Service User Feedback and Complaints Policy

OP.14

V 3.1

November 2026

Ver	Purpose/ Change Summary	Approved by Board	Effective Date	Next Revision
1.0	Original Policy	21/11/2016	22/11/2016	
2.0	Review of policy, updated definitions, procedures, appeals, confidentiality/data protection. Edited for ease of use, language edits. Clarification re social media messages. Minor edits to poster.	28/3/2023	29/3/2023	2025
3.0	Full rewrite of policy to align with HSE requirements. The HSE National Complaints Governance and Learning Team and HSE Consumer Affairs Team have reviewed and stated policy aligns with their expectations.	3/9/2024	4/9/2024	2027
3.1	Updated following request from HSE Digital Team to remove the telephone number 061 483577, and replacing the 2 instances of the HSE webpage address with the current complaints and feedback page: https://www2.hse.ie/complaints-feedback/ All other URLs checked and linking correctly.	N/A	6/11/2026	2027

Overview:

Epilepsy Ireland welcomes feedback from service users relating to our service. As an organisation, we are committed to ensuring that feedback; comments, compliments and complaints from those using our services are acknowledged, reviewed, acted upon and responded to and that the learning derived from this feedback informs how our work is delivered.

General feedback / comments and compliments can be given directly to staff members or emailed to info@epilepsy.ie.

The organisation is committed to ensuring that where feedback is a complaint; the complaint will be dealt with in a fair and impartial manner that safeguards the rights of the complainant and employees. Complainants will not experience any victimisation or suffer any retribution for making a complaint, regardless of whether the complaint is upheld or not.

A single page poster called 'Feedback / Complaints Procedure' for service users is attached at Appendix 1 and will be displayed in all Epilepsy Ireland offices and on our website.

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1. Introduction

As an organisation that receives funding from the HSE, our policy aligns to the 2017 HSE Policy - The Management of Service User Feedback for Comments, Compliments and Complaints - HSE - Your Service, Your Say

2. Scope

The policy applies to any person who has used or is currently using Epilepsy Ireland's services. This may include a member or non-member of Epilepsy Ireland engaged with our services, a professional utilising our services, or any member of the public who has engaged with the organisation and is dissatisfied with our service.

In the case of complaints relating to abuse of a vulnerable adult or of a child, the separate Epilepsy Ireland Safeguarding Vulnerable Adults policy and/or Child Protection policy must be followed.

3. Complaints procedure

3.1 Definitions

A 'Complaint' means a complaint made under this Part about any action of Epilepsy Ireland that —
(a) it is claimed, does not accord with fair or sound administrative practice, and
(b) adversely affects the person by whom or on whose behalf the complaint is made;
(Definition as per the Health Act 2004)

The 'Complainant' is the person who is making the complaint.

The 'Complaints Officer' is the person in the organisation who is assigned to managing formal complaints and ensuring that they are addressed by working with the relevant members of the management/ staff team. The Complaints Officer records statistical data and completes and returns details of any formal complaints to the HSE on a quarterly basis.

The 'Accountable Officer' is the manager of the relevant service/department (e.g. Fundraising Manager, Director of Services, Training Manager etc.).

The 'Review Officer' is the Director of Services or in the case of a complaint about services, the CEO.

3.2 Purpose

This policy and corresponding procedures are in place to ensure transparency and clarity in our processes for service users, staff members and volunteers (workers) of the organisation.

The purpose of the policy is to enable people who use our service to express any problems or concerns that they may have, and to have them resolved quickly and satisfactorily.

3.3 Who can make a complaint

Any person who is being or was provided with a health or personal social service by Epilepsy Ireland or who is seeking or has sought provision of such service may complain, in accordance with the procedures established under this Part, about any action of Epilepsy Ireland that -

(a) it is claimed, does not accord with fair and sound administrative practice, and
(b) adversely affects or affected that person.

3.4 How complaints can be made

Complaints can be verbal or written.

All Epilepsy Ireland staff and volunteers may be approached with informal feedback or minor complaints and the organisation ensures that they have the appropriate skills and knowledge to receive and deal with such feedback.

In addition, all staff and volunteers will be provided with guidance in the application of this policy and in directing potential complainants to follow the relevant procedures.

