

ST. PATRICK'S CENTRE, KELLS ROAD, KILKENNY.

Policy Document

Complaints Policy

Prepared by: Director of Services	Approval Date: 22.09.2016	Review Date: 22.09.2016
Policy Number 005	Approval By Signed: <u>David Kieran</u> Operations Manager	

Mission Statement

To enable people to live a good life, in their own home, with supports and opportunities to become active, valued and inclusive members of their local communities.

To enable a supported self-directed living (SSDL) model of provision which is underpinned by our beliefs, values and vision.

Review Date: 01.09.2017 Revision No: <u>1</u>	Amendments Required Legislation Language Update names and legal entity Inclusion of resources	New Revision Status 01.09.2018
Reviewed By: Corporate Governance Manager	Approved By: Signed: <u>David Kieran</u> Operations Manager	

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COMPLAINTS POLICY

1.0 Scope

- 1.1 All persons who are being supported by St. Patrick's Centre (Kilkenny), or who have sought such support may make a complaint in accordance with the procedures established under this policy. This complaint may refer to any action of this community based service that, it is claimed, does not accord with fair and sound administrative practice and adversely affects or affected that person.

2.0 Aims and Values

- 2.1 The purpose of this document is to detail the policy and process of St. Patrick's Centre (Kilkenny) in relation to a complaints management process.
- 2.2 The service commits to safeguarding the rights and dignity of the people we support who live on campus and in the community and/or their families and staff members in the implementation of this policy and associated supporting documentation. Any complaint made by a person we support /or on behalf of a person we support will not be adversely affected by reason of the complaint being made.
- 2.3 People we support, families and carers will be provided with information on the complaints process. This policy, in conjunction with the 'Your service, Your say' HSE complaints policy will be made available to members of the public should they wish to make a complaint relating to service provision.

3.0 Contents

- 3.1 General Principles
- 3.2 Making a complaint
- 3.3 Acknowledgement of a complaint
- 3.4 Timeframe in dealing with complaint
- 3.5 Time limits for making a complaint
- 3.6 Advocacy
- 3.7 Stages of making a complaint
- 3.8 Complaints Process and Procedure

3.9 Appeals Procedure

4.0 Referenced Documents

4.1 Complaints Form

4.2 Complaints Log

4.3 Personal Plan

4.4 Notes belonging to People We Support

4.5 Quality and Committee

5.0 General Principles

5.1 This policy is aligned to Section 47 of the Health Act, 2004 & SI 367 of 2013

St. Patrick's Centre (Kilkenny) is committed to safeguarding the rights and dignity of people we support, their families and staff members in the implementation of this policy. All of the people we support and /or their families/advocates, have the right to complain about any aspect of the service, to have it investigated and to be informed of the outcome and any changes implemented as a result as soon as practicable. This also applies to any member of the public who wishes to make a complaint on behalf of themselves or a resident or about any aspect of service provision.

5.2 This Complaints Policy will be available to the people we support in an accessible and age-appropriate format and will be displayed in a prominent position in the designated centre.

5.3 Corporate Governance Manager, Áine Forde, is the Complaints Officer to:

5.3.1 Be available in a designated centre to ensure that:

5.3.2 All complaints are appropriately responded to

5.3.3 The person nominated maintains the records specified in the Regulations.

5.4 St. Patrick's Centre (Kilkenny) has nominated Áine Forde to deal with complaints and to keep all required documentation. Áine Forde will maintain the complaints files and the file will be stored in her office.

- 5.5 All information obtained through the course of complaint management will be treated in a confidential manner and in line with the Data Protection Act 1998 and 2003 and the Freedom of Information Act 2014.
- 5.6 The complaints process will facilitate the gathering of essential and appropriate information to ensure the effective management of the complaint and the education of the organisation without compromising the rights to confidentiality of both the complainant and the service about which the complaint was made.

6.0 Making a Complaint

- 6.1 A complaint can be made in a number of ways:
- 6.1.1 In person
 - 6.1.2 By telephone
 - 6.1.3 By letter
 - 6.1.4 By e-mail
 - 6.1.5 Other
- 6.2 A complaint can be made to any staff member and can be dealt with in the first instance by front line staff or the Manager of the designated centre. The Manager will inform their Line Manager and try to resolve the issue locally.
- 6.3 If a complaint is being made about a particular person and the person's name is given, the complaint must be in writing, giving details such as dates and locations, as accurately as possible, so that the Complaints Officer can check the facts of the complaint. A complaint should be made within 12 months of the date of the event concerned, or within 12 months of becoming aware of the event.

7.0 Acknowledgement of a Complaint

- 7.1 When a complaint has been received, St. Patrick's Centre (Kilkenny) will endeavour to deal with the complaint effectively and efficiently.
- 7.2 Complaints being dealt with formally will be acknowledged within 5 working days and will outline to the complainant the steps be taken in investigating the complaint and the time limits for the completion of the investigation.

