



DCIL COMPLAINTS POLICY

Document Reference Number	8.12 DCIL Complaints Policy (Governance, Management & Records)		
Document developed by	DCIL Support & Development Team	Document approved by	DCIL CEO & DCIL Board Members
Approval date	July 2023	Revision date	July 2026
Responsibility for Implementation	DCIL Staff	Responsibility for review and audit	DCIL Support & Development Team

Purpose of the Complaints Policy

The purpose of this policy is to assist and support our Leaders (Service Users), external organisations and the general public to make a complaint or give feedback. To support employees to recognise when service Leaders, external organisations and the general public have reason to make a complaint, the process must be adhered to. DonegalCIL encourages all people to voice feedback or complaints they have regarding our services.

It is the policy of DonegalCIL that a systematic, planned and controlled approach will be operated in relation to complaints from all individuals unhappy with DonegalCIL services.

Responsibility/Scope

This policy applies to:

- All services and activities that are delivered by DonegalCIL
- All services and activities that are funded through statutory and non-statutory sources.
- All personnel working on behalf of DonegalCIL
All managers in DonegalCIL who are responsible for ensuring that staff are aware of and apply the appropriate guidelines as stated in this policy in relation to handling complaints.

Definitions of a Complaint

Actions taken on behalf of DonegalCIL or our employees considered unfair or poor administrative practice, such as:

- Actions taken without proper written permission or authority
- Actions taken for unnecessary reasons
- The result of negligence or carelessness
- Based on incorrect or incomplete information

- Discriminatory. E.g. Biased, Prejudice, Unfairness

Complaint's Officer

For DonegalCIL the role of the Complaints Officer, will be the relevant Manager (**Rosaleen Doherty**) or their nominee acting in the role of Investigation officer.

Names and contact details for the DonegalCIL Complaints Officers are listed at the end of this document.

Compliments

DonegalCIL welcomes positive expressions, verbally or in written form, which is an expression of praise or admiration for our staff member/service

Feedback

A verbal or written remark expressing an opinion or a reaction is always welcome and DonegalCIL has a Suggestions/Feedback box at our Reception area for written remarks. Feedback can be made verbally to any member of staff at 074 9128945.

How can I make a complaint?

- Complaints can be made verbally in person or by telephone; in writing by letter, email or by fax; or by completing a DonegalCIL 'Complaints and Feedback Form' [which can be downloaded from DonegalCIL's website. Tel : 0749128945 – Website - www.donegalcil.com and/or email dcil@donegalCIL.com
- Complaints may be sent to any DonegalCIL staff member, a Service Manager or a Complaints Officer.
- You also have the option to make a complaint directly to DonegalCIL's CEO Rosaleen Doherty by contacting 0749128945 or by email at rosaleen.bradley@donegalcil.com

Who can make a complaint?

Any DCIL employee or person who has received or sought a service from DonegalCIL

Advocacy

If a person is entitled to make a complaint but is unable to do so they have the right to appoint an advocate to assist them in making the complaint. The Citizen Information (Comhairle 2005) defines advocacy as a means of empowering people by supporting them to assert their views and claim their entitlements and where necessary, representing and negotiating on their behalf.

The complaint may be made on that person's behalf by:

- A close relative or carer of the person [parent, guardian, son, daughter, spouse or partner]
- Any person who legally has the care of the affairs of the person
- Any legal representation of the person
- Any other person (advocate) with the consent of the person

If a person who would otherwise have been entitled to make a complaint is deceased, a complaint may be made by a close relative or carer of that person.

What should be included in a Complaint?

A complaint should include:

1. Who was involved?
2. What happened, when did it happen, where did it happen and to whom?
3. What the complainant (person making the complaint) is concerned about?
4. Has the complainant done anything to resolve the matter?
5. What would the complainant want to happen now?

If you are still unsure how to make a complaint?

If you are unsure how to make a complaint, please contact any member of staff at DonegalCIL at 0749128945.

What will happen next?

If a complaint can be resolved at the point of contact (Stage 1) then the staff member will do so and may involve their line manager. At this point staff will try to resolve complaints within 48 hours and will keep the complainant informed of progress or reasons for any delay.

If it is not possible to resolve the matter, or the complainant is not satisfied with the outcome, the staff member will assist the complainant to escalate their complaint to the Complaints Officer.

The Complaints Officer will contact the complainant within 48 hours and attempt to resolve the complaint informally. If this is not possible then they will progress it to the formal investigative process (Stage 2).

