

## Complaints Policy.

Care Alliance Ireland (CAI) is the National Network of Voluntary Organisations supporting Family Carers. Our vision is that the role of Family Carers is fully recognised and valued by society in Ireland.

This Complaints Policy has been developed by CAI to primarily address complaints from CAI member organisations, partners or other stakeholders. Complaints are not in themselves proof of error or wrongdoing and they can be a useful source of learning for the organisation and the individuals involved. CAI invites any person or organisation that has a complaint or concerns to put to CAI, to do so

Complaints often arise from a breakdown in communications. Usually these complaints are quickly resolved when the facts have been established. CAI provides a transparent and accessible Complaints Policy and complaints are dealt with promptly and effectively. It is considered preferable that all reasonable measures are taken to resolve matters informally where possible.

### **PURPOSE OF THIS POLICY.**

The purpose of the CAI Complaints Policy is to enable CAI members and service users to express concerns or issues they may have with any aspect of the service delivered to them by CAI staff. The Complaints Policy enables the issues raised to be dealt with fairly, without delay and in a confidential manner.

**DEFINITION OF A COMPLAINT:** Any action of CAI that it is claimed does not accord with fair or sound administrative practice and adversely affects the person by whom or on whose behalf the complaint is made.

### **WHO CAN MAKE A COMPLAINT**

Any person who is being or was provided with a service by CAI or who is seeking or has sought provision of such service may complain about any action of CAI that - it is claimed, does not accord with fair and sound administrative and adversely affects or affected that person.

## **HOW A COMPLAINT CAN BE MADE**

A complaint can be made by completing the CAI Complaints Form.

This form can be found as Appendix I and hard copies are available on request.

## **ACKNOWLEDGEMENT**

Upon a complaint being received by the CAI Complaints Officer, he or she shall notify, within 5 working days, the complainant, in writing, that the complaint has been so received.

## **WHAT TO INCLUDE IN A COMPLAINT**

The CAI Complaint Form should include written information regarding :

- who was involved?
- what happened and when?
- what are you concerned about?
- have you done anything else to resolve this matter?
- what do you want to happen now?
- it will also assist the Complaints Officer if any extra information and/or copies of other relevant documents are attached with the written complaint.

## **ADVOCACY**

All complainants have the right to appoint an advocate. An advocate helps by supporting you to put forward your views, represent you and negotiate on your behalf. You can contact advocacy services through the Irish Advocacy Network or the Citizen's Information Board.

Any person who wants to make a complaint can appoint an advocate to assist them in making their complaint and support them in managing that complaint. A staff member or a trusted person may also act as advocates for people wishing to make a complaint. Anyone who is an advocate must, however, uphold the principles of advocacy listed below.

- empowerment of the person where possible
- respect for the person and their wishes
- act in the person's best interest
- act independently

- maintain confidentiality
- act with diligence and competence

## **PROCEDURE AFTER A COMPLAINT IS RECEIVED**

CAI will take every complaint seriously. CAI's procedure for managing complaints is as follows:

Stage 1 – Informal Local resolution of complaint.

Stage 2 - Formal Local investigation of complaint.

Stage 3 - Internal Review conducted by the Health Services Executive.(or other suitable body)

Stage 4 - Independent Review conducted by the Ombudsman.

### **STAGE ONE – INFORMAL LOCAL RESOLUTION :**

CAI encourages the complainant to resolve the issue informally, at local level with the appropriate person.

### **STAGE TWO – FORMAL LOCAL INVESTIGATION**

If informal resolution is unsuccessful or not appropriate a complaint may move to Stage Two – Formal Local Investigation. The Complaints Officer will outline the steps that he or she proposes to take in investigating the complaint and the time limits for the completion of the investigation. Emphasis on the matter being dealt with immediately and fairly and that confidentiality will be upheld at all times.

### **STAGE THREE – INTERNAL REVIEW CONDUCTED BY THE HEALTH SERVICES EXECUTIVE.**

If a complainant is not satisfied with recommendations made by the Complaints Officer, the complainant may apply in writing for a review to the Health Service Executive. The Health Service Executive have designated authority to appoint review officers as per the Health Act 2004 (Complaints) Regulations 2006 and all requests for reviews must be addressed to:

Director of Advocacy National Advocacy Unit, Quality and Patient Safety Directorate, HSE, Oak House, Lime Tree Avenue, Millennium Park, Naas, Co. Kildare. Tel: 045 880 400 Fax: 1890 200 896.