All staff have the responsibility of ensuring that the complaints policy is available to their service users and that the complaints poster (Appendix 1) is displayed in all Epilepsy Ireland premises.

If an individual wishes to make a complaint, they should follow the procedures set out below. Epilepsy Ireland will endeavour to resolve all complaints as close to the point of contact as possible. We will acknowledge receipt of the complaint within **five (working) days** and outline the next steps.

Vexatious or malicious complaints will not be accepted.

A complainant can withdraw a complaint at any time.

3.5 Acknowledgement of complaints

Upon a complaint being received by or assigned to the complaints officer, they shall notify, within **five working days**, the complainant, in writing, that the complaint has been so received or assigned and outline the steps that are being proposed to take in investigating the complaint and the time limits for the completion of the investigation.

3.6 Advocacy

All complainants have the right to appoint an advocate who, if a person is unable to make a complaint themselves, can assist them in making the complaint.
The Citizens Information defines advocacy as a means of empowering people by supporting them to assert their views and claim their entitlements and where necessary, representing and negotiating on their behalf.

3.7 The stages of the complaints management process

Stage 1: Point of Contact Resolution

These are straightforward complaints which may be suitable for prompt management and to the service users' satisfaction at the point of contact.

Stage 2: Formal Investigation Process

Unresolved complaints at Stage 1 may need to be referred to a Complaints Officer. More serious or complex matters may need to be addressed immediately under Stage 2. There may be a need for investigation and action(s) as appropriate.

The Complaints Officer must consider whether it would be practicable, having regard to the nature and the circumstance of the complaint, to seek the consent of the complainant and any other person to whom the complaint relates to finding an informal resolution of the complaint by the parties concerned.

Where informal resolution was not successful or was deemed inappropriate, the Complaints Officer will initiate a formal investigation of the complaint.

The Complaints Officer is responsible for carrying out the formal investigation of the complaint at Stage 2 but may draw on appropriate expertise, skills etc. as required. Staff have an obligation to participate and support the investigation of any complaint, where requested.

At the end of the investigation, the Complaints Officer must write a report of their investigation and give a copy of the report to the complainant, to the manager of the relevant service/department (Accountable Officer) and provide any staff member(s) that was the subject of the complaint the section in the report that is relevant to them.

The final report will include any recommendations needed to resolve the matter. The Complaints Officer will invite everyone involved to contact them with questions about any issues and will advise the complainant of their right to a review of the recommendations made by the Complaints Officer.

Where the investigation at Stage 2 fails to resolve the complaint, the complainant may seek a review of their complaint through the Review process outlined at Stage 3 (below) or the complainant may seek an independent review of their complaint from, for example, the Ombudsman/ Ombudsman for Children.

Implementation of Recommendations made by Complaints Officers

- Within **30 working days,** the relevant Accountable Officer will write to the complainant and Complaints Officer detailing their Recommendation Action Plan.
- Where a recommendation, the implementation of which would require or cause Epilepsy Ireland to make a material amendment to its approved service plan, the relevant Accountable Officer may amend or reject the recommendation.
- Where the recommendation is being amended or rejected or where alternative measures are being taken, the relevant Accountable Officer must give the reasons for their decisions.
- The relevant Accountable Officer must put an action plan in place for the implementation of the recommendations of the investigation. The action plan, the persons responsible, and timeframes are to be identified and recorded.
- Where a complainant has requested a review of the outcome of the investigation, the relevant Accountable Officer will suspend the implementation of a recommendation and will notify the Complainant of this suspension.
- If after a period of time, recommendations made are not implemented and the complainant is dissatisfied, they should be advised to contact the CEO.
- Where no Recommendation Action Plan is forthcoming from the relevant Accountable Officer, the Complaints Officer must follow up.

Stage 3: Review

These are complaints where the complainant is dissatisfied with the outcome of the complaint investigation at Stage 2. A request for a review must be made within **30 days** of the investigation report being sent.

Clear details as to whom a complainant may apply to for a complaint review will be outlined within the complaint letter being sent out by the Complaints Officer.

The complainant may also choose to go directly to the Office of the Ombudsman, Ombudsman for Children, or other professional bodies to whom the complainant could make an application for review.

