

**ASC Comments, Compliments and Complaints Policy and Procedures**

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| Document Control | | |
| **Document Reference No:** |  | |
|  |  | **Date** |
| **Policy developed by Catherine McDonald (Policy and Advocacy Lead) with support from:**   1. Aoife O’Rourke (Keyworker) 2. Fiona O Callaghan (RSW) 3. Derek McDonald (Deafblind Services Manager) 4. Grainne Gibbons (HR) | | November 2016 |
|  |  |  |
| **Authorised by: Grace Kelly-Hartnett & Consumer Affairs Regional Office (HSE)** | | |

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| Document Review History | | | |
| Date | Reviewed by | Document Amended? Y/N | **Next Review Date** |
| November 2017 | * Catherine McDonald (Policy & Advocacy lead) * Derek McDonald (Residential Services Manager) * Grace Kelly Hartnett | Yes |  |
| April 2018 | * Wolfe Group (External Auditors) * Catherine McDonald * Grace Kelly Hartnett | Yes- Complaints Review Officer details added | **April 2019** |
| July  2018 | * Catherine McDonald | Yes- second Complaints Officer details added | **July 2019** |
| March 2020  Jan  2021  Jan 2022  May 2022  January 2024 | * Shannen Connolly (SCW) * Louise Smyth (HR Mgr)   Grace Kelly Hartnett and Management team  Louise Smyth  Mark Harding/Colm Lennon | N  Yes timelines/  reviews  Removed volunteer advocacy programme.  Removal of Fiona Kilcommins  name  Removal of ‘Appeal’ wording and removal of reference to ‘Your Service Your Say’  Stage 3 Review updated  Amendments made: 2.1 , 2.5, 2.8,2.9  Removal of TB and addition of names of 4 office staff  Relevant manager responsible for action plan, not CEO | **March 2021**  **Jan 2022**  **Jan 2023**  **May 2023**  **26/01/24** |
| Sept 2024 | Mark Harding | Change of Complaints officer | **Sept 2025** |
| Feb 2025 | Mark Hardin g | Ore added as complaints officer | **Feb 2026** |
| May 2025 | Colm Lennon | Moved reference to CEO from section 3.2b to section 2.3 | **May 2026** |

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# 1.0. POLICY

## 1.1 Policy Statement

The Anne Sullivan Centre (ASC) is committed to providing high quality services and supports. People who use the service are recognised as stakeholders in our services and their views are sought, where possible, in the preparation of national, regional and local strategies, policies and plans. Individuals and families also give feedback on their experience of care; this is their right and is welcomed as it helps the ASC to improve continuously

We are aware that sometimes people who use the service may wish to make a comment or compliment about the service that they have received. Equally they may also wish to make a complaint if they feel that they did not receive as good a service as they expected. As a result, and in keeping with our open policy, we have introduced a procedure that facilitates people to make comments, compliments or complaints about the service we provide. All staff are asked to comply with this policy and procedures.

## 1.2. Definitions

What is a complaint?

A complaint is a claim that the ASC has taken actions that are not in accordance with fair or sound administrative practice and adversely affects the person by whom or on whose behalf the complaint is made.

An action does not represent fair or sound administrative practice if it is:

* taken without proper permission or authority
* taken for unnecessary reasons
* the result of negligence or carelessness
* based on incorrect or incomplete information
* discriminatory based

A complaint is an expression of dissatisfaction which needs a response

What is a comment?

A comment is a verbal or written remark expressing an opinion or reaction.

What is a compliment?

A compliment is a polite expression of praise or admiration.

## 1.3. Policy Purpose

The purpose of this document is to define clearly the process making and managing comments, compliments and complaints in the Anne Sullivan Centre

## 1.4. Policy Scope

This procedure applies to people using our services, their representatives and members of the public.

## 1.5. Legislation/Related policies

* Health Act 2007
* HSE Guidelines for Voluntary Organisations and Hospitals in Drafting Complaints Procedures
* ASC Advocacy Policy

# 2.0. MAKING A COMMENT, COMPLAINT OR COMPLIMENT

## 2.1. How can I make a comment or pay a compliment?

You can make comments or pay compliments in a number of ways including speaking with telephoning or emailing a Residential Support Worker, a Social Care Worker, a Team Leader, the Social Care Manager, Quality and Systems Support Manager, the CEO or the Person in Charge.

