

**The Dublin Well Woman Centre
Complaints Policy and Procedure, June 2011 (Revised March 2016)**

Introduction:

It is the goal of the Dublin Well Woman Centre to ensure that the services we provide are of the best quality and serve our clients well. We want to hear about your experiences of our services, and to capture compliments and comments so that where the service is working well, we can build on that success.

From time to time, services do not operate as well as they should, and when that happens, the Dublin Well Woman Centre (DWWC) is committed to investigating and, if appropriate, rectifying any wrong. This document outlines how DWWC will listen to and act on the feedback we get from the people using our services. It will explain how you can make a comment, pay a compliment or make a complaint and advises you on your rights as a service user. You have statutory rights under Part 9 of the Health Act 2004 which we will explain in this document.

1. Definition of a complaint

(Definition as per the Health Act 2004)

“complaint” means a complaint made about any action of the Executive or a service provider that—(a) it is claimed, does not accord with fair or sound clinical, counselling or administrative practice, and adversely affects the person by whom or on whose behalf the complaint is made;

You can make a complaint about the service or action that you consider to be unfair and that negatively affects you or has affected you in the past. This could mean any action that is:

- a) taken without prior permission or authority,
- b) taken for unnecessary reasons,
- c) the result of carelessness,
- d) based on wrong or incomplete information,
- e) discriminatory
- f) based on bad clinical, counselling or administrative practice.

2. Who can make a complaint

‘Any person who is being or was provided with a health or personal social service by the Executive or Service Provider or who is seeking or has sought provision of such service may complain, in accordance with the procedures established under this Part, about any action of the Executive or Service Provider that-

- (a) it is claimed, does not accord with fair and sound clinical, counselling or administrative practice, and/or

(b) adversely affects or affected that person.’

This could include the following:

- a) People who have received our services
- b) People who have sought our services
- c) Close relatives or carers of a person, or someone who has the consent of that person to act on their behalf

3. **What is DWWC’s complaints policy?**

DWWC has a feedback policy in place for our service. The policy ensures that everyone has a right to make comments about the services they have received. We welcome all comments, compliments and complaints from service users about the services we provide.

We see any comment, compliment or complaint as a chance to improve the quality of our services and to learn lessons from any mistakes made. We want to hear from you when things are not right, and also when things work well.

4. **Making a comment, compliment or complaint.**

How can I make a complaint, comment or pay a compliment?

You can make complaints, comments or pay compliments in a number of ways - written, email or fax:

- a) You can write to us at:

The Dublin Well Woman Centre,
Head Office,
25 Capel Street,
Dublin 1

Attn: Dr Shirley McQuade, Medical Director (for complaints related specifically to medical consultations)

OR

Attn: Ms Catherine Clements, Head of Counselling Services (for complaints related specifically to counselling visits)

Or

You can write directly to the Operations Manager, Josephine Healion, at the centre where you had your appointment -

The Dublin Well Woman Centre,
Northside Shopping Centre,
Coolock,
Dublin 5

The Dublin Well Woman Centre,
67, Pembroke Road,
Ballsbridge,
Dublin 4

The Dublin Well Woman Centre,
35, Lower Liffey Street,
Dublin 1

Failing any of these, you can write directly to the Chief Executive,
Alison Begas, at the Capel Street Head Office address.

- b) You can e-mail info@wellwomancentre.ie
- c) You can fax us on 01 874 9339
- d) You must include your name and contact details with your complaint, comment or compliment.. In addition, information about the date of your visit to Well Woman which gave rise to your wish to contact us, will help us to investigate the issues you raise with us.

Verbal feedback may also be given, but it can be difficult to investigate without details in writing. In most cases, Well Woman cannot investigate complaints made verbally.

