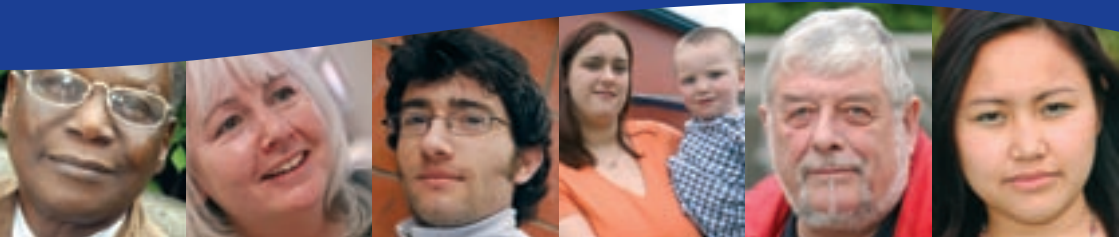


# Medical Accidents

Your rights if you have been injured  
during treatment



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community  
legal advice

If you have had medical treatment that went wrong or didn't work properly, you may be able to get compensation for your injuries. This leaflet explains what you can do if you've suffered a medical accident.

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The leaflets in this series give you an outline of your legal rights. They are not a complete guide to the law and are not intended to be a guide to how the law will apply to you or to any specific situation. The leaflets are regularly updated but the law may have changed since this was printed, so information in it may be incorrect or out of date.

If you have a problem, you will need to get more information or personal advice to work out the best way to solve it. See 'Further help' on page 18 for sources of information and advice.

## What is a medical accident?

If something goes wrong when you are having medical treatment, this is sometimes called a 'medical accident' or 'adverse event'. If your treatment has not worked or there have been complications, it does not always mean that there has been a mistake, or that someone is to blame. In some cases, you have to accept errors or complications as unavoidable risks of the treatment, which the doctor or other healthcare professional cannot be blamed for. For example, if you have major heart surgery, the operation always carries risks. And even minor procedures can lead to complications.

'Clinical negligence' is a legal term to describe a medical accident where a patient has been harmed because a doctor or other healthcare professional has not provided the proper standard of care. It doesn't mean this person was incompetent. It can just mean they made a mistake in that particular case. Clinical negligence includes things like:

- making a mistake during surgery;
- giving you the wrong drug; or
- making the wrong diagnosis or delaying a diagnosis unnecessarily.

Clinical negligence can include not doing things that should have been done, such as:

- not giving you the treatment you should have had;
- not getting your consent (agreement) to treatment; or
- not warning you about the risks of a particular type of treatment.

If you or a relative have suffered clinical negligence, you may be able to claim compensation.

## What should I do if I have suffered a medical accident?

If you have been injured during treatment, you must first make sure you are getting the right treatment to try and correct the injury. You may need to get a second opinion or ask your doctor to refer you to another hospital or clinic.

You may be feeling distressed and confused about what has happened, and may want advice and support. This could be from friends, family or specialist support groups. You could also talk to your GP to see if they can explain things or help in other ways.

If you cannot work because of the accident, you should get advice about claiming benefits and how to deal with any debts that have built up. You should also get advice about benefits if your partner contributes to the household income but cannot work because of a medical accident. Community Legal Advice or your local Citizens Advice

Bureau is a good place to start. There are also two Community Legal Advice leaflets that could help:

- 'Dealing with Debt'; and
- 'Welfare Benefits'.

### **What action can I take?**

After you have taken steps to take care of your health, you should think about what you want to do next.

What do you want to happen?

You may want:

- an explanation and an apology;
- to make sure that the same mistake is not made again (this may mean a hospital has to change its procedures, or the person responsible must be disciplined or retrained); or
- compensation.

It is important to understand that taking legal action is only about getting compensation. If an apology or the safety of other patients is more important to you, you should think about the types of action you can take without going to law. See 'What if I want to complain about a professional's behaviour?' on page 6, and 'What if I want to make sure that the same mistake is not repeated?' on page 17. Remember that once you start a legal claim, you are unlikely to be able to take another course of action.

