



Service User/Concerned Person/Representative Complaints Policy and Procedure

Is this document a:

Policy

 Procedure

 Protocol

 Guideline

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It is the intention of Aiséirí to review and, if necessary to revise this policy document according to the time-frame indicated the Review Date above. If, however there is a delay in doing so, this policy will remain current and in operation until such time as the review (and revision) is properly completed.

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1. Introduction

1.1 Policy Statement

Aiseiri welcomes all feedback on our services whether positive or constructive. We take various proactive approaches to gathering feedback from our clients during and after they use our services. We see this as critical to ensuring our services are effectively meeting the needs of our clients and continuously improving.

Aiseiri understands that clients may be unhappy about some aspect of the service they receive and would like to make a complaint about it. We have in place a Process that clients can follow to submit a complaint either verbally or in writing. Aiseiri is committed to dealing in a timely, honest, efficient, professional and consistent way with any complaint a client may have about our service.

Aiseiri wishes to resolve complaints in an effective and timely manner and use an early resolution approach to complaints wherever possible in line with Aiseiri's standard operating procedure.

We welcome feedback and will always take it seriously. If we get something wrong, we will acknowledge it and where possible try to put things right in consultation with the client and anyone involved.

We aim to learn from any mistakes. We use the information we gather as an opportunity to review practices, procedures and to continuously improve our services.

This policy outlines our commitment to handling any complaint received from a client about services provided by Aiseiri and the procedure we will follow on receipt of any complaint received whether verbally or in writing.

2. Definitions

A *"Complaint"* - is an expression of dissatisfaction by a Service User/Concerned Person/Representative about an organisation's action or lack of action, or about the standard of service provided by or on behalf of the organisation.

A *"Concerned Person"* – is a person acting on a client's behalf who has their consent to do so i.e.,

- A close relative or carer of the person,
- Any person who, by law or by appointment of a court, has the care of the affairs of that person,
- Any legal representative of the person,
- Any other person with the consent of the person.

A *"Representative"* – for a client is a *"Concerned Person"*. For a Staff Member or Volunteer this is a fellow staff member or a Trade Union representative but no other person or party unconnected with Aiseiri.

3. Scope

This policy relates to the handling of complaints regarding any aspect of Aiseiri services by a client or a “Concerned Person” acting on the client’s behalf who has their consent to do so and the roles/responsibilities of Aiseiri’s Board of Directors, Management, Staff and Volunteers in the process.

4. What can a client complain about?

- ✓ Any part of the service a client has received.
- ✓ A decision made about them that affects them.
- ✓ Being denied a service.
- ✓ A change in service provision.
- ✓ The behaviour of a member of management / staff / volunteer /another client towards them.
- ✓ This is not an exhaustive list.

4.2 How to Make a Complaint

A client or “Concerned Person” can make a complaint in any of the following ways:

- Raise the matter directly with a staff member.
- Complete the **Complaints Form (see Appendix I)** and send this by email to the Compliance Manager at **Email: compliance@aiseiri.ie**
- Complete the **Complaints Form (see Appendix I)** and send this by post to:
Compliance Manager
Aiseiri
Townspark
Cahir
Co. Tipperary
E21 E206
- Get in touch by telephone with the Compliance Manager on **Telephone: 052-7441166**

Complaint Forms are available from any member of the Aiseiri Team, the Compliance Manager, on our website or at Reception in each of the Aiseiri Centres.

This policy does not supersede other relevant and applicable Aiseiri policies, procedures, protocols and guidelines.

5. Policy Purpose

The purpose of this policy and the Client Complaints Process document is to ensure that:

- The complaints process is accessible, flexible and responsive to the needs of clients.
- An environment which encourages and enables clients to make a complaint is provided.
- An environment which safeguards the rights of all persons involved in a complaint including the right to be listened to, treated with dignity & respect, given the right of reply, supported as required and given appropriate assistance throughout the process.
- Complaints are responded to promptly in line with this procedure and dealt with in an appropriate manner depending on the nature of each individual case.
- Where an investigation is required then it will be conducted thoroughly in an open, honest and transparent manner.
- Communication with the complainant is maintained throughout the process undertaken i.e., informal or formal process.
- Complainants are involved in and informed of the outcome of their complaint.

