



Complaints Management Policy

Version Number	2	Date Approved	
Review Cycle	2 years	Next Review Date	
Policy Area	Clinical Governance	Responsible Dept.	CEO

1 Policy Statement

It is the policy of Exchange House Ireland National Travellers Service (EHINTS) that the complaints management process implemented in EHINTS will:

- Address the needs of the service user.
- Demonstrate service user satisfaction with the way their complaint was handled.
- Uphold the rights and protect the dignity of staff.
- Improve public confidence in the service.
- Prevent, where possible, complaints from further escalation, which can be very time consuming and costly to resolve.
- Enable information about complaints to contribute to quality improvement and organisational learning.

It is the policy of the EHINTS that:

- EHINTS commits to a complaints management process that is fair, transparent, non-prejudiced, non-recriminatory and impartial. EHINTS is committed to complaints processes that ensure that complainants are not victimised and will not suffer any retribution from any individual officer or employee of EHINTS.
- EHINTS will be committed to safeguarding the rights of the complainant and the staff member/service against whom the complaint was made to a fair and impartial investigation of the complaint.
- There will be designated Complaint Officers, in accordance with Part 9 of the Health Act 2004, to ensure the effective management of complaints throughout their relevant areas of responsibility.
- All staff in EHINTS will be enabled and empowered to appropriately handle complaints. Each individual service provider is accountable to the service user and has a responsibility to respond to concerns that they raise in an appropriate manner.
- Service managers will take responsibility for complaints pertinent to their area of work. They must take a strong participatory role in the investigation of complaints about their area of responsibility and must ensure that they make improvements to their service where required as a result of the findings and recommendations arising from the complaint investigation. They must also ensure that their staff are appropriately supported throughout the complaint management process.
- Information will be widely available to service users on the Complaints Management Process.

- Organisational policies and procedures will be widely available to staff for managing complaints. These documents will outline:
 - Roles and responsibilities
 - Processes for the management of complaints
 - Timeframes
 - Referral mechanisms
 - Review mechanisms
- Staff will be provided with the necessary skills and knowledge to appropriately manage any complaints they receive and to resolve minor complaints wherever possible at the first point of contact.
- Effective communication systems will be in place to ensure service users and service providers are aware of and understand the complaint management processes.
- EHINTS will not tolerate vexatious or malicious complaints and will put processes in place to deal with such complainants.
- Access to impartial, EHINTS internal review and independent review mechanisms will be available to all complainants.
- While the complainant will be informed of their right to the review of their complaint by the Ombudsman / Ombudsman for Children EHINTS will endeavour to resolve all complaints as close to the point of contact as possible.
- Complaints will be recorded appropriately to facilitate the effective tracking of complaints and the effective monitoring and evaluation of the complaints management process. There will be in place mechanisms for regular evaluation to check that the process works from both the service user's and organisation's perspective.
- Complaints will be collated in a manner that allows analysis to identify patterns and trends.
- There will be regular reporting to relevant senior management and quality and risk management personnel.
- Inherent to the complaints management process will be a process of organisational improvement.

2 Organisational Improvement

- We learn from complaints that are documented and reported. This organisational learning begins with evaluating the incident which caused the complaint through to embedding the necessary changes into practice.
- EHINTS commits to using information from complaints to make improvements to the organisation and will identify and communicate such improvements to the service user.
- Complaints must be linked to quality improvement by identifying complaints data as an integral part of business practice in understanding customer needs and improving quality overall.
- Complaints Officers will collate, in conjunction with service providers, complaints management information and data, will provide monthly reports to the Consumer Affairs Area Officer for their respective area and will feed complaints information back in to the organisation for educational and improvement purposes.
- The investigation strategies adopted will incorporate incident investigation tools such as Root Cause Analysis to investigate complaints.
- Employing incident investigation strategies focuses on reducing systems failure and managing for its inevitability, whether caused by technology, human error or procedurally.
- Complaints data can become part of the whole data system for quality and safety management. We can feed information about errors, mistakes, system failures and near misses into processes that can best act upon it. Complaints constitute a significant service user input into this process.

- The quality improvement approach promotes safety and quality improvement by recognising the systemic nature of most adverse events and by open communication with service users when things go wrong.
- Promoting a quality improvement approach requires information about complaints to be integrated into other adverse event reporting and claims analysis. It also requires the creation of an organisational culture and associated systems that ensure that adverse events and service user feedback generate opportunities for learning.