Whatever you want to happen – whether or not it involves taking legal action – you can get advice from a solicitor. However, they will usually be better able to advise you if you have first found out as much as you can about what happened to you.

### **How do I find out more about what happened to me?**

You should first ask for a detailed explanation from your doctor or from the healthcare professional who was involved in your treatment. The doctors' professional code of conduct says a doctor should explain what happened during your treatment and, if necessary, apologise. But this doesn't always happen, and you may not get all the information you want. If you don't, there are several other steps you can take.

### **The NHS complaints procedure**

You can use the NHS complaints procedure to make a complaint about treatment you received under the NHS. This includes NHS care provided by a private hospital. If you had your treatment through an NHS Foundation Trust, the Trust may have its own complaints procedure, though this is likely to be similar to the NHS procedure.

You should be able to get details of how to complain from your GP's practice, the clinic or the hospital that treated you. If you can, you should put your complaint in writing, and include any questions you want answered.

You should make your complaint within six months of your injury. However, a healthcare provider may still look at a complaint made after this – particularly if there is a good reason why you could not complain before.

Often complaints take many months to resolve. If you are making a complaint but are also considering legal action, it is very important that you do not wait too long before deciding whether to start a legal claim. This is because there are strict time limits on legal action. See 'How long do I have to claim compensation?' on page 10.

If you are complaining because a relative has died during or after treatment, contact the coroner. See 'What if a relative has died as a result of a medical accident?' on page 16.

### **Getting your medical records**

It may help you make your complaint if you get copies of your medical records from your doctor or from the hospital or clinic that treated you. You have a legal right to these under

the Data Protection Act 1998 (or in some cases, the Access to Health Records Act 1990). You may have to pay up to £50 to get copies of your medical records, including copies of any X-rays and scans.

If you represent someone who has died (for example, a close relative), or you are making a claim about someone's death, you also have the right to be given their medical records.

### **Getting expert advice**

Bear in mind that when you make a complaint, you may not get an explanation that is as full or as accurate as you would like. To get the best out of a complaints procedure, it is a good idea to get specialist advice.

You can get advice from:

- the Independent Complaints Advocacy Service (ICAS), if your complaint is about NHS treatment in England;
- your local Community Health Council, if your complaint is about NHS treatment in Wales;
- the Patient Advice and Liaison Service (PALS). There is a PALS in all NHS trusts, which can help you resolve everyday concerns and problems with NHS care that you do not want to make a formal complaint about;

- Action against Medical Accidents (AvMA). This charity can give you support and medical information to help you make an effective complaint. It can also provide legal advice and refer you to a specialist solicitor if you want to claim compensation;
- other specialist health organisations. If there is a charity or support group for people with your medical condition, it may be able to offer advice about whether the treatment you received was appropriate;
- medical libraries and medical websites. If you are confident about understanding medical language, medical libraries and websites can give you information to help you prepare your complaint;
- specialist solicitors. Some solicitors will advise you about making a complaint and help you decide whether you need to do this before making a claim.

### Keeping a record

If you think you may have suffered a medical accident, it is a good idea to keep a record or diary of everything that happens to you during and after your treatment. This will help if you decide to make a complaint. It will also help your solicitor investigate your case if you decide to make a legal claim.

If you are thinking about taking legal action, you should also keep a record of any extra money you have to spend because of your injury; for example, taxi fares, lost earnings and care costs. Photographs of injuries can sometimes be useful too, especially for legal action. If you are not sure whether photographs are needed, or if it would be distressing or embarrassing, ask a clinical negligence solicitor for advice.

If you are making a complaint you should keep a copy of the letter you write, particularly if you might want to claim compensation later.

### What if I want to complain about a professional's behaviour?

You may want to complain about an individual doctor or other healthcare professional, for example because you think they did not act ethically, or are a danger to other patients.

You may choose to do this through their professional organisation. Most healthcare professionals are members of one. There are different organisations for different professions; for example, the General Medical Council (GMC) for doctors, the General Dental Council (GDC) for dentists, and the Nursing and Midwifery Council (NMC) for nurses, midwives and health visitors. These organisations have the power to stop a healthcare professional treating

patients, but will normally investigate only more serious complaints. See 'Further help' on page 18 for details.

