



Ministry of Health, Welfare and Sport

# I have a complaint about health care, what to do?



Landelijk  
Meldpunt  
**Zorg**

# The National Health Care Report Centre can help!

Sometimes your contact with a health care provider can fall short of your expectations. For example, something has gone wrong during your treatment. Or you may not be satisfied with the way the health care provider treated you. Maybe a serious incident occurred and you wish to avoid a recurrence? In all these situations you have the right to complain. Exactly how you do so, and to whom, will depend on what you wish to achieve. The National Health Care Report Centre (*Landelijk Meldpunt Zorg*) can inform you about the various ways in which to resolve your grievance. We will answer any questions you might have, and we can offer helpful advice.

## A complaint? Talk about it!

If something goes wrong during your treatment, or if you are otherwise dissatisfied with the health care you have received, you should first speak to the health care provider concerned. There may have been a simple misunderstanding which can be resolved by asking for an explanation. Perhaps the health care provider made a mistake or was not thorough enough. Talking about it may often lead to a satisfactory outcome. Most health care providers welcome constructive criticism; they appreciate hearing if and why you are not satisfied. If your health care provider knows what went wrong, he can make sure health care services will improve in the future. Not only for you, but for everyone else.

## Take someone with you

You may find it difficult to discuss your complaint. Perhaps you are afraid that doing so will affect your treatment or your relationship with your health care provider. If so, it can be comforting to take a family member, friend or acquaintance along for support. You can also speak on behalf of someone else, for example as a family member or informal care taker.

## Contact the appropriate person within the organization

Many health care organizations designate a member of staff who can help you regarding your complaint. He or she will be able to tell you about the formal complaints procedure,

### **Tips for a constructive discussion**

- *Make a separate appointment and briefly explain what you wish to discuss. This way, your health care provider can reserve enough time and will be able to prepare for the meeting. Health care providers are not permitted to charge for the time they spend dealing with your complaint.*
- *Think beforehand about what you wish to achieve. For example, do you want to make your feelings known, or do you want an apology? Or do you want the health care provider to take measures to prevent a recurrence?*
- *Make notes in advance about what you wish to discuss. Are you taking someone with you? Run through your questions together beforehand.*
- *Ask about your health care provider's formal complaints procedure. All health care providers are required by law to have such a procedure. In this procedure, you will find how you can pursue your complaint and how it will be dealt with. Further information about the complaints procedure is usually to be found on the health care provider's website or in the waiting room.*
- *Try to reach a mutually satisfactory solution.*
- *Ask whether a written report of your conversation can be made.*
- *Allow the health care provider the opportunity to rectify any mistakes. This may take time.*
- *Ask how the health care provider intends to keep you informed of further developments.*

and will be willing to act as an intermediary between you and the health care provider concerned. You can also approach this person if you would prefer not to discuss your complaint with your health care provider directly.

### Who is the ‘appropriate person’?

There is no standard title for the person who deals with complaints and queries. In Dutch, he or she may be known as the *klachtenfunctionaris*, *klachtenbemiddelaar*, *vertrouwenspersoon* or *medewerker klachtenopvang*, which can be translated as ‘complaints functionary’, ‘complaints officer’, ‘confidential advisor’ or ‘patient liaison manager’, respectively. The role may be assigned to a specific department dealing with service for patients, and again there is no standard nomenclature. The organization’s central reception desk or switchboard can tell you whom to contact.

### Mental health services

Clients receiving mental health care services may contact their patients’ representative (*patiëntervertrouwenspersoon*, PVP) for assistance and support in submitting a complaint.

### If your complaint is not resolved

Does your contact with the above-mentioned ‘appropriate person’ not lead to a satisfactory outcome? Or did the relevant health care organization not appoint such a contact person? Then you can take matters further by filing a formal complaint with the relevant Complaints Committee (In Dutch: *Klachtencommissie*). If you prefer to follow a less formal route, consider including a mediator in the dialogue with your health care provider.

A mediator is an independent and impartial advisor who specializes in resolving conflicts. His or her services are subject to a fee.

### Complaints Committee

If you cannot reach a satisfactory solution by talking to your health care provider, or do not wish to discuss the matter with the health care provider, you are entitled to file a formal complaint with the Complaints Committee (*Klachtencommissie*). This is an impartial panel which will issue a ruling on your complaint and can instruct the health care provider to take certain measures. However, the health care provider is not obliged to comply.

Your health care provider’s complaints procedure will include information about the Complaints Committee, including practical details such as the period allowed for your complaint to be considered. You can obtain a copy of the complaints procedure from your health care provider or the designated contact person.

### What should you include in your written complaint?

A filed complaint with the Complaints Committee must be in writing. In some cases, an e-mail is acceptable or you may be able to submit your complaint online. It is important to state all details of your complaint and what you wish to achieve. The contact person can help you if necessary.

A sample letter for submitting a complaint to a Complaints Committee is provided below.

## **A sample letter:**

To the Complaints Committee of <name of health care provider or institution>

<Address>

<Postcode, town or city><Town or city, date>

Subject: Complaint about <name of health care provider>

Dear Sir, Madam,

On [date] / during the period [dates], I was under the professional care of <name of health care provider>. I am not satisfied with the care I received. My complaint concerns the following:

<Give a brief description of your complaint, which should include:

- The nature of the complaint
- The name(s) of anyone you have already spoken to about your complaint
- The date and time of the incident or situation
- Precisely what happened
- Whether anyone else was involved or present at the time
- Whether you are complaining on your own behalf or on behalf of someone else

Indicate also what you wish to achieve. For example, you wish to prevent recurrence in the future, for yourself and for others. Or maybe you would like an apology. >

I request you to deal with this complaint according to the applicable procedures.