3 Definition of a complaint

A complaint is an expression of dissatisfaction made by one or more members of the public about any action, lack of action or service provided by, or behalf of, EHINTS that, is claimed, does not accord with fair or sound administrative practice and/or adversely affects the person by whom or on whose behalf the complaint is made.

4 Who can make a complaint

Any person who is being or has been provided with, or is seeking or has sought to receive, a service from EHINTS and has been affected by any action, lack of action or about the standard of service provided by, or behalf of, EHINTS.

5 How can complaints be made

Complaints can be made in the following ways:

Verbally: Complaints can be made to any Staff Members on or off site, or by phone on 01 872 1094

Forms: Feedback Forms, available to service users. Can be deposited in box provided

By Post: Complaints Officer
Exchange House Ireland
61 Great Strand Street
Dublin 1
D01 WC97

Email: feedback@exchangehouse.ie

6 Complaints Officers

Complaints Officers will be designated by EHINTS for the purpose of dealing with complaints made to it in accordance with Part 9 of the Health Act 2004, The Health Act 2004 (Complaints) Regulations 2006 and the Procedure Manual for the Management of Consumer Feedback to include Comments, Compliments and Complaints in EHINTS.

7 Acknowledgment of a Complaint

Upon a complaint being received by or assigned to the complaints officer, EHINTS will, within five working days, reply to the complainant, in writing, that the complaint has been received or assigned and outline the steps that are proposed to be taken in investigating the complaint and the time limits for the completion of the investigation.

8 Advocacy for Complainant

Complainants have the right to appoint an advocate who can support them in making their complaint. An Advocate can empower people by supporting them to assert their views, representing and negotiating on their behalf. Complainants, if they wish to engage an Advocate, can anyone of their choosing. Advocacy support can be sought from Citizens Information.

9 Involvement of service users

Both the complainant and staff in the service(s) about which the complaint was made will be involved in the investigation of the complaint at the earliest possible stage of the process and will be informed on a regular basis of the progress of the investigation.

EHINTS will actively encourage and promote service user feedback and will link with service users on a regular basis to ensure that the complaint handling processes are effective, are being communicated and are achieving outcomes that are satisfactory to the service users.

10 EHINTS Complaint Management Process

EHINTS process for the management of complaints consists of four distinct stages:

Stage 1:	Management of a Verbal Complaint at the Point of Contact
Stage 2a OR Stage 2b	Informal Resolution of Formal Investigation
Stage 3	EHINTS Internal Review
Stage 4	Independent Review

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

- Staff have clear delegations to resolve verbal complaints at first point of contact wherever possible.
- Where a complaint is resolved at the point of contact, the complaint must be examined to identify any quality improvements that should be implemented as a result.
- Where complaints cannot or should not be resolved at the first point of contact due to their seriousness or complexity, these complaints must be referred to the Complaints Officer for investigation at Stage 2.
- Complainants may not accept the outcome of the management of the complaint at the point of contact and may seek a review of their complaint at Stage 2 of the process.

Stage 2a: Informal Resolution or Stage 2b: Formal Investigation

- Complaints that could not be resolved at Stage 1 or should not be resolved at the first point of contact due to their seriousness or complexity are then passed to a Complaints Officer for resolution by informal means or through a formal investigation.
- The Complaints Officer will carry out a pre-investigation to check the validity of the complaint and the appropriate processes to be used to manage the complaint. Some complaints will not be suitable for investigation by the Complaints Officer and must either be referred to the appropriate manager or body for investigation or returned to the complainant with an explanation as to why the complaint cannot be investigated or with details of the correct process for the management of their complaint.
- The Complaints Officer may 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 attempted or was not successful, the Complaints Officer will initiate a formal investigation of the complaint.
- 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 EHINTS Internal Review Process at Stage 3 or make a complaint directly to the Ombudsman / Ombudsman for Children.

Stage 3: EHINTS Internal Review

- The complainant may seek a review of the outcome of the investigation at Stage 2 by EHINTS Internal Review Process through the CEO.
- All requests for an EHINTS internal review should be forwarded to: Chief Executive Officer, EHINTS
- The CEO will appoint a Review Officer 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 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 reinvestigation of the complaint be carried out by a Complaint Officer independent of the initial investigation team.
- Alternatively the Review Officer may determine that further processing (e.g. reinvestigation) of the complaint is required and will make recommendations to the CEO in this respect. The CEO or designated officer will make a decision as to the appropriate management of the complaint.
- The complainant will be informed of any decision of the Review Officer and may accept the recommendations made or can seek a review of the complaint by the Ombudsman / Ombudsman for Children.