If your complaint is less serious, for example if a healthcare professional was rude, you could complain to the organisation that employs them. Their employer may then investigate the matter through internal disciplinary procedures.

### **When can I claim compensation?**

If you have been injured physically or psychologically by a healthcare professional's negligence, you may be able to claim compensation. The injury needs to be serious enough to make it worthwhile paying the costs of making a claim. It is probably not worth taking legal action if your injury:

- is fairly minor and you recover within a few days or weeks; and
- has caused you little or no financial loss; for example, if you've still been paid despite having time off work.

If you are not sure whether to try to claim compensation, get advice from a clinical negligence solicitor – many solicitors offer free initial advice. You can also get free advice from AvMA.

It is important to understand that a clinical negligence action is only about claiming compensation. The courts cannot:

- discipline a healthcare professional by, for example, stopping a GP from practising;
- force a hospital to change how it works; or
- make a doctor apologise.

If compensation is not your main aim, then you should ask for advice about what other action you can take. See 'What action can I take?' on page 4.

### **What if my problem was not caused by a doctor?**

You can claim compensation for clinical negligence against any healthcare professional or service that hasn't given you the right care or treatment, if this has injured you. This includes:

- health visitors;
- nurses;
- midwives;
- physiotherapists;
- osteopaths;
- mental health care teams;
- laboratory services;
- dentists;
- medical or dental technicians;
- opticians; and
- the ambulance service.

You can claim whether a professional was employed by the NHS or was treating you privately.

### How do I claim compensation?

There is no system in the UK for automatically paying compensation to people who have suffered a medical accident. Sometimes a hospital may admit it has made a mistake and offer you compensation, but this is usually for relatively minor injuries or losses. In most cases you will need to make a legal claim for 'clinical negligence'.

If you live in Wales, you may be able to use a new compensation scheme being tested there. The Speedy Resolution Pilot Scheme aims to settle claims quickly and reduce costs, but you can use it only:

- if your injury was due to treatment provided by an NHS Trust in Wales; and
- for 'small' claims of between £5,000 and £15,000.

There are some other rules governing whether this scheme can deal with your claim. You will need to talk to a specialist clinical negligence solicitor from AvMA or the Law Society Clinical Negligence Panel to decide whether you can use the scheme and weigh up its possible benefits and drawbacks.

### How do I decide whether to take legal action?

If your solicitor says you have grounds for a legal claim, you still need to think about whether this is the right thing for you, and if it is going to provide the results you want. There are several things you need to be prepared for:

- Making a legal claim can be stressful. You will have to go over what has happened to you many times, and this can be very upsetting.
- Taking legal action can sometimes affect your ongoing treatment. Doctors and other health professionals may act differently towards you if they know you are suing. This should not stop you taking legal action, but if you are worried about it, you should discuss it with your solicitor.
- You need to think about the cost of taking legal action and of having to pay the other side's costs if you lose your case. When you start legal action, there is no guarantee that you will win your case or that you will get the amount of compensation you want.

However, legal action can bring benefits apart from getting compensation. The legal investigation

can sometimes help you get an explanation of what happened to you, if you haven't already had one. And many victims of a medical accident feel their only choice is to take legal action because they:

- need money to pay for extra care or equipment they need; or
- have already lost a lot of money – lost earnings, for example.

### **Can I bring a legal claim without using a solicitor?**

It is generally very difficult to claim for clinical negligence without using a solicitor. Clinical negligence claims are usually complicated, mainly because of the complex medical evidence you will need to present your case. And if you do bring your own case and lose, you face the risk of having to pay the other side's costs.

If you make a complaint to an NHS Trust and ask for compensation, it will normally advise you to see a solicitor. However, in a few cases the NHS may offer compensation without you having to take legal action if:

- you have good evidence to show that it was responsible for your injury; and
- your claim is not for a large sum of money.