I wish to be informed of further progress in resolving this matter. I am willing to provide further information in person.

Yours sincerely,

<Your signature>

<Your name>

<Your full address>

<Your telephone number>

Encl.: <List any documents you are enclosing with the letter. You should send copies, not the original documents.>

## Prompt consideration of your complaint

Did you file a complaint to your health care provider, but has he or she failed to respond within a reasonable period? Or did you send a letter to the Complaints Committee and did you not receive an acknowledgement? In such cases, you can request the National Health Care Report Centre to contact the health care provider on your behalf.

If you have filed a formal complaint, the Complaints Committee is required to send an acknowledgement within the period stated in your health care provider's complaints procedure.

## You are dissatisfied with the Complaints Committee's ruling

The Complaints Committee's ruling is final. If you do not agree with the Committee's decision, there are various options depending on what you wish to achieve.

1. I wish to report that I have a complaint about my health care provider.  
*Register your complaint with the National Health Care Report Centre.*
2. I would like my complaint to be reviewed and a new decision issued.  
*You can submit your complaint to a Consumer Complaints Board or court of law.*
3. I wish the appropriate authorities to determine whether my health care provider has acted in accordance with the regulations and ethical standards of his or her profession.  
*You can submit your complaint to the relevant Disciplinary Board.*

## Registering your complaint with the National Health Care Report Centre

The National Health Care Report Centre does not resolve complaints. It records the fact that a complaint has been made. We forward a daily summary of all complaints and queries to the Health Care Inspectorate (*Inspectie voor de Gezondheidszorg, IGZ*). This report is anonymized: it does not include the names or contact details of the complainants. It does contain the names and details of the health care providers the complaints concern. The Inspectorate uses the information to support its statutory task of overseeing the health care sector. In some cases, the Report Centre may ask the Inspectorate if an investigation is required. The Inspectorate will do so if the complaint meets certain criteria, such as involving a serious incident which poses (or suggests) an ongoing risk to patient safety. If we think that your complaint should be referred for further investigation by the Health Care Inspectorate, we will always contact you for permission to include your personal details. Any investigation will be performed at the Inspectorate's discretion. Please remember that the Inspectorate does not resolve complaints. It may, however, take measures against the health care provider concerned depending on the findings of its investigation. You can register your complaint:

1. Using the form at [www.landelijkmeldpuntzorg.nl](http://www.landelijkmeldpuntzorg.nl)
2. By calling 088 – 120 50 20 (Monday to Friday, 09:00 – 17:00)
3. By writing to: Landelijk Meldpunt Zorg, Postbus 2115, 3500 GC Utrecht

If you wish to remain anonymous, please contact us by telephone.

### **Consumer Complaints Board**

A Consumer Complaints Board (*Geschillencommissie*) deals with complaints relating to the quality of care and incidents which involve a claim for compensation. Its decisions are binding. The Board is independent and impartial. Procedures are relatively informal and you do not need to be represented by a lawyer. The Board deals only with complaints relating to affiliated health care providers, i.e. those who have agreed to be bound by its rulings. As yet, not all health care providers have done so. The Consumer Complaints Board will not consider your complaint unless it has first been submitted, in writing, to the health care provider concerned.

Further information can be found at: [www.degeschillencommissie.nl](http://www.degeschillencommissie.nl).

### **Legal action through the courts**

If your complaint is ineligible for consideration by the Consumer Complaints Board and you feel you have suffered loss or damage due to the actions (or negligence) of your health care provider, you can take your complaint to the (civil) court. You must be represented by a lawyer at the hearing. Always enquire about the costs beforehand. If you believe that your health care provider has been guilty of a criminal offence, you should contact the police. It then falls to the public prosecutor to decide whether the matter is submitted to a criminal court.

### **Disciplinary Councils**

A Disciplinary Council (*Tuchtcollege voor de Gezondheidszorg*) does not rule on your specific complaint. It assesses whether the health care provider concerned has acted in accordance with the regulations and ethical standards of his or her profession. If not, the Council can impose various sanctions. The Council's rulings are binding.

The Disciplinary Council will only deal with matters relating to an (alleged) breach of professional standards. It assesses whether the health care provider has acted in accordance with those standards and his or her duty of care. In practice, the matters which are referred to a Disciplinary Council are diverse in nature and include:

- Mistakes made during a surgical operation
- Misdiagnosis
- Failure to provide adequate information about treatment and treatment options
- Inappropriate referral to another health care provider

Only health care providers with a protected title and required to enrol on the professional register fall under the jurisdiction of the Disciplinary Councils. This includes for example doctors, dentists, nurses and psychotherapists.

You can check whether your health care provider is registered at: [www.big-register.nl](http://www.big-register.nl). Further information about the Disciplinary Councils can be found at: [www.tuchtcollege-gezondheidszorg.nl](http://www.tuchtcollege-gezondheidszorg.nl).

## About the National Health Care Report Centre

The National Health Care Report Centre was launched in July 2014 on the instructions of the Minister of Health, Welfare and Sport. It has three primary tasks:

1. To provide advice and information to the public about submitting complaints concerning the quality of care and care services
2. To oversee the prompt processing of complaints by the health care provider at the request of the patient concerned; the Centre also monitors the progress of complaints which are subject to investigation by the Health Care Inspectorate

3. To publish an annual report concerning complaints relating to health care services and/or health care providers

### Areas of responsibility

The National Health Care Report Centre provides advice and information further to complaints about the quality of health care services. Its responsibility does not extend to complaints relating to youth welfare departments or health insurers.

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### Contact

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Telephone 088 – 120 50 20 (local charges,  
Monday to Friday 09:00 – 17:00)

[www.landelijkmeldpuntzorg.nl](http://www.landelijkmeldpuntzorg.nl)