

Youth Work Ireland Laois Policy

Title: Complaints Policy

Effective Date: 27.04.2020

Youth Work Ireland Laois Form Number: 3

Version: 01 **Total Content:** 13 Pages

Created by: _____ **Dated:** _____

Reviewed by: _____ **Dated:** _____

Approved By: _____ **Dated:** _____

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I have read, understood and agree to abide by policy document:

Youth Work Ireland Laois, Complaints - Policy and Procedures.

Signed:

Date:

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1. Policy Statement

- 1.1. YWI Laois is committed to taking seriously any complaint that concerned individuals have about the service. YWI Laois believes that if an individual wishes to make a complaint or register a concern, they should find it easy to do so.

2. Purpose

- 2.1. This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments are taken seriously and addressed in a professional manner.

3. Scope

- 3.1. This policy covers all actions to be taken in respect to a complaint by a concerned individual. Concerned individuals can include: service users, members of the local community and concerned stakeholders (funders, external agencies, etc.). A complaint by a member of staff is addressed through the grievance process (see Employee Handbook).
- 3.2. Complaints can be made against any aspect of YWI Laois.
- 3.3. While all complaints need to be addressed, this policy is mainly concerned with complaints for which the involvement of management would be necessary.

4. Principles

- 4.1. It is YWI Laois's policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services.
- 4.2. All service users will be informed of the complaints process through induction to the service and by way of a visible poster / leaflets within the service.
- 4.3. All complaints will be responded to and then resolved promptly, and within the timescales outlined.
- 4.4. YWI Laois supports the concept that most complaints, if dealt with early, openly & honestly, can be sorted at local level between just the complainant and the organisation.
- 4.5. Complainants should be consulted about what they would like to happen about their complaint.
- 4.6. All persons involved should be supported and given appropriate assistance throughout the process.
- 4.7. The complaints process should be well publicised. Service users should be made aware that there is an easy way to complain, and how to do it.
- 4.8. All complaints must be properly recorded in a consistent manner.
- 4.9. Complaints should be kept at a central location and monitored for quality purposes.

5. Roles and Responsibilities

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5.1. Management are responsible for:

- a) Ensuring that all staff are aware of the provisions of, and procedures included in this policy and are able to advise service users on the same.
- b) All complaints received are handled in line with the provisions of this policy.
- c) Regularly monitoring the number, nature and outcome of complaints as part of the continuous quality improvement process.

5.2. Staff are responsible for;

- a) Ensuring that all service users are informed of the complaints policy.
- b) Assisting service users to make a complaint as outlined in this policy when requested to do so.
- c) Following all other steps regarding complaints as outlined in this policy.

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6. Service User Complaints Procedures

6.1. Who can complain?

- Anyone who is a user of the service.
- An advocate may also complain on the service user's behalf provided they have the service user's written consent.
- A parent / guardian may complain on behalf of a child.

6.2. What can they complain about? (This is not an exhaustive list). A service user can complain about:

- a) Any part of the service that they have received
- b) A decision made about them that affects them
- c) Being denied a service
- d) A change in service provision
- e) A member of staff

6.3. Acknowledgment of complaints

All complainants will receive notification, in writing, that their complaint has been received within 5 working days. This notification must outline the steps to be taken in the investigation and the timeframe for completion of the investigation.

6.4. Complaints involving staff

- a) If the complaint is about a member of staff, the complainant should immediately be referred to the Regional Director. The service user will be supported to write the complaint. The service user will be told that the staff member will be informed that a complaint has been lodged against them.
- b) If the complaint is about a Regional Director, the service user will be supported to write the complaint, which will be referred to a more senior person. The service user will be told that the Regional Director will be informed that a complaint has been lodged against them.

6.5. Verbal complaints

- a) All verbal complaints, no matter how seemingly unimportant, will be taken seriously. Staff will ensure to retain an open, non-defensive attitude.
- b) All contact with the complainant should be polite, courteous and empathetic. At all times staff should remain calm and respectful.
- c) A staff person who receives an oral complaint should seek to solve the problem immediately if possible. If staff cannot solve the problem immediately they should offer to get the Regional Director to deal with the problem.
- d) If the suggested plan of action is not acceptable to the complainant then the member of staff or Regional Director should ask the complainant to complete a Complaints Record Form (Appendix I) and inform them fully about the complaints procedure.
- e) If a complaint is made regarding a staff person, the complaint will be dealt with as described in 5.3.

