



## Your NHS rights by Dean Dunham

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The **NHS Constitution** sets out what your rights are as an NHS patient. Here are the key facts that you need to know .

### Access to health services

You have the right:

- to receive **NHS services** free of charge.
- to go to other European Economic Area countries or Switzerland for treatment, in certain circumstances, which would be available to you through the NHS.
- not to be unlawfully discriminated against in the provision of NHS services including on grounds of gender, race, disability, age, sexual orientation, religion, belief, gender reassignment, pregnancy and maternity or marital or civil partnership status.



### Waiting times

- You have the right to start your NHS consultant-led treatment within a maximum of 18 weeks from referral.

### Quality of care and environment

- You have the right to be treated with a professional standard of care, by appropriately qualified and experienced staff, in a properly approved or registered organisation that meets required levels of safety and quality.

### Nationally approved treatments, drugs and programs

- You have the right to drugs and treatments that have been recommended by NICE<sup>1</sup> for use in the NHS, if your doctor says they are clinically appropriate for you.

### Respect, consent and confidentiality

You have the right to:

- be treated with dignity and respect, in accordance with your human rights.
- accept or refuse treatment that is offered to you, and not to be given any physical examination or treatment unless you have given valid consent.
- be given information about the test and treatment options available to you, what they involve and their risks and benefits.
- access to your own health records and to have any factual inaccuracies corrected.
- privacy and confidentiality and to expect the NHS to keep your confidential information safe and secure.
- be informed about how your information is used. You have the right to request that your confidential information is not used beyond your own care and treatment and to have your objections considered, and where your wishes cannot be followed, to be told the reasons including the legal basis.

### Informed choice

You have the right to:

- choose your **GP practice**, and to be accepted by that practice unless there are reasonable grounds to refuse, in which case you will be informed of those reasons.
- express a preference for using a particular doctor within your **GP practice**, and for the practice to try to comply.

### Involvement in your healthcare and in the NHS

- You have the right to be involved in discussions and decisions about your health and care, including your end of life care, and to be given information to enable you to do this. Where appropriate this right includes your family and carers.

### **Complaint and redress**

You have the right to:

- have any complaint you make about NHS services acknowledged within three working days and to have it properly investigated.
- compensation where you have been harmed by negligent treatment.

If you make a complaint and you're unhappy with the final response from your GP practice or the NHS, your next step is to refer your complaint to the [Parliamentary and Health Service Ombudsman](#).

However, to do this you must have received a final response to your initial complaint and you will need to show this to the ombudsman before they can consider your claim.

For further information on your NHS rights or on any other legal or consumer matter visit [Dean Dunham's website](#).

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