- When failures in care are identified, these are acknowledged, an apology is provided, and action taken where appropriate.
- Clients or “*Concerned Persons*” and staff/volunteers are provided with appropriate support(s) throughout the complaints management process.
- Management and staff have the knowledge and skills to effectively manage a complaint. Designated Managers receive specialised training in Complaint Handling and the Compliance Manager ensures the process is managed effectively from start to finish.
- Learnings from complaints are identified and appropriate action is taken to share these learnings throughout the organisation to reduce the likelihood of a reoccurrence of the same or similar event(s).
- Learnings from complaints informs Aiseiri’s services from a quality and continuous improvement perspective.
- The complaints procedure complies with obligations to confidentiality and Data Protection legislation including record retention.

6. Roles & Responsibilities

Roles and responsibilities underpin the effective implementation of this Policy and Procedure. It is the role and duty of all management, staff and volunteers to:

- Comply with this Policy & Procedure.
- Ensure that this Policy & Procedure is implemented and adhered to in their area and that the rights and legitimate interests of clients, staff and volunteers are protected.
- Promote a culture and attitude that welcomes complaints and supports the effective and timely resolution of any complaints received.
- Ensure that information on how to make a complaint is accessible and made widely available throughout each of the Aiseiri locations.
- Provide an efficient, effective, fair and accessible system for handling client complaints.
- Collect data, monitor feedback and action on learnings for the purpose of improving the quality of Aiseiri services.

6.1 Role of the Board of Directors

- ✓ Ensure that all management, staff and volunteers within Aiseiri are aware of the **Client Complaints Process** and this **Client Complaints Policy & Procedure** including any future revisions.
- ✓ Ensure that the Complaints Process is clearly articulated, open and accountable to both staff and clients.
- ✓ Ensure that strategic decision making is informed by client complaints data.
- ✓ Ensure that analysis of complaints informs and influences the organisations strategies, planning and organisational improvements.

6.2 Role of the Chief Executive Officer (CEO)

- ✓ Ensure that a comprehensive ‘fit for purpose’ system for the management of client complaints is in place and implemented throughout Aiseiri.
- ✓ Ensure an effective communication process is in place to inform clients on how to make a complaint regarding the services provided to them within Aiseiri.
- ✓ Ensure staff/volunteer training is up to date on any related policies, procedures, documents, processes and the effective management of client complaints.
- ✓ Analyse and discuss Reports on anonymised complaints, identifying trends, KPI compliance, actions and learnings with the Leadership Team including Centre Managers.

- ✓ Prepare and deliver Reports to the Board on anonymised complaints, identifying trends, KPI compliance, actions and learnings.
- ✓ Delegate the responsibility for the day-to-day management of the client complaints process to the Compliance Department but assume overall accountability for its effective management within Aiseiri.
- ✓ Liaise as appropriate with The Office of the Ombudsman on any complaint received by the Ombudsman relating to services provided by Aiseiri and keep the Board informed as required.

6.3 Role of Aiseiri Centre Managers & Heads of Department

- ✓ Ensure that the **Client Complaints Process** and the **Client Complaints Policy & Procedure** are effectively implemented throughout the Centre/Department they are responsible for.
- ✓ Ensure that staff/volunteers within his/her Centre/Department receive appropriate training in managing complaints.
- ✓ Ensure copies of the up-to-date client 'user friendly' information i.e., the **Client Complaints Process** document including a **Complaints Form**, are easily accessible to staff or clients in their Centre/Department.
- ✓ Where appropriate provide any required support or guidance to staff/volunteers and clients on the informal resolution of any complaints.
- ✓ Conduct regular audits as required by the Compliance Department to ensure that all client complaints whether made on an informal or formal basis are recorded on a **Complaints Log Form (Appendix II)** and sent to the Compliance Manager on the same day.
- ✓ Where appropriate provide any required support or guidance to staff/volunteers and clients on the informal resolution of any complaints related to his/her Centre/Department.
- ✓ Where appropriate liaise closely with the Compliance Manager on any formal investigation process that needs to be conducted on foot of a complaint related to his/her Centre/Department.
- ✓ Design, co-ordinate, support and implement any actions or learnings identified as a suitable outcome of the complaints process for the improvement of services within the Centre/Department he/she is responsible for.
- ✓ When appropriate and nominated, manage and conduct an Internal Appeal Process into the suggested outcome from the Formal Investigation Process on foot of a formal complaint. This role maybe required in any Centre/Department of Aiseiri to ensure impartiality and independence in the Appeal Process.