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6.6. Written complaints

- a) All complaints that need management to resolve them should be lodged in writing.
- b) A completed copy of the Complaints Record Form should be given to the project Regional Director. This should include information on the following:
 - c) The nature of the complaint.
 - d) Why the original response to the complaint was unsatisfactory, if there was one.
 - e) What the complainant's desired outcome would be.
- f) The Regional Director will proceed to investigate the complaint. If necessary, further details may be requested from the complainant. If the complaint is not made by the service user but on the service user's behalf, then the consent of the service user, preferably in writing, must be obtained from the complainant.
- g) Where a complaint involves two or more individuals, all parties will have the opportunity to give their side of events to the Regional Director, (who will choose whether those involved should meet together or should be meet separately).
- h) If the complaint involves a member of staff they will be requested to attend to discuss the issues. They will be given reasonable notification which enables them time to organise to bring a colleague or trade union representative with them if they wish to.
- i) The Regional Director will complete the investigation within thirty days (unless otherwise agreed) and the complainant will be informed of any outcomes in writing and verbally.
- j) If the complaint involves potentially serious matters, advice should be sought from a legal advisor. If legal action is taken at this stage, any investigation by the organisation under the complaints procedure should cease immediately.

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6.7. Outcomes and actions

- a) Outcomes and actions initiated as a result of the complaint should be recorded on the Complaints Recording Form.
- b) If the complainant is found to be rightly aggrieved, an apology should be offered by the organisation in writing signed by the Regional Director. All steps should be taken to ensure that any problems arising from the original cause for complaint are addressed.
- c) If the service user is not satisfied with the outcome of the investigation, a meeting should be set up with the Regional Director and Chairperson of the Board of Directors within four weeks. The complainant will be entitled to bring a family member or an advocate. The outcome of this meeting will be communicated in writing within 3 working days.

7. Other Concerned Individuals Complaints Procedures

7.1. Who can complain?

- a) Any member of the local community,
- b) Any external stakeholder (funders, external agencies, etc.).

7.2. A concerned individual can complain about any aspect of the service that has impacted on them or the organisation they represent in a way that they perceive to be negative.

7.3. All complaints by members of the community or other stakeholders should be referred to the Regional Director.

7.4. Verbal complaints

- a) All verbal complaints, no matter how seemingly unimportant, will be taken seriously.
- b) All contact with the complainant should be polite, courteous and sympathetic.
- c) The regional Director will be contacted to respond to any oral complaints. If the suggested response is not acceptable to the complainant then the Regional Director should ask the complainant to put their complaint in writing and give them a copy of the complaints policy and form for completion.
- d) All complaints should be recorded noting: date; time; name of person/project making the complaint; nature of the complaint; and name of Regional Director handling the complaint. Contact details for the complainant should also be recorded.

7.5. Written Complaints

- a) A completed copy of the Complaints Record Form or a complaint letter should be given to the Regional Director. This should include information on the following:
 - the date, time, and name and contact details of the person/organisation making the complaint
 - the nature of the complaint
 - what the complainant's desired outcome would be

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- the name of the Regional Director handling the complaint
- b) If a complaint has been received by letter or email, the Regional Director should contact the complainant in writing within five working days to acknowledge receipt of the letter. The Regional Director may be required to ask additional questions to ensure the information outlined in the Complaints Recording Form is available. The letter should be attached to a copy of the form.
- c) The Regional Director should inform the complainant that the complaint has been lodged and the matter will be investigated and a reply given in ten working days.
- d) The Regional Director will proceed to investigate the complaint. If necessary, further details should be requested from the complainant.
- e) If the complaint involves a member of staff they will be requested to attend to discuss the issues and will be given reasonable notification which facilitates them to bring a colleague or trade union representative.
- f) The Regional Director will complete the investigation within thirty days (unless otherwise agreed) and the complainant will be kept informed of progress in writing and advised in writing of the outcome.
- g) If the complaint raises potentially serious matters, advice should be sought from a legal advisor to the establishment. If legal action is taken at this stage any investigation by the establishment under the complaints procedure should cease immediately.
- h) If the complaint involves the service Regional Director, then the process should be passed to the management committee.

8. Outcomes and Actions

- 8.1. Outcomes and actions initiated as a result of the complaint should be recorded on the Complaints Recording Form.
- 8.2. If the complainant is found to be rightly aggrieved, an apology should be offered by the organisation in writing signed by the Regional Director / Chairperson of BOD, and all steps should be taken to ensure the cause is appropriately addressed.
- 8.3. If the complainant's proposed outcome is not judged satisfactory by the organisation, the complainant will be provided with a written rationale for the decision.
- 8.4. If the complainant is not satisfied with the outcome of the investigation they have a right to appeal, though this should be done within ten working days from receipt of official correspondence.
- 8.5. The Regional Director / Chairperson of BOD must then advise the Board to instigate the establishment of an appeal committee and process.
- 8.6. The appeal should involve two members of the management committee who have not previously been involved in the process.
- 8.7. The decision of this committee is final.