For informal management of complaints, see Informal Resolution.

8.0 Timeframe involved once a complaint is received by the Complaints Officer in St. Patrick's Centre (Kilkenny)

- 8.1 Complaints received by front line staff may be resolved at that point. Complaints at all levels received by the service should be sent to the Complaints Officer during a monthly audit.
- 8.2 Where it is determined a complaint does not meet the criteria as outlined in 1.1, the Complaints Officer will inform the complainant in writing, within 5 working days of making the decision, that the complaint will not be investigated and the reason for it.
- 8.3 Where the complaint will be investigated, the Complaints Officer must endeavour to have the investigation concluded within 30 working days of it being acknowledged.
- 8.4 Where the complaint may not be managed within 30 working days, the Complaints Officer must communicate this to the complainant and the reasons for so doing.
- 8.5 The Complaints Officer must keep the complainant updated as to the progress of the complaint.

9.0 Time limits for making a Complaint.

- 9.1 The Complaints Officer in St. Patrick's Centre (Kilkenny) must determine if the complaint meets the time frames as set out in Section 47 Health Act, 2004 which requires that:
 - 9.2 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.
 - 9.3 The Complaints Officer may extend the time limit if they are of the opinion that special circumstances make it appropriate to do so.

10.0 Advocacy

- 10.1 A staff member or a trusted person may be an advocate for a person such as a key worker and or/ Advocacy services may be offered to support that person if they find it difficult or impossible to make a complaint themselves.
- 10.2 All complainants have a right to appoint an advocate to assist them in making their complaint and to support them in any subsequent processes in the management of that complaint.

11.0 Stages of Managing a Complaint

11.1 There are 4 possible stages to the St. Patrick's Centre (Kilkenny) complaints process as follows:

11.1.1 Local/Informal Resolution

11.1.2 Formal Resolution

11.1.3 HSE Internal Review

11.1.4 Independent Review by Ombudsman

12.0 Complaints Process and Procedure

12.1 Local/Informal Resolution of a complaint at the point of contact

12.1.1 On receipt of a complaint, the staff member will record all complaints on the complaint log, respond to it promptly while making every effort to resolve the complaint locally and effectively. All complaints are reported to the manager or designate, who will seek to resolve the issue. The Manager will also report to their Line Manager and the Complaints Officer.

12.1.2 Each Designated Centre will have an identified staff who will manage complaints for that centre.

12.1.3 Resolution is reached when the complaint has been resolved to the satisfaction of the complainant. All complaints will be recorded on the complaints log and on the complaints form. If resolution is not reached the complaint will be forwarded to the Complaints Officer and the Senior Manager.

12.1.4 The Complaints Officer will be updated on the progress of the management of the complaint at all stages.

12.1.5 The complaint and outcome should be documented in Complaints Form and Complaints Log.

12.1.6 All complaints to the service, whether formal or informal, must be reported, logged and documented on the appropriate forms.

12.1.7 The Complaints Officer will carry out an audit on complaints on a monthly basis. An annual report is made to the Senior Management Team.

12.1.8 There will be a local appointed person to manage the complaints.

12.2 Formal Resolution

12.1.1 On the receipt of a complaint that warrants a formal investigation the Complaints Officer will manage the resolution of the complaint.

12.1.2 If the complaint has been a verbal complaint, the Complaints Officer will ask the complainant to submit this in writing.

12.1.3 The Complaints Officer will formally acknowledge the complaint in writing within 5 working days of the complaint being received.

12.1.4 The Complaints Officer will endeavour to complete the investigation within 30 working days of acknowledgement of the complaint.

12.1.5 In the event the investigation takes longer to complete, the Complaints Officer will update the complainant every 20 days until the resolution stage.

12.3 The investigation will involve:

12.3.1 Interview/s with the complainant.

12.3.2 Interview/s with other relevant parties.

12.3.3 Documentation of all interviews and other communications, including the Complaints Form and Complaints.

12.4 All parties interviewed will be given the opportunity to have an advocate or third party present at any meeting.

12.5 A report will be completed by the Complaints Officer outlining the findings of the investigation and the recommendations for resolution, which may include mediation.

12.6 The report will not include a finding adverse to a person, without first having afforded the person concerned the opportunity to consider the findings or criticism and to make representation in relation to it.

12.7 The final report, including the implementation plan for the resolution of the complaint, is circulated to the complainant, the Operations Manager, the Director of Services, other interested parties and the parties against whom the complaint was made.

12.8 Where the complainant is dissatisfied with the outcome of the investigation, he/she may appeal to the HSE for a review of the recommendations.

