

Headway Brain Injury Services and Support

Comments and Complaints Policy for Services

Document Data

Policy Title:	Comments and Complaints Policy for Services
Document Author	Fiona Murphy
Date of Last Review	22/05/2023
Date of Next Review	01/06/2023

Revision History

For list of revisions since publication, see Appendix 1: “Revisions to this document”

Table of Contents

- 1. Purpose of Policy**
- 2. What is meant by a 'Complaint'?**
- 3. Who can make a Complaint?**
- 4. How Complaints can be made**
- 5. Treatment of Complaints**
- 6. Process for the Management of Complaints**
- 7. Acknowledgement of a Complaint**
- 8. Advocacy**
- 9. Complaints Management Personnel**
- 10. Time Limits for Complaints to be made**
- 11. Matters Excluded**
- 12. Support for Staff/Service**
- 13. Vexatious Complaints**
- 14. Recommendations by Complaints Officer**
- 15. Monitoring and Evaluation**
- 16. Comments and Feedback**
- 17. Annual Reporting**
- 18. Review**

1. Purpose

The aim of the Comments and Complaints Policy for Services is to provide a simple, clear and accessible process that allows clients, families, carers, significant others or public to bring a complaint to the attention of Headway's management.

The complaint, or comment, will be treated in a fair, objective and efficient manner to maintain a quality service. (It cannot be used as an alternative or additional complaints mechanism to Headway's grievance and disciplinary procedures, which deal with the relationship between Headway's staff and management.)

2. What is meant by a 'Complaint'?

'A decision or action is taken which relates to the provision of a service or performance of a function which, it is claimed, is not in accordance with the rules, practice or policy of the organisation or the generally accepted principles of equity and good administrative practice and which adversely affects the person concerned'.

In other words, the service received was bad, inadequate, flawed or not carried out to an acceptable standard or in accordance with proper procedures.

Some complaints arise from a breakdown in communications and usually these complaints are quickly resolved when the facts, evidence or circumstances have been established. It is important, nevertheless, that we operate a fair system that gives people the opportunity to make complaints to the organisation, and that they are dealt with effectively.

Definition as per the Health Act 2004:

"complaint" means a complaint made under this Part about any action of the Executive or a service provider that—(a) 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;

3. Who can make a Complaint?

Any person who is being or was provided with a service by Headway or who is seeking or has sought provision of such service may complain, in accordance with the procedures established under this policy, about any action of Headway that-

- (a) it is claimed, does not accord with fair and sound administrative practice, and
- (b) adversely affects or affected that person.

You can make a complaint if you feel that:

- You have been unfairly treated by Headway
- A service that you feel you are entitled to is not being provided
- A service which is being provided is inadequate
- A decision made is considered wrong and did not take into account all the facts
- A request for a service or information has been ignored or unreasonably delayed.

4. How Complaints can be made

Complaints can be made through the following channels:

- Written
- Email
- Fax
- Verbally (face-to-face or telephone communication)

A Complaint Form (Appendix 2) is available and should be returned to the appropriate service manager, but where a complaint is relayed verbally the appropriate service manager will make a written record of the complaint on the form so that it can be properly monitored and recorded and investigated.

5. Treatment of Complaints

Complaints will be taken seriously. Each complaint will be treated fairly, sensitively and in confidence as much as possible. All complaints will be handled with an open mind and investigated without prejudice. Complaints will be dealt with promptly in an attempt to resolve them as quickly as possible.

6. Process for the Management of Complaints

Headway's process for the management of complaints consists of four stages:

Stage 1- Local resolution of verbal complaints at point of contact:

The appropriate service manager considers if informal resolution would be appropriate. Resolving the issue informally will involve: listening to the individual concerned; discussing the complaint and related matters; identifying issues / exploring the reasons for the complaint; agreeing possible actions to be taken.

Stage 2- Investigation of written and serious complaints:

Stage 2a- Informal Resolution: The complaints officer considers if informal resolution would be appropriate (not suitable in cases of serious complaints).

Stage 2b- Formal Investigation: The appropriate complaints officer carries out a formal investigation, completes a report and makes recommendations.

Stage 3- HSE Review

The complainant may seek a review of the outcome through the HSE Head of Consumer Affairs. He/she will appoint a review officer to carry out a review of the complaint. The complainant and complaints officer 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.

Head of Consumer Affairs, HSE: Oak House, Millennium Park, Naas, Co Kildare.

Stage 4- Independent Review (Ombudsman)

The complainant may refer the complaint for external investigation to the Ombudsman

You have a statutory right to complain directly, but the Ombudsman will usually only consider your complaint after it has been looked at under the complaints procedure outlined above.

Office of the Ombudsman: 18 Lower Lesson St, Dublin 2.

7. Acknowledgement of a Complaint

In the case of a verbal complaint, a verbal response will be issued as soon as is practically possible, but at most within five days. The details of the verbal complaint should be written up and shared with the complainant to ensure an accurate record of their complaint has been captured, to avoid any ambiguity.

For written complaints, the complainant will be notified in writing within five working days that the complaint has been received or assigned, and it will be outlined what steps will be taken to investigate the complaint.

Where the complaint will be investigated, the complaints officer must endeavour to investigate and conclude the complaint within 30 working days of it being acknowledged. The complaints officer will complete an Investigation Form (Appendix 3)

If the investigation cannot be 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 will update the complainant and the relevant staff/service member every 20 working days.

8. Advocacy

All complainants have a right to appoint an advocate, i.e. family member, friend, work colleague or a legal professional, to assist them in making their complaint and to support them in any subsequent processes in the management of that complaint.

