



Standard Letters for use in conduction **Reviews of Complaints**

Table of Contents

General Information.....	2
Acknowledgment letter to be used when an issue has been resolved informally	3
Letter from Complaint Manager to Review Officer assigning complaint for review....	5
1. Summary Letter Template (To be used when ALL issues within a complaint are resolved informally e.g. over telephone or through face to face meeting).	6
2a. Letter from Review Officer to Complainant acknowledging receipt of review	7
2b. Letter from Review Officer to Complainant acknowledging receipt of review - when the request is outside legislative timeframes	8
3a. Letter from Review Officer to Complainant requesting clarification on scope of review.....	9
3b. Letter from Review Officer to Complainant in cases of non-receipt of information	10
3c. Letter to be sent to Complainant if request for review contains items outside scope of Part 9, Health Act 2004	11
3d. Letter to be sent to Patient/Service User re consent – if they are not the Complainant.....	13
3e. Letter to be sent to Complainant if consent is required	15
3f. Letter to be sent from Review Officer to Complainant who does not wish to have review investigated	16
4. Letter from Review Officer to Complaints Officer	17
5a. Letter to be sent to Service Manager if request for review contains clinical and non clinical issues	18
11.1 Complaints in relation to Clinical Judgement.....	19
5b. Letter to be sent to Complainant if request for review contains clinical and non clinical issues	20
6. Letter from Review Officer to Complainant notifying delay	22
7. Letter from Review Officer to Staff Member re adverse findings.....	23
8a. Letter from Review Officer to Complainant following the review of a complaint	24
Review Report and Recommendations	26
8b. Letter from Review Officer to Service Manager following the review of a complaint.....	29
8c. Letter from Complaints Manager to Service Manager if no response received following recommendations.....	31

GENERAL INFORMATION

These standard letters should be:

1. **Tailored and personalised to suit type and nature of complaint.** In particular, **DELETE** any fields not required, for example, use the Office of the Ombudsman **or** the Office of the Ombudsman for Children.
2. **Typed on Hospital Group/Community Health Organisation headed paper** (except where a review is conducted by an outside body).
3. **Consistent in style** (Style used for this document is ***Font type***: Times New Roman, ***Font size***: 12)

ACKNOWLEDGMENT LETTER TO BE USED WHEN AN ISSUE HAS BEEN RESOLVED INFORMALLY

(Insert Review Officer's address)

(Insert HSE reference number)

(Insert date)

(Insert name and complainant's address)

Dear *(Insert Name)*,

Thank you for your letter dated *(insert date)*, regarding your concerns arising from *(insert details)*.

1) To be used if any of the issues are resolved informally.

As per our *(insert as appropriate e.g. telephone conversation/meeting yesterday/ this morning/last week)* I would like to again offer my sincerest apologies over the *(insert the specific issue/s that were resolved informally)*. I can appreciate your frustration and I can assure you that this is not the level of service we would wish for our service users.

As I explained *(insert explanation of what went wrong and what has been agreed to be done to resolve issue)*. Again I sincerely apologise that *(insert details)*. As I outlined to you *(insert as appropriate this morning/yesterday/last week on the phone/at the meeting)*, *(insert action that has been taken)*. You agreed that you were satisfied that this element of your complaint has been addressed, however if you change your mind and require further investigation around this then please don't hesitate to contact me.

General Content of Acknowledgment Letter (please remove this heading from final letter).

I will be undertaking a full investigation of the issues listed hereunder and hope to have a response to you by *(insert date 20 working days from date of acknowledgment)*.

(List and number non-clinical issues identified within complaint)

I would be grateful if you could contact me within 5 days of receipt of this acknowledgement if you do not wish for your personal information held by the HSE to be accessed by me. Please note that in my investigation, the only records I may need to access are those that relate specifically to the issues identified within your complaint. If I do not hear from you within that timeframe I will proceed with my investigation on the basis that you do not object to me accessing your personal information.

Please note that you will be kept informed of any delays that may arise in dealing with your complaint.

If on conclusion of the investigation you are not satisfied with the outcome this process then you can appeal the decision by seeking a review from the Office of the Ombudsman directly. Contact details are below and will of course be again outlined within my final report.

