healthcare Improvement Scotland (HIS) is to enable the people of Scotland to experience the best quality health and social care. In reality this is not the case as although HIS have more power than the SPSO, they do not investigate any complaints logged or carry out any independent investigation.

Scotland needs an external regulatory complaints body to ensure safety and consistency across all health boards. Health boards should not be responsible to self-regulate with no or very little external input. The NHS in Scotland can no longer be allowed to self-regulate.

#### Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/PE01844>

#### Related information for petition

**Do you wish your petition to be hosted on the Parliament's website to collect signatures online?**

YES

**How many signatures have you collected so far?**

0

**Closing date for collecting signatures online**

05 / 01 / 2021

**Comments to stimulate online discussion**