CEO

*Grace Kelly Hartnett:* [*gracekellyh@annesullivancentre.ie*](mailto:gracekellyh@annesullivancentre.ie)

Person in Charge

*Mark Harding: mharding@annesullivancentre.ie*

Social Care Manager

*Colm Lennon:* [*clennon@annesullivancentre.ie*](mailto:clennon@annesullivancentre.ie)

Quality and Systems Support Manager

*Stephen Sheppard:* [*ssheppard@annesulllivancentre.ie*](mailto:ssheppard@annesulllivancentre.ie)

*Human Resources*

*Louise Smyth: lsmyth@annesullivancentre.ie*

Anne Sullivan Centre Phone Number: 01 2898339

You can choose whether to include your name and contact details with your comment or compliment.

## 2.2. What happens to my Comment or Compliment?

The services will use comments and suggestions to identify any improvements that are needed in that service. Compliments that mention an individual staff member will be sent to that staff member.

## 2.3. How do I make a complaint and to whom?

You can make a complaint by:

* Telephone
* Letter
* In person
* Email
* Completing the ASC Complaints Form. See Appendix 1 or [www.epiccare.ie](http://www.epiccare.ie) [Residents Forms>Complaints>Add Complaint.

Complaints should be made directly to the Complaints Officer but there may be instances where details of a complaint are relayed to any staff member who may then need to forward this complaint to the Complaints Officer.

If the complaint being made is about the person who is the Complaints Officer or if the Complaints Officer is not available, then the complaint can be made directly to the CEO.

The following are the Complaints Officers for the ASC:

Colm Lennon: The Anne Sullivan Centre, Brewery Road, Stillorgan, Dublin: [clennon@annesullivancentre.ie](mailto:clennon@annesullivancentre.ie)

Ore-Oluwa Ogunniyi: The Anne Sullivan Centre, Brewery Road, Stillorgan, Dublin: [ogunniyio@annesullivancentre.ie](mailto:ogunniyio@annesullivancentre.ie)

## 2.4. How long do I have to make a Complaint?

You must make a complaint **within twelve months** of the date of the event concerned or within twelve months of becoming aware of the event. There may be exceptions to this where there are extenuating circumstances.

## 2.5. What can I make a Complaint about?

You can make a complaint about any service or action of the ASC that you consider unfair and that negatively affects you or has affected you in the past. This could mean any action for instance:

* Where a person did not receive the quality of service from the services to which they felt they are entitled to.
* Where a person felt they were unfairly treated
* Where people feel the service or individuals did not uphold the ethos, mission or values of the Anne Sullivan Centre
* Where policy/procedures are not followed

## 2.6. Who can make a Complaint?

The following people can make a complaint:

* People who have received a service from the ASC
* People who are currently receiving a service
* Close relatives or carers of a person or someone who has the consent of that person to act on their behalf.
* Any person with a bone fide interest in the welfare and support needs of the residents at the ASC.

## 2.7. Can I make an anonymous complaint?

You can choose whether to make an anonymous complaint or give your name and contact details. We encourage you to give your details if you make a complaint so that we can investigate and let you know the outcome. In general, we cannot investigate anonymous complaints against a named member of staff. However, all anonymous complaints will be passed to the relevant service manager who will decide if they need to take any further action. If you make a complaint by phone or in person, the member of staff taking the details of the complaint will encourage you to give your name and telephone number. They will tell you that unless you give a name and contact details, it may not be possible to investigate the complaint properly.

## 2.8. If I need help to make a complaint?

The ASC will do all it can to support people who wish to make a complaint about a service or a staff member. It will also include providing:

* Any help needed to complete forms or make your complaint including providing information in a format accessible to you
* Information about advocacy services (see 2.9. below)
* Regular and prompt feedback and updates about the progress of your complaint
* Opportunities to take part in managing your complaint
* Information about mediation.

## 2.9. What is an Advocacy Service?

An advocacy service is one that offers advocates to work with you. An advocate is a person who can assist you to make a complaint. The ASC utilizes the services, when required, of the National Advocacy Service and/or SAGE to advocate/ offer advocacy supports to the residents and service users of the ASC. A staff member or a trusted person may also act as an advocate for people wishing to make a complaint. Keyworkers often act as advocates for service users. Advocates help by supporting you to put forward your views, claim your entitlements and where necessary represent you and negotiate on your behalf. Anyone who is an advocate must however uphold the principles of advocacy:

* Empowerment of the person where possible
* Respect for the person and their will and preferences
* Acting independently of the service
* Maintaining confidentiality
* Acting with diligence and competence.