Office of the Ombudsman

18 Lr. Leeson St., Dublin 2.

Tel: +353-1-639 5600

LoCall: 1-890-223030(from outside 01 area)

Fax: +353-1- 6395674

E-mail: ombudsman@ombudsman.gov.ie

May need to remove this paragraph in very serious cases

Thank you again for taking the time to bring your concerns to our attention. We welcome all feedback as this provides us with a valuable insight into our services from the service user perspective and can inform service improvement.

If you require further clarification on anything then please don't hesitate to contact me on the number below.

Please note that the details of your complaint review will be recorded on the HSE's Complaints Management System (electronic system on which all HSE complaints are recorded).

Yours sincerely

(Insert name)

Review Officer

**LETTER FROM COMPLAINT MANAGER TO REVIEW OFFICER ASSIGNING COMPLAINT
FOR REVIEW**

[Insert complaints manager's address]

[Insert HSE reference number]

[Insert date]

Private & Confidential

[Insert review officer's name and address]

Dear *[Insert review officer's name]*

I wish to inform you that you have been appointed as the Review Officer to examine the request for review from the above named.

I am enclosing herewith a copy of the request received from *[insert complainant's title and name]*.

I would be grateful if you could write to *[insert complainant's title and name]* acknowledging receipt of this request and advise *him/her* of the timeframes in relation to carrying out the review.

I would also be grateful if you could forward a copy of the outcome of your review to this office.

Thank you for your assistance.

Yours sincerely

[Insert name]

Complaints Manager

1. SUMMARY LETTER TEMPLATE (TO BE USED WHEN ALL ISSUES WITHIN A COMPLAINT ARE RESOLVED INFORMALLY E.G. OVER TELEPHONE OR THROUGH FACE TO FACE MEETING).

(Insert Review officer's address)

(Insert HSE reference number)

(Insert date)

(Insert name and complainant's address)

Dear *(Insert complainant's title and name)*,

Thank you for your *(letter/email)* dated, *(insert date)*, which was received on *(insert date)*. As per our *(telephone conversation/ meeting this morning/yesterday etc)* I would like to again offer my sincerest apologies over the *(insert detail on issue/s)*. I can appreciate your frustration and I can assure you that this is not the level of service we would wish for our service users to experience

(Insert summary of explanation that was discussed over phone/at meeting). Again I sincerely apologise for *(insert specifics)*.

As I outlined to you in our conversation *(detail of steps taken to prevent issues reoccurring)*. You agreed that you were satisfied that *(this element/these elements)* of your complaint have been addressed, however if you change your mind and require further investigation around *(this issue/these issues)* then please don't hesitate to contact me. You also have the right to seek a review directly with the Office of the Ombudsman details of which are below.

Office of the Ombudsman

18 Lr. Leeson St., Dublin 2.

Tel: +353-1-639 5600

LoCall: 1-890-223030(from outside 01 area)

Fax: +353-1- 6395674

E-mail: ombudsman@ombudsman.ie

Yours Sincerely,

(Insert name)

Complaints Officer

2A. LETTER FROM REVIEW OFFICER TO COMPLAINANT ACKNOWLEDGING RECEIPT OF REVIEW

(within 5 working days of the application for review being received)

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private & Confidential

[Insert complainant's name and address]

Dear *[Insert complainant's name]*

Thank you for your recent correspondence requesting a review of the recommendations made following the investigation into your complaint, made on *[insert date]* to *[insert HSE location/service]*. I wish to inform you that I have been assigned as Review Officer to investigate this matter.

I will be undertaking a full investigation of the issues listed hereunder and hope to have a response to you by *(insert date 20 working days from date of acknowledgment)*.

If I am not in a position to conclude the review within the proposed timeframe I will notify you in writing of the fact and provide you with an alternative conclusion date.

If on conclusion of the investigation you are not satisfied with the outcome this process then you can appeal to the Office of the Ombudsman directly. Contact details are below and will of course be again outlined within my final report.

Office of the Ombudsman

18 Lr. Leeson St., Dublin 2.

Tel: +353-1-639 5600

LoCall: 1-890-223030(from outside 01 area)

Fax: +353-1- 6395674

E-mail: ombudsman@ombudsman.ie ??? Is this right?

