



Delegation of primary care complaints function to ICBs

Key messages

April 2023

Introduction



Overview

From 1 April 2023 ICBs have taken on delegated responsibility from NHS England for the primary care complaints function. This is aligned to the delegation of the commissioning of pharmaceutical, ophthalmic and dental (POD) functions from NHS England to ICBs in April 2023.

Alongside the delegation of the primary care complaints functions, it has been agreed that all complaints staff will be transferred to ICBs by July 2023.

Staff transfers are in 2 phases, April 2023 or July 2023.

The key messages in this pack have been created to communicate the change in arrangements to the primary care complaints process to the public, stakeholders and staff.

Stakeholder messages



- The current primary care complaints function will be transferred from NHS England to ICBs by July 2023, this includes:
 - The process of managing primary care complaints
 - The transfer of complaints staff from NHS England to ICBs
 - The transfer of ongoing complaints and investigations (received after 1 July 2022).
- Regional complaints teams are working with ICBs to arrange the transfer and supporting materials.
- The transfer of the primary care complaints function means that from 1 July 2023 members of the public will direct complaints (to the commissioner) to their local ICB. The process of making complaints direct to the provider will remain unchanged. Staff from the existing NHS England regional complaints teams will be transferred (and employed by ICBs) to support the handling of the complaints. The legal transfer of the function is on the 1 April 2023. The operational transfer of the function is 1 July 2023.

What has changed and when



- From 1 July 2023 the way members of the public make a complaint about primary care services to the commissioner is changing. Rather than contacting NHS England, they will contact their local integrated care board (ICB).
- By primary care services we mean GPs, dentists, opticians or pharmacy services.
- There are two ways you can make a complaint:
 - You can complain to the healthcare provider: this is the organisation where you received the NHS service, for example a GP surgery or dental surgery.
 - You can complain to the commissioner of the service: this is the organisation that paid for the service or care you received.
- After 1 July 2023 if you want to make a complaint about primary care services to the commissioner you will now contact your local integrated care board instead of NHS England.

What has changed and when



- Information about how to do this, including ways of contacting the ICB by phone, e-mail or written correspondence will be available on ICB/primary care websites and shared widely by ICBs to relevant stakeholders, partners and patient groups.
- Members of the public will still be able to make a complaint to the provider. This is **NOT** changing.
- Members of the public with ongoing complaints received on/after 1 July 2022 will receive a letter from NHS England informing them that the ICB is now handling their complaint with confirmation of their case handler.
- Members of the public with any ongoing complaints received before 1 July 2022 will receive a letter from NHS England informing them that their complaint is being retained by NHS England with confirmation of their case handler.
- The central NHS England complaints team will retain the handling of complaints relating to services it still commissions directly.
- By giving ICBs responsibility for a broader range of functions, they will be able to design services, including how to make complaints, that better meet local priorities.

Key dates



- **Jan 2023: Consultation starts for phase 1 staff transfer**
- **Feb 2023: Informal communication on transfer starts for phase 2 staff**
- **April 2023: Consultation starts for phase 2 staff. Phase 1 staff transfer to ICBs. Delegation of POD functions complete.**
- **July 2023: Phase 2 staff transfer**

Useful resources



The following resources are useful to supplement the messaging in this pack:

- Updates are published in the NHS England [Primary care bulletin](#) published every Thursday
- [How do I feedback or make a complaint about an NHS service?](#)