



Inspectie Gezondheidszorg en Jeugd
Ministerie van Volksgezondheid,
Welzijn en Sport

I have a complaint about healthcare. What are my options?

National Healthcare Report Centre



The National Healthcare Report Centre is there to help!

Sometimes the contact with your care provider is different from what you expected. For example, something did not go well with your treatment. Or you are not satisfied with the way your care provider deals with you. Something serious may have happened and you would like to prevent it from happening again. In all these cases you have the right to complain. Who you speak to and how you go about it depends on what you want to achieve. The National Healthcare Report Centre (LMZ) informs and advises you about your options. We also answer your questions and help you with practical tips to resolve your complaint.

A complaint? Talk about it!

Something may have gone wrong during a treatment. Or you may not be satisfied with the care you have been provided. Discuss this first with the person you have a complaint about. There may be a misunderstanding and a clear explanation may help. Your care provider may not have been diligent enough or may have made an error. Even then, talking about it can often provide a solution.

Many care providers appreciate hearing about your complaint or dissatisfaction. If your care provider knows what went wrong, he or she can make sure it will be better in

future. That improves care, not only for you, but for others as well.

Take someone with you to the meeting

You may find it difficult to discuss your complaint. For example, because you are concerned that it will have consequences for your treatment or the relationship with your care provider. In that case, it might be nice to take someone with you to the meeting. For example, a family member, friend or acquaintance. You can also have a meeting on someone else's behalf. For example, as a family member or informal caregiver.

Tips for a meeting

- *Make a separate appointment for a meeting and indicate what you would like to talk about. That way, your care provider can take the time for you and prepare for the meeting. The care provider may not charge you for the time he or she spends on your complaint.*
- *Consider beforehand what you want to achieve with the meeting. For example, would you like to tell your story or do you want an apology? Or do you want the care provider to take measures to prevent it from happening again?*
- *Write down beforehand what you want to talk about. Is someone accompanying you to the meeting? If so, discuss your questions together in advance.*
- *Inquire about the complaints procedure of your care provider. Every care provider must have a complaints procedure in accordance with the Healthcare Quality, Complaints and Disputes Act (Wkkgz). This includes your options in filing your complaint. The complaints procedure can often be found on the website of the care provider or in the waiting room.*
- *Try to reach a solution with the care provider.*
- *Ask whether a report will be made of the meeting.*
- *Give the care provider the opportunity to correct potential errors. That may take time.*
- *Agree on how the care provider will keep you informed after the meeting. For example, of the follow-up, correction of errors or improvement measures taken.*

Information about filing a complaint

Every care provider is required to provide information in a simple way about how to file a complaint. For example, in the waiting room or via the website, preferably both. This includes information about the complaints officer. Sometimes, a meeting with the care provider does not help, or you may prefer not to have a meeting. In that case, you can consider calling in the complaints officer.

Calling in the complaints officer

All care providers are required to employ a complaints officer. The complaints officer can inform you about the complaints procedure or help you write a letter. He or she can also mediate between you and the care provider. You can also contact the complaints officer if you prefer not to discuss your complaint directly with your care provider.

Name of the complaints officer

The name of the complaints officer may vary. Sometimes this employee is called a complaints mediator or confidential advisor. Sometimes the role of the complaints officer is lodged with an agency or department such as a service agency or the Patient Information department or Quality department.

Mental healthcare

Clients in mental healthcare (GGZ) can contact a patient representative (PR) for help and support in filing a complaint.

No solution for your complaint?

If contact with the complaints officer fail to resolve your complaint, you can ask for an evaluation of your complaint. An evaluation is an official written response from the care provider to your complaint. With some care providers you receive this evaluation through your care provider, with others through the complaints officer, a complaints committee or the Board of Directors.

Write a letter

It is not required, but it is nice for all parties if you submit the complaint in writing. That way you can read over certain things again. Usually, you can also send an e-mail or submit your complaint directly online. Always check whether you have received confirmation of receipt within a reasonable period of time. You can also call to ask whether the care provider has received your complaint.

It is important to clearly explain your complaint and what you wish to achieve. If you need help in writing a letter, the complaints officer can help you. We have already written a sample letter for you.

Sample letter

To < name of care provider or healthcare institution >

<Address>

<Postal code and city/town>

<City/town, date>

Re: complaint about <name of care provider>

Dear Sir / Madam,

On <date or period of your treatment> I was treated by <name care provider>. I am not satisfied with this treatment. My complaint concerns the following:

<Give a brief and factual description of the complaint here, for example:

- about whom/what is the complaint?
- with whom have you discussed your complaint?
- when was the situation you are complaining about?
- what happened?
- were others involved?
- is it your own complaint or are you complaining on behalf of someone else?

Indicate what you wish to achieve. For example, that you would like to prevent it from happening again, for yourself or someone else. Or, for example, that you would like an apology.>

I hereby request that you take the complaint into consideration. I would like to receive information from you about the further course of events. I am willing to explain the complaint verbally.

