

## Policy for the management of complaints about HIQA

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The Health Information and Quality Authority (HIQA) welcomes comments, suggestions and complaints about its performance and conduct in the discharge of its statutory duties and responsibilities. This feedback may come from service providers, people using services, carers, relatives, private and voluntary organisations, statutory agencies and the general public. HIQA welcomes all feedback and regards complaints as opportunities to review practice, procedures and identify areas for improvement.

HIQA wishes to resolve complaints in an effective and timely manner, and uses an early resolution approach to complaints wherever possible in line with HIQA's standard operating procedure. When addressing your complaint, we will keep you informed of the review into the issues raised within the time frames stated below. We will acknowledge any mistakes and put matters right whenever possible.

All HIQA staff are required to conduct the business of the Authority in accordance with policies and procedures. Staff must act at all times in accordance with the Authority's [Code of Business Conduct](#). HIQA will make every effort to ensure that all parties are treated fairly, that complaints are dealt with in a timely and open manner and that complainants are not prejudiced in any future dealings with the Authority.

### 1. Who can complain?

Anyone directly affected by the way in which HIQA has carried out its functions, or anyone acting directly on such a person's behalf, may make a complaint under this Policy for the management and handling of complaints about the Authority.

### 2. What you can complain about

A complaint is an expression of dissatisfaction with the way in which HIQA has conducted its business.

You can complain about the way we do our business, something we have done or should have done or how we have treated you.

We are unable to accept complaints relating to matters listed below. These are all dealt with under separate policies and procedures, or through other bodies:

- Providers of health and social care. To report a concern about a health or social care service to HIQA, click [here](#).
- Third party concerns about the contents of reports.
- Representations/submissions made by a provider in respect of any judgments related to regulatory activity. This includes any actions taken from a provider concerning a point of law, as set out in the Regulation Handbook.
- Complaints from providers in relation to inspection reports.

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- General issues or concerns from a group of service providers or their representative body.
- Matters relating to employee relations in health and social care services.
- Recruitment processes which should be dealt with under the Code of Practice for Appointment to Positions in the Civil Service and Public Service.
- Data subject requests made under the Data Protection Bill 2018 or the Freedom of Information Act 2014.
- Any matter being investigated by the Office of the Ombudsman.
- Disputes with suppliers about contracts.
- Any matter which is the subject of proposed or ongoing independent inquiry or legal proceedings.
- A complaint or feedback which is considered to be vexatious or frivolous.

### 3. How to make a complaint

We would like to resolve your issue as quickly as possible to everyone's satisfaction. We would recommend that, where possible, you talk to your contact at HIQA in the first instance to see if your complaint can be resolved locally first. If this is not possible then you can complain to us by:

- Telephone (01 814 7400) and asking to speak to the Complaints Manager
- Sending an email to: [complaints@hiqa.ie](mailto:complaints@hiqa.ie)
- Sending a letter to: Complaints Manager, Health Information and Quality Authority, George's Court, George's Lane, Smithfield, Dublin 7, D07 E68Y

A complaint should be made as soon as possible after the action giving rise to it, normally within three months of the event. However, in exceptional circumstances, if a complainant can demonstrate that they only became aware of the circumstances relating to the complaint up to six months after the event, the CEO, if he/she deems it to be in the public interest to do so, can extend this time limit to a period not exceeding nine months. All complaints will be handled in confidence.

### 4. Early Resolution

We aim to resolve the majority of complaints through an early resolution process in line with the HIQA standard operating procedure. This is an immediate or informal process whereby a complaint can be dealt with to the satisfaction of both parties quickly, and without recourse to one of the two stages of complaint resolution detailed below. In the unlikely event that this is not possible, the complaints process is outlined below.

### 5. Stage One:

When we cannot resolve your complaint through an early resolution process, it becomes a Stage One complaint. We will acknowledge your complaint in writing within five working days and tell you who will be dealing with it. We may need to follow up with you to get further

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information to help with our enquiries or we may offer to meet with you to discuss your complaint.

Once we fully understand your complaint and how you would like to see it resolved, we will respond to you within 30 working days of your complaint being acknowledged. We will tell you what we have done and how we intend to resolve this issue for you. If there is a reason that we cannot resolve your complaint within this time frame we will notify you of this and the reason for it. If you are not happy with the outcome of this process, you can ask us to review the decision. This then becomes Stage Two.

## 6. Stage Two:

If you are unhappy with the decision reached at Stage One, you can contact the Complaints Manager at the address above and ask for a formal investigation of your complaint. You should state why you are unhappy with the result and how you would like to see the matter resolved. You must ask for this review within 20 working days of receipt of the Stage One resolution decision.

We will acknowledge this request within five working days and an internal complaints reviewer will then examine the details of the complaint and the resolution suggested at the Stage One process. Once again, the reviewer may contact you to get a greater understanding of the issues or may ask to meet with you to discuss further. The reviewer will also examine documentation and talk to other people involved. This process can take up to 40 days and you will be notified of the decision once the review is complete.

Following Stage Two, and if you are still unhappy with the outcome of your complaint, you may appeal in writing to the Office of the Ombudsman, 18 Lower Leeson Street, Dublin 2, D02 HE97, telephone 01 639 6500 or by email to [ombudsman@ombudsman.gov.ie](mailto:ombudsman@ombudsman.gov.ie). Please note, the Ombudsman is unable to accept appeals regarding HIQA from those agencies or bodies also under the remit of the Ombudsman. This includes public and private nursing homes, the HSE and agencies that deliver health and social services on behalf of the HSE. The full list of agencies is available [here](#).

## 7. Recording and reporting of complaints

It is important to identify areas of learning from complaints so that we can improve performance and reduce the likelihood of any recurrence of the issues giving rise to a complaint. As a result, we keep a confidential record of all complaints received and we share the learning anonymously within the organisation. The Complaints Manager reports to the Executive Management Team and the HIQA Board on a regular basis in relation to the management of complaints received.

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## 8. Data protection

All personal information received by HIQA in relation to a complaint shall be stored in accordance with the EU General Data Protection Regulation (GDPR) and Data Protection Act 2018, and the Freedom of Information Act 2014 and in line with the Authority's Information Governance Policy.

## Revision History

Revision number	Description of change	Effective from date
2.0	Data Protection legislation references now updated.	28.5.2018
3.0	No content change to this version template version number and effective date updated	29. 05.2018
4.0	Clarification of role of Ombudsman's Office in relation to complaints about HIQA.	04.11.2018
5.0	Reflect the change in the submission process due to AMA2	05.12.2019
6.0	Clarification of recruitment process complaints	24.11.2020
7.0	Change of owner	12.01.2023
8.0	Change of owner	14.08.2023
9.0	Updates to clarify process following full review	24.11.2023