

POLICY ON COMPLAINTS

Policy Statement

Right of Place Second Chance believes that if a service user wishes to make a complaint or register a concern they should find it easy to do so. It is each Regional Offices policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services. This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by service users are taken seriously.

The policy is not designed to apportion blame, to consider the possibility of negligence or to provide compensation. It is NOT part of each Office's disciplinary policy.

Each Office believes that failure to listen to or acknowledge complaints will lead to an aggravation of problems, service user dissatisfaction and possible litigation. Each Regional Office supports the concept that most complaints, if dealt with early, openly and honestly, can be sorted out at a local level between just the complainant and each office. If this fails due to reasons such as; the complainant being dissatisfied with the result - The complaint will be referred to the Complaint Manager/ Office of the Ombudsman (whichever is relevant) and legal advice will be taken if necessary.

Definition of a Complaint;

The Organisation defines a complaint as;

“An Expression of dissatisfaction about ROP/SC action or lack of action or about a particular standard of service. This is whether the action / service was provided by the Organisation itself or a body or individual acting on behalf of the Organisation.”

Aim

The aim of each Regional Office is to ensure that its complaints procedure is properly and effectively implemented, and that service users feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

Goals

The goals of each Regional Office are to ensure that:

- Service users, members of the public, users and their representatives are aware of how to complain, and that each Regional Office provides easy to use opportunities for them to register their complaints
- A named person will be responsible for the administration of the procedure
- Every written complaint is acknowledged within two working days
- Investigations into written complaints are held within 28 days (although time is allowed to extend this for more serious complaints)

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- All complaints are responded to in writing.
- Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and service users.

The named complaints manager with responsibility for following through complaints is Micheál Walsh – Director of Services.

Each Regional Office believes that, wherever possible, complaints are best dealt with on a local level between the complainant and the Regional Office. If either of the parties is not satisfied by a local process the case should be referred to the Complaints Manager.

If your complaint is about the complaints manager, it is important to forward this onto the Board who will assign a complaints liaison who will be unconnected to the Complaints Manager. Should this fail, the final option is to advise the complaint can be forwarded to;

Office of the Ombudsman, 18 Lower Leeson Street, Dublin 2.

Tel: +353-1-6395600 **LoCall:** 1890 22 30 30 (from outside 01 area) **Fax:** +353-1-6395674

E-mail: ombudsman@ombudsman.gov.ie

Complaints Procedure

Oral Complaints

- All oral complaints, no matter how seemingly unimportant, should be taken seriously. There is nothing to be gained by staff adopting a defensive or aggressive attitude.
- Front line care staff who receive an oral complaint should seek to resolve the problem immediately if possible.
- If staff cannot resolve the problem immediately they should offer to get the Manager to deal with the problem.
- All contact with the complainant should be polite, courteous and sympathetic.
- At all times staff should remain calm and respectful.
- Staff should not accept blame, make excuses or blame other staff.
- If the complaint is being made on behalf of the service user by an advocate it must always be verified that the person has permission to speak for the service user, what they can speak about and what permissions they have to give/share information, especially if confidential information is involved. It is very easy to assume that the advocate has the right or power to act for the service user when they may not, so it must always be verified.
- After talking the problem through, each manager or the member of staff dealing with the complaint should agree a course of action to resolve the complaint. If this course of action is acceptable then the member of staff should clarify the agreement with the complainant and agree a way in which the results of the complaint will be communicated to the complainant (ie through another meeting or by letter)
- If the suggested plan of action is not acceptable to the complainant then the member of staff or manager should ask the complainant to put their complaint (which will be supported by a member of staff, if there are literacy or other issues) in writing to the Complaints Manager and give them a copy of the complaints procedure and form for completion.

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- In both cases details of the complaints should be recorded on a complaints form and handed to the Manager.

Written Complaints

- When a complaint is received in writing it should be passed on to the named complaints manager who should record it in the complaints book and send an acknowledgment letter within two working days. The complaints manager will be the named person who deals with the complaint through the process. If the complaint is about the Complaints manager, this must be forwarded onto the Board of Directors for them to investigate.
- If necessary, further details should be obtained from the complainant. If the complaint is not made by the service user but on the service user's behalf, then consent of the service user, preferably in writing, must be obtained from the complainant.
- A leaflet detailing the procedure should be forwarded to the complainant.
- If the complaint raises potentially serious matters, advice should be sought from a legal advisor to the organisation. If legal action is taken at this stage any investigation by the Regional Office under the complaints procedure should cease immediately. If the complaint raises an issue of a criminal nature, this must be immediately forwarded to the Gardai for investigation
- If the complainant is not prepared to have the investigation conducted by the Regional Office then he or she should be advised to contact the above named details (ombudsman).
- Immediately on receipt of the complaint the Complaint Manager should launch an investigation and within 28 days should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
- If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays.
- If a meeting is arranged the complainant should be advised that they may, if they wish, bring a friend or relative or a representative such as an advocate.
- At the meeting a detailed explanation of the results of the investigation should be given and also an apology if it is deemed appropriate (apologizing for what has happened need not be an admission of liability).
- Such a meeting gives the Regional Office the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.
- After the meeting, or if the complainant does not want a meeting, a written account of the investigation should be sent to the complainant. This should include details of how to approach Ombudsman if the complainant is not satisfied with the outcome.
- The outcomes of the investigation and the meeting should be recorded on appropriate documentation and any shortcomings in the establishment's procedures should be identified and acted upon.
- Each Regional Office should discuss complaints and their outcome at a formal business meeting and the organisation complaints procedure should be audited by the manager every twelve months.

Training

The Manager is responsible for organizing and co-ordination training. All staff should be trained in dealing with, and responding to, complaints as the time allows. Complaints policy training should be included in the induction training for all new staff and in-

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house training sessions on handling complaints should be conducted at least annually and all relevant staff should attend.