6.4 Role of the Head of Head of Clinical Services

- ✓ Be a champion for the client complaints management process though an active and visible leadership role with key involvement in education, training and reporting arrangements.
- ✓ Be responsible for the routine monitoring and review of the organisation's client complaints management process in conjunction with the Compliance Manager as a direct report.
- ✓ Provide a reasonable level of resources and support as required to the Compliance Manager to effectively carry out his/her role in the day-to-day management of the client complaints management process for the organisation.
- ✓ Upon notification from the Compliance Manager ensure that any risks identified as part of a complaint are notified to the CEO and/or relevant Centre Manager and/or Head of Department to ensure high risk complaints are appropriately assessed and investigated and that learning is achieved.
- ✓ Provide an overview and update on the management of service user feedback to the Leadership Team at their regular Team meetings.

- ✓ Ensure the **Client Complaints Process**, related documents, policies, procedures, records and reports in place within Aiseiri are up to date, fit for purpose and continuously improving as required/scheduled.
- ✓ Liaise as appropriate with The Office of the Ombudsman on any complaint received by the Ombudsman relating to services provided by Aiseiri and keep the CEO informed.

6.5 Role of the Compliance Manager

- ✓ Main point of contact within Aiseiri for clients and staff/volunteers regarding the management and operation of the client complaints process.
- ✓ Review all **Complaints Log Forms** received.
- ✓ Review all complaints received and resolved at local level on an informal basis to ensure a suitable outcome has been achieved for all parties involved. This may involve a follow up telephone call with the client, *“Concerned Person”* and/or staff member/volunteer.
- ✓ Manage all Formal Complaints received from their inception to closure. Ensure detailed records are maintained.
- ✓ Review all Formal Complaints from clients or *“Concerned Persons”* to recommend appropriate next steps based on the individual circumstances of each complaint e.g., Informal Resolution Process or a Formal Investigation Process.
- ✓ When a Formal Investigation Process is recommended on foot of a Formal Complaint appoint a suitable Investigator (internal/external competent person) to conduct.
- ✓ Ensure the rights and legitimate interests of clients, a *“Concerned Person”*, staff member or volunteer are protected throughout any Formal Investigation Process.
- ✓ Ensure the timelines and communications (verbal/written) expressly outlined in the **Client Complaints Policy & Procedure** are rigorously adhered to.
- ✓ On the conclusion of an Informal Resolution Process check in with all stakeholders to ensure that the matter has been resolved/closed.
- ✓ On the conclusion of a Formal Investigation Process forward the draft findings or Report to all the parties involved for their comment. Incorporate any comments received in the Final Report and re-issue to all the parties.
- ✓ Manage the findings and recommendations within the final Formal Investigation Report to conclusion.
- ✓ Advise any party unhappy with the Formal Investigation Report findings that an Internal Appeal can be lodged to the ‘nominated person’ in line with the Internal Appeal Process as outlined further in this document.
- ✓ Where a client or *“Concerned Person”* is unhappy with the outcome of an Internal Appeal provide them with details on how the matter can be referred externally to the Office of the Ombudsman.
- ✓ Ensure that any risks identified as part of any complaint are assessed and immediately notified to the Head of Development, Compliance, Innovation and Psychology Services, the relevant Centre Manager/Head of Department and the CEO as appropriate.
- ✓ Where a complaint has been withdrawn the Compliance Manager must bring this to the attention of the Head of Clinical Services, the relevant Centre Manager/Head of Department and the CEO where appropriate to determine if the investigation should continue. A record of the decision made will be placed on the case file.
- ✓ Ensure client complaints data is accurately recorded and stored securely in the Compliance Department.
- ✓ Generate anonymised complaints data and disseminate this information as appropriate.
- ✓ Submit reports on client complaints as agreed to the Head of Clinical Services Services and the CEO.
- ✓ Ensure user friendly information on how a client can make a complaint is widely available throughout Aiseiri.
- ✓ Design, recommend, solicit and/or conduct any ‘Best Practice’ Complaint Handling training for existing staff/volunteers and new hires.