5. What happens to my complaint, comment or compliment?

Stages of Complaints Process

Stage 1 - Informal Resolution by DWWC

Stage 2 - Local Investigation of written and serious complaints

Stage 3 - Internal Review by the HSE

Stage 4 – Independent Review by the office of the Ombusman

6. Acknowledgement of complaints

Upon a written complaint being received, DWWC will notify, within 5 working days, the complainant, in writing, that the complaint has been received. You will be told what steps we propose to take in investigating the complaint and the indicative time limits for the completion of the investigation.

Complaints related to our medical services will be investigated by Well Woman's Medical Director, and will require her to speak and / or meet with the medical or nursing staff involved. Complaints related to our

counselling services will be investigated by Well Woman's Head of Counselling Services, and will require her to speak and / or meet with the counsellor involved.

7. **Stage 1 Investigation of the complaint.**

What does DWWC do once I have made my complaint?

DWWC takes every complaint seriously. Our process for managing complaints is outlined in the next sections.

a) **Local Resolution**

Once we receive a complaint, we will respond to it promptly and wherever possible, we will do our best to resolve the complaint quickly. An immediate response to all complaints is not possible, as complaints related to our medical services must be investigated by our Medical Director, who will meet with the clinic staff involved in the patient's appointment or interaction with the clinic. The same is true of any complaints related to our counselling services.

b) **Informal Resolution**

It is expected that the majority of complaints can be resolved informally. If informal resolution is not appropriate or turns out not to be successful, the Medical Director, Head of Counselling or Chief Executive will start a formal investigation of the complaint.

c) **Timescales**

The Medical Director, Head of Counselling or Chief Executive will investigate a complaint within 30 working days of the acknowledgement of the complaint. They may call on other staff to assist with the investigation.

If the complaint cannot be investigated within 30 days of acknowledging the complaint, the Medical Director, Head of Counselling or Chief Executive will tell you this before this timeframe passes. They will also indicate the time it will take to complete the investigation and must then update you every 20 working days until the matter is resolved.

We will do our best to complete investigations into complaints within six months of receiving the complaint. If we cannot meet this deadline, the Medical Director, Head of Counselling or Chief Executive must inform you that the investigation is taking longer than six months. They must tell you why it is delayed and outline the plan of action for the complaint.

d) **Can I make an anonymous complaint?**

No – as Well Woman is a medical and counselling services organisation, any complaint received will be investigated with

reference to the notes kept in respect of that consultation or visit. It is impossible to investigate the circumstances of any patient's or client's visit unless we know your name and contact details. We will also not be able to notify you of the outcome of any complaint made, without your name.

Furthermore, if you are making a complaint about a particular person and you are giving that person's name, you must complain in writing. You should give details such as dates and locations so that the Chief Executive can check the facts of the complaint.

8. **Advocacy**

Any person who wants to make a complaint can appoint an advocate to assist them in making their complaint and support them in managing that complaint. If you do appoint an advocate, you must give us written authorisation to disclose details of your visit to them in our response to your complaint.

9. **How long do I have to make a complaint?**

The Chief Executive must determine if the complaint meets the time frames as set out in Section 47, Part 9 of the Health Act 2004 which requires that:

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 Chief Executive may extend the time limit for making a complaint if in her opinion there are special circumstances which make it appropriate to do so. These special circumstances include but are not exclusive to the following:

- If the complainant is ill
- 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
- Where extensive support was required to make the complaint and this took longer than 12 months

10. **What about privacy and confidentiality?**

We are committed to keeping private and confidential any information you give when making a complaint. All our staff are responsible for ensuring that your privacy and confidentiality are maintained.

Under the Data Protection Acts, organisations should only use or disclose personal information for the purpose for which it was collected or for another directly related purpose. In other words, any personal information you give when making a complaint will only be used to investigate that complaint. DWWC is registered with the Data Protection Commissioner, and adheres to best practice regarding data protection and confidentiality.

11. **What happens next?**

After an investigation

The Medical Director, Head of Counselling Services, or Chief Executive will write to you detailing their investigation and discussions with the staff member/s that was the subject of the complaint.