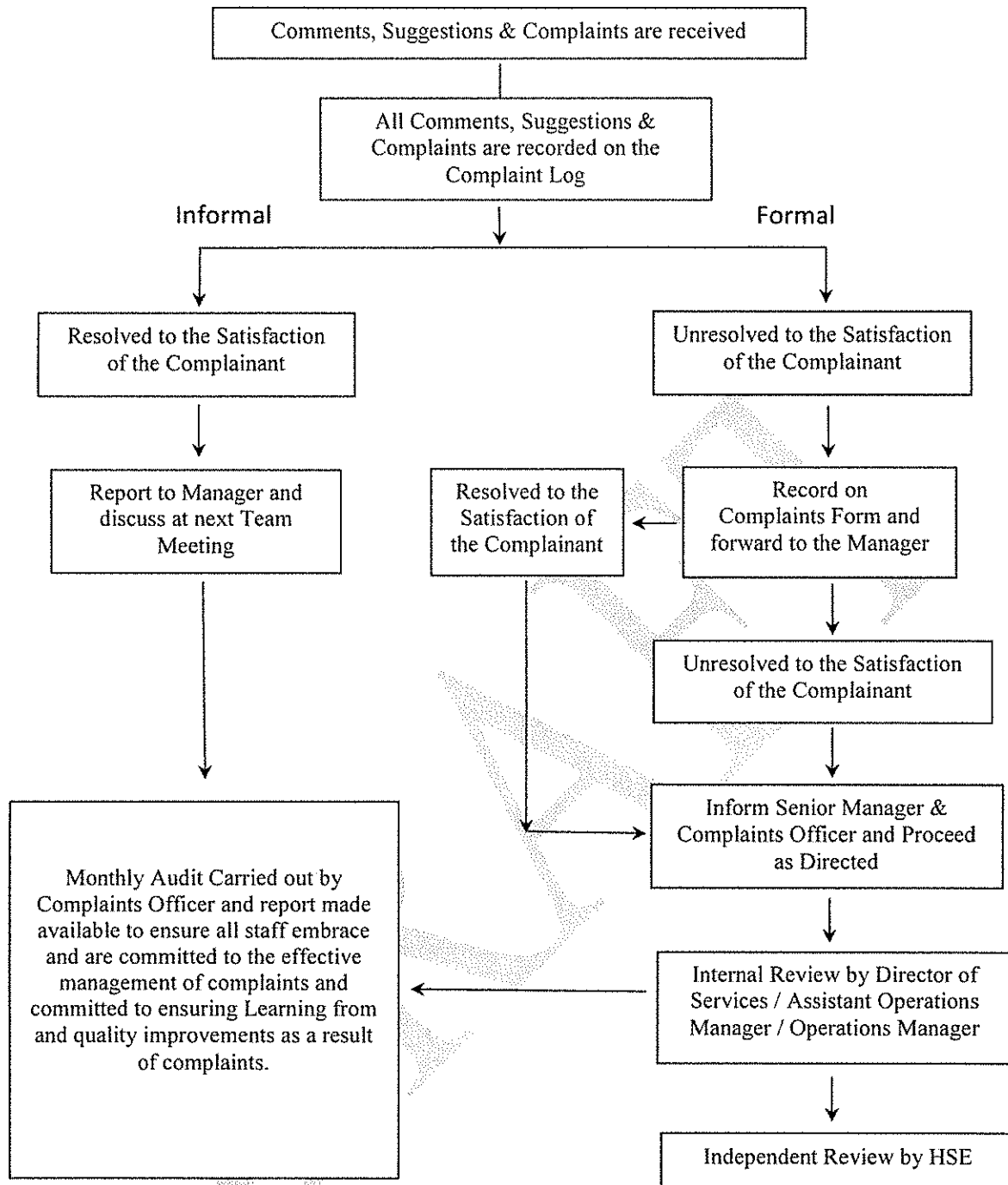
12.9 The complainant will be offered every assistance in making an application for a review.

- 12.10 In the event that the complainant is satisfied with the outcome of the complaint this will be recorded on the complaints log.
- 12.11 On completion of the investigation into the complaint, the manager must write to the person who made the complaint explaining how the investigation was carried out and the appropriate action that has been taken. A copy of the letter should be retained on the Complaints File. Where a person we support has made a complaint or a complaint has been made on their behalf a copy of the complaint will be sent to the person's file.

