

Making a Complaint

The guidelines below are intended to explain the process of making a complaint relating to services provided by Sage Advocacy and its representatives. All complaints are treated confidentially – this means that Sage Advocacy will only involve people who are directly involved in the complaint.

Our objective is to promote, protect and defend the rights and dignity of vulnerable adults, older people and healthcare patients. We take your complaints seriously and try to learn from any mistakes we have made, bearing in mind that our focus at all times will be on the client. Where there is a need for change, we will conduct an internal review setting out our shortcomings and learning to inform practice for the organisation. We will let you know when changes we have promised have been made.

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that our staff have the same rights. We, therefore, expect you to be polite and courteous in your dealings with us. (We have a [separate guidance document](#) to manage situations where we find that someone's actions are unacceptable).

Sage Advocacy will seek to resolve all complaints as early as possible, at the first point of contact. If you are not satisfied with the outcome of this, you can progress your complaint to the investigation stage.

- If your complaint relates to an *Information or Subject Access Request* made to Sage Advocacy under the General Data Protection Regulations 2016 and you are dissatisfied with the outcome, you can appeal directly to the [Data Protection Commission](#). Sage Advocacy will not process a complaint related to a Subject Access Request.
- If your complaint relates to a case where the HSE Safeguarding & Protection Team/Garda Síochána and/or legal proceedings are involved, the matter will be dealt with under our Safeguarding Vulnerable Persons Policy.

Who can make a complaint?

Provided that the complaint relates to the work of Sage Advocacy, and not to another organisation, agency or service, and that the complaint is not frivolous or vexatious, a complaint can be made by:

- A client who uses Sage Advocacy services;
- Somebody acting on the client's behalf provided that it is clear that the client has sought assistance from that person in making the complaint;
- Somebody acting on the client's behalf where there is clear evidence that the client does not have the capacity to make a complaint or to ask another person to assist; or
- A *bona fide* third party, e.g. relative, social and health care provider or nominated representatives under the Assisted Decision-Making (Capacity) Act 2015. Where this is the case, Sage Advocacy will apply a rights safeguarding approach and follow the guidelines in our Safeguarding Vulnerable Adults Policy.

What happens if I make a complaint?

All formal complaints received will be recorded on receipt, acknowledged within 5 working days, and the Service Manager/Executive Director will be made aware of them. Where appropriate, the Service Manager/Executive Director will first request the relevant Sage Advocacy Representative and/or Regional Coordinator to deal with complaints informally. If you are not satisfied with the outcome you may engage in a more formal process which will involve:

- Clarification of all the details of the complaint by a senior member of staff nominated by the Executive Director.
- A report of the investigation of the facts of the complaint and a proposed resolution will be forwarded to the Executive Director who will make a decision on the complaint. Sage Advocacy will endeavour to complete this process within 30 days. However, the complexity of some cases may require more time.

What are the full factors that the Executive Director considers in a complaint?

In examining a complaint, the Executive Director will be guided by the following criteria:

- The complaint cannot be considered frivolous or vexatious;
- The complaint cannot be anonymous;
- The complaint must have been made directly by a client, on behalf of a client or by a *bona fide* third party;
- The complaint must relate to the work of Sage Advocacy and not to another organisation, agency or service;
- The complaint does/did not relate to HSE Safeguarding & Protection Team/Garda Síochána concerns which are dealt with under the Safeguarding Vulnerable Persons Policy of Sage Advocacy;
- The complaint was/is not the subject of legal proceedings;
- The complaint cannot be considered if it relates to an Information or Subject Access Request made to Sage Advocacy under the General Data Protection Regulations 2016, which may be appealed directly to the Data Protection Commission.

What happens if I am not satisfied?

If you have availed of the internal complaints process within Sage Advocacy and are not satisfied, you may request a review of your complaint by the Independent Complaints Review Panel (ICRP) by email at complaints@sageadvocacy.ie or phone 01 536 7330. A request for a review should be made within 30 days of the decision on the complaint. In certain circumstances the Panel may agree to extend this time limit. You will need to set out the grounds on which the review is being sought and explain why you believe that the decision on the complaint was wrong.

How will my request for a review be handled?

The Panel will decide if a review is necessary. If a review is not felt to be necessary, the Chair of the Panel will inform you in writing of the reasons for its decision. *The Panel's decision is normally final and conclusive. However, it may, in certain circumstances, be reviewable by the Ombudsman.*

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Complaint Form

Date: _____

Please tick relevant box/boxes

1. Are you a client of Sage Advocacy?
2. Are you acting on behalf of a client of Sage Advocacy who has asked for your assistance in making a complaint?
3. Are you acting on behalf of a client who does not have the capacity to make a complaint themselves?
4. Are you a *bona fide* third party, e.g. relative, social and health care provider or nominated representative under the Assisted Decision-Making (Capacity) Act 2015?

Your Name:

Address:

Phone:

Email:

(If making complaint on behalf of a client)

Client's Name:

Address:

Phone:

Email:

Relationship to client, please explain:

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What do you think we did wrong, or failed to do? (use separate sheets if necessary):

Describe how you personally (if you are the client), or the person you are representing has been affected:

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What do you think should be done to put things right?

Please return this form by email to complaints@sageadvocacy.ie or post to Complaints Officer, Sage Advocacy, 24-26 Ormond Quay Upper, Dublin, D7 DAV9

In order to address this complaint, the data provided will be recorded by Sage Advocacy. All information gathered is kept safely, securely and privately, will be used solely for the purpose intended, and not shared without your consent. The only exception is if we are required to do so by law, to protect the client or someone else from serious harm. You can request to see your information at any time, or request to withdraw your information.