You can also contact external advocacy services through Citizens Information Boards. There are also local advocacy services in each area.

**What about Privacy & Confidentiality**?

We are committed to keeping private and confidential any information you give when making a complaint. There may be some exceptions to this where safeguarding or illegal issues emerge during the course of an investigation, however we will also consult with you first on these matters. All of our staff are responsible for ensuring that your privacy and confidentiality are maintained. Under the Data Protection Acts, the ASC should only use or disclose information for the purpose for which it was gathered or for another directly related to that purpose. In other words, any personal information you give when making a complaint will only be used to investigate that complaint. From time to time, we require complaints information for compiling reports and figures. In this case, we will remove all data that could help identify the person who complained (such as names and addresses) to make the information anonymous.

# 3.0. THE COMPLAINTS MANAGEMENT PROCEDURE

## Stage 1 – Management of a Verbal Complaint

In the case of a verbal complaint made to the ASC, we will do our best to resolve the complaint locally and quickly, ideally **within 48 hours**. In the case of a written complaint (or a verbal complaint that becomes a formal written complaint) the Complaints officer will normally acknowledge the complaint in writing **within five working days** of receiving it. An immediate response to all complaints may not be possible as some will require formal and careful consideration.

When receiving a complaint, the Complaints officer will:

* Ask one question at a time.
* Use open questions to gather information.
* Use closed questions to clarify detail.
* Not use leading questions.
* Not express opinions in words or attitudes.
* Try to separate hearsay from fact.
* Document all complaints on the Epic system under: Residents Forms > Complaints > Add Complaint.

## Stage 2(a) – Informal Resolution

The Complaints Officer will be informed of all verbal complaints that could not be resolved at the first point of contact and will receive a copy of all written complaints. Depending on the nature of the complaint, the Complaints officer with the consent of the people involved may consider if an informal resolution would be appropriate. As part of the informal resolution the Complaints officer may arrange a meeting between the parties concerned or use mediation services. If an informal resolution is not appropriate, or turns out unsuccessful, the Complaints officer will start a formal investigation of the complaint.

## Stage 2(b) – Formal Investigation

The Complaints Officer will investigate a complaint within **30 working days** of the acknowledgement of the complaint. They may call on other staff, witnesses, and experts and so on to assist in the investigation. Staff have an obligation to participate and support the investigation of any complaint where requested. If the complaint cannot be investigated within thirty days of acknowledging the complaint, the Complaints officer will tell you this before the timeframe passes and update you **every 20 working** **days**. The ASC Complaints Officer must endeavour to conclude an investigation within 6 months of the receipt of a complaint.

The Complaints Officer will compile a draft report, following an investigation, which will be sent to the CEO and to staff involved in the investigation (in portions if necessary). Staff involved will then have a final opportunity to clarify any issues before the final report is completed. The recommendations outlined in the report must be accepted or rejected by the CEO within 30 working days. If the CEO decides to reject/amend the recommendations of the Complaints Officer, they must detail their reasons for this decision.

The relevant manager (CEO, PIC, Team Leader, Social Care Manager) will have overall responsibility for ensuring an action plan is in place for the implementation of the recommendations of the investigation. The action plan, persons responsible and timeframes are to be identified and recorded.

## Stage 3- Review by the ASC Complaints Review Officer

If the complainant is unhappy with the outcome of Stage 2(b), the complainant may seek a review to the delegated Complaints Review Officer. The person appointed in this role in ASC, is **Aidan Waldron** (ASC Board Member).

The complainant should request a review **within 30 working days** of the date of receipt of the complainant response from the Complaints Officer. The Complaints Review Officer will not repeat the investigation but will examine the processes that were involved in the initial investigation into the complaint and either uphold the outcome or not.

**Stage 4:** **Independent External Review**

If the complainant is not satisfied with the outcome of the complaint’s management process, they may seek a review of the complaint by the **Office of 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.

**Office of the Ombudsman**

6 Earlsfort Terrace

St Kevin’s,

Dublin 2

Tel: +353-1-639-5600

# 4.0. TIMEFRAMES

## 4.1. A Summary of Timeframes involved once a complaint is received

* A Complaints Officer will inform the complainant in writing, **within 5 working days** of making the decision/determination, that the complaint will not be investigated and the reasons for it. (In line with Health Act, 2007)
* 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 service/staff member 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 must update the complainant and the relevant staff/ service member every **20 working days.**

* The Complaints Officer must endeavour to investigate complaints within 30 working days. However, where the 30 working-day time frame cannot be met despite every best effort, the Complaints officer must 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 that the investigation is taking longer than 6 months, give an explanation why and outline the options open to the complainant.