13.0 Learning from Complaints

- 13.1 The manager should ensure that all resolved and unresolved comments, suggestions and complaints are discussed with the Complaints Officer, who will carry out a monthly audit on complaints. The review of complaints should also look to identify any general learning that may contribute to improving the quality of the service provided. Managers should also meet regularly, at least monthly, with their staff teams to discuss issues relating to complaints, such as any lessons learned, strategies that may be put in place to prevent a reoccurrence and or any improvements to be made.
- 13.2 The Complaints Officer or nominated senior member of staff must produce an annual report on complaints that have been received, the issues that have been raised and actions that have been taken to improve practice as a result of the complaints.
- 13.3 The Complaints Officer will formally meet with the Director of Services at the end of every month and present a documented report with regards to any newly received complaints and any on-going/outstanding or unresolved complaints.
- 13.4 The Director of Services will then feed back to the Senior Management group meetings every month any complaints which have been made over the month and any on-going/outstanding or unresolved complaints.

COMMENTS, SUGGESTIONS AND COMPLAINTS PROCEDURE FLOWCHART



14.0 Appeals Procedure

14.1 The complainant may appeal and seek a review of the outcome of the investigation by the HSE Internal Review Process through the Head of Consumer Affairs. All requests for a HSE internal review should be forwarded to:

The Head of Consumer Affairs
HSE
Oak House
Millennium Park
Naas
Co Kildare

14.2 The Head of Consumer Affairs will appoint a Review Officer to carry out the review of the complaint.

15.0 Independent Review

15.1 If the complainant is not satisfied with the outcome of the HSE he/she may seek to have the complaint reviewed by the Ombudsman;/Ombudsman for Children

Office of the Ombudsman
18 Lr Leeson Street
Dublin 2
Lo-call: 1890223030
01-6395600

16.0 Resources

- 'Your Service, Your say' (2009) HSE Complaints Policy
- www.hse.ie/eng/services/yourhealthservice/Documentation
- National Standards for Residential Services for Children and Adults with Disabilities
- Section 47 of the Health Act, 2004 & SI 367 of 2013
- www.hiqa.ie/system/files/Disability-Care-and-Support-Regulations-2013.pdf
- Office of the Ombudsman; www.ombudsman@ombudsman.ie
- Consumer affairs HSE
www.hse.ie/eng/services/yourhealthservice/contact/MidLeinster/
- Schedule 5 St Patrick's Centre (Kilkenny) policies

Comment, Compliment or Complaint Form

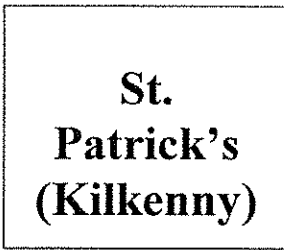
1. If you wish to make a comment, compliment or complaint, then please fill in this form.

Name: _____

Address: _____

Telephone Number: _____

Date: _____



2. For the purposes of investigation of my complaint, I grant permission to St Patrick's Centre (Kilkenny) to access my personal confidential information.

This may be necessary to fully investigate your complaint.

Yes No

3. Name of Individual / Service / about which you want to make a comment, compliment or Complaint: _____

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

4. Please give full details of your comment, compliment or the nature of your complaint in the space provided:

A large rectangular box containing 20 horizontal lines for writing the details of the comment, compliment, or complaint.

Investigations To be carried out by Manager

5. Date comment, compliment or complaint received by Manager _____

6. Investigation Carried out by: Name: _____ Title: _____
Date: _____

7. Comment, compliment or complaint: Resolved YES NO

8. Further Action Required

9. Complaint by Type: please tick: Service Delivery _ Communication _ Staff Attitude _
Accommodation _ Clinical Judgment _ Other:

10. Was the person satisfied by the outcome? YES NO

11. Date comment, compliment or complaint received by Complaints Officer _____

12. Were senior team informed of complaint? Date:

ST. PATRICK'S CENTRE (KILKENNY) COMPLAINT LOG

Date	Name of Complainant	Name of person Reporting Complaint	Name of Person Receiving Complaint & Role	Type of complaint Please Specify [See below]	Complaint resolved Yes/No Brief Explanation	Complaints form Completed Yes/No 012a/2
<p><i>Immediate Action Taken</i></p>						
<p><i>Strategies in place to prevent recurrence</i></p>						
<p>Was the person satisfied with the Outcome? YES <input type="checkbox"/> NO <input type="checkbox"/> If Not Why: _____</p>						
Date	Name of Complainant	Name of person Reporting Complaint	Name of Person Receiving Complaint & Role	Type of complaint Please Specify [See below]	Complaint resolved Yes/No Brief Explanation	Complaints form Completed Yes/No 012a/2
<p><i>Immediate Action Taken</i></p>						
<p><i>Strategies in place to prevent recurrence</i></p>						
<p>Was the person satisfied with the Outcome? YES <input type="checkbox"/> NO <input type="checkbox"/> If Not Why: _____</p>						
Type of Complaint	Treatment/Service Delivery	Communication	Staff attitude Manner	Facilities, Buildings	Vexatious Complaints	Other