If you are offered compensation, you should always get advice from a clinical negligence solicitor or AvMA to check that the amount you are offered is reasonable.

### **How do I find the right solicitor?**

You need to use a solicitor who specialises in such cases, and who understands the medical and legal issues. You should use a clinical negligence solicitor who has been accredited by the Legal Services Commission. These solicitors will belong to the clinical negligence panel of:

- the Law Society; or
- Action against Medical Accidents (AvMA).

Before you employ a solicitor to take on your case, you should ask them whether they have experience of successfully dealing with cases like yours.

If you are concerned about the way in which your solicitor is handling your case, you can contact AvMA for advice. See 'Further help' on page 18 for information on how to find these solicitors, and page 19 for more information about the Legal Services Commission.

## What other help can the solicitor give me?

Specialist clinical negligence solicitors can give advice on related issues including:

- inquests (a public hearing to find out the cause of someone's death);
- the Human Rights Act and how it relates to your rights as a patient;
- your local health authority not giving you the treatment you need;
- if the hospital or doctor wants to stop treatment or treat you against your will;
- if a healthcare professional or hospital has breached confidentiality (passed on personal information they shouldn't have done);
- mental healthcare issues;
- if you have been injured by a faulty drug or by medical equipment;
- helping you make a formal complaint to a professional regulatory organisation such as the General Medical Council; and
- treatment in a care home.

## How long do I have to claim compensation?

You must bring a claim for clinical negligence within three years of the

date of your medical accident. The three-year time limit starts from either:

- the date when you had your medical accident or the treatment that caused your injury; or
- the date when you could first reasonably have realised that you had suffered an injury wrongfully. This is called your 'date of knowledge'.

It is always safer to assume that the three-year time limit runs from the date of the treatment that caused your injury, unless a solicitor tells you otherwise.

In any case, you should try to get a solicitor working on your case as soon as you can, because:

- they will need time to investigate and prepare your case so they are able to start court proceedings before the legal time limit expires; and
- the earlier your case is investigated, the more likely it is that documents needed to prove your case will still be available, and that people will be able to remember what happened.

## When the three-year time limit doesn't apply

For children, the three-year time limit does not start until their 18th birthday.

This means, for example, that a child who was injured when they were born would have until they were 21 to start legal action. But you should not wait until then unless you have to. Before they are 18, a parent or other person close to them can make a claim for them. This is called acting as their 'litigation friend'.

Also, if the case involves a person who cannot manage their own affairs because of a mental disability, the three-year time limit doesn't apply until (and unless) they get over their mental disability.

The courts can, in extreme circumstances, allow you to bring your claim after the three-year time limit. You must not rely on this happening, but if there is a very good reason why you weren't able to bring your claim within three years, you should still talk to a solicitor about the possibility of starting a claim.

### **Other legal time limits**

If your claim is under the Human Rights Act, which would apply where a public body has breached a fundamental right, you would normally have to bring such a claim within one year. For more about the Act, see the Community Legal Advice leaflet, 'The Human Rights Act'.

If you want to challenge a public body's decision or action that you believe was unlawful, and there is no other action you can take, you can apply to the courts for a judicial review. The public body could be, for example, an NHS organisation, the General Medical Council, the Ombudsman or a coroner. The normal time limit for making an application is three months from the date the decision was made, so you will need to seek urgent legal advice from a clinical negligence solicitor with experience of public law.

### **How will the solicitor assess my case?**

When you first contact a solicitor, they will make a first assessment to decide whether they want to take on your case, based on how strong your case is. You can help the solicitor by putting together as much information as possible before you contact them. The solicitor will base their decision on:

- what you can tell them about what happened;
- your medical records, if you have them;
- the medical and legal issues;
- how much your claim could be worth;
- any extra information you have, such as complaints letters or other papers to support your case;

- whether your claim is within the legal time limit; and
- how your legal costs will be paid.

If you speak to several solicitors but they can't or won't help you, you can contact AvMA for advice. See 'Further help' on page 18 for details.

Before a solicitor takes on your case, they will need to make sure that:

- your case has a good legal basis, and therefore has a reasonable chance of success; and
- the amount of compensation you could claim is enough to justify the legal costs.