## 

## 4.2. Extending the Time Limit for making a complaint

A 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 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.

# 5.0. WHAT CAN THE ASC DO IF THE COMPLAINT IS UPHELD?

The outcome of the complaint should be fair for both the person making the complaint and the service against which the complaint is made. The ASC will do what it can to make up for any wrongdoing. We will offer remedies or responses that are appropriate and reasonable. These could include an apology, an action plan to address the issue, an explanation or a change of decision.

# 6.0. ARE THERE COMPLAINTS THAT THE ASC CANNOT DEAL WITH UNDER THIS POLICY?

There are some complaints that this policy cannot cover including:

* A matter that is or has been the subject of legal proceedings before a court or tribunal
* A matter relating solely to the exercise of clinical judgement (a decision about diagnosis or treatment) by a person acting on behalf of the ASC
* A matter relating to the recruitment or appointment or contract of employment of an employee by the ASC.
* A matter relating to the Social Welfare Act.
* A matter that could prejudice an investigation by the Gardai
* A matter that has been brought before any other complaints procedure established under legislation.

Please note that the Employee Handbook contains procedures that deal with any grievance issues an employee might have

# 7.0. REPORTING TO THE HSE

The ASC has an established Complaints procedure in agreement with the HSE to provide the HSE with a general report on complaints received 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 in addition to the annual report, the ASC provide the HSE with statistics and details of complaints on a half yearly basis.

The Complaints Officer is responsible for providing the HSE with these details.