- ✓ Update as required/scheduled any internal documents, policies, procedures, records and reports in place within Aiseiri on the [Client Complaints Process](#), making sure these are up to date, fit for purpose and continuously improving.
- ✓ Liaise as appropriate with The Office of the Ombudsman on any complaint received by the Ombudsman relating to services provided by Aiseiri and keep the Head of Clinical Services and the CEO informed.
- ✓ Ensure an appropriate internal person is appointed to deputise for the Compliance Manager in relation to handling complaints in his/her absence. The person nominated must be approved by the Head of Clinical Services and the CEO. The Compliance Manager's 'Out of Office' voicemail message and email message should clearly state whom to contact in the event of a complaint being raised in their absence.

6.6 Role of Staff and Volunteers

- ✓ Ensure they are aware of and have trained to this policy & procedure and any future revisions.
- ✓ Ensure they are aware of, trained to and know where to access a copy of the [Client Complaints Process](#) document to give to a client.
- ✓ Be comfortable and competent to explain each step in the complaint's procedure to clients in a non-judgemental way, when requested to do so.
- ✓ Fully participate in any complaints management training.
- ✓ Manage a client complaint in a timely manner either by dealing with it to a successful outcome informally at the point of contact in line with this Policy or refer it to a more senior person and the Compliance Manager for its management.
- ✓ Escalate immediately to the most Senior Person on Duty and the Compliance Manager any verbal or written complaint received from a client or "*Concerned Person*" that could reasonably be construed to present a 'clear and present danger' to the safety, health or welfare of a client(s), staff, volunteers or property within Aiseiri.
- ✓ Complete a [Complaints Log Form \(Appendix II\)](#) for all types of complaints received (informal or formal) and forward to the Compliance Manager for follow up and/or recording purposes the same day.
- ✓ Fully participate in any investigative process of a complaint received.
- ✓ Be discreet about who you discuss the details of a client or "*Concerned Persons*" complaint with, especially if it contains an allegation of inappropriate behaviour by another staff member or volunteer. Matters of this nature are highly sensitive and can cause great upset unless appropriately handled.
- ✓ Provide any data relevant to a client complaint received as requested by the Compliance Manager.
- ✓ Support and implement any actions or learnings identified as a suitable outcome of the complaints process for the improvement of services within Aiseiri.

7. Implementation

7.1 Managers of the service will be responsible for implementation of this guideline.

7.2 When approved by the relevant committee, the Compliance Manager will be made aware. The Compliance Manager is responsible for disseminating this policy to staff. Once finalised, the policy is uploaded by the Compliance Manager to Aiséiri's shared drive, "The Hub." The Compliance Manager then shares the policy directly to each staff member's email address via the system. Staff are required to acknowledge that they have read and understood the policy by accepting it through the provided link. The Compliance Manager

maintains a central record of all staff who have completed this acknowledgment. For staff who have not yet accepted the policy, individual follow-up emails are sent by the Compliance Manager. Additionally, staff will receive a weekly alert until the policy has been accepted.

7.3 Policies signatures are audited quarterly by the Compliance Manager.

7.4 Managers are responsible to ensure all appropriate education and training is provided where necessary. This is explored with staff through an annual staff development meeting and via other meetings such as clinical team meetings and Operational management monthly meetings.

7.5 Ensure all staff are aware of the policy, whether it is new or updated, operation managers communicate a new policy development or the review of an existing policy through weekly inter-departmental meetings. These minutes are sent to all staff members.

7.6 Ensure that necessary resources are made available to facilitate implementation of the guideline.

7.7 Audits are completed on a yearly basis in line with the Aiseiri Quality Improvement Plan.

8. Client Complaints Procedures

Complaints from a Client or “*Concerned Person*” can vary greatly in their nature. They can be made and received in various ways and require different processes and persons at different levels in the organisation to effectively resolve.

The following outlines the Procedures to be followed by all staff/volunteers within Aiseiri on foot of a complaint received from a client or “*Concerned Person*”.