### **What if I can't afford to pay for a solicitor?**

Investigating a claim for clinical negligence can cost many thousands of pounds. If you can't afford to pay for it yourself, there are several ways of getting help with the costs.

#### **Public funding**

If you cannot afford to pay legal costs for your case, you may be able to get public funding (formerly legal aid) through the Community Legal Service. You will have to show that you have a reasonable chance of winning your case. To do this you may have to complain to the hospital or clinic first. You will also have to show

that the possible value of your claim is enough to justify the costs. If the compensation you would receive is likely to be less than £10,000, you will probably only get help if the issues are straightforward and can be resolved quickly. If the claim involves a child, they are likely to qualify for public funding. Only solicitors who have met the Legal Services Commission's quality standards can take on publicly funded cases. (See page 19 for more about the Community Legal Service and Legal Services Commission.)

#### **Trade union help**

If you are a member of a trade union or similar type of organisation, it may be able to help you with legal costs.

#### **Legal-expenses insurance**

You should check your insurance policies, especially your household insurance policy, to see if they include legal-expenses cover for personal injury claims. These policies can provide cover for legal costs up to a set limit, though not all will cover clinical negligence claims. Your insurance company may want you to use one of its solicitors, but you should try to make sure that the solicitor is a member of one of the specialist clinical negligence panels.

#### **'No-win, no-fee' agreements**

These agreements, officially called 'conditional-fee agreements', mean

that your solicitor will get paid only if you win your claim. If you do win, you will pay your solicitor's fees but you should be able to get the losing party to meet most of these costs on top of any compensation you win.

If you lose your case, you will not have to pay your solicitor's fees but you will have to pay the other side's legal costs. However, there are ways to protect you from these costs, usually through a special insurance policy.

If your case is straightforward, a solicitor may offer you a conditional-fee agreement at the start of your case. However, because clinical negligence claims are often complicated, a solicitor may not offer to take on your case on a conditional-fee agreement until they have good evidence that you will win.

This means you may have to pay the solicitor to get evidence such as independent medical reports before they will be able to:

- tell you whether you have a good chance of winning your case; and
- work on your case under a conditional-fee agreement.

There are different types of conditional-fee agreement and different ways of ensuring you won't face a large bill if you lose your case. The type of agreement you are

offered and the amount you will have to pay towards the costs of your case will depend on the solicitor you use, and how likely you are to win your claim. For more about conditional-fee agreements, see the Community Legal Advice leaflet 'No-win, No-fee Actions'.

### **What do I have to prove to claim compensation?**

To make a legal claim for compensation, you have to prove two things. These are that:

- the care you received was below the standard that you could reasonably expect from a competent healthcare professional practising in that area of medicine ('negligence'); and
- you have suffered a physical or psychological injury as a direct result of the negligent act or omission ('causation').

You cannot claim compensation just because someone has done something wrong. You have to prove that this has caused you an injury. For example, a doctor may be found to be negligent if he or she didn't properly examine a sick child who was later diagnosed as suffering from meningitis. If the parents decide to take legal action because their child suffers long-term complications, their claim would

succeed only if they could prove that an earlier diagnosis would have prevented the child's injuries. The fact that the doctor didn't examine the child properly is not enough on its own.

### How will the solicitor investigate my claim?

The main evidence you need for a clinical negligence claim will come from independent medical experts. These are doctors or other healthcare experts who can give an expert opinion on your case. They will base their opinion on:

- your medical records;
- your statement about what has happened; and
- any other documents supporting your case.

You may have to be examined by:

- your expert or experts; and
- experts working for the hospital or doctor you are claiming against.

If your solicitor can't find a medical expert who will support your claim, it will fail.

### What can I claim compensation for?

You can claim compensation ('damages') for any injuries or losses that you can prove were the direct result of the healthcare provider's negligence. This could include compensation for:

- pain and suffering, which can be physical, psychological or both, including, for example, ongoing treatment and further operations;
- if you can't carry out daily activities or hobbies (called 'loss of amenity');
- loss of earnings;
- the costs of nursing care, including care that your family provides, special equipment, medical care, or help that you need to carry out daily activities;
- the costs of adapting your home.

