



## Social Care Ireland Complaints Policy and Procedure

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### 1. Introduction

Social Care Ireland aims to provide its members, volunteers and other users of our services with the best possible service at all times. However, we recognise that from time-to-time things can go wrong and there may be occasions when users of our services feel that the quality or level of service provided falls short of what they could reasonably expect.

We would hope and expect to resolve any day-to-day difficulties or complaints informally and as quickly as possible. In the first instance we would expect any complaints to be raised directly with the individual concerned.

The more formal procedure outlined below is intended for use by members, volunteers and other users of our services and the general public where informal communication has not resolved the complaint.

Social Care Ireland recognises the importance of operating a complaints system that is effective, fair and accessible to all. This is in line with the Charity Commission's view that: *'an effective complaints management system is a proven way of maintaining and building relationships with the people on whom the charity depends.'*

Social Care Ireland regards complaints as an opportunity to learn and improve for the future, as well as a chance, where appropriate, to put things right for the person or organisation that has made the complaint.

Our policy on complaints is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint.
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- To make sure everyone at Social Care Ireland knows what to do if a complaint is received.
- To make sure all complaints are investigated fairly and in a timely way.
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired.
- To gather information which helps us to improve what we do.

Social Care Association of Ireland CLG T/A Social Care Ireland

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## 2. Definition of a Complaint

A complaint is any expression of dissatisfaction, whether ultimately found to be justified or not, about any aspect of Social Care Ireland's work. Complaints may come from any person or organisation that has had dealings with, or has a legitimate interest in, the organisation.

This policy does **not** cover complaints from staff. Such complaints will be handled in accordance with Social Care Ireland's Grievance Policy and Procedure. Nor does this policy cover Whistleblowing – Social Care Ireland's separate Whistleblowing Policy sets out details of how such cases are handled.

## 3. Confidentiality

All information provided in connection with a complaint will be handled sensitively. Information will only be shared with those who need to know and in line with relevant data protection requirements.

## 5. Submitting Complaints

Complaints are best made in writing with supporting evidence so that the details are recorded in the complainant's own words, and where the facts and supporting evidence can more easily be reviewed. Written complaints should be sent for the attention of the Complaints Officer, Social Care Ireland, c/o Childvision, Grace Park Road, Dublin 9, D09 WK0H or by email to **officesocialcareireland@gmail.com**.

Once we have received the complaint in writing, the matter will be screened by the Complaints Officer to ensure it meets the threshold for the Complaints Procedure. In some cases, the information related to the complaint submitted may be subject to clarification with the individual if it could be deemed as feedback. Once the matter has been screened to meet the threshold, we will contact the complainant to provide the details of the Complaints procedure.

## 6. Handling and Resolving Complaints

As agreed by the Board of Social Care Ireland, there will be a designated Complaints Officer. We expect that complainants will engage with our procedure as set out below. The outcome of the complaint will be determined either as Upheld, Upheld in Part or Not Upheld. In circumstances whereby the complainant is not satisfied with the outcome of the complaint they can make an appeal to the Appeals Officer who is the Chair of the Board of SCI.



## A. Handling Complaint

- If the complaint cannot be resolved in an informal way, the Complaints Officer will contact the complainant within five working days to advise how they intend to proceed. This will include confirmation that the screening is positive in meeting the threshold for matter to be investigated.
- The Complaints Officer will record the complaint in the Complaints Register. A copy of the Complaints procedure should be enclosed with the acknowledgement and sent to the complainant.
- If the complaint relates to a specific person, that person should be informed and given a fair opportunity to respond.
- In circumstances that where the complaint relates to the Chair of the Board or the designated Complaints Officer, the Vice Chair will be designated to undertake that person's task or duty. If a complaint is about a Trustee or a matter of governance, the designated Complaints Officer will liaise with Company Secretary to determine the most appropriate way to proceed. If necessary, they will liaise with the Chair of the Board and, in certain circumstances, the consideration of the appointment of an external investigator may be required.
- Ideally complainants should receive an outcome within four weeks. If this is not possible because, for example, an investigation has not been fully completed, an update will be sent to the complainant with an indication of when the outcome will be completed.
- When the investigation is concluded, the designated Complaints Officer will write a letter outlining the outcome of the complaint. This will also include the information pertaining to the Appeals Process, should the complainant not be satisfied with the outcome.
- The designated Complaints Officer will maintain any records pertaining to the complaint including the outcome, in line with GDPR. The Complaints Register will be updated, and the Board of Social Care Ireland will be advised accordingly of the outcome.