8.1 Verbal Complaint made to a Staff Member/Volunteer

- Listen actively, without interruption to what the Client or “*Concerned Person*” is saying.
- Ask Open Questions where appropriate to gain a greater understanding of the nature of the issue i.e., Who, What, When, Where and How?
- Ask the person how they would like the matter resolved.
- Take some written notes.
- Thank the Client or “*Concerned Person*” for raising their issue/concern and assure them that all complaints are taken seriously and welcomed by Aiseiri. Advise the Client or “*Concerned Person*” that Aiseiri has a Process to deal with all Client complaints and **give them a copy** of the **Client Complaints Process** document for their reference.
- A Volunteer should refer and hand over the matter at this stage to the Senior Staff Member on Duty within the Department/Centre.
- Depending on the nature of the issue raised and if within your remit, **agree** a suitable resolution or outcome with the Client or “*Concerned Person*”.

- If the Client or “*Concerned Person*” is unhappy with your suggested outcome advise them that they can raise the matter with the **Compliance Manager** as outlined in the **Client Complaints Process** document.
- If the matter is complex, you may need some additional time to look into it OR refer it to your Manager OR discuss with the Compliance Manager. In such an instance advise the Client or “*Concerned Person*” of this and that they will be contacted within **48 Hours or as soon as reasonably practicable** with a response/follow up.
- Escalate immediately to the most Senior Person on Duty and the Compliance Manager any verbal complaint received from a client or “*Concerned Person*” that could reasonably be construed to present a ‘clear and present danger’ to the safety, health or welfare of a client(s), staff, volunteer or property within Aiseiri.
- Complete a **Complaint Log Form (Appendix II)** as soon as possible and forward this to the Compliance Manager.
- Follow up with your manager or the Compliance Manager as required to ensure the matter is fully resolved.

8.2 Verbal Complaint made to the Compliance Manager

- A Client or “*Concerned Person*” may for whatever reason choose to provide a complaint verbally to the Compliance Manager rather than to the person they are dealing with directly within Aiseiri.
- The Compliance Manager will listen, ask open questions as appropriate to gain a full understanding of the complaint from the Client or “*Concerned Person*” and try to establish a desired outcome.
- Depending on the nature of the complaint the Compliance Manager may need:
 - Some additional time to look into the matter and then contact the Client or “*Concerned Person*” with a response/follow up – **max 48 hours or as soon as is reasonably practicable.**
 - Due to the nature of the issue(s) raised ask the Client or “*Concerned Person*” to complete a **Complaint Form** attached to the **Client Complaints Process** document sent on to them.
- The Compliance Manager will undertake a preliminary review of the complaint and where possible try to find an Informal Resolution Process to achieve a suitable outcome agreeable to all relevant parties within **2 working days.**

8.3 Formal Written Complaint made to the Compliance Manager

- A formal written complaint received from a client, or “*Concerned Person*” **must be** forwarded to the Compliance Manager for its management from inception to closure.
- The Compliance Manager is the nominated and responsible person within Aiseiri for dealing with the organisation’s client complaints management process to ensure fairness and consistency in its application and outcomes.
- A written complaint sent to the Compliance Manager will be acknowledged in writing to the Client or “*Concerned Person*” within **2 working days.**
- An initial review of the written complaint will be undertaken by the Compliance Manager. This may include:
 - A follow up telephone call, email or face to face meeting with the Client or “*Concerned Person*” to gather more information to ensure he/she has a clear understanding of the complaint, share possible avenues of address, ask for desired outcome(s) and any other relevant information pertaining to the matter.
 - If the complaint refers to the involvement of a staff member, volunteer or another client then the Complaints Officer will undertake a telephone call or face to face meeting with them to gather more information pertaining to the matter being complained of. The staff

member or volunteer's direct Manager will be advised by the Compliance Manager of the initial complaint received and their input into how a suitable resolution may be achieved.