If the case is about someone who died because of clinical negligence, you can claim the following:

- If your husband, wife, civil partner or a child under 18 died before January 2008, you can claim bereavement damages of £10,000. If the person died after January 2008, you can claim bereavement damages of £11,800.
- If you were financially dependent on the person who died, you can claim for the loss of their financial support (called 'loss of dependency').

You can also claim on behalf of someone who has died for their pain and suffering and for any financial losses that were caused by negligence.

When you first see the solicitor, they will probably be able to give you only a

rough idea of how much compensation you might get. They will have to take into account certain social security benefits you get because of your injury, such as Income Support. This is because your benefits could affect how much compensation you will receive.

### **Will I have to appear in court?**

If your case goes to trial, you will have to appear in court. But there is a good chance that your case won't go to trial.

Until a few years ago, clinical negligence claims could take years to deal with. However, many cases are now settled more quickly, often within one to two years and at less cost. This is because of rules introduced in 1999, which cover the way clinical negligence cases are run.

More and more cases are now settled before legal proceedings are issued, called the 'pre-action' stage. Under the new rules, you and the organisation you are claiming against (the defendant) are encouraged to share information about your complaint to try and settle the matter quickly.

Your solicitor will need to start formal legal proceedings if:

- the defendant doesn't accept that they should pay you compensation; or
- you are close to the three-year time limit.

Once this happens, your case will run on a timetable set down by the court. But your case is still very unlikely to end in a trial, where you would have to give evidence. Most cases are 'settled' before the date set for a trial. This happens when either the defendant agrees to pay compensation, or you or your advisors decide that you no longer have enough chance of success and you decide to withdraw your claim.

To help people reach an early settlement, the courts also want to encourage both sides to look at other ways of settling disputes, including mediation. Mediation is where an independent person comes in to help both parties agree on how to settle the matter. For more ways of settling disputes without going to court, see the Community Legal Advice leaflet, 'Alternatives to Court'.

### **What can I do if my treatment was private?**

If your treatment was private, you need to follow the same steps as you would for NHS care, except that you won't be able to use the NHS complaints procedure. However, private hospitals and private clinics must by law have their own complaints procedure. If you are unhappy with the way your complaint was dealt with or have concerns about the standard of care, you should contact:

- the Healthcare Commission (in England); or
- the Healthcare Inspectorate Wales.

See 'Further help' on page 18 for details.

If you are thinking about legal action, you may have claims against both your private doctor and the hospital or clinic where you were treated. Also, since you have a contract with your private doctor or private hospital, or both, you may be able to sue for breach of contract as well as negligence. The legal time limit for breach of contract is six years, but for most clinical negligence cases you should assume that the three-year time limit will apply. (See 'How long do I have to claim compensation?' on page 10.) You will need to discuss this with a solicitor if you think it applies to you.

### **What if a relative has died as a result of a medical accident?**

If a relative has died, you can take the same steps you would take if you were injured during medical treatment, but you should also arrange to contact the local coroner.

Coroners are responsible for investigating any death where someone has not died from natural causes. You should tell the coroner about your concerns as soon as you can, because they will normally ask for a

post-mortem examination. The coroner will make inquiries to decide whether an inquest should be held. An inquest is a public hearing to find the cause of someone's death. For more information about inquests, contact the charity INQUEST – see 'Further help' on page 18.

If you can, get advice from AvMA or a clinical negligence solicitor with experience of inquests as soon as possible. The solicitor can contact the coroner and explain why there should be an inquest. The solicitor can also arrange for a second post-mortem if it is needed. If an inquest is held, your solicitor can arrange for a legal representative to ask questions for you.

If you do not have a solicitor, you can contact the coroner yourself. Even if you plan to use a solicitor to help you with your case, you do not have to wait until you find a suitable one before contacting the coroner. The local coroner should be listed in the phone book.

