Your guide to where and how to complain about health and social care services in Ireland

How to be heard and get your complaint to the right place
Improving the quality of health and social care services

Health and social care providers strive to give the best possible level of care to people who use their services. Sometimes they do not succeed and you may wish to make a complaint or give them information on how they could improve.

What is ‘healthcomplaints’?

healthcomplaints has been created by a group of agencies (listed on page 6) chaired by the Office of the Ombudsman. These agencies have a duty to help you. Where we have the power to do so, we can investigate your complaint or take a case on your behalf. Where we do not have this power, we will be able to direct you to the best place to get help, advice, information and support.

Toolkit

healthcomplaints is a toolkit developed for people who use health and social care services in Ireland and for:

- their families
- care-givers
- those who advocate on their behalf

The toolkit is made up of:

- this guide
- a leaflet
- a website – www.healthcomplaints.ie
- a poster
Everyone has a right to complain

You have a right to complain no matter your:

- age
- gender
- marital or family status
- nationality
- disability status
- sexual orientation
- religion
- ethnic group – for example, if you are a member of the Travelling Community.

In addition, everyone has a right to:

- be treated with dignity and respect;
- have their say and be listened to;
- complain if they are not happy with something;
- be confident that complaining will not have a bad effect on their current or future treatment; and
- work with an advocate to help them make a complaint or support them through the process.

This toolkit is also part of Patient Safety First – an awareness-raising initiative through which healthcare organisations declare their commitment to patient safety. By taking part in this initiative, those involved aspire to play their part in improving the safety and quality of healthcare services.
Why was this toolkit put together?

We designed this guide to give you information about your choices when making a complaint.

Health and social care is complex involving many different people, places and products. Some examples of those involved are listed below.

People

Some of the people who provide these services include:
- doctors
- nurses
- dentists
- occupational therapists
- care assistants
- physiotherapists
- social workers
- speech and language therapists
- psychologists
- clerical staff

Places

Some of the places where services are provided include:
- GP practices
- nursing homes
- clinics
- health centres
- rehabilitation centres
- residential services for people with disabilities
- community healthcare settings

Products

Some of the products you may use include:
- medications (such as tablets or inhalers);
- medical examination equipment (such as X-rays); and
- medical devices (such as wheelchairs, oxygen tanks, home adaptation devices, walking frames and crutches).
What organisations can help me?

Any of the agencies listed here have a duty to help you. Some may be more relevant to your particular circumstances than others. This guide aims to help you identify who is the best placed to help you. We are happy to give you information, help and support.

Where we have the power to do so, we can investigate your complaint or take a case on your behalf. Where we don’t have this power, we will direct you to the best place to get help, advice, information and support.

For information on the role and area of responsibility of each of the agencies, see the alphabetical list that starts on page 23.
How do I complain?

If possible, complain to your service provider first

The best starting point is usually to complain directly to the person or organisation responsible for providing your care.

You can do this by speaking to:
- the person in charge of delivering treatment; or
- to a complaints officer.

You may also wish to complain by putting your complaint in writing. In many cases, complaints can be resolved at this stage.

Get support if it would help

Sometimes, it may be best to wait until you get some support before making a complaint. For example, if:
- you feel your immediate care may be compromised by making a complaint; or
- you feel intimidated in any way by the complaints process.

It is important that you feel supported – this is where having an advocate (someone to speak on your behalf) may help. For more information on advocacy, see pages 9-11.
What to do if making a complaint

When making a complaint, it is best to:

- stay calm and polite;
- outline clearly what went wrong; and
- ask for what you need to resolve the situation.

If you feel it would help, you should get support from:

- family
- friends
- an independent advocate

You should keep notes on what has happened. They should include:

- the contact names of people you have talked to; and
- relevant dates.
If response is not satisfactory

You can refer your complaint for another review if you are not satisfied with:

- the response to your complaint; or
- what was done to resolve your complaint.

Complaints about Health Service Executive (HSE) services

For any HSE-run service, the HSE’s ‘Your Service Your Say’ policy outlines how you can make a complaint. You can do this:

- in person;
- by phone; or
- in writing.

For more information about this, see page 15.

Other options

If you prefer, you can refer your complaint to the Office of the Ombudsman or the Ombudsman for Children’s Office see pages 28-29.

You can also contact the agencies listed on pages 23-30 for another review.
Who is an advocate?