- If the complaint contains an allegation of inappropriate behaviour or conduct by a staff member, volunteer or another client then the Compliance Manager will make contact with the person complained of by telephone to arrange a meeting with them. At this preliminary meeting the person will be given a copy of the alleged written complaint against them and asked for their response. The Compliance Manager will explain that this meeting is NOT a formal investigation but rather a preliminary meeting to gather more facts, share possible avenues of address, ask for desired outcome(s) and any other information pertaining to the matter. The staff member, volunteer or client will be afforded the right to bring a "Representative" to this meeting should they choose to do so. The staff member or volunteer's direct Manager will be advised by the Compliance Manager of the initial complaint received and their input into how a suitable resolution may be achieved.
- If the initial review by the Compliance Manager identifies a 'clear and present danger' to the safety, health or welfare of the client, another client(s), staff member(s), volunteer(s) or Aiseiri property then the matter will be immediately escalated to the appropriate Centre Manager/Head of Department for action whether in line with this policy & procedure or other relevant procedure e.g., Child Protection Policy/Children First.
- Following the initial review, the Compliance Manager will be in contact with the Client or "Concerned Person" who made the complaint to advise on next steps within **5 working days**. If the complaint involves a staff member, volunteer or another client they will also be contacted within **5 working days** and advised of next steps. A staff member or volunteer's direct Manager will also be contacted.
- **Next steps** as recommended by the Compliance Manager may be one of the following depending on the nature of the complaint, the information gathered during the initial review, the appropriate method of address and the desired outcome solicited from the relevant parties:
 - **Informal Process** – facilitated meeting between the parties OR letter/email from the Compliance Manager or relevant Manager advising on how the matter will be addressed, actions to be taken and apology where appropriate OR Mediation between the parties (see below for details on the Mediation Process). If one of these Informal Dispute Resolution methods are undertaken, then completion will be achieved within **30 working days or as soon as is reasonably practicable** and the complaint case file closed by the Compliance Manager. Any delays to the Informal Process chosen will be communicated **every 20 working days** by the Compliance Manager to the relevant parties.
 - **Formal Process** – following the initial review conducted by the Compliance Manager due to the serious nature of the alleged issues contained in the complaint the matter will need to be formally investigated. Also, when an Informal Process has not been successful in the resolution of a complaint then a formal process may be required. When a formal investigation needs to take place the Compliance Manager will manage the Process as follows:
 - Identify a suitably qualified internal/external Investigator(s) to undertake a formal investigation.
 - Write to the parties involved following the initial review to advise that a formal investigation will take place, who the Investigator(s) will be, what the Terms of Reference for the investigation will be, the right of representation at any investigation meetings, the proposed timeline for the process and how the

outcome of the investigation will be communicated to the relevant parties. Where practicable the formal investigation process will take up to a **maximum of 30 working days**, however due to extenuating circumstances delays maybe encountered. In such instances the Compliance Manager will communicate in writing to the relevant parties giving a reason for any delay(s) **every 20 working days** until its conclusion.

- Once the formal investigation has been concluded the Compliance Manager will communicate with the Client or the “*Concerned Person*” by letter or email to advise on the draft findings of the formal investigation process for comment.
 - Where all parties are happy with the finds of the Formal Investigation Report the Compliance Manager will send final copies of the Report to the relevant parties and move forward to agreeing outcomes.
 - Where party/parties are unhappy with the findings of the Formal Investigation Report including any adverse findings for them **before** next steps are taken the Compliance Manager will advise them of the Internal Appeal Process as outlined below.
 - Where a formal investigation has involved an allegation of inappropriate behaviour/conduct by a staff member or volunteer towards a client and the Investigation Finding is that based on the facts established and “on the balance of probability” such has taken place then the matter will be recommended for a referral to the Aiseiri Disciplinary Procedure for the staff member/volunteer involved.
- The Compliance Manager will be responsible for keeping a detailed Case File for each individual Complaint referred for a Formal Investigation.

9. Internal Appeal

If a party is unhappy with the findings from the Formal Investigation Process, then he/she can submit an Appeal in writing, outlining the grounds for the appeal within **5 working days** to the **Centre Manager or nominated Senior Person**. This person will be in contact with within **2 working days** through the preferred method of communication to confirm receipt of the appeal. This person will normally also hear the appeal. A client or “*Concerned Person*” or staff member or volunteer who wishes to submit an Appeal will be invited to attend an Appeal Hearing by the **Centre Manager or nominated Senior Person** and afforded the right to bring a “*Representative*” with them to the Hearing. Aiseiri aims to have appeals heard within **10 working days** from the request to appeal in writing. Thereafter, Aiseiri aims to provide the Appellant with the determination on the appeal within a further **5 working days**, or as soon as reasonably practicable.

The decision of the **Centre Manager or nominated Senior Person** on the conclusion of the Appeal Process will be deemed final.

