

Feedback and Complaints Policy

This policy aims to demonstrate clearly the procedures for making and responding to negative feedback and complaints. It will provide a clear path for the complainant, management and staff.

This Feedback and Complaints Policy has been developed in compliance with part 9 of the Health Act 2004

The Complaints Officer for West Cork Arts Centre is Justine Foster and can be contacted at justine@westcorkartscentre.com or 028-22090

It is the policy of West Cork Arts Centre to seek a fair, responsible and swift resolution in line with our aims and objectives as a service provider.

DEFINITIONS

Complaint

Refers to negative feedback made about any action of West Cork Arts Centre as a service provider.

- a) it is claimed, does not accord with fair or sound administrative practice
- b) it adversely affects the person by whom or on whose behalf the complaint is made

Complainant

- A complaint can be made by a user of the service against the actions of a member of staff, artist, volunteer, board of management or the service in general.
- All complainants have the right to appoint an advocate, who can assist them in making the complaint if a person is unable to make the complaint themselves.
- Time frame for making a Complaint
- A complaint must be made within 12 month 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 (CO) may extend the time limit for making a complaint if in her/his opinion special circumstances make it appropriate to do so e.g. illness.

MATTER EXCLUDED FROM THE COMPLAINTS PROCEDURES

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 or before a court or tribunal
- b) a matter relating solely to the exercise of clinical judgement and actions arising there from
- c) a matter relating to the recruitment or appointment of an employee; or a matter relating to or affecting the terms or conditions of a contract of employment
- d) a matter that could be prejudice on investigation being undertaken by the Garda Síochána
- e) a matter that has been brought before any other complaints procedure. This does not prevent a CO from dealing with a complaint made to the Ombudsman/Ombudsman for children or with referral from these bodies

PROCEDURES

Confidentiality is essential. Information should be shared on a need to know basis only.

Making a Complaint

1. ***verbal and informal:*** usually the first step in making a complaint is to discuss the issue with a member of staff or the complaints officer. In the discussion the complainant should always be invited to use the formal complaints procedure – the issue maybe resolved at this stage
2. ***written and formal:*** A formal complaint must be made in writing to the Complaints Officer, Director or Chairperson by letter.

Person/s involved in the Complaint

1. The person/s against whom the complaint is made will be informed of the existence and nature of the complaint by the CO
2. They should be given a copy of this policy
3. They need to be informed on the process and be informed of the right to have an advocate present at all stages of the investigations; likewise the complainant

Investigating and Resolving a Complaint

1. The CO will discuss the complaint with the Director and they may decide to bring the complaint to the attention of the Board of Management with recommendations on how to proceed. If the CO and Director decide to investigate, they may establish a sub committee of three persons to progress.
2. The CO will respond to the complainant in writing within 10 working days of receipt of the complaint outlining the timeframe involved in the investigation or the reason for not investigating
3. The investigation should be in concluded within 30 working days of receipt of the complaint. Extension of 6 months is acceptable if this deadline cannot be met.
4. The CO and Director may interview the complainant, the person whom the complaint is made and any others necessary. Written records will be kept of the interviews
5. Recommendations will be made by the sub committee
6. CO will inform both parties of the recommendations in writing within 10 working days. This decision can be appealed in a signed statement sent to the CO setting out clearly the grounds of the appeal.
7. The appeal should be brought to the board of management with a recommendation to allow or reject. If the appeal is allowed the process will be repeated including the new information. If the appeal is rejected the CO will inform the complainant within 5 working days outlining the reasons.

REDRESS

Redress should be fair and consistent for the complainant, the person/s against whom the complaint is made and/or the West Cork Arts Centre.

WCAC will offer forms of redress or responses that are appropriate and reasonable once the complaint is upheld eg apology, change of policy or practice.

EXTERNAL SUPPORT

WCAC may request their Community Worker's involvement to ensure good process is followed or, if acceptable to all parties, to review the process.

A complainant can refer the matter to the Ombudsman/Ombudsman for Children Office at any stage.