

Irish Haemophilia Society



COMPLAINTS POLICY

17th December 2013

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DEFINITION OF A COMPLAINT

A “complaint” means a complaint made about any action of the service provider that does not accord with fair or sound practise and adversely effects the person by who or on whose behalf the complaint is being made.

PURPOSE OF THE POLICY

The purpose of the Irish Haemophilia Society (I.H.S.) Complaints Policy is to encourage feedback. All complaints to the I.H.S will be dealt with constructively, impartially and effectively in accordance with this complaints procedure. The Complaints Policy plays an important part in improving the I.H.S accountability to stakeholders and supports improvement of its services by responding to feedback. The purpose of this Complaints Policy is also to resolve disputes informally without resorting to formal investigation, settling matters promptly by listening to the complaint and putting things right is in the best interests of both the complainant and the I.H.S.

WHAT DOES THE POLICY RELATE TO

The Irish Haemophilia Society complaints policy relates to:

- a) All I.H.S activities and events.
- b) The service received by somebody the I.H.S. has worked with.
- c) The behaviour and or professional competence of I.H.S. employees, volunteers, executive board, members, contractors or consultants.
- d) A disputed decision relating to the provision of I.H.S. services.
- e) An activity relating to fundraising, volunteering and advocacy.
- f) The quality or appropriateness of I.H.S. services.
- g) I.H.S. published strategies or policies.

A complaint is not:

- a) A general enquiry about the work of the I.H.S.
- b) A related contractual or legal dispute.
- c) A formal request for disclosure of information, e.g. under the Data Protection Act.
- d) A minor dissatisfaction dealt with on a day to day basis.

A complaint may come from:

- a) A child or adult.
- b) An external organisation (e.g. HSE, Garda, private companies)
- c) A relative of somebody entitled to make a complaint.
- d) A visitor.
- e) Volunteers.
- f) Fundraisers.
- g) Members.

- h) Donors (individuals or organisations).
- i) Other interested parties.

This policy applies to all I.H.S services, activities, events including those delivered via telephone or online. The same emphasis will be placed on local resolution, recognising that there may be particular factors affecting how the policy is implemented, for example:

- Where individuals choose not to identify themselves.
- The feasibility or appropriateness of meeting with complainants who have received a telephone or online based service.
- Giving feedback to the complainant where this depends on them re-contacting the service.

This policy applies to consultants or contractors undertaking services for or on behalf of the I.H.S. Every effort will be made to deal with complaints about consultants and contractors in accordance with this policy and the I.H.S complaints procedure.

COMPLAINTS OFFICER

NAME: Mr. Brian O'Mahony

POSITION: Chief Executive

HOW COMPLAINTS CAN BE MADE

- a) The I.H.S will make information about how to make a complaint available for individuals and organisations by providing information in paper and electronic formats. This Complaints Policy will be available to download via the I.H.S website.
- b) In keeping with the principle of encouraging feedback, this policy requires that complaints are put in writing. In the case of serious complaints and or allegations of professional incompetence or misconduct, complainants must put their complaint in writing in order to ensure that the substance of the complaint is clear to all involved in its resolution.
- c) Complaints will be dealt with in accordance with the complaints procedure.
- d) The I.H.S is committed to learning from its complaints. It monitors complaints and is committed to making appropriate changes based on the learning's from complaints.

ADVOCACY

All complainants have the right to appoint an advocate. Where a person is unable to make a complaint themselves an advocate can assist them in making the complaint.

STAGES OF THE COMPLAINTS PROCESS

Stage 1: Management of a Verbal Complaint at the Point of Contact.

Staff should have clear delegations to resolve verbal complaints at first point of contact wherever possible.

Stage 2a: Informal Resolution

The Complaints Officer must consider whether it would be practicable, having regard to the nature and the circumstance of the complaint, to seek the consent of the complainant and any other person to whom the complaint relates to finding an informal resolution of the complaint by the parties concerned.

Mediation may be used to attempt resolution of the complaint at Stage 2 if both parties agree.

Where informal resolution was not successful or was deemed inappropriate, the Complaints Officer will initiate a formal investigation of the complaint.