If the Client or “*Concerned Person*” is unhappy with the outcome of the Internal Appeal Process, then the matter can be referred by them to The Ombudsman/Ombudsman for Children as appropriate.

10. Formal Complaint Outcome(s)

Once the findings of the Investigator in the Formal Investigation Process are accepted OR an Internal Appeal Process has concluded, then outcomes to conclude the complaint will be undertaken. These outcomes could include:

- If the organisation did something wrong or there was a system failure, how and why it happened will be explained to the Client or “*Concerned Person*”.

- The corrective action(s) being introduced to stop it happening again will be advised, the timelines surrounding their introduction and any other relevant outcomes.
- If the organisation got anything wrong, then an apology will be given and any redress to the impacted person(s) as appropriate.
- If the complaint included an allegation of inappropriate behaviour or conduct by a staff member or volunteer that the Formal Investigation Process found had taken place, then the Client or “*Concerned Person*” who made the complaint will be advised that the matter will be taken further with the staff member/volunteer through further internal procedures to its conclusion. The details or outcome of any internal disciplinary procedures with a staff member or volunteer will not be shared with the Client or “*Concerned Person*” due to data protection legislation.
- The Compliance Manager or a Senior Manager on behalf of the organisation will consult the Client or the “*Concerned Person*” on the suitable outcome(s) to conclude the matter.
- The agreed outcomes will be recorded in the Case File by the Compliance Manager or Senior Manager.

11. Mediation

A mediation process may be an appropriate Informal Process to deal with a dispute between individuals and achieve a suitable resolution. Mediation can be suggested and arranged by the Compliance Manager, where this is voluntarily agreed by the parties involved.

Mediation is a voluntary, non-binding and confidential dispute resolution process where an impartial skilled person, the Mediator, helps the disputing parties find a mutually satisfactory solution to their issue(s) and reach agreement on a way forward. The mediator guides the parties through a defined process toward an agreement that is mutually designed and agreed. This is achieved by the mediator helping the parties clarify their underlying interests and concerns, and encouraging compromise and trade-offs based on the relative importance of each item to each party.

Mediators cannot impose a resolution upon the parties since they are not able to make legally binding decisions. Any agreement reached, if one is reached, is simply an agreement verbally made or in writing, signed by the parties involved on a way forward. The matters discussed during the Mediation Process are confidential to the parties involved and no records are maintained.

Mediation is usually well-suited to disputing parties who are still able to negotiate, who do not want a third-party to make final decisions and where there is a need for an ongoing relationship. An effective mediator can hear the parties out and help them communicate with each other in a controlled environment and in an effective and non-destructive manner. Using mediation can effectively deal with many dispute situations which undoubtedly arise in any group of individuals due to diversity, tensions, pressures, differing interests and needs.

12. Support

Aiseiri recognises that giving and receiving a complaint can be difficult and upsetting for the parties involved. The Compliance Manager in consultation with each of the parties involved in a complaint whether being addressed through an Informal/Formal Process will endeavour to address and agree any reasonable level of support(s) required to assist the party in moving through the Process to a suitable outcome.

13. Anonymous Complaints

It is the policy of Aiseiri that complainants must provide contact details when making a complaint to enable appropriate validation, follow up and investigation of a complaint unless there is a good and sufficient reason for withholding this information. The Compliance Manager will review anonymous complaints within the limitations of the information provided. to assure that the safety, health and welfare of clients, staff, volunteers or property is not at risk and that action is taken, as appropriate.

An anonymous complaint may be referred for a formal investigation within Aiseiri by the Compliance Manager in consultation with the Leadership Team as appropriate if:

- ✓ There is good reason why the complaint is being made on an anonymous basis, for example, revealing of identity, could lead to negative consequences on the complainant's health or well-being.
- ✓ There is a reasonable belief that there may be a 'clear and present danger' to the safety, health and welfare of clients, staff, volunteers or property.
- ✓ If the allegation can be reasonably, fairly and thoroughly investigated either by talking to a third-party witness(es), or with evidence provided by the Client or "*Concerned Person*".
- ✓ Any complaint involving a minor will be investigated and handled in a confidential manner according to the [Child Protection Policy/Children First](#).

Where a complaint citing alleged misconduct by a staff member or volunteer 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 processes or roles etc. An exception will be made, and the complaint logged in staff/volunteer's file, where this has been agreed by all involved, including the person named in the complaint.

If an anonymous complaint relates to general service delivery the complaint will be referred to the relevant Centre Manager or Head of Department by the Compliance Manager where any remedial action will be implemented as appropriate.

The Compliance Manager, staff members and volunteers should promote and encourage a client or "*Concerned Person*" who wishes to make a complaint to do so by providing them with a copy of the [Client Complaints Process](#) document. Assure the Client or "*Concerned Person*" that their complaint will be taken seriously, they will be provided with appropriate supports throughout the process and that the depth of details given will allow for the matters raised to be managed in a fair, thorough, timely and respectful way for all concerned.

14. Vexatious or Malicious Complaints

If the Compliance Manager determines a complaint to be vexatious or malicious, he/she will not pursue the complaint any further. However, this does not remove a Complainant's right to submit their complaint to an independent agency such as the Ombudsman or the Ombudsman for Children. If a complaint is found to be vexatious or malicious, there will be no record of the complaint in the file of any named staff member, volunteer or service about which the complaint was made. Before a complaint is deemed vexatious the Compliance Manager will bring it to the Head of Development, Compliance, Innovation and Psychology Services and/or the CEO to assist in the determination/classification.

15. Documentation

Any documentation noted in the appendices can be found on the Aiseiri Hub. All staff gain access to the Aiseiri Hub during induction.

16. Review

Aiseiri reserves the right to make changes to this policy & procedure as required in line with changes to legislation, best practice Client Relationship Management (CRM) or organisational needs.

17. Appendices

APPENDIX I

COMPLAINTS FORM

A: Your details:

Surname: _____

Forename(s): _____

Title: _____

Address: _____

Email Address: _____

Daytime Telephone Number: _____

Mobile Telephone Number: _____

Please state by which of the above methods you would like us to contact you

Your requirements

If our usual way of dealing with complaints is difficult for you, please tell us so that we can discuss how we might help you.

The person who experienced the problem should normally fill in this form. If you are filling this in on behalf of someone else, please fill in Section B. Please note that before taking forward the complaint we will need to satisfy ourselves that you have the authority to act on behalf of the person concerned.

To thoroughly research your complaint an Investigation may need to take place, undertaken by an internal or external competent person appointed within or by Aiseiri. The Investigator may need access to personal data held by Aiseiri on you which is relevant to the complaint. Please indicate with a **✓** below if you consent to this or not. If you do not consent the Investigator may be limited in conducting a full, fair and thorough investigation into your complaint.

I do consent to personal data relevant to my complaint being accessed by the Investigator

I do not consent to personal data relevant to my complaint being accessed by the Investigator

B: Making a complaint on behalf of someone else. Their details:

Their name in full: _____

Their address: _____

What is your relationship to them? _____

Why are you making a complaint on their behalf? _____

C: About your complaint: (Please continue your answers to the following questions on a separate sheet(s) if necessary)

What do you think we did wrong, or failed to do?

Describe how you personally or the person you are representing suffered or has been affected

What do you think should be done to put things right?

Have you already put your concern to a member of the Aiseiri Team? If so, please give details of how and when you did so.

If you have any documents to support your concern/complaint, please attached them with this form.

Signature: _____

Date: _____

When you have completed this form, please send it to our Compliance Manager:

- **Email:** compliance@aiseiri.ie OR
- **By post to:** **Compliance Manager**
Aiseiri
Townspark
Cahir
Co. Tipperary
E21 E206

The complainant's desired outcome is/was:

Corrective action(s) taken:

Matter escalated to more Senior Person: Yes No
Insert details: _____

Follow Up required: Yes No
Insert details: _____

Copy of [Client Corrective Feedback & Complaints Process](#) document issued to Client or "Concerned Person"?

Yes No

Client or "Concerned Person" happy the matter has been resolved informally?

Yes No

Client or "Concerned Person" to submit a written complaint?

Yes No

Staff Member/Volunteer Signature: _____ **Date:** _____

COMPLIANCE MANAGER TO COMPLETE

Date copy of completed Complaint Log Form received on: _____

Follow Up required/undertaken? Yes No
Insert details: _____

Learnings: _____

Centre Manager/Head of Department informed:

Yes No