Should you wish to clarify any matter or issue relating to the report please do not hesitate to contact me on *[insert phone number/email]*. **Please personalise as appropriate.**

Yours sincerely

[Insert name]

Review Officer

Copy to : (Complaints Officer)

2B. LETTER FROM REVIEW OFFICER TO COMPLAINANT ACKNOWLEDGING RECEIPT OF REVIEW - WHEN THE REQUEST IS OUTSIDE LEGISLATIVE TIMEFRAMES

(within 5 working days of the application for review being received)

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private & Confidential

[Insert complainant's name and address]

Dear *[Insert complainant's name]*

Thank you for your recent correspondence requesting a review of the recommendations made following the investigation into your complaint, made on *[insert date]* to *[insert HSE location/service]*. I wish to inform you that I have been assigned as Review Officer to investigate this matter.

I note your application for review of recommendations, made by *[complaints officer]* in his/her report dated *[insert date]*, exceeds the timeframe for such an application under the terms of the Health Act 2004 (Complaints) Regulations 2006, which states that a review of a complaint must be requested within 30 working days of receipt of letter from Complaints Officer. **[Consider the circumstances for the delayed application and decide to proceed or not proceed. Accompany this decision with an explanation, e.g. – *[However, I am happy to proceed with your review, considering the circumstances for the delay in your application]*.**

In accordance with the Health Act 2004 (Complaints) Regulations 2006, I propose to conduct and conclude this review within 20 working days of receipt of your request, that is, *[insert date]*.

If I am not in a position to conclude the review within the proposed timeframe I will notify you in writing of the fact and provide you with an alternative conclusion date.

Should you wish to clarify any matter or issue relating to the report please do not hesitate to contact me on *[insert phone number/email]*. **Please personalise as appropriate.**

Yours sincerely

[Insert name]

Review Officer

Copy to:

[Insert complaints officer]

3A. LETTER FROM REVIEW OFFICER TO COMPLAINANT REQUESTING CLARIFICATION ON SCOPE OF REVIEW

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert complainant's name and address]

Dear *[Insert complainant's title and name]*

Thank you for your recent correspondence requesting a review of the recommendations made following the investigation into your complaint, made on *[insert date]* to *[insert HSE location/service]*. I wish to inform you that I have been assigned as Review Officer to investigate this matter and I have noted that on an initial examination of your request, the grounds for review are not clearly outlined in your letter.

In order for me to examine your request fully, I would be grateful if you could write to me listing the recommendations in the complaints officer's report that you were not satisfied with and why you wish to request a review.

Please forward these details within 10 working days of receipt of this letter. If you have any queries, please do not hesitate to contact me on *[insert telephone number/e-mail]*.

Yours sincerely

(Insert name)

Review Officer

3B. LETTER FROM REVIEW OFFICER TO COMPLAINANT IN CASES OF NON-RECEIPT OF INFORMATION

[Follow up phone call required also with this letter]

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert complainant's name and address]

Dear [Insert complainant's title and name]

I refer to my letter dated [insert date] seeking further information in relation to your request for review and I do not appear to have received a response.

If I do not hear from you by [insert date: 10 working days from today's date] I will consider the matter closed.

If you have any queries, or should you wish to discuss this matter, please do not hesitate to contact me on [insert telephone number/e-mail].

Yours sincerely

[Insert name]

Review Officer

3C. LETTER TO BE SENT TO COMPLAINANT IF REQUEST FOR REVIEW CONTAINS ITEMS OUTSIDE SCOPE OF PART 9, HEALTH ACT 2004

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert complainant's name and address]

Dear *[Insert complainant's title and name]*

Thank you for your recent correspondence requesting a review of the recommendations made following the investigation into your complaint, made on *[insert date]* to *[insert HSE location/service]*. I wish to inform you that I have been assigned as Review Officer to investigate this matter.

Select and use one of the following options, as relevant:

Option A

On initial examination of your request for a review I have noted that the following issue is not included in the Health Service Executive's complaint management policy, *Your Service Your Say*:

(Delete sections that are not appropriate)

- (a) a matter that is or has been the subject of legal proceedings before a court or tribunal;*
- (b) a matter relating solely to the exercise of clinical judgment by a person acting on behalf of either the Executive or a service provider;*
- (c) an action taken by the Executive or a service provider solely on the advice of a person exercising clinical judgment in the circumstances described in paragraph (b);*
- (d) a matter relating to the recruitment or appointment of an employee by the Executive or a service provider;*
- (e) 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;*
- (f) a matter relating to the Social Welfare Acts;*
- (g) a matter that could be the subject of an appeal under section 60 of the Civil Registration Act 2004;*
- (h) a matter that could prejudice an investigation being undertaken by the Garda Síochána;*
- (i) a matter that has been brought before any other complaints procedure established under an enactment.*