Stage 2b: Formal Investigation

The Complaints Officer is responsible for carrying out the formal investigation of the complaint at Stage 2 but may draw on appropriate expertise, skills etc as required. Staff have an obligation to participate and support the investigation of any complaint where requested.

Where the investigation at Stage 2 fails to resolve the complaint, the complainant may seek a review of their complaint by the HSE Internal Process at Stage 3.

Stage 3: HSE Review

All requests for a HSE review should be forwarded to:

Director of Advocacy, Quality, Risk and Clinical Care Directorate, Health Service Executive, Oak House, Millennium Park, Naas, Co. Kildare

Ph: 045 880400

Fax: 1890 200 894

The Director of Advocacy will examine the request for review and appoint a Review Officer if appropriate to carry out the review of the complaint.

Review Officer(s) will review the processes used to carry out the investigation of the complaint and the findings and recommendations made post-investigation.

The Review Officer(s) will either uphold, vary or make a new finding and recommendation.

The Review Officer may carry out a new investigation of the complaint or recommend that a local re-investigation of the complaint be carried out by a Complaint Officer independent of the initial investigation team

Stage 4: Independent Review

If the complainant is not satisfied with the outcome of the complaints management process he/she may seek a review of the complaint by the Ombudsman/Ombudsman for Children.

The complainant must be informed of their right to seek an independent review from the Ombudsman/Ombudsman for Children at any stage of the complaint management process.

TIMEFRAMES INVOLVED ONCE A COMPLAINT IS RECEIVED

- The Complaints Officer will confirm in writing to the complainant, within 5 working days, receipt of the initial complaint, advising them, it is being looked into.
- Where the complaint will not be investigated, the Complaints Officer must write to the complainant within 5 working days outlining the reasons why the complaint will not be investigated.
- Where the complaint will be investigated, the Complaints Officer must endeavour to investigate and conclude the investigation of a complaint within 30 working days of it being acknowledged.
- If the investigation cannot be investigated and concluded within 30 working days then the Complaints Officer must communicate this to the complainant and the relevant persons within 30 working days of acknowledging the complaint and give an indication of the time it will take to complete the investigation.
- The Complaints Officer will update the complainant and relevant persons every 30 working days.
- The Complaints Officer will endeavour to investigate complaints within 30 working days. However, where the 30 working days timeframe cannot be met despite every best effort, the Complaints Officer will endeavour to conclude the investigation of the complaint within 6 months of the receipt of the complaint. If this timeframe cannot be met, the Complaints Officer must inform the complainant that the investigation is taking longer than 6 months, give an explanation why and outline the options to the complainant. He/ she will encourage the complainant to stay with the complaints management process while informing them that they may seek a review of their complaint by the HSE or Ombudsman.

TIME LIMITS FOR MAKING A COMPLAINT

A complaint must be made within 12 months of the date of the action giving rise to the complaint or within 12 months of the complainant becoming aware of the action giving rise to the complaint.

The Complaints Officer may extend the time limit for making a complaint if in the opinion of the Complaints Officer special circumstances make it appropriate to do so. These special circumstances include but are not exclusive to the following:

- a) If the complainant is ill or bereaved.
- b) If the new relevant, significant and verifiable information relating to the action becomes available to the complainant.
- c) If it is considered in the public interest to investigate the complaint.
- d) If the complaint concerns an issue of such seriousness that it cannot be ignored.
- e) Diminished capacity of the service user at the time of the experience e.g. mental health or critical illness.
- f) Where extensive support was required to make the complaint and this took longer than 12 months.
- g) The Complaints Officer must notify the complainant of the decision to extend/not to extend time limits within 5 working days.

MATTERS EXCLUDED

A person is not entitled to make a complaint about any of the following matters:

- a) A matter that is or has been the subject of legal proceedings before a court or tribunal.
- b) A matter relating solely to clinical judgement by a person acting on behalf of either the HSE or the Irish Haemophilia Society.
- c) An action taken by the HSE or Irish Haemophilia Society solely on the advice of a person exercising clinical judgement.
- d) A matter relating to the Social Welfare Acts.
- e) A matter that could be subject to an appeal under section 60 of the Civil Registration Act 2004.
- f) A matter that could prejudice an investigation being undertaken by the Garda Siochana.
- g) A matter that has been brought before any other complaints procedure established under an enactment.