You may want a trusted person to speak for you or to look after your complaint. This person could be an advocate. An advocate is someone who can both listen to you and speak for you in times of need.

**Advocacy is a way to support and help people to:**
- express their views and concerns;
- access information and services;
- defend and promote their rights and responsibilities; and
- explore choices.

What does an advocate do?

**An advocate must:**
- respect you and your wishes at all times;
- act in your best interests;
- act independently on your behalf; and
- protect your privacy.

Why might I need an advocate?

**You may need an advocate if:**
- you would like extra help and support;
- you do not wish to deal with the people or the place directly involved; or
- you have complained locally, but you feel the issue was not resolved and you want to take it further.
Below are the details of some independent advocacy services which may be able to help you.

The other organisations listed in this booklet can also help you with more information, support and advice.

**Irish Advocacy Network**
(responsible for mental health issues)
Phone: (047) 38918
Address: c/o The Health Care Unit, Rooskey, Co.Monaghan.
Website: www.irishadvocacynetwork.com

**Irish Patients’ Association**
Phone: (01) 272 2555
Mobile: 087 6594183 (emergency)
Address: 24 Church Road, Ballybrack, Co. Dublin.
Website: www.irishpatients.ie

**Patient Focus**
Phone: (01) 885 1611
Website: www.patientfocus.ie
### Advocacy (CONTINUED)

<table>
<thead>
<tr>
<th>Organization</th>
<th>Contact Details</th>
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<tr>
<td><strong>Citizens Information Board</strong></td>
<td>(responsible for disability-related issues)</td>
</tr>
<tr>
<td>Phone: 1890 777 121</td>
<td>Address: Citizens Information Board, George’s Quay House, 43 Townsend St., Dublin 2.</td>
</tr>
<tr>
<td>Website: <a href="http://www.citizensinformation.ie">www.citizensinformation.ie</a></td>
<td></td>
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<tr>
<td><strong>Cairde</strong></td>
<td>(responsible for ethnic minority health issues)</td>
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<tr>
<td>Phone: [01] 855 2111</td>
<td>Address: 19 Belvedere Place, Dublin 1.</td>
</tr>
<tr>
<td>Website: <a href="http://www.cairde.ie">www.cairde.ie</a></td>
<td></td>
</tr>
<tr>
<td><strong>Empowering People in Care (EPIC)</strong></td>
<td>(responsible for issues about young people in care)</td>
</tr>
<tr>
<td>Phone: [01] 872 7661</td>
<td>Address: 7 Red Cow Lane, Smithfield, Dublin 7.</td>
</tr>
<tr>
<td>Website: <a href="http://www.epiconline.ie">www.epiconline.ie</a></td>
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When making a complaint, we suggest you give the following information:

- Your name and address
- The name and address of your advocate, if you have one
- The postal address that should be used for correspondence
- Your email address and phone number – if you would like to be contacted in this way – or your advocate’s email address and phone number
- A summary of the complaint

Seven areas you should cover in your complaint

To help you summarise your complaint and describe what happened, you may find the following questions useful:

- What happened?
- Who was involved?
- When did it happen?
- Where did it happen?
- How did it happen?
- Why did it happen?
- What would you like to happen as a result of your complaint?
Mary is very unhappy with how her mum is being treated in a HSE-run nursing home. Her mum isn’t getting the help she needs to feed herself every day and as a result she has lost a lot of weight since going into the home. Mary’s mum has been in the home for six months now and things are getting worse. One of the nurses is very rude to her and often makes her feel upset.

When Mary was visiting her mum last week, she noticed that the doctor on duty was confused about what medication her mum was taking. Mary’s mum doesn’t want to complain by herself – she says she’s afraid that when the staff find out she is complaining, it will make things worse.

Mary and her mum have spoken about it and they have several options:

1. Mary can contact an advocacy service [see pages 9-11] to get some help and support for herself and her mum. An advocacy service can also give Mary useful information on what steps to take to make sure her mum is safe.

2. Mary can raise the issues with the nursing home directly, either with the manager or the person in charge.
3. If Mary is not happy with the response she gets, she can go to the HSE’s Director of Advocacy (see more information on pages 15 and 16).

4. Mary can also contact the Health Information and Quality Authority (HIQA) so that they are aware of her experience and the standard of care her mum is getting (see page 26).