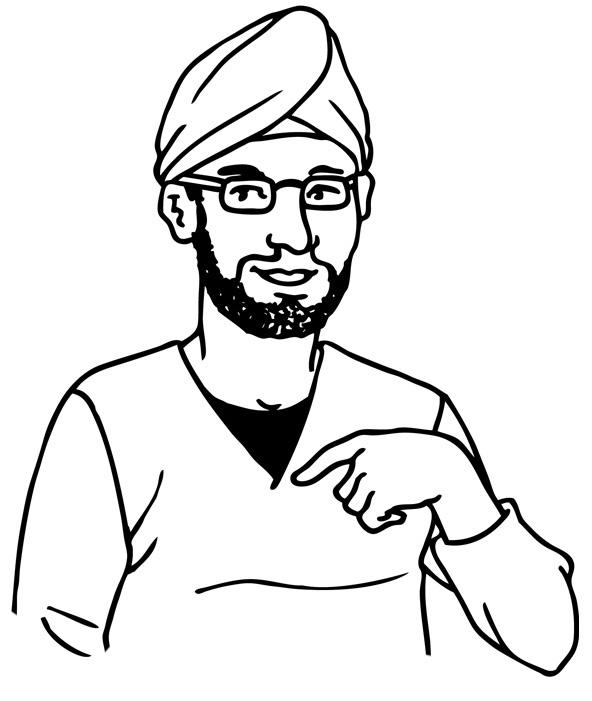
# 8.0. REVISION AND AUDIT

This policy must be reviewed annually, or sooner if necessary

# 

# APPENDIX 1: COMPLAINT FORM FOR USE BY SERVICE USERS

**1: Tell us about you**

First name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 

Last name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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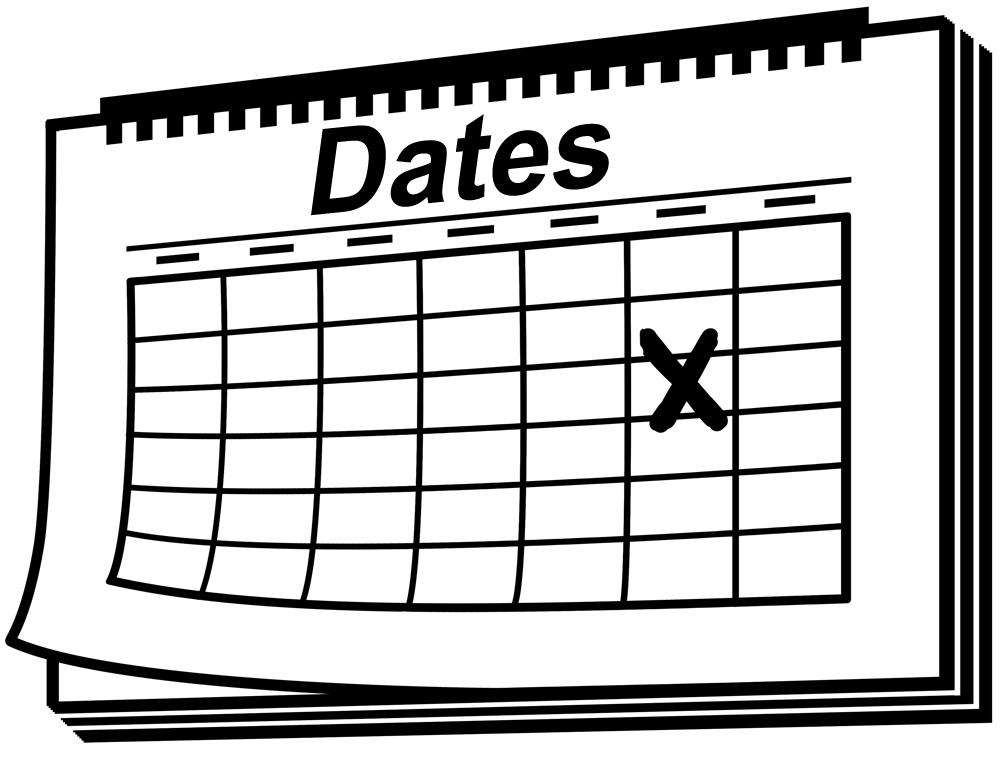
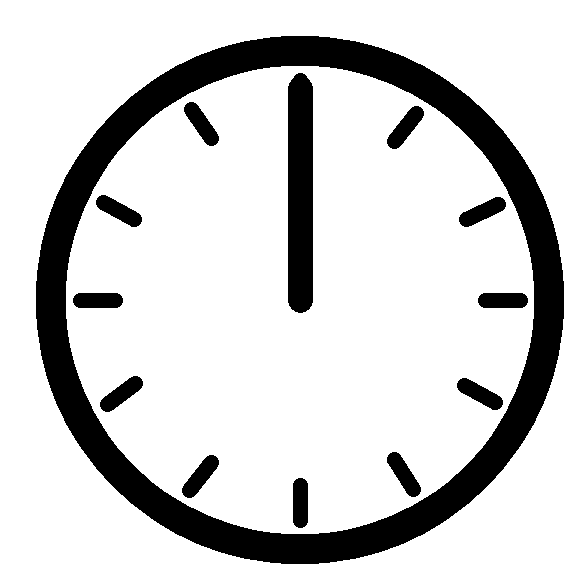
2: Tell us about your complaint

What made you unhappy?

What ma 

Tell us what happened.

When did it happen?



Date or dates \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

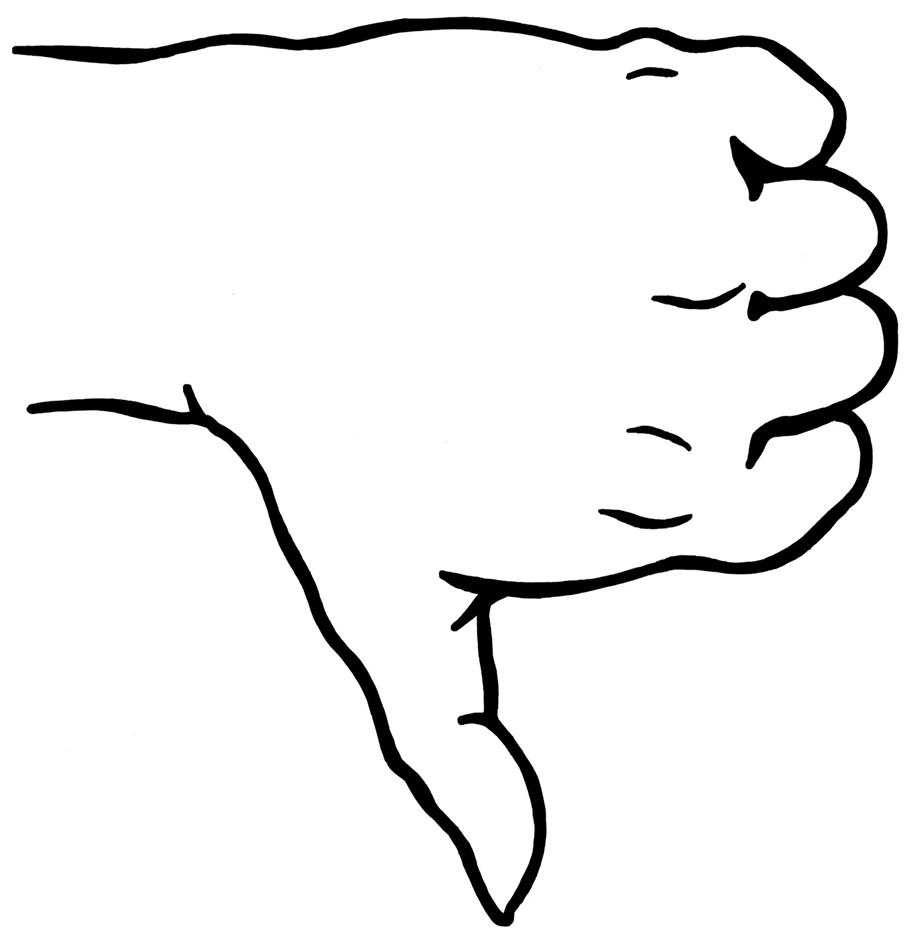
What would make you happy?

