

Complaining about Private Healthcare

If you are unhappy about treatment you have received in a private hospital or clinic, there are a number of options open to you:

- Discuss your concerns with your treating consultant.
- Make a formal complaint to the hospital or clinic (ask for details of their complaints procedure, which should be similar to that used by the NHS).
- If for any reason you are unable to get the private health provider to respond to a complaint, or if you are unhappy with their response, you can make a complaint to the Healthcare Commission, the body responsible for regulating private healthcare providers. Their Helpline number is 0845 601 3012.
- If the issue is about an individual health professional's fitness to practise, make a complaint to the relevant professional regulating body such as the General Medical Council (for doctors) or Nursing and Midwifery Council. See the separate information sheet on Professional Misconduct.

Discuss your concerns with your consultant

If you are concerned with the outcome of your treatment, then you should try and talk to your treating consultant in order to obtain an explanation and advice. If your consultant is unhelpful or unresponsive, and you believe you are in need of further treatment, you should talk to your GP about your concerns and possible treatment options. This may include obtaining a referral for a second opinion.

Making a formal complaint about care received in a private hospital/clinic

Private hospitals and clinics that carry out medical treatment are regulated by the Care Standards Act 2000 and registered by the Healthcare Commission. Under the Act, hospitals and clinics must operate a complaints procedure. This should follow the same pattern as with NHS complaints. First of all attempt local resolution by speaking or writing to the organisation concerned. If there is a head office for the company running the hospital or clinic, it is a good idea to copy your complaint to the chief executive there. If you experience problems with having your complaint addressed you can contact the Healthcare Commission on 0845 601 3012. However, whilst the Healthcare Commission should be able to help, it will be under different statutory powers than those that underpin its work on NHS complaints, and unlike the NHS procedure, there is not a third potential stage of complaining to the Health Service Ombudsman.

You should also be aware that private practitioners do not need to be registered if they only provide medical services in prisons or only provide subcutaneous injections for cosmetic purposes. They should be registered if they provide other cosmetic surgery services.

Private Health Insurers

If your treatment was paid for by private health insurance, it may be worth contacting the insurer, who should have an interest in the standard of care being provided.

Withholding payment

If you believe that you have a justified complaint and are considering withholding payment for the treatment in question, you should be aware that it is likely that the hospital or practitioner will sue to recover fees and can employ debt collection agencies to pursue this on their behalf. Your credit rating may also be adversely affected and it may be more difficult to get loans or a mortgage.

* NB: Some people do have legal expenses cover in household, motor or personal insurance policies that will cover your costs in the event of a compensation claim. Even if you are considering a complaint, you should check all your insurance policies and if there is legal expenses cover, check the policy terms in relation to time limits for making a claim to the insurers. If there is a time limit, you should submit details to the insurers within this period to avoid a refusal of cover at a later stage. If the period for making a claim is not clear, then you should speak to the insurance provider.