The Review Officer's function is:

1) To determine the appropriateness of a recommendation made by the Complaints Officer, having regard to the two elements:
    i. All aspects of the complaint
    ii. The investigation of the complaint
2) Having determined the appropriateness of the recommendation to uphold it, vary it, or make a new recommendation if he/she considers it appropriate to do so.

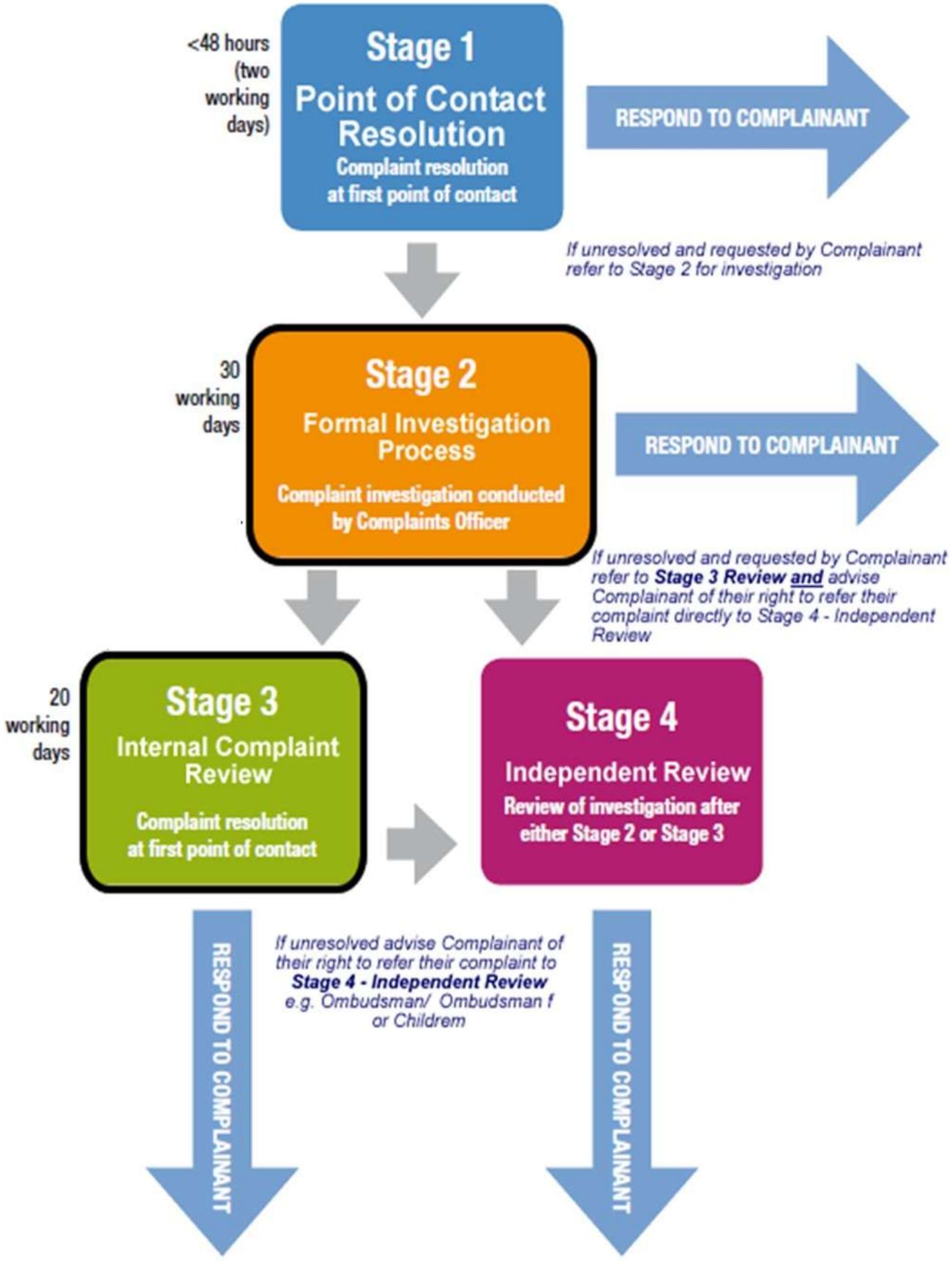
Implementation of Recommendations made by the Review Officer

- Within **30 working days** the Accountable Officer will write to the complainant and the Review Officer detailing the recommendation.
- Where a recommendation, the implementation of which would require or cause Epilepsy Ireland to make a material amendment to its approved service plan, the relevant Accountable Officer may amend or reject the recommendation.
- Where the recommendation is being amended or rejected or where alternative measures are being taken, the relevant Accountable Officer must give the reasons for their decisions.
- The relevant Accountable Officer must put an action plan in place for the implementation of the recommendations of the investigation. The action plan, persons responsible, and timeframes are to be identified and recorded.