5. If Mary is not happy with the local response to her complaint, she can ask the Office of the Ombudsman to examine her complaint.

6. As there are a number of health and social care professionals involved in caring for Mary’s mum, she may also wish to contact An Bord Altranais (about nursing care), the Medical Council (about medical care), or the Pharmaceutical Society of Ireland (about medication).

For more case studies that show the kind of issues you may wish to complain about, go to www.healthcomplaints.ie
How do I make a complaint?

If your complaint is about a HSE-run service, you can complain:

- in person, by talking to any member of HSE staff, a service manager or complaints officer;
- by telephone 1850 241 850;
- by sending a letter or fax to any HSE location; or
- by sending an email to yoursay@hse.ie.

What will happen next?

A HSE complaints officer will acknowledge your complaint within five working days.

How will the HSE deal with my complaint?

Depending on what your complaint is:

- a staff member or service manager will try to resolve your complaint locally; or
- a complaints officer will investigate the issues you raised in your complaint.
What do I do if I am not happy with how my complaint has been handled?

You may ask the HSE Director of Advocacy to review your complaint. To do this, put your request in writing and post it to:

Director of Advocacy HSE
Oak House
Millennium Park
Naas
Co Kildare

You must ask for a review of your complaint within 30 days of the investigation report being sent to you.

What are my other options?

At any stage after you have made your complaint locally, you may ask for an independent review of your complaint by the Office of the Ombudsman or the Ombudsman for Children’s Office see pages 28-29.
At the beginning, it is always best to make a complaint locally – directly to the service or person involved – see the diagram on the inside back page for more details about your choices.

What is the role of the Ombudsman?

If you are not satisfied with how your complaint is being managed, you can refer it to the Office of the Ombudsman or the Office of the Ombudsman for Children. They can examine your complaint and help to resolve a dispute you might have with certain health or social care organisations.

Ombudsman organisations in Ireland include:

- The Office of the Ombudsman
- The Ombudsman for Children’s Office
How do I know which agency to contact?

The list on pages 19-22 may help you identify which agency can best help you. It is a guide only. Not all health or social care agencies can be listed, but those that are will either be able to help you or will direct you to the appropriate agency.

The agencies listed are those which have a role in these particular areas:

- hospital care
- older people’s services
- disability services
- child and family services
- healthcare products
- healthcare professionals
- GP services
- community-based services
- mental health services

For more information, go to www.healthcomplaints.ie
Complaints about particular areas

This list of agencies may be able to help you if you have a complaint about one of the following areas. For contact details, see pages 23 - 30.

**Hospital care**
- Health Service Executive (HSE)
- The Office of the Ombudsman
- The Ombudsman for Children’s Office
- Health Information and Quality Authority (HIQA)
- Food Safety Authority of Ireland (FSAI)
- The Pharmaceutical Society of Ireland (PSI)

**Healthcare professionals**
- Health Service Executive (HSE)
- The Medical Council
- An Bord Altranais
- The Dental Council
- The Opticians Board
- Pre-Hospital Emergency Care Council (PHECC)
- Pharmaceutical Society of Ireland (PSI)
- The Office of the Ombudsman
- The Ombudsman for Children’s Office
- CORU (Health and Social Care Professionals Council)
Products

- Health Service Executive (HSE)
- Irish Medicines Board
- Food Safety Authority of Ireland (FSAI)
- Radiological Protection Institute of Ireland

Older people’s services

- Health Service Executive (HSE)
- Health Information and Quality Authority (HIQA)
- The Medical Council
- An Bord Altranais
- The Office of the Ombudsman
- The Pharmaceutical Society of Ireland (PSI)
- CORU (Health and Social Care Professionals Council)

Child and family services

- Health Service Executive (HSE)
- The Ombudsman for Children’s Office
- The Office of the Ombudsman
- Health Information and Quality Authority (HIQA)
- CORU (Health and Social Care Professionals Council)
- The Pharmaceutical Society of Ireland (PSI)
Complaints about particular areas (CONTINUED)

Disability services
- Health Service Executive (HSE)
- The Office of the Ombudsman
- The Ombudsman for Children’s Office
- An Bord Altranais
- Health and Safety Authority (HSA)
- The Opticians Board
- The Dental Council
- The Pharmaceutical Society of Ireland (PSI)
- CORU (Health and Social Care Professionals Council)