If you cannot afford a solicitor, you may be able to get Community Legal Service funding to pay for any legal help you may need for the inquest. But this will not normally cover the costs of being represented by a solicitor or barrister at the inquest itself. (See page 19 for more information on the Community Legal Service.)

## What if my injury was caused by faulty medical equipment?

If your injury was caused by faulty medical equipment, such as an artificial hip joint, you may be able to claim under the Consumer Protection Act 1987. This also applies to medical products, for example if you were injured or made ill from a blood product.

If this is so, you would make your claim against the company that manufactured, imported or supplied the product, not the hospital or doctor who treated you. There is a time limit of 10 years for making a claim under the Consumer Protection Act, which applies to both adults and children. You do not have to prove negligence in this type of claim. However, you will still need a specialist solicitor to bring a claim. AvMA or the Law Society can help you find one of these solicitors.

## What if I want to make sure that the same mistake is not repeated?

Whether or not you want to claim compensation, there are steps you can take if you want to make sure that the same mistake is not repeated. You may be mainly concerned about:

- a doctor or other healthcare professional involved in your treatment; or

- the clinic or other organisation where you were treated.

See 'What if I want to complain about a professional's behaviour?' on page 6 if you want to complain about a doctor or other healthcare professional.

If you are concerned about a clinic, hospital or other healthcare organisation, you can contact one of the bodies responsible for improving and monitoring the quality of care.

- If the organisation is in England, contact the Healthcare Commission.
- If the organisation is in Wales, contact the Healthcare Inspectorate for Wales.

Another body, the National Patient Safety Agency, collects information on medical accidents through a confidential reporting system so that future accidents can be prevented. If you or a relative have had a medical accident, you can report this to the National Patient Safety Agency. This will help it to identify if your experience is a common problem that could be prevented. However, the agency does not investigate individual complaints.

See 'Further help' on page 18 for details of these organisations.

## Further help

### Community Legal Advice

Provides free information direct to the public on a range of common legal problems.

Call 0845 345 4 345

If you qualify for legal aid, get free advice from a specialist legal adviser about benefits and tax credits, debt, education, employment or housing. Also find a high quality local legal adviser or solicitor.

Click [www.communitylegaladvice.org.uk](http://www.communitylegaladvice.org.uk)

Find a high quality local legal adviser or solicitor, link to other online information and see if you qualify for legal aid using our calculator.

### Action against Medical Accidents (AvMA)

A specialist charity providing a free service for advice on medical accidents, clinical complaints, making a claim for clinical negligence, and finding the right solicitor.

phone: 0845 123 23 52

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

### Independent Complaints Advocacy Service (England)

Provides independent advice and help with making a complaint about an NHS service. You should be able to get details from your local healthcare provider, Patient Advocacy and Liaison Service (PALS) office or from AvMA.

### Patient Advocacy and Liaison Service (PALS)

Contact your local NHS trust or NHS Direct on 0845 46 47 for details.

### Community Health Councils (Wales)

Provides advice and help with making a complaint about an NHS service in Wales. You can get details of your local CHC from the Board of Community Health Councils.

phone: 0845 644 7814

[www.wales.nhs.uk](http://www.wales.nhs.uk)

### General Medical Council (GMC)

For complaints about the conduct of individual doctors.

phone: 0845 357 0022

[www.gmc-uk.org](http://www.gmc-uk.org)

### Nursing and Midwifery Council (NMC)

For complaints about the conduct of nurses, midwives and health visitors.

phone: 020 7462 5801

[www.nmc-uk.org](http://www.nmc-uk.org)

### General Dental Council (GDC)

For complaints about the conduct of dental professionals.

phone: 0845 222 4141

[www.gdc-uk.org](http://www.gdc-uk.org)

### Dental Complaints Service

A service for resolving complaints about private dental work.

phone: 08456 120 540

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

### Healthcare Commission (England)

phone: 0845 601 3012

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

### Healthcare Inspectorate Wales

phone: 029 2092 8850

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

### National Patient Safety Agency (NPSA)

phone: 0800 015 2536

[www.npsa.nhs.uk](http://www.npsa.nhs.uk)