The final report will include any recommendations needed to resolve the matter. The Medical Director, Head of Counselling Services or Chief Executive will invite everyone involved to contact them with questions about any issues and will advise you of your right to a review of the recommendations made by the Medical Director, Head of Counselling Services or Chief Executive.

12. **Implementing the recommendations made by the Medical Director, Head of Counselling Services, or Chief Executive**

Within 30 working days of receiving the report from the Medical Director, Head of Counselling, or Chief Executive, staff must implement their recommendations. If you request a review of the investigation, DWWC will suspend the implementation of any recommendations from the Medical Director, Head of Counselling or Chief Executive, and will tell you about this suspension.

13. **If you are still unhappy**

If you are not satisfied with the recommendations made by the Medical Director, Head of Counselling Services, or Chief Executive, you have a right to request an internal review of the entire complaint and how it has been handled to the HSE Head of Consumer Affairs. The Dublin Well Woman Centre encourages you to use the HSE Complaints procedure which can be viewed on <http://www.hse.ie/eng/services/ysys>.

Internal reviews are to be carried out by the HSE. All review requests should be addressed to:

Head of Consumer Affairs
Health Service Executive
Oak House
Millennium Park
Naas

Co. Kildare

The Manager will appoint an appropriate person and will tell you who this is within 7 working days of receiving your request for a review. The person appointed will try to conduct and conclude the review process within 21 working days. If this is not possible, they will inform you of the additional time they need to complete the review.

Independent Review – Ombudsman

Alternatively you can seek a review of your complaint by the Ombudsman / Ombudsman for Children. Nothing in this Part prohibits or prevents any person who is dissatisfied with a recommendation made or step taken in response to a complaint under this Part or with a review under this Part from referring the complaint to the Ombudsman or the Ombudsman for Children.

Office of the Ombudsman
18 Lr. Leeson Street, Dublin 2.
Tel: +353-1-639 5600
Lo-call: 1890 223030
Fax: (01) 639 5674

Ombudsman for Children’s Office
Millennium House
52-56 Great Strand Street
Dublin 1
Tel: 01-8656800

14. **Points to Note**
Are there any complaints that DWWC cannot handle under this policy?

There are some complaints that this policy cannot cover.

Complaints that cannot be investigated by DWWC

In some cases, DWWC will not be able to investigate a complaint. This may arise because the person making the complaint is not entitled to do so or because too much time has passed since the incident concerned took place.

In some cases, the Chief Executive may decide not to proceed with a complaint if they believe it is not appropriate to do so, or if the matter has already been resolved.

15. **Matters excluded (As per Part 9 of the Health Act)**
48.—(1) A person 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 the recruitment or appointment of an employee by the Executive or a service provider;
(c) a matter relating to or affecting the terms or conditions of a contract of employment that the Executive or a service provider proposes to enter into or of a contract with an adviser that the Executive proposes to enter into under section 24;

(d) a matter relating to the Social Welfare Acts;

(e) a matter that could be the subject of an appeal under section 60 of the Civil Registration Act 2004;

(f) a matter that could prejudice an investigation being undertaken by the Garda Síochána;

(g) a matter that has been brought before any other complaints procedure established under an enactment.

(2) Subsection (1)(i) does not prevent a complaints officer from dealing with a complaint that was made to the Ombudsman or the time limit for making complaints.

The Medical Director or Chief Executive will always write to you informing you of any decision not to investigate a complaint, outlining the reasons for that decision and advising you of your right of review.

16. DWWC will use complaints, comments and suggestions to identify any improvements that are needed to enhance the quality of our services. They also provide us with an opportunity to review our current procedures which give rise to complaints.
17. Compliments that mention an individual member of staff will be sent to that staff member.
18. Pursuant to its obligations as a funded organisation, and in line with Section 55 of the Health Act, 2004, the Dublin Well Woman Centre makes a bi-annual report to the HSE of any complaints received.