**B: Appeals Process:**

- If the complainant feels that the complaint has not been satisfactorily resolved, they can utilise the Appeals Process whereby the complaint is reviewed by the Chair of the Board. If the complaint relates to the Chair of the Board, it will be reviewed by the Vice-Chair. An escalation of a complaint should be based on the facts and not simply that the complainant did not get the outcome they wanted.
- A request for a review under the appeals process must be made within twenty-eight days of the complainant receiving the initial outcome of the complaint. For the Chair of the Board to enact the Appeals Process, the complainant should outline in writing the nature of the appeal or the requirement for review with the Chair of the Board. This will be acknowledged in writing to the complainant within five working days of receiving it, including details of the name of the Chair of the Board.
- If the complaint relates to a specific person, they should be informed that the complaint has been referred to the Appeals Process.
- The Complaints Officer, or alternative who dealt with the original complaint, will be advised that an Appeals Process is taking place and that they may be requested to assist in providing further information.
- Ideally, the review of the Appeal should be concluded within five weeks. If this is not possible because, for example, a review has not been fully completed, then the complainant will be provided with an update and details of when an outcome will be reached.
- When the Appeals Process is concluded, the designated Appeals Officer will write a letter outlining the outcome appeal to the complaint. This may include the rationale for an alternative decision being reached.
- Details of the Appeals process will be recorded on the Complaints Register along with the outcome of same. The Board will also be advised accordingly.
- The decision taken at this stage is final, unless the Chair of the Board decides it is appropriate to seek external assistance with resolution. Such external assistance may include the appointment of an Independent Adjudicator.



## 7. Complaints direct to the Charity Commission

In certain circumstances a complaint can be made direct to the Charity Regulatory Authority (CRA). Information about the kind of complaints the Commission will be prepared to investigate can be found on their website at:

<https://www.charitiesregulator.ie/en/information-for-the-public/raise-a-concern>. The CRA does not, however, act as a complaints service for those complaints that are best dealt with by the charity direct. It assesses and identifies if there is a regulatory issue or other serious concern that requires its involvement. The CRA will normally refuse to take up an issue if it judges it not to be in the public interest to use its resources investigating or resolving it.

## 8. Variation of the Complaints Procedure

The Complaints Officer will liaise with the Chair of the Board to vary the procedure in cases where the specific circumstances justify this. For example, a variation of the procedure may be necessary to avoid a conflict of interest in a particular case.

## 9. Complaints outside of the Scope of the Policy

We are committed to handling all complaints directly relating to the work and staff of Social Care Ireland. There are incidents that fall outside of the policy which include, but are not limited to:

- Complaints about Members or complaints about other service users.
- Complaints that are being dealt with through a legal process.
- Complaints that are more than 12 months old.

## 10. Vexatious complaints

Social Care Ireland provides a Complaints Procedure that should only be used in 'good faith' and not vexatious in nature. If the complaints officer determines that the complaint is malicious, vexatious or are unreasonably persistent then the complaint will not be processed. This will include complaints which are made in order to hinder the review of complaints made by others. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

If Social Care Ireland believe that they have exhausted the options in handling / resolving the complaint, and an outcome has been provided, they reserve the right to restrict in engaging in any further action.



### **11. Monitoring and Learning from Complaints**

It is the responsibility of the Complaints Officer to maintain the Complaints Register so the Board can be informed regarding any matters related to same. The subject of complaints will remain a standing item on the agenda of Board Meetings. The register will be reviewed to highlight any trends, which may indicate a need to take further action.

### **12. Ownership of Policy and Frequency of Review**

Overall responsibility for this policy and its implementation lies with the Chair of the Board, supported by the Board of Directors.

*This policy will be reviewed on an annual basis. The next review will be in January 2024.*