Definition: Advocacy is speaking, acting and writing with minimal conflict of interest on behalf of the sincerely perceived interests of a disadvantaged person or group to promote, protect and defend their welfare and justice by:

- Empowerment of the person where possible
- Respect for the person and his/her wishes
- Acting in the person's best interest
- Acting independently
- Maintaining confidentiality
- Acting with diligence and competence

(The above is taken from principles of advocacy as prescribed by the Citizen Information Board).

9. Complaints Management Personnel

It is the responsibility of the National Complaints Officer to oversee the complaint handling process in Headway and to maintain records of complaints.

The Complaints Officers in each location are detailed below. It is their responsibility to ensure that this policy is adhered to in cases of complaints within or related to their service. At the Complaints Officer's request, or in circumstances where the Complaints Officer is the subject of the complaint / involved in the matters to be investigated, the investigation will be carried out by the National Complaints Officer or another Complaints Officer designated by the National Complaints Officer.

Headway Complaints Officers, May 2023:

Service:	Complaints Officer:	Contact:
Complaints Officer (National)	Fiona Dunne (Quality, Standards & HR)	T: 01-6040800 E: dunnef@headway.ie
Rehabilitative Services Dublin	Sonya Gallagher (Manager)	T: 01-6041708 E: gallaghers@headway.ie
Rehabilitative & Vocational Training, Limerick	Rella Galvin (Manager)	T: 061-469305 E: galvinr@headway.ie
Rehabilitative & Vocational Training, Day Services, Community Reintegration, Social Work, Cork	Liz Owens (Manager)	T: 021-4871303 E: owensl@headway.ie
Psychological Services, Cork	Sarah Howley (Manager)	T: 021-4347625 E: howleys@headway.ie
Information & Support Service	Richard Stables (Manager)	T: 01-6041705 E: stablesr@headway.ie

10. Time Limits

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 it is their opinion that special circumstances make it appropriate to do so.

The complaints officer will give a decision of extending/not extending time in writing to the complainant within five working days of making a decision.

11. Matters Excluded

A complaint is excluded if it is in relation to any of the following matters:

- A matter that is or has been the subject of legal proceedings before a court or tribunal.
- A matter relating to recruitment or appointment.
- A matter relating to or affecting the terms and conditions of a contract of employment.
- A matter relating to the Social Welfare Act.
- A matter that could be the subject of an appeal under section 60 of the Civil Registration Act 2004.
- A matter that could prejudice an investigation being undertaken by the Garda Siochana.
- A matter that has been brought before any other complaints procedure established by law e.g. Complaints Process under Part 2 of the Disability Act 2005.

12. Support for Staff Member(s)/Service

Sensitivity must be shown to staff that are the subject of a complaint. If a staff member is unhappy with the outcome they may use Headway's grievance procedure.

13. Vexatious complaints

A complaints officer may stop investigating a complaint for various reasons, for example, if the complaint is trivial or vexatious.

A vexatious complaint falls into the category of a complaint that has been thoroughly investigated and in such cases the complainant will have received a full and detailed response, but not withstanding that, will remain dissatisfied despite lengthy correspondence and contact from Headway.

14. Recommendations

Headway will endeavour to maintain an effective complaints procedure which offers a range of timely and appropriate remedies to enhance the quality of service to the clients of Headway. The complaints officer will endeavour at all times to make recommendations designed to resolve the complaint, and to ensure effective quality improvements. These recommendations will be submitted to the Senior Management Team.

15. Monitoring and Evaluation

Headway monitors and evaluates complaints about the organisation on a regular basis and seeks to make ongoing improvements. Regular reports will be submitted to the CEO. Headway will produce an annual report to the Health Service Executive (HSE).

16. Comments and Feedback

Headway aims to provide services that meet the needs and expectations of our clients and families in a professional and supportive manner. We continually strive to improve the quality of our services. We value feedback and suggestions regarding facilities, staff and services. Any information or feedback we receive will be taken seriously; we will always strive to improve.

Part of the way we review our work, including the services we provide, is through feedback we receive, and we will always strive to address issues of concern as they may arise.

Comment Boxes are located at all service sites with information leaflets and comment forms (Appendix 4). The boxes are unlocked and contents reviewed by designated staff on a monthly basis. All information is forwarded to the National Complaints Officer and reported to the Management Team annually.

17. Bi-Annual Reporting

Headway must provide the HSE with a general report on the complaints received by the organisation bi-annually 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

18. Review

This document will be reviewed on an annual basis.

Appendix 1 – Revisions to this Document

Type	Author	Nature of Change	Date
Initial Release	Fiona Murphy		July 2009
Review	Fiona Murphy	Update	June 2010
Review	Fiona Murphy	Review	July 2011
Review	Fiona Murphy	Update	July 2012
Review	Fiona Murphy	Review	July 2014
Review	Fiona Murphy	Update in line with HSE reqs	June 2015
Review	Fiona Murphy	Review	May 2016
Review	Fiona Murphy	Update personnel information	May 2017
Review	Fiona Murphy	Update personnel information	May 2018
Review	Fiona Murphy	Update personnel information	Jan 2019
Review	Fiona Murphy	Update personnel information	May 2022
Review	Fiona Murphy	Update personnel information	May 2023

Appendix 2 – Complaints Form

Name:

Address:

Telephone:

Date of complaint:

Nature of Complaint: (Please outline reasons for making complaint including dates, locations, discussions with staff and other relevant information, attach additional sheets if required)

Reported to:

Date:

Please circle:

Complaint made in writing/in person/through a third party/by telephone

Signature of person submitting complaint/raising issue:

Date:

Form received by:

Date:

Appendix 3 - Complaint Investigation Form

(To be completed by Complaints Officer)

<p>Date Manager informed:</p> <p>Date National Complaints Officer informed:</p>

<p>Nature of Complaint (include dates):</p>
--

<p>Investigation Details:</p>

Actions taken (include by whom, when)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.