Stage 4: Independent Review

- If the complainant is not satisfied with the outcome of EHINTS Complaints Management Process he/she may seek a review of the complaint by the Ombudsman / Ombudsman for Children.
- EHINTS must inform the complainant that they have a right at all times to have their complaint reviewed by the Ombudsman / Ombudsman for Children. However, they must be made aware that the Ombudsman / Ombudsman for Children will, in most cases, require that EHINTS complaints management process be exhausted before they will initiate a review of the complaint.

11 Timeframes

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 time limit for making a complaint may be extended if 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
- A Complaints Officer must notify the complainant of decision to extend / not extend time limits within 5 working days

Timetable Table

Person	Timeframe
Person making a complaint	
To make a complaint	12 months
If complainant doesn't wish confidential information to be accessed	5 working days from date of acknowledgement letter
Withdraw complaint	At any stage
Request a review of complaint	30 working days
Refer complaint to Ombudsman	At any stage
All EHINTS Staff	
Respond to request for information	10 working days
All EHINTS Staff at point of contact	
Resolve complaint at point of contact	Within 2 working days
EHINTS Complaints Officer	
Notify complaint of decision to extend/not extend 6 months' timeframe	5 working days
Complaints Office Resolution	Within 2 working days – if appropriate
Inform complainant if complaint does not meet criteria for investigation	5 working days
Send acknowledgement letter/email	5 working days from receipt of complaint
Seeking further information	10 working days
Update complainant and relevant Staff	Every 20 working days after initial 30 working days
Investigate and conclude	30 working days from date of acknowledgement letter/email
Conclude at latest	4 months
Review Person	
Notify complaint of decision to extend/not extend 6 months' timeframe	5 working days
Make contact with complainant and explain process	2 working days
Acknowledgement letter/email	5 working days from receipt of review
Inform complainant if complaint does not meet criteria for investigation	5 working days

Seeking further information	10 working days
Update complainant and relevant Staff	Every 20 working days after initial 30 working days
Investigate and conclude	30 working days from date of acknowledgement letter/email
Service Manager / CEO	
Complaint – Recommendation(s) action letter	30 working days
Review – Recommendation(s) action letter	30 working days

12 Matters excluded

Under this complaints policy, an individual 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 to a service provided by the HSE or any other service provider;
- c) a matter relating to or affecting the terms or conditions of a contract of employment that EHINTS proposes to enter into or of a contract with an adviser that EHINTS proposes to enter into;
- d) a matter relating to the Social Welfare Acts;
- e) a matter that could be the subject of an appeal under the Civil Registration Act 2004;
- f) a matter that could prejudice an investigation being undertaken by An Garda Síochána; or
- g) a matter that has been brought before any other complaints procedure established under an enactment.

13 Refusal to investigate or further investigate a complaint

Anonymous complains will not be investigated.

EHINTS may decide not to investigate or further investigate an action to which a complaint relates if, after carrying out a preliminary investigation into the action or after proceeding to investigate such action, that EHINTS is of the opinion that:

- a) the complaint is considered to be aggravating or trivial; or
- b) the complaint is vexatious or not made in good faith; or
- c) is satisfied that the complaint has been resolved.

14 Unreasonable complaint behaviour

EHINTS will take all reasonable measures to try to resolve a complaint through the complaints procedure. Where a complainant's behaviour could be considered abusive, unreasonable or vexatious, EHINTS may consider the complaint vexatious under Clause 15 of this policy.

15 Vexatious complaints

Complainants (and/or anyone acting with or on their behalf) may be deemed by EHINTS to be vexatious where previous or current contact with them shows that they meet one of the following criteria:

Where a complainant:

- Persists in pursuing a complaint after the complaints procedure set out in this policy has been fully and properly implemented and exhausted;
- Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed;

- Is repeatedly unwilling to accept documented evidence given as being factual or deny receipt of adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed;
- Refuses to identify the precise issues which they wish to have investigated, despite reasonable efforts of EHINTS to help them specify their concerns, and/or where the concerns identified are not within the remit of EHINTS to investigate;
- Focuses on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point;
- Has, in the course of addressing a complaint, had an excessive number of contacts with EHINTS, placing unreasonable demands on staff;
- Has harassed or been personally abusive or verbally aggressive towards EHINTS staff dealing with the complaint;
- Is known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved; and/or
- Displays unreasonable demands or expectations and fail to accept that these may be unreasonable.