OR

Option B

Under the HSE Policy and Procedures for the Management of Consumer Feedback, there are specific laws in place for managing complaints in relation to *[Environmental Health Issues / Nursing homes]*

etc.]. As your complaint is in relation to *[insert subject matter e.g. before the courts]* it is outside of my power to review it and I have therefore forwarded your complaint to *[the judge, contact the Office of the Information Commissioner (FOI), Data Protection Commissioner (Data protection), write to the nursing home]* for their onward management.

OR

Option C

In line with the HSE Policy and Procedures for the Management of Consumer Feedback, I have referred your complaint to the *[insert name e.g. Child Care Manager (child abuse)]*.

I am sorry I cannot be of further assistance at this time. I wish to advise you that if you remain dissatisfied with my response, it is open to you to refer your complaint to the Office of the Ombudsman. Please see contact details below.

Please personalise as appropriate.

Ombudsman for Children to be used in cases where complainant is under 18 or an adult wishes to make a complaint on behalf of a child under 18.

Office of the Ombudsman, 18 Lower Leeson Street, Dublin 2.

Tel: +353-1-6395600

LoCall: 1890 22 30 30 (from outside 01 area)

Fax: +353-1-6395674

E-mail: ombudsman@ombudsman.gov.ie

OR

Office of the Ombudsman for Children, Millennium House, 52-56 Great Strand Street, Dublin 1.

Tel: +353-1-8656800

- LoCall: 1890 654 654 (from outside 01 area) - E-mail:

oco@oco.ie

Yours sincerely

[Insert name]

Review Officer

3D. LETTER TO BE SENT TO PATIENT/SERVICE USER RE CONSENT – IF THEY ARE NOT THE COMPLAINANT

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert name and complainant's address]

Dear *[Insert complainant's title and name]*

I wish to advise you that *[insert name of complainant]* has contacted the HSE on your behalf.

[Insert name of complainant] is requesting a review of the *[insert summary of request]*.

As this request is about your *[care and treatment]*, I must check whether or not you would like a review of the recommendations made by the complaints officer following the investigation of the complaint.

If you would like a review to take place, I will need your consent to access your files as part of the review. I would also need your permission to liaise with *[insert name of complainant]* as your advocate. This means that I would write to *[insert name of complainant]* directly about your care and try to answer any questions *[he/she]* raises.

If you do not want a review to take place, I would close the request and notify *[insert name of complainant]*.

It is also open to you to raise any complaints you have directly with the *[insert name of service provider]* if you wish.

I am enclosing a consent form for you to look at. I would be grateful if you would read it, fill it in and return it to me in stamped envelope enclosed please. If you have any questions or you would like to discuss any part of this letter, please do not hesitate to contact me. My number is *[insert telephone number / email address]*.

Yours sincerely

[Insert name]

Review Officer



PRINT ON HEADED PAPER

HSE Consent Form

[Insert HSE reference number]

[Insert name and address of patient / service user]

Please tick to show what you would like to happen.

I, [Insert name of patient / service user], grant permission to [insert name of review officer] to access my personal patient confidential information for the purpose of investigation and review of my complaint.
I also grant the review officer permission to send correspondence to and receive correspondence from [insert name of complainant] on my behalf.
I give my consent for this review to proceed. ☐

OR

I, [Insert name of patient / service user], do not grant [insert name of review officer] permission to access my personal patient confidential information as part of this review and I would like this request to be closed.
I do not give my consent for this review to proceed. ☐

Telephone number:

Signed: _____
[Type name of complainant]

Date: _____

3E. LETTER TO BE SENT TO COMPLAINANT IF CONSENT IS REQUIRED

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert name and complainant's address]

Dear *[Insert complainant's title and name]*

I wish to inform you that I have been nominated to examine your request for review received *[insert date]* in relation to *[insert brief description]*.

As this request is made on behalf of *[insert name of patient / service user]*, I must check with them whether or not they wish to have a review of the recommendations made following the investigation of the complaint.

I have written to *[insert name of patient / service user]* seeking *his/her* consent to access their files as part of the review and their permission to liaise with you as their advocate.