Community-based services
- Health Service Executive (HSE)
- The Office of the Ombudsman
- The Ombudsman for Children’s Office
- Health and Safety Authority
- The Opticians Board
- The Dental Council
- The Medical Council
- An Bord Altranais
- CORU (Health and Social Care Professionals Council)
- The Pharmaceutical Society of Ireland (PSI)
Complaints about particular areas (CONTINUED)

**GP services**
- Health Service Executive (HSE)
- The Medical Council
- An Bord Altranais
- The Office of the Ombudsman
- The Ombudsman for Children’s Office
- The Pharmaceutical Society of Ireland (PSI)

**Mental health services**
- Health Service Executive (HSE)
- Mental Health Commission (MHC)
- An Bord Altranais
- The Medical Council
- The Office of the Ombudsman
- The Ombudsman for Children’s Office
- CORU (Health and Social Care Professionals Council)
- The Pharmaceutical Society of Ireland (PSI)
An Bord Altranais

(01) 639 8500; www.nursingboard.ie

An Bord Altranais investigates any complaints received about the professional conduct of a nurse or midwife.

It is a State body that regulates nurses and midwives.

Its job is to set and promote high standards of:

- professional education
- training
- practice
- conduct

An Bord Altranais requires nurses and midwives to remain competent by keeping their knowledge and skills up to date.
CORU
(Health and Social Care Professionals Council)
(01) 2933160; www.coru.ie

CORU is in the process of opening a register for 12 health and social care professionals so that it can regulate those professions. It will provide statutory registration of these 12 professions: Clinical Biochemists; Physiotherapists; Dietitians; Psychologists; Medical Scientists; Radiographers; Occupational Therapists; Social Care Workers; Orthoptists; Social Workers; Podiatrists; and Speech and Language Therapists.

CORU’s role is to protect the public by promoting high standards of professional:
- conduct
- education
- training
- competence

CORU recently opened its register of Social Workers. The registers for each of the other professionals will open on a phased basis. CORU will be unable to deal with complaints until the end of 2012.

Dental Council
(01) 676 2069; www.dentalcouncil.ie

The Dental Council is the regulatory body for the dental profession. Its main role is to promote high standards of professional education and professional conduct among dentists.

It also looks after the public interest.

It advises the dental profession and the public on dental ethics and professional behaviour.
Food Safety Authority of Ireland

1890 336 677; www.fsa.ie

The Food Safety Authority of Ireland (FSAI) is the national body responsible for enforcing food safety legislation in Ireland. Its job is to protect consumers’ health and interests by making sure that food consumed, distributed, marketed or produced in the State meets the highest standards of food safety and hygiene. FSAI works together with a number of other bodies.

Health and Safety Authority

1890 289 239; www.hsa.ie

The Health and Safety Authority (HSA) is the national body in Ireland responsible for securing health and safety at work. It is a state-sponsored body, set up under the Safety, Health and Welfare at Work Act. It reports to the Minister for Enterprise, Trade and Innovation.

The HSA’s responsibilities cover every type of workplace and every kind of work in the public and private sectors. This ranges from workplaces where just one or two people are employed, to corporations with multiple locations and thousands of employees.
The Health Information and Quality Authority (HIQA) is an independent organisation. It has the legal power and responsibility for improving the quality, safety and value of health and social care in Ireland (excluding mental health services).

HIQA is also responsible for:
- setting standards
- monitoring and inspecting services
- providing guidance on health information
- carrying out health technology assessments

The Health Service Executive (HSE) is responsible for delivering all of the public health and social services in hospitals and communities across the country.

When the public has issues about HSE services, the HSE encourages people to give their feedback directly to the people who provided the service. The HSE does this to make it easier to resolve issues as they arise.

To make this possible, the HSE has complaints officers who look after each HSE service. You can find their contact details at each location or at www.hse.ie
Irish Medicines Board (IMB)
(01) 676 4971; www.imb.ie

IMB’s role is to protect and enhance public and animal health through the regulation of:
- medicines
- medical devices
- healthcare products
- medical devices
- cosmetics

As the regulatory authority, the IMB aims to make sure that all medicines that can be purchased in the Republic are safe, effective and of high quality. IMB identifies and addresses safety issues so that healthcare products and cosmetics do not compromise the health of those who use them.