16 What can EHINTS do if a complaint is upheld?

EHINTS is committed to considering fair and balanced redress for unfair or wrong decisions or actions taken, where it is established that a measurable loss, detriment or disadvantage was suffered or sustained by the claimant personally.

Under this policy, redress may include one or a combination of the following:

- An apology
- An explanation
- An admission of fault
- Change of decision
- The correction of misleading or incorrect records

17 Confidentiality and Data Protection

All personal information is held under strict legal and ethical obligations of confidentiality. Complainant identifiable information will only be made available on a strict need to know basis and with the consent of the complainant. For the purpose of data analysis and the identification of trends, no service user identifiable information will be made available with the complaints.

All information received by EHINTS will be processed in line with the organisation's data protection policies and procedures and in accordance with the organisation's legal requirements.

18 Training and Education

EHINTS commits to providing education and training to its entire staff to enable them to effectively implement the complaints handling processes.

Training will be provided on an incremental basis depending on the needs of the complaints system and on resource availability.

19 References

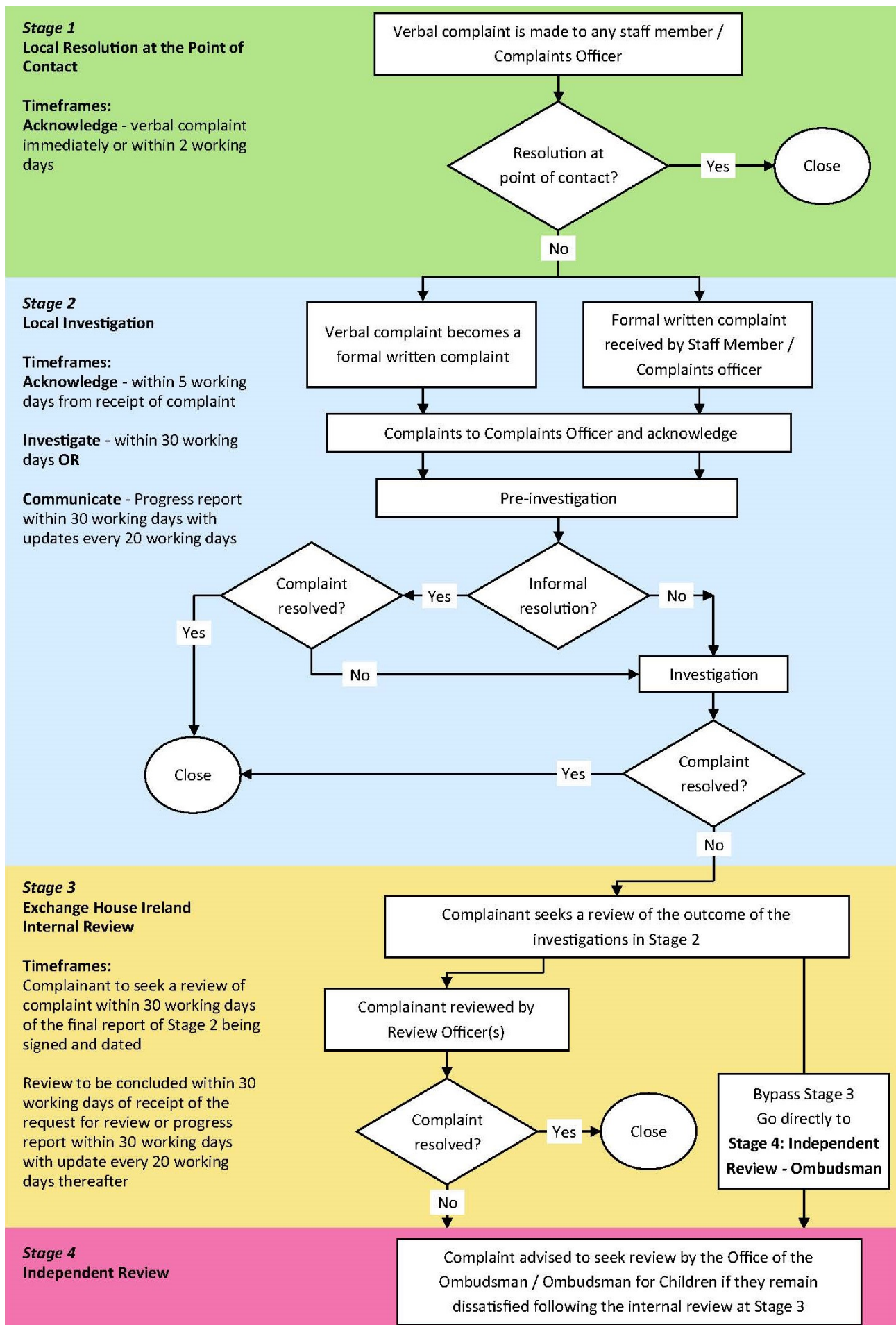
This policy has been prepared following the "Guideline Document for Providers who have entered into a Service Agreement under Section 38 or 39 of the Health Act 2004: Complaints Management Procedure for Voluntary Organisations, Version 8" (HSE, March 2018).