If it is the wish of *[insert name of patient / service user]* not to have a review of their complaint, we would close the request and notify you. It is also open to *[insert name of patient / service user]* to raise any complaints he/she has directly with the *[insert name of service provider]* if they wish.

If you have any queries, please do not hesitate to contact me *[insert contact details]*.

Yours sincerely

[Insert name]

Review Officer

**3F. LETTER TO BE SENT FROM REVIEW OFFICER TO COMPLAINANT WHO DOES NOT
WISH TO HAVE REVIEW INVESTIGATED**

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert complainant's name and address]

Dear *[Insert complainant's title and name]*

Further to your recent contact by *[phone/email/letter]* I note that you no longer wish to pursue your request for review. I now consider this review withdrawn and closed.

If I can be of any further assistance in the future, please do not hesitate to contact me *[insert phone number/email]*.

Yours sincerely

[Insert name]

Review Officer

4. LETTER FROM REVIEW OFFICER TO COMPLAINTS OFFICER

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert complaints officer's name and address]

Dear *[Insert complaints officer's title and name]*

I wish to advise you that *[insert complainant's title and name]* has been in contact with the *[insert complaint manager's name and title]* to request a review of the recommendations made following the investigation of *his/her* complaint made on *[insert date]* to *[insert HSE location]*.

In accordance with Part 9 of the Health Act 2004, I have been assigned to review concerns raised by *[insert complainant's title and name]*.

I understand that you have investigated this complaint at local level and therefore would be obliged if you could forward a copy of the file you hold on this complaint by return to *[insert name and address]* to assist me in this review.

I would be much obliged if you could notify relevant staff to ensure co-operation with the review.

Thank you for your assistance.

Yours sincerely

[Insert name]

Review Officer

cc *[Insert service manager]*

5A. LETTER TO BE SENT TO SERVICE MANAGER IF REQUEST FOR REVIEW CONTAINS CLINICAL AND NON CLINICAL ISSUES

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert service manager's name and address]

Dear *[Insert service manager's title and name]*

I wish to advise you that *[insert complainant's title and name]* has been in contact with the *[insert complaint manager's name and title]* to request a review of the recommendations made following the investigation of *his/her* complaint made on *[insert date]* to *[insert HSE location]*.

In accordance with Part 9 of the Health Act 2004, I have been assigned to review the concerns raised by *[insert complainant's title and name]*. I have examined the request for review and have identified that it contains both clinical and non clinical matters. I now enclose the request for review from *[insert complainant's title and name]*, dated, *[insert date]* in relation to *[insert brief description of request]*.

I refer to 'Section 2: 11.0 Complaints that do not come under the Provision of Part 9 of the Health Act 2004' of the HSE Policy and Procedure for the Management of Consumer Feedback to include Comments, Compliments and Complaints, which include guidelines on managing complaints containing issues of clinical judgement (copy enclosed for ease of reference).

Taking these procedures into consideration, I am returning this complaint to your office for examination. I would be grateful if you could examine the clinical aspects of this case outlined in the request for a review in conjunction with the *clinical director (for hospital complaints) / relevant head of discipline (community care)* and issue a response to the complainant and the complaint manager.

I have advised the complainant that clinical reviews are outside the scope of the Health Act 2004 or Health Act 2004 (Complaints) Regulations 2006. Please find a copy of my response to *him/her* enclosed.

I would be much obliged if you could notify relevant staff to ensure co-operation with the non clinical aspects of the review. If you have any questions or you would like to discuss any part of this letter, please do not hesitate to contact me. My number is *[insert telephone number / email address]*.

Yours sincerely

[Insert name]

Review Officer

Encl. (copy of Letter 5b. to Complainant)

Extract from the HSE Policy and Procedures for the Management of Consumer Feedback to Include Comments, Compliments and Complaints (*Your Service Your Say*)

