

One in Four Complaints Policy for Service Users

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2	Kerry McCormack, Policy and Operations Officer	22 April 2024	GRC
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8 May 2024	Board of Directors	3 Years	May 2027

One in Four is committed to providing a service that is transparent and accountable to service users, their families and the wider community. We actively encourage service users to raise any concerns, difficulties, issues or suggestions they might have in relation to the service.

One in Four also sees complaints and suggestions as a way to enable the organisation to better understand individual service user needs and expectations and to become more responsive to them. It affords us the opportunity to reflect on our procedures and practice and contributes to the ongoing development of our services and our commitment to best practice.

Definition of a Complaint (as per the Health Act 2004)

“Complaint” means a complaint made about any action of the service provider that—

- a) it is claimed, does not accord with fair or sound administrative practice, and
- b) adversely affects the person by whom or on whose behalf the complaint is made.

Purpose

The purpose of this document is to outline the policy, procedures and process for managing complaints from service users of One in Four, as well as the roles and responsibilities required from all parties involved.

Who Can Make a Complaint?

Any person who is being or has been provided with a service by One in Four, or who is seeking or has sought provision of such service may complain, in accordance with the established procedures, about any action of One in Four staff that:

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

Service users include clients who have availed of the psychotherapy service, family support programme, advocacy service or the Prevention Programme. It also includes people who participate in One in Four training courses and people who have sought access to One in Four Services.

How to Make a Complaint

If you have feedback or a complaint you would like to address, please contact One in Four reception at 01 6624070, email feedback@oneinfour.ie, or post to One in Four, 34-35 Arran Quay, Dublin D07 E221.

Acknowledgements

Upon receipt of a complaint, One in Four will notify the complainant in writing (via email or post) within 10 working days, that the complaint has been received. One in Four will also outline the steps proposed in investigating the complaint and the time limits for the completion of the investigation.

One in Four Response

One in Four will respond to all complaints in a confidential, sensitive, fair and effective manner without undue delay. No service user will in any way be disadvantaged as a result of making a complaint pursuant to this policy.

Time limit for making a Complaint

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.

Withdrawing a Complaint

A complaint may be withdrawn at any time, and therefore, a review or investigation may cease, unless reasonable grounds exist for believing that the public interest would best be served by continuing such a review or investigation. Accordingly, the matter will be considered by the CEO and the Chairperson of the Board.

Governing Principles of the Complaints Procedures

At all stages, procedures with regard to complaints of service users will be conducted thoroughly and objectively with due respect for the rights of the complainant and the rights of the service providers/staff members to be treated in accordance with the principles of restorative justice.

Any investigation will be conducted impartially and expeditiously and where appropriate, external qualified persons may be requested to carry out clinical assessments, validation exercises, etc.

We are unable to accept anonymous complaints. Confidentiality regarding all complaints will be maintained where possible except where permission is granted by the person making the complaint to provide information to other parties in the interest of resolving complaints. In cases where the complaint relates to an illegal activity, confidentiality cannot be assured. All such complaints are referred to the appropriate external body.

One in Four will maintain a record of all complaints including any findings and outcomes.

During the course of an investigation, staff are obliged to co-operate fully with and will be fully supported through the investigation process. Staff who participate in the investigation process will be required to respect the privacy of the parties involved by refraining from discussing the matter with other work colleagues or persons outside the organisation.

It will be considered a disciplinary offence to intimidate or exert pressure on any person who may be required to attend as a witness or to attempt to obstruct the investigation process in any way.

One in Four will take all reasonable measures to try to resolve a complaint as per the Complaints Policy. Complainants may invoke their right to request a review conducted by the HSE or independent body at any time.

Abusive, Malicious and Vexatious Behaviour

One in Four reserves the right to refuse to engage with a complainant who behaves in a manner that is considered abusive, unreasonable or vexatious.

Redress

The goal of an effective complaints system is to have a positive effect on all parties involved, particularly the service user. As such, redress should be consistent and fair for both the complainant and the service against which the complaint was made.

One in Four shall aim to offer forms of redress or responses that are appropriate and reasonable where it has been established that a measurable loss, detriment or disadvantage was suffered or sustained by the claimant personally. This redress could include:

- Apology
- Explanation
- Admission of fault
- Change of decision
- Correction of misleading or incorrect records
- Recommendation to make a change to an internal relevant policy/procedure

Complaints Procedure and Stages

The complaints procedure exists to provide a process by which a service user can raise a complaint against One in Four. There are 4 stages:

Stage 1 - Informal Approach

If you have a concern or complaint, you should where possible discuss it first directly with the relevant staff member. This aims to resolve the difficulty with minimum conflict and stress for the individuals concerned.

If you do not feel able to raise your concern with the relevant staff member, or are dissatisfied with their response to you, you may wish to then make a complaint to the service manager via telephone, email, or post. The manager will acknowledge receipt of the complaint within 10 working days, outline next steps, and ensure that every effort is made to resolve the complaint in an informal manner within 30 days (one calendar month). This may be by telephone contact or a meeting can be arranged between you and the manager.

Where it is not possible to resolve the matter at the informal level, the formal approach may be applied. This may be because the matter has not been resolved to the service user's satisfaction or due to the seriousness of the complaint.

Stage 2- Formal Approach

In order to allow One in Four to fully and fairly handle a complaint, the relevant manager will advise the complainant to make contact with the CEO. This must be done 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.

A written and signed complaint should be submitted to the CEO (via email or post), who will acknowledge the complaint within 5 working days of receiving it (in the same matter as the complaint was received). Where a written complaint is not possible, for example due to language or literacy issues, a verbal complaint can be made. A written record will be taken by the CEO and the complaint will be acknowledged within 5 working days.