The following actions will occur when a complaint has been progressed to the investigative process:

1. The Complaints Officer will formally acknowledge the complaint within **5 working days**
2. The Complaints Officer will investigate the complaint within **30 working days** of the date when it was acknowledged

3. If it takes longer to investigate all the issues raised in the complaint, the Complaints Officer will notify the Complainant within the **30 working days** and will update the Complainant every **20 working days** after that as required
4. When the formal complaint investigation is complete, the Complaints Officer will send their Investigation Report to the complainant, which may include recommendations arising from the investigation.

What happens if the complainant is not satisfied with the outcome?

All cover letters accompanying the Complaints Officer's investigation will advise the Complainant of their right to have their complaint reviewed (Stage 3) – where appropriate by the Chairperson of DonegalCIL) or finally to the Independent/External Investigation process through the Office of the Ombudsman (Stage 4). Address is set out the end of this document.

Receipt and Acknowledgement of Complaints

What happens when my Complaint is received by DonegalCIL?

- Your complaint will be acknowledged in writing within five working days.
- If your complaint is not resolved locally and moves to the formal complaint process, you will be provided with an update to the current status of your complaint every 20 working days.
- A complaint file will be set up and an investigation will begin. If the original timescale cannot be met, the Complaints Officer assigned to your case will inform you by sending a letter of explanation about the cause of the delay and a new estimated date for response.

How will my complaint be processed?

- You can make a verbal complaint or comment to any DonegalCIL Staff member who will record it onto a Complaint and Feedback Form. They will read it back to you and make sure what you said is accurately recorded. It will be dated and signed. You will be sent a copy for your records.
- When you want to make a complaint or give feedback you can contact the DonegalCIL by phoning **0749128945** or emailing; dcil@donegalcil.com You will be given a Complaint and Feedback Form to record your complaint or feedback or you may send in your complaint/feedback in writing to the DonegalCIL , Ballymacool House, Ballymacool, Letterkenny, County Donegal.
- When a DonegalCIL staff member receives a complaint they will send the completed Complaint and Feedback Form and supporting documentation to their Line Manager Coordinator the same day.
- A Complaint's Officer will be assigned to work on the complaint with you.

- All documents are copied to the person investigating the complaint. If you have made a complaint and even if it has been resolved locally, it will be recorded in the Complaints Log.
- If it is not resolved to your satisfaction you may seek a review of the decision
- Complaints relating to HSE funded Leaders (Service Users) are collated and reported to the HSE quarterly .

How long will it take for my complaint to be completed?

- You will be contacted within five working days to acknowledge receipt of your complaint and advised if it will be investigated further.
- Where the complaint is being investigated, the Complaints Officer must try to investigate and finish the investigation of a complaint within 30 working days of it being acknowledged.
- If the investigation cannot be examined and conducted within the 30 working days then the Complaints/Investigation Officer will inform you by sending a letter of explanation about the cause of the delay and a new estimated date for response.
- DonegalCIL will try to conclude the investigation of the complaint within a maximum of 6 months of the receipt of the complaint.
- If this timeframe cannot be met, the Complaints/Investigation Officer will inform you that the investigation is taking longer than 6 months and will give you an explanation why and outline the options open to you.
- DonegalCIL will support you through the local DonegalCIL complaints process while informing you that you may seek a review of your complaint by the Ombudsman, or Ombudsman for Children.

Redress

An effective complaints system which offers a range of timely and appropriate remedies will enhance the quality of our service. It will have a positive effect on staff morale and improve DCIL's relations with the public. It will also provide useful feedback to DCIL and enable it to review current procedures and systems which may be giving rise to complaints.

Redress should be consistent and fair for both the complainant and the service against which the complaint was made. DCIL will offer forms of redress or responses that are appropriate and reasonable where it has been established that there was personally a measurable loss, detriment or disadvantage was suffered or sustained. This redress could include:

- Apology
- An explanation
- Refund
- Admission of fault

- Change of decision
- Replacement
- Repair /rework
- Correction of misleading or incorrect records
- Technical or financial assistance
- Recommendation to make a change to a relevant policy or law
- A waiver of debt

A complaints officer may not, following the investigation of a complaint, make a recommendation the implementation of which would require or cause—

- a) a material amendment to its approved service plan, or
- b) a material amendment to an arrangement under section 38.

(2) If, in the opinion of the relevant person, such a recommendation is made, that person shall either—

- (a) amend the recommendation in such manner as makes the amendment to the applicable service plan or arrangement unnecessary, or
- (b) reject the recommendation and take such other measures to remedy, mitigate or alter the adverse effect of the matter to which the complaint relates as the relevant person considers appropriate.