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9. Anonymous Complaints

9.1

Anonymous complaints or complaints made under false names raise both practical problems and issues concerning fairness. The reason for this is that an investigation cannot be undertaken. Anonymous complaints will not normally be investigated as there is always a possibility that they are vexatious or malicious and the anonymity of the complainant does not enable the principles of natural justice and procedural fairness to be upheld. Of particular importance is the fact that a staff member cannot properly respond to the issues raised. The Regional Director will also not be in position to undertake any remedial actions where there is not a full agreement on the issue as described in the complaint.

9.2

In the event that an anonymous complaint is received, YWI Laois will note the issues raised and, where necessary try and resolve them appropriately. An anonymous complaint may be referred for investigation:

- a) If there was a good reason why the complaint was being made on an anonymous basis, for example, if there was a concern by the complainant that if their identity was revealed it could lead to negative consequences on their health or well-being. This may depend on the seriousness of the allegation being made, and should be at the discretion of the Regional Director. If the allegation involves the Regional Director, it should be referred to the Chairperson of BOD.
- b) If the allegation can be properly investigated either by talking to a third party witness, or with evidence provided with the complaint, and where there is no need for further contact with the anonymous complainant.
- c) Any complaint involving a minor will be investigated and handled in a confidential manner according to the Child Protection Policy.

9.3

In the case that a complaint cannot be fully investigated, the complaint will not be referred to in the staff file or will not in any other way impact upon working process or roles etc., except where this has been agreed by all involved including the person named in the complaint.

9.4

9.5 If the complaint relates to the general service delivery this will be referred to the Chairperson of BOD and remedial action will be implemented if appropriate.

9.6 A record of all complaints will be kept in the complaints file.

9.7 If anonymous complaints are received, as far as possible, the organisation will promote the complaints procedure and ensure appropriate supports are in place to facilitate complaints being made.

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Complaints Record form

Date of complaint:

Complaint made by:

Complaint received by:

Complaint made by: Telephone
Letter (attached)
In person
Other

- All complaints are treated confidentially.
- No service user will suffer loss of service because they have made a complaint.

Complainant details

Name of complainant(s):

Address of complainant/s:

Contact phone number of complainant/s:

If a complaint is being made on behalf of someone else:

1. Who is the complaint on behalf of:

2. Who is making the complaint:

3. What is their relationship

4. Does the representative have the complainant's written consent to represent their interests?
Yes
No

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Details of the complaint (If insufficient space, attach extra pages)

The complainant's desired outcome would be:

Signed:

Complainant: _____ Date: _____

Regional Director: _____ Date: _____

Thank you for your comments. Complaints are valuable in helping to maintain and improve the service of Youth Work Ireland Laois.

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How is the complaint being dealt with? (To be completed by the Regional Director)

Actions and outcomes (to be reported by the Regional Director)

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Complaints Process – Information for Service Users

Who can complain?

- 1) Anyone who is a user of the service.
- 2) An advocate may complain on the service user's behalf provided they have the service user's written consent.
- 3) A parent / guardian may complain on behalf of a child.

What can you complain about?

- 1) Any part of the service that you have received
- 2) A decision made about you that affects you
- 3) Being denied a service
- 4) A change in service provision
- 5) A member of staff

Important things to note:

- 1) You have the right to complain when you are unhappy with the service.
- 2) If staff cannot address your issue they will help you write down your complaint so it can go to the Regional Director.
- 3) If you make a complaint you will not be treated differently following the complaint. The service sees complaints as a way to improve what we do.

Complaints involving staff:

If you wish to make a complaint about a staff member

- Tell one of the team and you will be referred to Regional Director, who will help you follow the process.
- Note that the staff member will be informed a complaint has been made against them.
- If you want to complain about the Regional Director then the complaint can go to Chairperson of Board of Directors, again let a member of staff know.

Complaint Process

- All complaints will be taken seriously.
- If you tell a staff member about a complaint, the staff member will try to resolve the issue with you. If this does not happen and you are still unhappy, the staff member will help you complete a Complaints Record Form or write a complaint letter, which will be given to the Regional Director.
- Once you have written down the complaint the Regional Director will investigate the problem and get back to you in 10 working days with a response.
- If you are unhappy with the response, let the Regional Director know and a meeting can be set up with someone Chairperson of Board of Directors (within four weeks).
- You can bring a family member or other advocate to this meeting. Following this meeting you will be informed of an outcome after three days.