Yours faithfully,

<Your signature>

<Your name>

<Your address>

<Your postal code and city/town>

<Your telephone number>

Appendix: <add any copies of important documents here>

6 weeks to handle your complaint

Did you file a complaint with your care provider and fail to receive a response? Or did you send a letter and have you been waiting for an answer for a long period of time? The National Healthcare Report Centre can contact the care provider if you wish. If you filed an official complaint, the care provider must send you a response. This must be done within the legal period of six weeks.

4-week extension

The care provider may need more time. Within the 6-week period, they may therefore inform you that it is taking longer. The term is then extended by 4 weeks.

If you have not received an evaluation after these 10 weeks, you can claim one. Or you can agree to another 4-week extension.

Not satisfied with the position of the care provider?

You may disagree with the decision or the position of the care provider. You can then take a variety of steps, depending on what you wish to achieve:

- 1 I want another decision about my complaint.
You can submit your complaint to the independent dispute resolution body with which the care provider is affiliated, or to the court.
- 2 I would like an assessment as to whether my care provider has done his job according to the rules of the profession.
You can submit your complaint to the Disciplinary Tribunal for Healthcare.

- 3 I want the Inspectorate to know that I have a complaint about my care provider.
You can make your complaint known to the National Healthcare Report Centre. You will receive information and advice from us about your options. We will also record your complaint anonymously in a signal overview. We will send this overview to the supervision colleagues on a weekly basis.

The disputes committee

All care providers must be affiliated with a disputes committee. This independent committee must be recognised by the Ministry of Health, Welfare and Sport. This appears in the Wkkgz. A disputes committee is independent and impartial. You can only submit your complaint to a disputes committee if you have submitted your complaint first in writing to your care provider.

The disputes committee handles complaints about the quality of care and can decide about damages claims. The decision from the disputes committee is binding. The approach is low-threshold and you do not need a lawyer. However, you must take into account that a disputes committee will charge you a complaints fee for handling your complaint.

The court

If you believe that you have suffered damage from treatment by the care provider, you can submit your complaint to the (civil) court. You need a lawyer to assist you in court. Always inquire with a lawyer or a

Legal Desk about the costs beforehand. If you suspect that your care provider has committed a criminal offence, you can report this to the police. The Public Prosecution Service can decide to submit your case to the criminal court.

The disciplinary tribunal

The Disciplinary Tribunal for Healthcare does not make a judgement about your complaint, but assesses whether the care provider has done his or her work according to the rules of his or her profession. The disciplinary tribunal can take measures against the care provider and the decision of the disciplinary judge is binding. The disciplinary court only handles complaints that fall under the disciplinary standards. These are standards that the disciplinary tribunal uses to assess whether the care provider has acted diligently. In practice you can present various complaints to the disciplinary court.

For example, if your care provider:

- makes an error during surgery;
- makes the wrong diagnosis;
- provides insufficient information about the treatment;
- unjustifiably did not refer you to another care provider.

Not all care providers fall under disciplinary law. This only applies to care providers with a legally protected title that is registered in the BIG register. These include doctors, dentists, nurses and psychotherapists. On www.big-register.nl

you can see whether your care provider is registered. More information on disciplinary law can be found at www.tuchtcollege-gezondheidszorg.nl.

Your complaint to the National Healthcare Report Centre

The National Healthcare Report Centre is a division of the Health and Youth Care Inspectorate.

We do not resolve complaints but can inform and advise you about your options.

We prepare a daily overview of all complaints received. Your name and contact details are not included in this overview. The overview does contain names (and possible contact details) of care providers about whom complaints are received. The Inspectorate uses the information from the overview in its supervision of the care.

We can submit an individual complaint to the supervision with the question whether an investigation is needed. The Inspectorate can decide to investigate if the complaint meets one or more criteria. One criterion for example is that there has been a calamity or violence in the care relationship.

We will always contact you if we believe that your complaint may be a reason for an investigation. The Inspectorate does not solve your complaint. Based on an investigation, the Inspectorate may decide to take measures against the care provider.

You can report your complaint:

- 1 via a form on our [website](#)
- 2 by calling: tel. no. 088 - 120 50 20 (available on working days from 9 am to 5 pm).
- 3 by sending a letter to:
National Healthcare Report Centre
Postbus 2518, 6401 DA HEERLEN.

Would you like to report your complaint anonymously? In that case, we ask you to call us and tell that to the employee.

About the National Healthcare Report Centre

The National Healthcare Report Centre is an initiative of the Minister of Public Health, Welfare and Sport (VWS). The LMZ started in July 2014 and has 3 main tasks:

- 1 Providing advice and guidance to citizens with complaints about the quality of healthcare and answering questions. The LMZ submits serious complaints for assessment within the supervision.
- 2 Following complaint handling. This means that, at the request of citizens, the LMZ follows the complaint handling by care providers. The LMZ also monitors the progress of investigations carried out by the Inspectorate on reports from citizens.
- 3 Providing information about complaints and complaint handling via the website and issuing an annual Klachtbeeld (Complaints Profile). In addition, the National Healthcare Report Centre prepares a daily overview of complaints received by the Inspectorate, the so-called signal overview.

Type of complaints

The National Healthcare Report Centre gives advice and information to citizens who have complaints about the quality of care in the Netherlands.



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