Review Process

If you remain dissatisfied, you have the right to a review and there are two review options.

Option 1: By writing an appeal of the outcome to the Chairperson of DonegalCIL, Ballymacool House, Ballymacool, Letterkenny, County Donegal.

The appeal must be sent in writing no later than 30 working days following the close of the investigation by the DCIL Complaints Officer

Option 2: [External] by writing to the Office of Ombudsman or Ombudsman for Children (Stage 4).

As provided for in the Health Act 2004, following the exhaustion of all DonegalCIL's complaint processes on investigation and review, you may register a further complaint with the Ombudsman.

Office of Ombudsman. 18Lr. Leeson Street, Dublin 2. Tel: +353-1-639 5600, Lo-call: 1890223030, Fax: [01] 639 5676

Ombudsman for Children's Office, Millennium House, 52-56 Great Strand Street, Dublin 1. Tel: 01-865 6800

Anonymous Complaints

- DonegalCIL will not investigate anonymous complaints against any member of staff but may conduct a service review to ascertain any grounds for the allegations made anonymously.
- In certain circumstances if there is a serious allegation eg. Theft, sexual or physical abuse, we will investigate the complaint and refer to the appropriate authority
- To register a complaint, a person must provide personal contact details, which will be kept confidential, if requested.
- Generally, anonymous complaints against members of staff will not be entertained due to the possibility they may be vexatious or malicious in nature.
- Anonymity of a complainant does not enable the principles of natural justice to be upheld.
- All verbal and written anonymous complaints regarding services or events should be brought to the attention of the relevant line manager for a decision as to whether further action is needed.

Complaints made in confidence

- DonegalCIL can facilitate complaints made in confidence where specifically requested by a person making a complaint. This means that the name and details of the person making the complaint are only known to the person receiving the complaint.
- If the Investigation Officer requires the identification of a person making a complaint to be made known, you will be asked to give your consent.
- If consent is not obtained the investigation cannot proceed. However, the Investigation Officer must be satisfied that the nature of the complaint does not represent a risk to DONEGALCIL Leaders or staff.

Protected Disclosures

In exceptional circumstances, DonegalCIL employees, Leaders (Service Users) and their advocates wishing to report concerns may be reluctant to do so for fear of penalisation or other detrimental treatment. Such employees are entitled to legal protection from any form of penalisation and detrimental treatment provided their disclosures are made in accordance with the procedure set out in DonegalCIL's Protected Disclosures Policy.

The Protected Disclosure Act 2014 specifically provides for the legal protection for employees only; however the Board of DonegalCIL has decided that principals and protections provided for in this legislation should also apply to DonegalCIL Leaders or their advocates.

Vexatious or malicious complaints

- If a complaint is deemed to be vexatious or malicious, an investigation will not take place.
- The person making a complaint will have the option of registering a further complaint with the Office of Ombudsman.
- The Donegal CIL Chairperson will review vexatious or malicious complaints to determine if any action should/can be taken by DonegalCIL

OVERVIEW OF THE STAGES IN THE COMPLAINTS PROCESS

Stage		Timeframes
Stage 1	Local (informal resolution) - Where the complaint can be resolved at the first point of contact within 2 working days. If unresolved and requested by the complainant to be referred for investigation (Stage 2).	Within 48 hours (2 working days)
Stage 2	Complaints Officer (Investigation) - Formal Investigation where complaint is investigated by DCIL's Complaint's Officer. If unresolved and requested by Complainant to be Reviewed at Stage 3 or directly to Stage 4 Independent Review by the Office of the Ombudsman.	Within 30 working days
Stage 3	Internal Review Officer – Internal review conducted by the DCIL Chairperson. If unresolved and requested by Complainant to be Reviewed at Stage 4	Within 20 working days and they respond directly to the complainant
Stage 4	External Review – Office of the Ombudsman. The complaint can be directly referred to the Office of the Ombudsman/Ombudsman for Children	Office of the Ombudsman responds directly to the complainant

DCIL Complaints Officer(s)

1. Rosaleen Doherty, CEO Donegal Centre for Independent Living
2. Kathy Gillespie, Chairperson DCIL Board
3. Nominated representative from the above

DCIL COMPLAINTS/FEEDBACK FORM

Available on our website www.donegalcil.com

DCIL PROTECTED DISCLOSURES POLICY

Available on our website www.donegalcil.com