11.1 COMPLAINTS IN RELATION TO CLINICAL JUDGEMENT

- Where there is a possibility that the complaint may include an element of clinical judgement, that complaint must be assessed by the Complaints Officer to determine if the complaint or parts of the complaint may be clearly defined as clinical judgement.
- Where a complaint is not solely related to clinical judgement a local investigation of the complaint is to be carried out by the Complaints Officer to identify the root causes of the complaint and to identify those aspects of the complaint that do not relate to clinical judgement.
- Where a complaint concerns clinical judgement, it must be referred to the General Manager. He/she will immediately inform the consultant/head clinician in charge of the patient. The consultant will look into the clinical aspects and in conjunction with the General Manager try to resolve the complaint and if necessary meet with the patient and family members to discuss the matter.
- Clinicians are to be provided with the opportunity to be part of an investigation that will endeavour to resolve the complaint as close to the point of contact as possible.
- Where a complaint relates to clinical judgement exercised by any of the other clinical professions where a consultant is not involved it must be referred to the General Manager. He/she will immediately inform the clinical professional or head of department in charge of the patient. The clinical professional will look into the clinical aspects and in conjunction with the General Manager will try to resolve the complaint and if necessary meet with the patient/service user and family members to discuss the matter.
- If the investigation indicates that there is an employee related issue, then this issue is referred by the Complaints Officer to the Head of Discipline for appropriate action (in conjunction with designated personnel in the Human Resources Department) under the relevant processes detailed in Table 2 of 7.4.6 and section 7.9.4 of this Procedure Manual.

5B. LETTER TO BE SENT TO COMPLAINANT IF REQUEST FOR REVIEW CONTAINS CLINICAL AND NON CLINICAL ISSUES

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert complainant's name and address]

Dear *[Insert complainant's title and name]*

I wish to inform you that I have been nominated by *[insert complaint manager's name and title]* to examine your request for a review of the recommendations made following the investigation of your complaint, about *[insert HSE location]*.

I wish to advise you that I have examined your request and have identified that it includes both clinical and non clinical matters.

Section 11.1 of the HSE Policy and Procedures for the Management of Consumer Feedback provides guidance in cases where a complaint contains both clinical and non clinical issues.

"Where a complaint concerns clinical judgement, it must be referred to the General Manager. He/she will immediately inform the consultant/head clinician in charge of the patient. The consultant will look into the clinical aspects and in conjunction with the General Manager try to resolve the complaint and if necessary meet with the patient and family members to discuss the matter."

At this time I am referring your request for a review of the clinical aspects of this case to *[insert name of Service Manager]* so that they might examine this request. I wish to advise you they will respond directly to you to advise you of what steps, if any, are deemed necessary in this instance. I also wish to advise you that clinical reviews which they may undertake are outside the scope of the Health Act 2004 or Health Act 2004 (Complaints) Regulations 2006.

I will examine the non clinical aspects of your complaint. In line with the statutory requirements and the HSE Policy and Procedure for the Management of Consumer Feedback a review should be completed within 20 working days. In the event that the review process takes longer than 20 days I will inform you of the progress of the investigation and the additional time that may be required to complete the review.

If you have any questions, or should you wish to provide any additional information regarding your complaint do not hesitate to contact me on *[insert telephone number/e-mail]*.

Yours sincerely



[Insert name]

Review Officer

c.c. [insert complaint manager’s name]

6. LETTER FROM REVIEW OFFICER TO COMPLAINANT NOTIFYING DELAY

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert complainant's name and address]

Dear *[Insert complainant's title and name]*

I refer to a request for a review of your complaint made on *[insert date]*.

I wish to apologise that there has been a delay in completing the review. This delay is due to *[insert reason for delay]*. I expect to have the review completed by *[insert date]*. However, I will keep you informed of the progress of the investigation.

I apologise for any inconvenience caused. If you have any queries in relation to this matter, please do not hesitate to contact me on *[insert telephone number/email]*.

Yours sincerely

[Insert name]

Review Officer

7. LETTER FROM REVIEW OFFICER TO STAFF MEMBER RE ADVERSE FINDINGS

Follow up phone call required to ensure receipt of letter

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

Strictly for the attention of the addressee only

[Insert staff member's name and address]

Dear *[Insert staff member's name and title]*

I wish to advise you that *[insert name of complainant]* has been in contact with this office to request a review of *her/his* complaint made on *[insert date]* in accordance with Part 9 of the Health Act 2004.

I have been assigned to review concerns raised by *[insert name of complainant]*.

I am upholding some of the findings made, however, during the course of my investigation I have also made a number of draft adverse findings. In accordance with the principles of natural justice and the legislation, I am sending you the draft findings relevant to you, for your consideration and response if desired.

I would be grateful if you would examine the extracts from the draft report and if you have any comments which you would like me to take into account as part of my final deliberations, please forward these to me by 10 working days *[insert date]*.