20 Recording and reporting of Complaints Data

EHINTS is committed to using complaints data analysis to improve decision making and service provision to the service user. To that end, the following reporting measures are in place:

- Complaints Officers will submit complaints data reports to the CEO twice a year.
- The CEO will make an annual report to the Board of Management of complaints made within the last 12 months.
- The CEO may bring various details of complaints to the Board of Management if deemed of a serious nature.
- The Organisation maybe required to report complaints data to funders as part of Service Level Agreements. The managers of relevant services have the responsibility for completing such reports. Such reports will include:
 - 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

Appendix 1 – EHINTS Complaints Procedure Flow Chart





EXCHANGE HOUSE IRELAND
National Travellers Service

Feedback Friendly Culture Statement

1. A Feedback Friendly Culture

Exchange House Ireland National Travellers Service (EHINTS) endeavours to create an environment which enables Service Users to provide feedback (*comments, compliments or complaints*).

A Service User friendly approach to feedback relies on a positive attitude by the organisation towards Service User feedback.

In order to improve the cultural acceptance of feedback the organisation will:

- show how feedback can be used to drive service improvement
- demonstrate how feedback can highlight where the service is performing well
- identify how feedback can be used to improve the Service User experience
- encourage staff to view feedback from a personal perspective, for example, how they would like to be treated if they had to make a complaint

EHINTS has a 'No Wrong Door' approach in relation to receiving feedback, this means that all staff are encouraged to accept feedback and assist the Service User. The approach ensures that wherever a complaint is raised, it is the relevant staff and not the Service User that is responsible for routing it to the appropriate place for response.

There are a number of additional processes in place which also assist in enabling Service Users to provide feedback, which can include;

- Advocacy Services
- Complaints Officers/Review Officers
- Public Representatives
- Parent/Legal Guardian/Family Member/Carer

2. Who can provide feedback?

Anyone can provide feedback in relation to comments or compliments, and the following may make a complaint:

- Any person who is being or was provided with a service by EHINTS
- Any person who is seeking or has sought provision of such service

The complaint can be about any action of EHINTS that: (a) it is claimed does not accord with fair and sound administrative practice, and (b) adversely affects or affected that person.

If a person is entitled to make a complaint but is unable to do so because of age, illness or disability, the complaint may be made on that person's behalf by;

- A close relative or carer of the person,

- Any person who, by law or by appointment of a court, has the care of the affairs of that person,
- Any legal representative of the person,
- Any other person with the consent of the person, or
- Any other person who is appointed as prescribed in the regulations.

If a person who would otherwise have been entitled to make a complaint is deceased, a complaint may be made by a person who, at the time of the action in relation to which the complaint is made, was a close relative, or carer of that person. A close relative is defined in Section 45 of the Health Act, 2004 as being a parent, guardian, son, daughter, spouse or someone who is cohabiting with the person on whose behalf the complaint is being made.

3. Comments and compliments

Comments and compliments are welcomed as they enable services to promote and build on good practice. It is important to listen to comments and compliments from Service Users. Feedback leaflets will be made available in all EHINTS areas to enable people (including staff members) to acknowledge good practice or to make constructive suggestions to further improve services.

Any comments about services must be routed back to that service and to the people working there and will be used by relevant services to identify areas of the service where quality improvements are required. Comments will be logged, followed up and monitored where appropriate. A letter of acknowledgement will be sent to Service Users who provided a name and address with their comments.

Compliments that focus on individual members of staff or service will be logged and will be forwarded to the relevant employee.

4. Learning from Positive Experiences

It is recommended that good Service User experience and compliments received should be promoted and reported across all services within EHINTS. These act as a positive commentary on progress and improvement, and a focus on good quality services. There is benefit to be gained from regularly and consistently acknowledging and highlighting positive feedback across the various services.