### NHS Direct

For information on medical conditions, local and national self-help and support groups, your rights as a patient and how to make a complaint.

phone: 0845 46 47

[www.nhsdirect.nhs.uk](http://www.nhsdirect.nhs.uk)

### The Parliamentary and Health Service Ombudsman (England)

Contact the Ombudsman if you are not happy with the way your NHS complaint was investigated.

phone: 0845 015 4033

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

### Public Services Ombudsman for Wales

Phone: 0845 601 0987

[www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

### INQUEST

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

phone: 020 7263 1111

## **The Community Legal Service**

The Community Legal Service has been set up to help you find the right legal information and advice to solve your problems.

You can get help through a national network of organisations including Citizens Advice Bureaux, Law Centres, many independent advice centres and thousands of high street solicitors. All of these services meet quality standards set by the Legal Services Commission. Look for the Community Legal Service logo, shown below.

Many of the organisations offer some or all of their services for free. If you cannot afford to pay for advice you may be eligible for financial support through the Community Legal Service Fund (Legal Aid). You can order leaflets about funding from the LSC Leaflet line on 0845 3000 343. You can also use a Legal Aid eligibility calculator on the website: [www.communitylegaladvice.org.uk](http://www.communitylegaladvice.org.uk)

*Community  
Legal Service*



## **The Legal Services Commission (LSC)**

The Community Legal Service and the Community Legal Service Fund are managed by the Legal Services Commission. To find out more about us visit our website at [www.legalservices.gov.uk](http://www.legalservices.gov.uk) or find the details for your local Legal Services Commission office in the phone book.

**legal services**  
COMMISSION

The leaflets are also available online at: [www.communitylegaladvice.org.uk](http://www.communitylegaladvice.org.uk)

- 1 Dealing with Debt
- 2 Employment
- 3 Divorce and Separation
- 4 Renting and Letting
- 5 Buying and Selling Property
- 6 Losing your Home
- 7 The Human Rights Act
- 8 Claiming Asylum
- 9 Welfare Benefits
- 10 Wills and Probate
- 11 Dealing with the Police
- 12 No-win, No-fee Actions
- 13 Problems with Goods and Services
- 19 Community Care
- 20 Education
- 21 Immigration and Nationality
- 22 Mental Health
- 23 Alternatives to Court
- 24 Family Mediation
- 25 Veterans
- 26 Domestic Violence, Abuse and Harassment
- 27 Living Together and your Rights  
if you Separate
- 29 Care Proceedings
- 30 Neighbourhood and Community Disputes
- 31 Changing your Name

#### 14 Medical Accidents

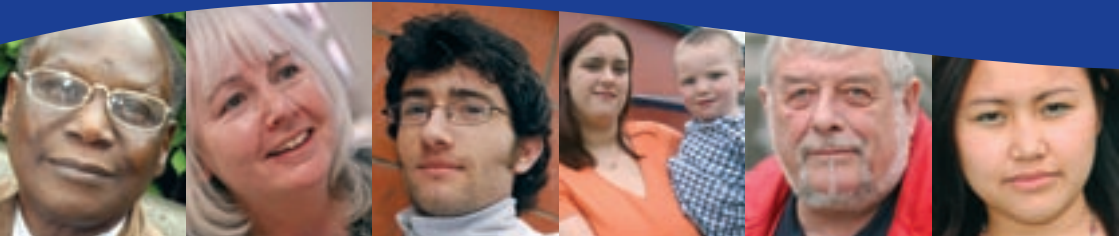
- 15 Equal Opportunities
- 16 Racial Discrimination
- 17 Personal Injury
- 18 Rights for Disabled People

#### Advice Guides

- G1 A Step-by-Step Guide to  
Choosing a Legal Adviser
- G2 A Step-by-Step Guide to Legal Aid

The leaflets are also available in Welsh, Braille and Audio.

To order any of these leaflets contact the LSC leaflet line on 0845 3000 343 or email [LSCleaflets@ecgroup.co.uk](mailto:LSCleaflets@ecgroup.co.uk) or fax 020 8867 3225.



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