Medical Council
(01) 498 3100; www.medicalcouncil.ie

The Medical Council is responsible for the regulation of doctors in Ireland. The Medical Council’s responsibilities include to:
- protect the public by promoting and ensuring the highest professional standards among doctors;
- keep and update the register of doctors; and
- investigate complaints and institute disciplinary procedures.

The Medical Council also sets and monitors standards for:
- medical education
- training
- conduct
- professional competence
- ethics
Mental Health Commission
(01) 636 2400; www.mhcirl.ie

The Mental Health Commission is an independent statutory organisation that was set up in 2002, by law, under the Mental Health Act 2001. Among its functions, the Mental Health Commission makes sure that mental health services:

- maintain high standards and good practices; and
- protect the interests of people detained in approved centres.

Office of the Ombudsman
1890 223 030; www.ombudsman.ie

The Ombudsman investigates complaints from members of the public who feel they have been unfairly treated by certain public bodies. You can complain on your own behalf or for someone else if they ask you to. The Ombudsman service is impartial, independent and free.
Ombudsman for Children
1800 202 040; www.oco.ie

The role of the Ombudsman for Children’s Office (OCO) is to promote and monitor children’s rights by:

- investigating complaints
- advising Ministers
- publishing research
- consulting children directly

Pharmaceutical Society of Ireland
(01) 218 4000; www.the.psi.ie

The Pharmaceutical Society of Ireland (PSI) is an independent statutory body, established by the Pharmacy Act, 2007.

The PSI works in the public interest to protect the health and safety of the public by regulating the professional practice of pharmacists and pharmacies.

The PSI is responsible for the registration of pharmacists and pharmacies. Among its other responsibilities are to:

- handle complaints and disciplinary matters, including the imposition of sanctions;
- improve the profession of pharmacy; and
- provide accreditation of educational programmes for the pharmacy profession at different levels.
Pre-Hospital Emergency Care Council
(045) 882 042; www.phecc.ie

The Pre-Hospital Emergency Care Council (PHECC) makes sure the standards of pre-hospital emergency care are delivered in a way that protects the public.

It does this by specifying, reviewing, maintaining and monitoring the standards of excellence for this care.

PHECC is an independent statutory agency and is also responsible for the standards, education and training in pre-hospital emergency care in Ireland.

Radiological Protection Institute of Ireland
(01) 269 7766; www.rpii.ie

The Radiological Protection Institute of Ireland (RPII) is an independent public body under the Department of Environment, Heritage and Local Government. It was set up under the 1991 Radiological Protection Act.

One of its key roles is to regulate hospitals and medical practices where radioactive substances and X-ray equipment are used in the diagnosis and treatment of illness.
Complaint: A statement saying you are dissatisfied or unhappy about a situation.

Concern: Information you have which may indicate an unacceptable standard of care. This concern may affect the wellbeing of people using health and social care services.

Healthcare services: Services provided to people to promote, maintain, monitor or restore their health.

Professional misconduct: Behaviour by a member of a profession that is considered unacceptable by the governing body of that profession.

Regulator: A Government organisation that has legal responsibility for regulation.

Regulation: A rule or order issued by a Government agency (regulator) that often has the force of law.
**Service:**
Anywhere health or social care is provided. Examples include:
- dental surgeries
- GP clinics
- hospitals
- nursing homes
- services for people with disabilities
- children’s residential services

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**Service provider:**
A person or organisation that is responsible for providing health, or social care services, or both.

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**Social care services:**
The range of services and supports provided to older people, people with disabilities and children to help with daily living and functioning.

For example, help with:
- washing
- eating
- dressing
- maintaining social contact with friends and family

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**Standard of care:**
The quality of care that can be expected from any service that provides health and social care.
If you want to make a complaint, you need to consider all your options.

Public patients’ options for making a complaint:

- Complain locally first
- Request a Health Service Executive (HSE) review
- Complain to the Ombudsman or Ombudsman for Children’s Office
- Contact a regulator
- Get legal advice

Private patients’ options for making a complaint:

- Complain locally first
- Contact a regulator
- Get legal advice
More information

You can get more information on how to complain about health and social care services in Ireland from:

**www.healthcomplaints.ie**

Or you can contact either of the following organisations:

**HSE National Information Line**
8am – 8pm, Monday – Saturday

**Office of the Ombudsman**
9am – 5pm, Monday - Friday

1850 241 850
1890 223 030