

Date 26/01/2026
Your Ref
Our Ref 10983

Enquiries to Richard Mutch
Extension 35687
Direct Line 0131 465 5687
loth.freedomofinformation@nhs.scot
richard.mutch@nhs.scot

Dear

FREEDOM OF INFORMATION – COMPLAINTS

I write in response to your request for information in relation to complaints

Question:

1. Please provide the name of NHS Lothian's organisational process that states that any communication from a patient that allegedly intimates a complaint is to be logged with the Patient Experience Team and that this process does not require the patient's consent for their data to be passed to the complaints team.

Answer:

NHS Lothian does not hold a separate organisational process document that states that any communication from a patient that intimates a complaint must be logged with the Patient Experience. Complaint correspondence is managed in accordance with the Complaints Handling Procedure (CHP).

Question:

2. Please provide a copy of this process.

Answer:

Please refer to response in Q1. A copy of the CHP can be accessed via the following:- [NHS Lothian Complaints Handling Procedure – Your Rights & Privacy](#)

This information is exempt under Section 25 of the Freedom of Information (Scotland) Act 2002 - Information otherwise accessible

(1) Information which the applicant can reasonably obtain other than by requesting it under section 1(1) is exempt information.

Question:

3. Please provide the date this process was put in place.

Answer:

The NHS Scotland Complaints Handling Procedure was implemented nationally in April 2017 and adopted by NHS Lothian at that time.

Headquarters
Mainpoint
102 West Port
Edinburgh EH3 9DN

Chair Professor John Connaghan CBE
Chief Executive Professor Caroline Hiscox
Lothian NHS Board is the common name of Lothian Health Board

Question:

4. Please explain how this process is communicated to all NHS Lothian staff

Answer:

Complaints handling guidance is made available:

- to staff via the NHS Lothian intranet (Complaints Process Flowcharts and Guidance Documents); [Complaints Process Flowcharts & Guidance Documents](#)
- to the public via the NHS Lothian external website (NHS Lothian Complaints Handling Procedure – Your Rights & Privacy). [NHS Lothian Complaints Handling Procedure – Your Rights & Privacy](#)

Question:

5. Please explain how it is made sure that this process is not exploited by staff to the detriment of the patient

Answer:

Complaints are managed in accordance with the CHP.

Question:

6. Please advise where this process is available for patients to view and how they are informed about it

Answer:

This information is addressed in response to Question 4.

Question:

7. Please advise why patients' consent is not sought for NHS Lothian using their data to submit a complaint on their behalf under this process

Answer:

The CHP allows us to investigate complaints and the acknowledgement letter explains how people's data will be used / stored

Question:

8. Please advise what happens to communication addressed to the Chief Executive of NHS Lothian that was first miscategorised as a complaint by NHS Lothian staff and then was referred back to the Chief Executive of NHS Lothian for a response. What is considered to be a reasonable time for the Chief Executive of NHS Lothian to respond to an urgent matter referred to her?

Answer:

The Chief Executive passes all complaint correspondence so that it is managed under the CHP. NHS Lothian's operational processes are such that all complaints response letters are signed by the relevant director.

Question:

9. Please advise what percentage of those complaint cases that were submitted between 01/06/25 – 24/12/25 to NHS Lothian complaints team suffered a delay in the investigation process and on average how long this delay was

Answer:

- Stage 1 complaints: 1,005 complaints were received. Of these, 451 exceeded the standard 5 working day response timescale.
- Stage 2 complaints: 1,227 complaints were received. Of these, 515 exceeded the standard 20 working day response timescale.

The figures above relate to all Stage 1 and Stage 2 complaints recorded during the period specified. NHS Lothian does not record complaints data in a way that distinguishes how individual complaints were initially received or passed to the Patient Experience Team.

NHS Lothian does not hold recorded information on the average length of delay for complaints that exceeded the standard response timescales.

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.



FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive