

Title	Complaint Officer Report and Recommendations Template	Reference Number	
Owner	Carmel Lally (Consumer Services Manager)	Version	V01
Author	Carmel Lally (Consumer Services Manager)	Effective From	April 2023
Approved By (LEAD)		Review Date	September 2023
Approval Date		Page	Page 1 of 12

Private and Confidential



Complaints Officer Investigation Report and Recommendations

Reference number [Insert Number - *EITHER YSYS number or Complaint manager will provide*]

Use black font Arial 12 throughout the document

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To update table of content- it is important to use a table of content as it helps the reader find information within the document. They can jump to sections within the document by clicking on a header. To add or update the table of content:

- 1. Locate and click the table of content in the document*
- 2. Right click the table of content and select update field in the pop up menu.*
- 3. In the update table of content window, select update entire table if you have edited the headings in the document or page numbers if you just want to update the page numbers and click the ok button.*

Do not amend the formatting of any headings.

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1. Summary of the complaint

Ms / Mr (*insert service user's name*) wrote to the HSE on (*insert date using this format (4th April 2023)*) to submit a complaint regarding (*insert brief summary of the complaint, where did the alleged incident happen, when did it happen*).

The complaint was received by the HSE on (*insert date using this format 10th April 2023*).

The key issues of concern outlined by the service user were:

Issue 1:

Issue 2:

Issue 3:

Issue 4:

Instruction: List and number the issues outlined within the complaint. These are statements and not a full description of the issues as this will be expanded within the report.

Example:

Issue 1: Staff Behaviour and attitudes

Issue 2: Environmental issues

Issue 3: Clinical Matters

Issue 4: Communication

2. Informally Resolved Matters (delete if not applicable)

Example:

Issue number- 4 Communication (Insert number) (insert detail): As outlined in the Acknowledgment letter, a (phone call/meeting) was made to service user

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on the (insert date, using this format 10th January 2022), where this issue was discussed and resolved informally.

(Insert any agreed action as a result of meeting/phone call, for example: Again, I would like to reiterate my sincere apologies to you on behalf of the HSE regarding this matter _____ plan has been put in place to prevent such events occurring in the future.)

The service user has been informed in previous correspondence of their right to request a further investigation of these informally resolved matters if they so wish, you can refer to this again, should you wish.

3. Clinical Issues (delete if not applicable)

Please note clinical only complaints received should be referred to the appropriate clinical person for investigation and direct response.

Example Part Admin, Part Clinical:

Instruction: The Health Act 2004 defines clinical judgement as 'a decision made or opinion formed in connection with the diagnosis, care or treatment of a patient'.

This issue has been referred to the (insert name & title of clinical person) for investigation as it will be investigated under an alternative pathway as excluded under the Health Act 2004.

A separate response is included with this report See Appendix 2.

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4. The Investigative Process

Instruction: List complaint issues below (for example) and insert a description of the investigation process as per examples given below:

Issue 1: Staff Behaviour and attitudes – give detail

Issue 2: Environmental Issues – give detail

Issue 3: Clinical Matters – give detail

Issue 4: Communication – give detail

Issue 1: (insert detail) – Investigation of this issue encompassed the following:

In order to investigate this matter I undertook the following actions:

- *What did you do to investigate this matter?*
- *Did you interview staff members who may have witnessed events-were any written reports provided?*
- *Did you interview or take a statement from the complainant- when did this take place.*
- *What investigation was undertaken by the complaint officer to determine if this element of the complaint should be upheld?*

Issue 2: (insert detail) Investigation of this issue encompassed the following:

In order to investigate this matter I undertook the following actions:

Issue 3: Clinical Matters - Investigation of this issue encompassed the following:

For clinical matters the complaint officer should demonstrate the measures they took to ensure that the appropriate clinical person be assigned to investigate the clinical element of the complaint. A report regarding this matter should be provided back to the complainant.

Issue 4: - (insert detail) Investigation of this issue encompassed the following:

In order to investigate this matter I undertook the following actions:

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5. Findings & Recommendations

Issue 1: *State issue*

Investigation of this issue encompassed the following:

What action you took and what evidence you reviewed to determine why/why not the complaint is upheld or not upheld, e.g. reviewed information available onsite, review of patients notes, interviewed staff on duty, review information on ICT system, interview patients and or family members.

Finding: This complaint *is/not* upheld.

Instruction:

Outline the findings of your investigation

Give a summary of the outcome of the investigation.

Where relevant answer the following questions:

- *How did the incident happen?*
- *Why did it happen?*
- *State whether you acknowledge any fault on behalf of the HSE/ your organisation – apologise where the HSE is at fault. Wording may include examples such as I wish to apologise on behalf of Community Healthcare Organisation Midlands, Louth Meath for any upset and distress that this event has caused you. This is not the level of service we wish to provide. Be mindful that harm is often unintended and it is a comfort to the service user to hear this.*
- *State if complaint is upheld or not*
- *Be clear and concise in your findings and use the words either **upheld** or **not upheld** in this paragraph.*

It might be helpful to keep in mind that the burden of proof is the balance of probabilities; this might help you when reaching a determination. If upon examining a

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complaint or an issue your findings are that you do not uphold the complaint an example or wording that could be used is set out below:

Having investigated this matter I am unable to uphold this issue due to lack of evidence to support the complaint, therefore I am unable to reach a determination one way or the other on the matter. I would like to emphasise however that this does not mean that I do not accept your version of events; merely that it is not possible to reach a conclusion on this issue. I would also like to apologise for any upset this matter may have caused you. I understand you have been through a difficult time. (Dependant on circumstances of the complaint, don't be afraid to be empathic and understanding to their circumstances)

Recommendation:

Each complaint that is upheld must have a recommendation linked to the issues raised in the complaint

Issue 2:

Investigation of this issue encompassed the following:

Finding: This complaint *is/not* upheld.

Recommendation:

Issue 3:

Investigation of this issue encompassed the following:

Finding: This complaint *is/not* upheld.

Recommendation:

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It is important to note that each complaint report should contain recommendation even if the recommendation is 'there are no recommendations to be made in this case'. The National Complaint Governance & Learning Team has advised that the Right of Review is based on the recommendations and therefore each report should have this section.

Issue 4:

Investigation of this issue encompassed the following:

Finding: This complaint *is/not* upheld.

Recommendation:

6. Learning

I would like to thank you again for taking the time to contact us with your concerns. I want to assure you this feedback is important to the HSE. This investigation and recommendations outlined above has resulted in important learning for the organisation and will lead to service improvements.

If you are not happy with my response to **Issue No. 1, 2 and 4 (do not include clinical issues)** you can seek a review of this investigation by writing to the HSE Consumer Services Manager (details below) who will assign a Reviewer to your case. (Details provided below).

Mrs. Carmel Lally

Consumer Services Manager, HSE Community Healthcare Organisation

23B Lough Sheever Corporate Park, Robinstown,

Mullingar, Co. Westmeath N91 H529

E-mail: carmel.lally@hse.ie

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However, if you remain unhappy with this response dealt with under Your Service Your Say, the Management of Service user Feedback for Comments, Compliments and Complaint Policy then you can refer your complaint to the Office of the Ombudsman. (Details provided below).

The Ombudsman is fair, independent, and free to use. The Ombudsman will ask you for details of your complaint and a copy of this letter/email (our final response to your complaint). The best way to contact the Ombudsman is by:

1. Clicking on the 'Make A Complaint' link at www.ombudsman.ie
2. Writing to: Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773
3. Calling the Ombudsman on 01 639 5600 if you have any queries

7. Recommendation Summary

List detail of all recommendations below:

Signed: _____

Date: _____

Complaints Officer

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8. Appendices

Appendix 1 E.G. Clinical Report, SOP etc.

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9 LETTER TO ACCOUNTABLE OFFICER OUTLINING RECOMMENDATIONS

MADE

(Insert complaints officer's address)

(Insert HSE reference number)

(Insert RE: Complainant Name)

(insert date),

(Insert name and Address of Accountable Officer)

Dear *(Insert Accountable Officer's name)*,

In line with YSYS Policy 2017 I recently undertook an investigation into a complaint made by the above named service user. As a result I have made a number of recommendations regarding your service area. The relevant portion of the investigation report, including recommendations made, is enclosed.

In accordance with Your Service Your Say Feedback Policy, you are required to notify both the service user and myself of your intention to accept or reject these recommendations. If you are accepting these recommendations you must complete the attached action plan template for each recommendation listed. If you reject any of the recommendations you must outline reasons for same.

The final report went to the complainant on *(insert date)*, therefore your Action Plan is due 30 working days from this date. Enclosed is the Action Plan template which should be completed.

If you have any queries please don't hesitate to contact me,

Yours Sincerely,

(Insert name)

Complaints Officer

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10 -Action Plan Template

<u>Action Plan Template</u>					
No.	Detail or Recommendation	Accountable Officer	Approved or Rejected	Date of Implementation	Outline Reason for Rejection
1					
2					
3					