Stage 4: Independent Review

If the complainant is unhappy with the final outcome of the complaints management process, they may seek a review of the complaint by the Office of the Ombudsman - Complaints or Ombudsman for Children - Complaints.

Stages and timelines of the complaints management process



3.8 Managing complaints

3.8.1 Timeframes involved once a complaint is received

Service User / Complainant Timeframes	
To make a complaint	**12 months**
If Complainant does not wish patient confidential information to be accessed	**5 working days** from date of Acknowledgement Letter
Withdraw complaint	**At any stage**
Request a review of a complaint	**30 working days**
Refer complaint to Ombudsman	**At any stage**
All staff	
Respond to request for information	**10 working days**
All staff at Point of Contact	
Point of Contact Resolution	**Immediately** / < 48 hours* – where possible
Point of Contact Resolution – Accountable Person	**< 48 hours*** – where possible
Complaints Officer Timeframes	
Notify Complainant of decision to extend/ not extend 12 months timeframe	**5 working days**
Complaints Officer Resolution	**< 48 hours*** – if appropriate
If complaint does not meet criteria for investigation – inform Complainant	**5 working days**
Acknowledgment Letter	**5 working days** from receipt of complaint
Seeking further information	**10 working days**
Update Complainant and relevant staff	**Every 20 working days** after initial 30 day due date
Investigate and conclude (Report)	**30 working days** from date of Acknowledgement Letter
Conclude at latest	**6 months**
Review Officer Timeframes	
Notify Complainant of decision to extend/not extend 30 days timeframe	**5 working days**
Review Officer should make contact with Complainant & explain process	**< 48 hours*** – if appropriate
Acknowledgement Letter	**5 working days** from receipt of review request
If complaint does not meet criteria for review – inform Complainant	**5 working days**
Seeking further information	**10 working days**
Update Complainant and relevant staff	**Every 20 working days** after initial 20 day due date
Investigate and conclude (Report)	**20 working days** from date of Acknowledgement Letter
Accountable Officer Timeframes	
Complaint – Recommendation(s) Action Letter	**30 working days**
Review – Recommendations(s) Action Letter	**30 working days**

* 2 working days

3.8.2 Time limits for making a complaint

The Complaints Officer must determine if the complaint meets the time frames as set out in Section 47, Part 9 of the Health Act 2004 which requires that:

- A complaint must be made within 12 months of the date of the action giving rise to the complaint or within 12 months of the complainant becoming aware of the action giving rise to the complaint.

A Complaints Officer may extend the time limit for making a complaint if in the opinion of the Complaints Officer special circumstances make it appropriate to do so. These special circumstances include but are not exclusive to the following:

- If the complainant is ill or bereaved
- If the new relevant, significant and verifiable information relating to the action becomes available to the complainant
- If it is considered in the public interest to investigate the complaint
- If the complaint concerns an issue of such seriousness that it cannot be ignored
- Diminished capacity of the service user at the time of the experience e.g. mental health, critical/ long-term illness
- Where extensive support was required to make the complaint, and this took longer than 12 months
- A Complaints Officer must notify the complainant of decision to extend / not extend time limits within 5 working days.

3.9 Principles Governing the Investigation Process

The investigation will be conducted thoroughly and objectively with due respect for the rights of the complainant and the rights of the service/ staff members to be treated in accordance with the principles of natural justice.

The Complaints Officer will have the necessary expertise to conduct an investigation impartially and expeditiously. Where appropriate, the Complaints Officer may request appropriately qualified persons to carry out clinical assessments, validation exercises etc. Confidentiality will be maintained throughout the investigation to the greatest extent consistent with the requirements of fair investigation.