Once the complaint is reviewed and within 10 working days of receiving the complaint, the CEO will seek permission from the complainant to give a copy of the complaint to the staff member(s) whom the complaint is against. If the complainant does not grant such permission within 10 working days of the CEO seeking it, he or she will be notified by the CEO within a further 5 working days that there will not be any further investigation.

Once permission to notify the staff member(s) whom the complaint is against is granted by the complainant, the CEO will arrange to meet with the complainant within 10 working days to hear the nature of the complaint and offer them a full hearing. At this meeting, a note taker will accompany the CEO and the complainant may be accompanied by a support person.

Minutes of the meeting will outline the specific details of the complaint and the dates and names of the people involved. All people named in the complaint, the CEO, and the complainant will receive a copy of these minutes within 10 working days of the meeting to review. The minutes will be signed and dated by the complainant and the CEO.

The staff member(s) whom the complaint is against will be interviewed by the CEO within a further 10 working days of the complainant meeting minutes being signed. They may be accompanied by

a support person. A report will be drawn up by the CEO and signed by the staff member(s) and the CEO. A copy of the report will be sent to the complainant and staff member(s) whom the complaint was against within 10 working days of the interview completion.

At this stage, it may be possible to resolve the complaint by clarifying misunderstandings or by acknowledging any wrongdoing and apologising verbally. Mediation to attempt resolution of the complaint by an external accredited mediator may also be used at this stage, if both parties agree. In this case any discussions or actions implemented will be documented and all parties will be consulted to determine if the complaint has been resolved satisfactorily or if further investigation is warranted. Any agreement in this regard will be drawn up in writing and signed off by the complainant, CEO, and member(s) of staff whom the complaint was against.

If the complainant remains dissatisfied with the outcome after 30 days (or one calendar month) of receiving the CEO's report, the CEO will offer the complainant the option to proceed to the Formal Investigation Procedure.

Stage 3 - Formal Investigation Procedure

If either the complainant or the member(s) of staff whom the complaint was against remain dissatisfied with the outcome of Stage 2, they must convey this to the CEO in writing (by email or post) within 10 working days of being notified of the completion of Stage 2 by the CEO. The CEO will acknowledge receipt of this correspondence within 5 working days and then move the process to the Formal Investigation Procedure as follows:

1. Within 5 working days of sending the acknowledgement of the complaint's wish to proceed to Stage 3 of the Complaints Procedure, the CEO notifies the Chairperson of the Board of Directors of One in Four of the complaint, parties involved, and actions taken to date to resolve the matter. This notification will be accompanied by a copy of the complaint.
2. The Chairperson, in consultation with the Board, will appoint an independent external investigator with appropriate experience to investigate the complaint and actions to resolve the matter thus far. A timeframe for the investigation process, which should not exceed 30 days (one calendar month), will be agreed by the Board and investigator.
3. The appointment should not take more than 10 working days and the complainant and staff member(s) whom the complaint is against will be notified of the appointment and agreed timeframe within that time.
4. Once all parties involved are made aware of the appointment of the independent external investigator, the formal investigation will commence. The investigation will involve interviews with the complainant, the staff member(s) whom the complaint is against, and other parties or witnesses deemed relevant. Anybody attending for interview may be accompanied by a support person.
5. The investigator will notify all parties involved when the investigation is complete. He or she will then write a report in which they will put forward their conclusions and recommendations to the Board of Directors within 10 working days of the completion of the investigation. The investigator must also notify the complainant and the staff member(s) whom the complaint is against that the report has been submitted to the Board.
6. The Board will then make a final decision on how to proceed, including any redress. A written response (via email or by post) outlining their decision and any actions to be implemented will be given to all parties within 30 days (one calendar month) of the investigator notifying the parties of the submission of their report to the Board.

7. In the event of the complaint being upheld, the staff member(s) whom the complaint was made against will be subject to the disciplinary procedures as outlined in the One in Four Staff Handbook. If the staff member(s) is a psychotherapist, One in Four will inform the complainant of the option to make a complaint to the psychotherapist's professional accreditation body and its complaint policy.
8. In the event the complaint is not withheld, the complainant will be informed of their options for external review. If there is no response from the complainant within 30 days (one calendar month), the complaint will be considered closed and all parties will be notified of same.

Complaints Relating to the CEO

In the event a client raises a complaint about the CEO of One in Four and they are not able to resolve the matter informally directly with the CEO, they should contact the Chair of the Board of One in Four via post to the address below.

The procedure for addressing the complaint is the same as above, except substitute the Chair for the CEO.

Stage 4 – External Review Process

Should the complainant request an external review of One in Four's Board of Directors' decision in the event their complaint is not withheld (within 30 days/one calendar month of being notified of the decision), One in Four's CEO will advise the complainant to seek a review of their complaint, investigation process, response, or decision by one (any or all) of the following agencies:

HSE National Complaints Governance and Learning Team

Quality Assurance and Verification
Division, 31/33 Catherine Street,
Limerick
Tel: 061 483209
Email: nationalcgl@hse.ie

HSE Your Service Your Say

Freephone 1800 424 555
+353 1 642 4555 from outside Ireland

HSE Consumer Affairs

Bective
Street,
Kells, Co.
Meath
Tel: 046 9251264 / 049 4377343
Email: consumeraffairs.hsedne@hse.ie

Office of the Ombudsman

6 Earlsfort
Terrace,
Dublin 2, D02
W773 Tel: 01
6395600
Email: complaints@ombudsman.ie

Additional Information

For additional information, please consult the Health Act 2004, Part 9 and Regulations (Complaints) 2006 (S.I. 652).

Stages and Timelines