If you have any queries in relation to this matter, please do not hesitate to contact me on *[insert telephone number/email]*.

Yours sincerely

[Insert name]

Review Officer

8A. LETTER FROM REVIEW OFFICER TO COMPLAINANT FOLLOWING THE REVIEW OF A COMPLAINT

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

[Insert name and complainant's address]

Dear *[Insert complainant's name]*

I wish to inform you that I have completed my review of the recommendations made following the investigation of your complaint about *[insert reason/HSE location]*.

I now attach for your information and attention a copy of my report and recommendations.

I can also advise that the manager(s) of the service relating to your complaint *has/have* also received a copy of this report.

Delete the following two paragraphs where there is no follow up for the Manager

He/She/They will contact you within 30 working days of receipt of the report to advise you on the steps being taken to implement the recommendations.

In accordance with the Health Act 2004 (Section 51(2)), if the implementation of a recommendation requires a significant amendment to the HSE's approved Service Plan, the manager(s) may amend or reject the recommendation or take alternative measures. In such cases, the reasons for this decision and/or the details of alternative measures being taken will be clarified for your information and understanding.

In the event that you are dissatisfied with the outcome of the review you can refer your complaint to the *Office of the Ombudsman / the Office of the Ombudsman for Children*. Please see contact details below.

Please personalise as appropriate.

Ombudsman for Children to be used in cases where complainant is under 18 or an adult wishes to make a complaint on behalf of a child under 18.

Office of the Ombudsman, 18 Lower Leeson Street, Dublin 2. Tel: +353-1-6395600, LoCall: 1890 22 30 30 (from outside 01 area), Fax: +353-1-6395674, E-mail: ombudsman@ombudsman.gov.ie

OR

Office of the Ombudsman for Children, Millennium House, 52-56 Great Strand Street, Dublin 1. Tel: +353-1-8656800, LoCall: 1890 654654 (from outside 01 area), E-mail: oco@oco.ie

Yours sincerely

[Insert name]

Review Officer

Copy to: *[insert complaints manager's name]*



[insert complaint officer’s name] *Encl: Copy of report sent to Complainant*

PRIVATE AND CONFIDENTIAL

**REVIEW REPORT
AND
RECOMMENDATIONS**



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

REFERENCE NUMBER (INSERT NUMBER)

Table of contents

1. Summary of the complaint
2. A summary of the decision/recommendations issued by the complaints officer
3. The review
4. The review process
5. Findings & Recommendations
6. Learning
7. Recommendation summary
8. Appendices

1. Summary of the complaint

*In this section give a brief summary of the complaint (**Who** made the complaint?, **What** is the complaint about?, **Where** did the alleged incident happen?, **When** did it happen?) and the key issues to be examined: For Example:*

(Insert service user's name) wrote to the HSE on *(insert date)*, regarding *his/her*

Complaint. *The complaint was received by the HSE on the (insert date),.*

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

(Insert detail as appropriate)

(Remove the following if no specific questions asked) The service user has raised specific questions in relation to these issues:

(Insert detail as appropriate)

The above issues have been summarised as follows for the rest of this report:

List and number the issues outlined within the complaint. They may come under headings such as:

- Issue 1: Staff Behaviour and attitudes: insert detail**
- Issue 2: Environmental issues – insert detail**
- Issue 3: Service Issues – insert detail**
- Issue 4: Clinical Matters – insert detail**
- Issue 5: Communication – insert detail**

2. A summary of the decision/recommendations issued by the complaints officer

Arising from the initial Complaint Report the following steps were taken:

List action / decision / recommendation for each issue below (for example)

Issue 1: Staff Behaviour and attitudes
Decision / Recommendation (give details)

Issue 2: Service Issues
Decision / Recommendation (give details)

Issue 3: Service Issue
Decision / Recommendation (give details)

Issue 4: Communication
Decision / Recommendation (give details)

3. The review

(Insert Complaints Manager’s name) appointed *(Insert Review Officers name)* as the review officer for this case.

For information purposes, the functions of a review officer are to:

- 1. Determine the appropriateness of a recommendation made, having regard to two elements;
 - a. all aspects of the complaint and,
 - b. the investigation of the complaint.

Having determined the appropriateness of the recommendation to either uphold it, vary it, or make a new recommendation if he/she considers it appropriate to do so.