### **STAGE FOUR – INDEPENDENT REVIEW CONDUCTED BY THE OMBUDSMAN**

If a complainant is not happy with the outcome of the review carried out by the HSE, they have a right to request an independent review of the complaint by the Ombudsman or the Ombudsman for Children.

*This version was approved by the Board on 15 November 2016.*

The Ombudsman is responsible for ensuring that the public receive good customer care and fair treatment from the Government and public bodies. A complaint is made directly to the Ombudsman. **Office of the Ombudsman.** 18 Lower Leeson Street, Dublin 2. Phone: 01 639 5600 Lo-call 1890 223030

Email: [ombudsman@ombudsman.irlgov.ie](mailto:ombudsman@ombudsman.irlgov.ie) Website: [www.ombudsman.gov.ie](http://www.ombudsman.gov.ie)

**Ombudsman for Children's Office.** Millennium House, 52-56 Great Strand Street, Dublin 1. Free-phone: 1800 20 20 40 Phone: 01 865 6800

Email: [oco@oco.ie](mailto:oco@oco.ie)

Website: <http://www.oco.ie>

## **LEARNING FROM COMPLAINTS:**

The Chairperson and the Board of Directors will review the Complaints Policy annually to ensure that all reasonable systems are in place to maintain and improve services, with the view to reduce instances of complaints.

## **MANAGING COMPLAINTS.**

### **TIMEFRAMES INVOLVED ONCE A COMPLAINT IS RECEIVED**

Where the complaint will not be investigated the Complaints Officer will inform the complainant in writing, within 5 working days of same and the reasons for it.

Where the complaint will be investigated, the Complaints Officer will 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 will communicate this to the complainant and give an indication of the time it will take to complete the investigation ( maximum time period of six months).

If this timeframe cannot be met, the Complaints Officer must inform the complainant that that the investigation is taking longer than 6 months, give an explanation why and outline the options open to the complainant.

## **TIME LIMITS FOR MAKING A COMPLAINT**

The Complaints Officer must determine if the complaint meets the time frames as set out in Section 47, Part 9 of the Health Act 2004 which requires that: 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:

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

## **REDRESS**

Redress should be consistent and fair for both the complainant and the service against which the complaint was made. CAI offers forms of redress or responses that are appropriate and reasonable where it has been established that a measurable loss, detriment or disadvantage was suffered or sustained by the claimant personally. This redress could include:

- Apology
- An explanation
- Refund
- Admission of fault
- Change of decision
- Replacement
- Repair /rework
- Correction of misleading or incorrect records

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- Technical or financial assistance
- Recommendation to make a change to a relevant policy or law
- A waiver of debt

The Complaints Officer may not, following the investigation of a complaint, make a recommendation the implementation of which would require or cause CAI to make a material amendment to its approved service plan, or to an arrangement under section 38.

### **ANNUAL REPORT TO THE HSE**

CAI has established a Complaints Policy by agreement with the HSE and thus will provide the HSE with a general report on the complaints received by CAI during the previous year indicating:

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

### **CONTACT DETAILS:**

CAI Complaints Officer, Care Alliance Ireland, Coleraine House, Coleraine Street, Dublin 7.

Telephone: 01 874 7776: Email: [info@carealliance.ie](mailto:info@carealliance.ie)

## APPENDIX 1 : CARE ALLIANCE IRELAND COMPLAINT FORM

### Private and Confidential.

Please complete and post to: Private and Confidential, Complaints Officer, Care Alliance Ireland, Coleraine House, Coleraine Street, Dublin 7

Or email to: [info@carealliance.ie](mailto:info@carealliance.ie).

Please mark in subject bar that it is a complaint.

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Name of the Complainant:

Address:

Telephone number:

Email:

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Who was involved ?

What happened and when ?

What are you concerned about ?

Have you done anything else to resolve this matter ?

What do you want to happen now ?

Include any extra information and/or copies of other relevant documents

Date:

SIGNED by the Complainant: \_\_\_\_\_