A written record will be kept of all meetings and treated in the strictest confidence. The Complaints Officer may interview any person who they feel can assist with the investigation. Staff are obliged to co-operate fully with the investigation process and will be fully supported throughout the process.

Staff who participate in the investigation process will be required to respect the privacy of the parties involved by refraining from discussing the matter with other work colleagues or persons outside the organisation.

It will be considered a disciplinary offence to intimidate or exert pressure on any person who may be required to attend as a witness or to attempt to obstruct the investigation process in any way.

3.10 Matters excluded (As per Part 9 of the Health Act)

1. A person is not entitled to make a complaint about any of the following matters:
   (*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 Epilepsy Ireland or the Executive.

(*c*) an action taken by Epilepsy Ireland or the Executive 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 Epilepsy Ireland.

(*e*) a matter relating to or affecting the terms or conditions of a contract of employment that Epilepsy Ireland proposes to enter into or of a contract with an adviser that Epilepsy Ireland proposes to enter into under *section 24* of the Health Act 2004.

(*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.

2. *Subsection (1)(i)* does not prevent a complaints officer from dealing with a complaint that was made to the Ombudsman or the Ombudsman for Children and that is referred by him or her to a complaints officer.

3. In relation to a contract referred to in *subsection (1)(e)* "terms or conditions" includes terms or conditions relating to superannuation benefits, disciplinary procedures or grievance procedures.
http://www.irishstatutebook.ie/eli/2004/act/42/section/48/enacted/en/html

3.11 Refusal to investigate or further investigate complaints

Section 50.—

(1) A Complaints Officer shall not investigate a complaint if—

(a) the person who made the complaint is not entitled under section 46 to do so either on the person's own behalf or on behalf of another,

(b) the complaint is made after the expiry of the period specified in section 47(2) or any extension of that period allowed under section 47(3).

(2) A Complaints Officer may decide not to investigate or further investigate an action to which a complaint relates if, after carrying out a preliminary investigation into the action or after proceeding to investigate such action, that officer—

(a) is of the opinion that—

1. the complaint does not disclose a ground of complaint provided for in section 46,
2. the subject-matter of the complaint is excluded by section 48,
3. the subject-matter of the complaint is trivial, or
4. the complaint is vexatious or not made in good faith,

or

(b) is satisfied that the complaint has been resolved.

(3) A Complaints Officer shall, as soon as practicable after determining that he or she is prohibited by subsection (1) from investigating a complaint or after deciding under subsection (2) not to investigate or further investigate a complaint, inform the complainant in writing of the determination or decision and the reasons for it.

3.12 Unreasonable complainant behaviour

It is noted that in a minority of cases where the organisation will take all reasonable measures to try to resolve a complaint through the complaints procedure, the complainant does not accept these efforts. Where a complainant's behaviour could be

considered abusive, unreasonable or vexatious, Epilepsy Ireland will liaise with the HSE and may consider invoking the HSE Policy for Dealing with Vexatious Complaints.

If the complainant is unhappy with the final outcome of the complaint management process, they will be advised of their right to refer their complaint to the Office of the Ombudsman - Complaints or Ombudsman for Children - Complaints.

3.13 Redress

An effective complaints system which offers a range of timely and appropriate remedies will enhance the quality of service to the Service Users of Epilepsy Ireland. It will have a positive effect on staff morale and improve relations with service users. It will also provide useful feedback and enable Epilepsy Ireland to review current procedures and systems which may be giving rise to complaints.

Redress should be consistent and fair for both the complainant and the service against which the complaint was made. Epilepsy Ireland should offer forms of redress or responses that are appropriate and reasonable where it has been established that a measurable loss, detriment or disadvantage was suffered or sustained by the claimant personally. This redress could include:

- Apology
- An explanation
- Refund
- Admission of fault
- Change of decision
- Replacement
- Repair /rework
- Correction of misleading or incorrect records
- Technical or financial assistance
- Recommendation to make a change to a relevant policy
- A waiver of debt

A Complaints Officer may not, following the investigation of a complaint, make a recommendation the implementation of which would require or cause Epilepsy Ireland to make a material amendment to its approved service plan, or

If, in the opinion of the relevant person, such a recommendation is made, that person shall either—

(a) amend the recommendation in such manner as makes the amendment to the applicable service plan or arrangement unnecessary, or
(b) reject the recommendation and take such other measures to remedy, mitigate or alter the adverse effect of the matter to which the complaint relates as the relevant person considers appropriate.