4. The review process

The review process included the following steps:

- 1. *(Insert Review Officer’s name)* wrote to *(Insert Complainant’s name)* to advise *him/her* of *his/her* assignment as a review officer
- 2. *(Insert Review Officer’s name)* reviewed each of the following recommendations

List complaint issues below (for example)

Recommendation 1: Staff Behaviour and attitudes – give detail
Recommendation 2: Service Issues – give detail

Recommendation 3: Service Issue – give detail

Recommendation 4: Communication – give detail

5. Findings & Recommendations

- *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 – apologise where the HSE is at fault.*

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

Finding

Below is an example of wording that could be used in a situation where you are unable to uphold a complaint due to lack of evidence to support the complaint:

Example ‘I am unable to uphold your complaint in relation to this specific issue as 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.’

Complaint This complaint is **Upheld/Varied/Not upheld**.

Recommendation: *(insert detail)*

Issue 2: *(insert detail) – Investigation of this issue encompassed*

(insert detail)

Finding: *(insert detail)*

Complaint This complaint is **Upheld/Varied/Not upheld**.

Recommendation: *(insert detail)*

6. Learning (*insert detail on any learning identified as a result of review*)

For example:

I would like to take this opportunity to thank you again for taking the time to contact us with your concerns. I want to assure you that the investigation and recommendations outlined above has resulted in important learning for the Centre and subsequently will lead to service improvement.



7. Recommendation Summary

List detail of all recommendations below:

Signed: _____
Review Officer

Date: _____



8. Appendices

Appendix 1 Clinical Report

8B. LETTER FROM REVIEW OFFICER TO SERVICE MANAGER FOLLOWING THE REVIEW OF A COMPLAINT

[Insert review officer's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert service manager's name and address]

Re: *[Insert Name of complainant]*

Dear *[Insert service manager's title and name]*

I wish to inform you that I have completed my review of the recommendations made following the investigation of a complaint, made by *[insert name of complainant]* in relation to / on behalf of XXX. I now attach for your information a copy of my report and recommendations.

Under the legislation, you have 30 working days from the date of receipt of this report to write to the following people and notify them of the steps being taken or proposed to be taken to implement the recommendations made. If it is proposed not to implement some or all of the recommendations the reasons for this decision must be set out¹.

[insert complainant's name]

[insert complaint manager's name]

[insert complaint officer's name]

[insert review officer's name/the undersigned]

If you wish to have any matter or issue clarified please do not hesitate to me on *[insert contact details]*.

In the event that the Complainant is dissatisfied with the outcome of my review the Complainant has the right to refer their complaint to the *Office of the Ombudsman/Office of the Ombudsman for Children* please select as appropriate.

Thank you for your assistance.

¹ Under paragraph 16(2) of the Health Act 2004 (Complaints) Regulations 2006 (S.I. No. 652 of 2006) the Executive shall take such steps as are reasonable to give effect as soon as practicable and to the greatest extent practicable to any upheld, varied or new recommendation made by the review officer, provided that you are satisfied that it is within the functional remit of the HSE to do so.



Yours sincerely

[Insert name]

Review Officer

cc [insert complaints manager's name]

[insert complaint officer's name]

Encl. (copy of report and recommendations - to Service Manager only)

8C. LETTER FROM COMPLAINTS MANAGER TO SERVICE MANAGER IF NO RESPONSE RECEIVED FOLLOWING RECOMMENDATIONS

[Insert complaint manager's address]

[Insert HSE reference number]

[Insert date]

Private and confidential

[Insert service manager's address]

Re: *[Insert name of complainant]*

Dear *(Insert service manager's title and name)*

I refer to a letter and report sent to you dated *[insert date]*, in relation to the above named and their request for a review of the Complaints Officer's recommendations about **XXX**.

As advised, under the legislation, you were obliged within 30 working days from the date of receipt of the report to notify *the complainant, the complaints officer, the review officer* and me of the steps being taken or proposed to be taken to implement the recommendations made.

I have not received a copy of your response to date and as the timeframe for response has now passed, I would be grateful if you could respond to the recommendations as a matter of urgency.

If you wish to have any matter or issue clarified please do not hesitate to me on *[insert contact details]*.

Thank you for your assistance.

Yours sincerely

[Insert name]

Complaints Manager