REDRESS

The Irish Haemophilia Society will offer a range of timely and appropriate remedies that will enhance the quality of the service to members and general public of the Irish Haemophilia Society. It will have a positive effect of staff morale and improve the service provided by the Irish Haemophilia Society. Redress should be consistent and fair for both the complainant and the Irish Haemophilia Society. The Irish Haemophilia Society will offer forms of redress or responses that are appropriate and reasonable where it has been established that a measurable loss, determinant or disadvantage was suffered by the complaint personally. This redress could include:

- Apology.
- An explanation.
- Refund.
- Admission of fault.

- Change of decision.
- Replacement.
- Repair/ Rework.
- Correction of misleading or incorrect records.
- Technical of financial assistance.
- Recommendation to make a change to a relevant policy.
- A waiver of debt.

ANNUAL REPORT TO THE HSE

The Irish Haemophilia Society will provide the HSE with a general report on the complaints received by the Irish Haemophilia Society during the previous year indicating:

- The total number of complaints received.
- The nature of complaints.
- The number of complaints resolved by informal means.
- The outcome of any investigations into the complaints.

HOW TO MAKE A COMPLAINT

Your complaint will be welcomed and valued. It will help us to continually improve our services. Therefore we aim to ensure that:

- It is as easy as possible to make a complaint.
- We treat as a complaint any clear expression of dissatisfaction with our operations which call for a response.
- We treat it seriously whether it is made by letter, fax, or email.
- We deal with it quickly and politely.
- We respond accordingly - for example, with an explanation, or an apology where we have got things wrong and information on any action taken etc.
- We learn from complaints, and use them to improve our services.

STEP 1 - How do I make a comment, compliment or complaint?

- Fill in the attached sheet and return same to:
Mr. Brian O'Mahony (Complaints Officer),
Irish Haemophilia Society,
First Floor, Cathedral Court,
New Street
Dublin 8

Please give us as much information as possible and let us know how you would like us to respond to you, providing relevant contact details.

STEP 2 - What will happen next?

- A written complaint will be acknowledged by the Complaints Officer in writing within five working days of receipt of the complaint.

STEP 3 - How will my complaint be dealt with?

Depending on the nature and seriousness of your complaint:

- The Complaints Officer will attempt to resolve your complaint locally, or
- The Complaints Officer will look into the issues raised in your complaint.

STEP 4 - How long will it take to look into my complaint?

- The Complaints Officer will look into your complaint within 30 working days of the date when it was acknowledged.
- If it takes longer to look into all the issues raised in your complaint the complaints officer will notify you within 30 working days and will give you an update on what is happening every 30 working days after that.

STEP 5 - What if the complaint is not resolved?

- If you are not happy with our response, you may get in touch again by writing to the board of the Irish Haemophilia Society. The board will ensure that your appeal is reviewed and will respond within one month of this consideration by board members.

STEP 6 - What do I do if I am not satisfied with the recommendations made by the Complaints Officer or the way my complaint was dealt with?

- You may request a review from
Director of Advocacy, Quality, Risk and Clinical Care Directorate, Health Service Executive,
Oak House, Millennium Park, Naas, Co. Kildare
Ph: 045 880400
Fax: 1890 200 894
- You have 30 working days from the date of the final report sent to you by the Complaints Officer to request a review.

STEP 7- What I am not happy with the outcome of the review?

- You may request an independent review of your complaint from
The Office of the Ombudsman, Telephone : 1890-223-030 Email
ombudsman@ombudsman.gov.ie

COMPLAINTS FORM

If you wish to make a complaint, please complete this form and forward it to:
**Mr. Brian O'Mahony, Complaints Officer, Irish Haemophilia Society, First Floor, Cathedral Court,
New Street, Dublin 8.**

Complainant Contact Details

Name:	_____
Address:	_____

Telephone:	_____
Email:	_____
Date:	_____

Name of service and location about which you want to make a comment, compliment or complaint

Date of experience giving rise to the comment, compliment or complaint

Your Complaint details:

Attach extra pages if necessary

For IHS Staff use only:

<p>Date received:</p> <p>Complaints number:</p> <p>Location:</p> <p>Complaints Officer:</p>	
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