4. Recording and Documenting Complaints

Epilepsy Ireland's Complaints Officer will record all formal complaints and report the data to the CEO.

Complaints are a standing agenda item for the Quality & Safety Sub Committee who will review complaints/ responses. An annual report of complaints will be reviewed annually by the Board.

Formal complaints will be reported to the HSE using agreed procedures.

5. Confidentiality / Data Protection

5.1 Maintaining privacy and confidentiality of service user information is a basic principle of managing service user feedback, including complaints. It is the role of all staff to ensure that privacy and confidentiality is maintained. All personal information is kept strictly confidential within the organisation and complaints will be discussed on a need to know basis with relevant parties only. Any reports produced on trends and data will not identify complainants.

5.2 The organisation's Confidentiality Policy will be followed relating to service user complaints.

5.3 All written contact and documentation relating to a service user complaint can be accessed by the complainant through the Freedom of Information Acts.

5.4 The Data Protection Acts (1988-2018) place an obligation on the organisation to safeguard the right of individuals in relation to the processing of their personal data. This applies to both personal data of service users and staff.

5.5 Under the Data Protection Acts, personal information should only be used or disclosed for the purpose for which it was collected or another directly related purpose. Information required for reporting and statistical purposes will be anonymised and all identifiable data will be removed.

6. Contact Details

Epilepsy Ireland Complaints Officer: Ms Ashley Butler, info@epilepsy.ie 01 4557500.

See https://www2.hse.ie/complaints-feedback/ for contact information for local Consumer Affairs offices:

	Address	Tel	Email
Local Consumer Affairs offices			
See **https://www2.hse.ie/complaints-feedback/** National Complaints – Governance & Learning Team Operational Performance & Integration nationalcglt@hse.ie			
Ombudsman			
http://www.ombudsman.gov.ie/en/About-Us/Contact-Us/ The Office of the Ombudsman is open between 9.15 a.m. and 5.00p.m. Monday to Friday	6 Earlsfort Terrace, Dublin 2, DO2 W773	+353-1-639 5600 **Lo-call:** 1890 223030	complaints@ombudsman.ie
Ombudsman for Children			
Address: Ombudsman for Children's Office, Millennium House, 52-56 Great Strand Street, Dublin 1, Ireland		**Complaints contact – free-phone 1800 20 20 40** Phone: 01 8656800 Fax number is 01 874 73336800	**You can also contact the complaints team using the email** ococomplaint@oco.ie General email address is oco@oco.ie

7. Appendices

Appendix 1: Feedback / Complaints Procedure Poster



Are you happy with our service?

Epilepsy Ireland welcomes feedback from service users relating to our service and we are committed to ensuring that any complaints are dealt with in a fair consistent way.

If you would like to make a general comment or pass on a compliment, these can be given directly to staff members or emailed to info@epilepsy.ie.

If you are unhappy about the service that we provided to you, we would like the chance to put things right. If you feel that we have been unwilling to help you or slow in helping you with your query, or in any other way have not provided the best service to you, please let us know so that we can improve.

Anonymous complaints cannot be formally investigated but will be noted for information.

We have a Complaints Policy which you can request, or you can download it from our website at Epilepsy Ireland - Dealing with Complaints

Do you need help making a complaint?
You can ask someone - a friend or relative to help with your complaint.

How do I make a complaint?
Most problems can be sorted out locally, informally and verbally. First, tell us what the problem is and give us a chance to put things right for you.

Making a formal complaint
If that does not work, you can make a formal complaint by writing to our Complaints Officer at Epilepsy Ireland, 249 Crumlin Road, Dublin 12 or by emailing info@epilepsy.ie letting us know that you wish to make a formal complaint and that it has not been resolved after talking to our staff.

How long will it take?
We try to resolve all complaints within 30 days. If it is very complicated, we will keep in contact with you regularly and endeavour to conclude all investigations within 6 months of the receipt of the complaint.

What if I am still not happy?
If you are still not happy after your complaint has been formally dealt with you have the right to refer your complaint to the Office of the Ombudsman / Ombudsman for Children - complaints@ombudsman.ie