What 

Tell us what you would like to happen. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Have you complained about this to anyone else?

(Please circle your answer)



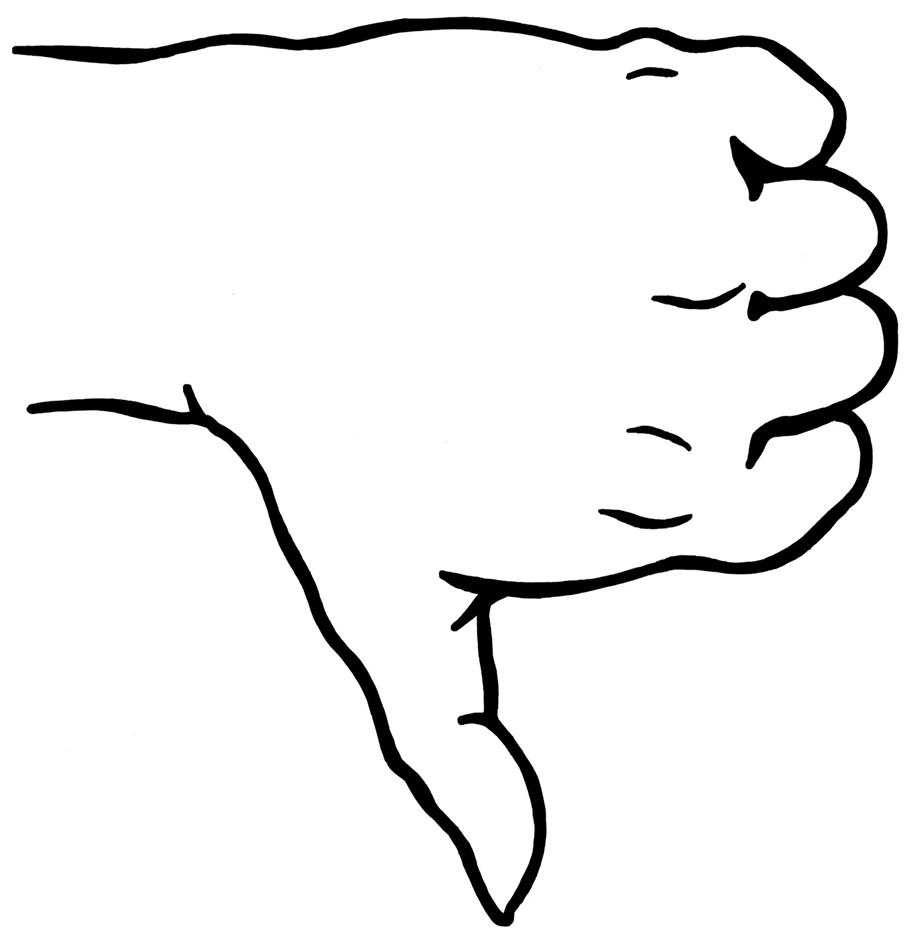
Yes No

If yes, who did you complain to?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**We need to talk to the person that you have made a complaint about.**

Are you OK with this? (Please circle your answer) 

Yes No 

Thank you!

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