5. Support Avenues and Assistance for Feedback

Anyone wishing to provide feedback (comment, compliment or complaint) will be encouraged and supported with a number of avenues available and assistance where needed.

- Feedback leaflets should be displayed in public areas within all services
- Multiple methods for giving feedback should be available, easily understood and promoted both during and after interaction with the service. These should include feedback boxes for feedback within service areas
- A standard approach should be adopted by all services in relation to the information available to the public when viewing the EHINTS website, i.e. service details on this site should all contain the same information and the same links for ease of reference
- The organisation should provide appropriate and accessible facilities to enable each Service User to provide feedback and to make a complaint, such as, the signposting of advocacy services and supporting the *No Wrong Door* approach.

6. Advocacy for Service Users

Advocacy services should be supported and signposted within each service so Service Users and their families who want to raise a concern or issue, know where to get support if needed.

An advocate is somebody who can act on the Service User's or the Service User's family's behalf when dealing with a service. An advocate can represent the views of those seeking information or making complaints when required.

Advocacy services help Service Users, particularly those who are most vulnerable to;

- Access information and services
- Be involved in decisions that affect them
- Explore choices and options
- Defend and promote their rights and responsibilities
- Speak out about issues that matter to them

7. Service Users with literacy, language and/or hearing difficulties

Staff members must be sensitive to Service Users who have difficulties with literacy, language and/or hearing and should provide assistance and support where needed.

The HSE National Guidelines on Accessible Health and Social Care Services 2014 provides detailed information and guidance on accessibility and chapters 4 and 5 of these guidelines provide detailed information on supporting Service Users to communicate with staff through a variety of communication aids, tools and services.





EXCHANGE HOUSE IRELAND
National Travellers Service

*“We would love
to hear from you”*

Your feedback matters to us at
Exchange House Ireland. It helps us
to **improve our services**.

If you have a **comment, compliment**
or **complaint** please let us know.

Your Service
Your Say


We would love to hear from you

We want to provide safe and high quality services so that you receive the best attention from us. We are working to build a better Exchange House Ireland every day. You can help us to do this. We want to hear from you about your experience of using our services. What worked? What could improve? What didn't work?

We welcome your feedback and we will make sure that you get a full response and that we will learn from this.

Have your Say

There are a number of ways you can tell us about your experience:

- Talk to us now by telling the people working with you today about your experience.
- Write to us by filling out the form attached to this leaflet. Put this in the Feedback Box, or please give it to a member of staff. You can also send a letter directly to the service; staff will be happy to give you the correct address.
- Email us at feedback@exchangehouse.ie
- Call us on 01 872 1094 from 9am-5pm Monday to Thursday, 9am-4pm on Fridays.
- If you are not able to give us your feedback yourself, you can ask someone you trust, like a relative, carer or advocate to do this for you.

What happens next?

If you have had a good experience or have a suggestion, we will share your comment or compliment with the service or staff member so that we can build on what we do well and improve where needed.

If you have had a poor experience, please tell a member of staff or the person working with you. They will try to help you straight away, where possible, or within 48 hours.

You can also make a written complaint and we will respond to you within two working days of receipt of this. We might call or ask to meet you to hear more about it. We will look into your complaint and respond to you within 30 working days or contact you to ask for more time, if needed, and keep you updated every 20 working days after that to let you know what is happening.

If you are not happy with the outcome of your complaint, you can ask for an internal review by Exchange House Ireland, or ask for an external review directly from the Ombudsman (www.ombudsman.ie) or the Ombudsman for Children (www.oco.ie).



If you wish to give us feedback on our services, please complete this form:

Name of the service you want to give us feedback on:

(e.g. Social Work, Counselling, Youth Project, Education Support, AfterSchools, etc.)

Date of experience that this feedback relates to:

Please select the type of feedback you wish to provide:

Comment Compliment Complaint

Please give your feedback here:

Your name:

Your address:

Your contact telephone number:

Your email address:

Today's date:

If your feedback relates to a complaint, please advise us of your consent regarding access to your personal information:

I hereby grant permission for Exchange House Ireland to access my personal confidential information for the purpose of investigating this complaint

Please tick: Yes No

Please note that refusing access to your records may impact on the complete investigation of your complaint

Signature:

Exchange House Ireland Staff Use Only

Date received:

Comments/Compliments/Complaint number:

Complaints Officer: