

# **IFI MAKING A COMMENT, COMPLIMENT OR COMPLAINT POLICY AND PROCEDURE**

## MAKING A COMMENT, COMPLIMENT OR COMPLAINT POLICY & PROCEDURE

### Policy Statement

Inland Fisheries Ireland (IFI) is committed to providing an efficient, courteous, professional and mutually respectful service to all our customers and to the communities it serves.

This policy outlines IFI's strong commitment to quality service, which recognises that its customers are entitled, as of right, to an excellent service delivered in a prompt, courteous and fair manner. IFI welcomes comments, compliments and complaints from customers, the public and the community about the services the organisation provides. IFI has developed a Customer Charter which outlines the standard of service that customers can expect, what to do if something goes wrong and how to make contact with the organisation. The focus throughout this policy is placed firmly on identifying the necessary prerequisites and actions required to effect meaningful improvements in the standards of our services.

Any comment or complaint will be viewed as an opportunity to learn, adapt, improve and provide better services.

Complaints, criticisms or suggestions will be taken seriously and handled appropriately and sensitively. The IFI complaints system ensures that all complaints are dealt with promptly, use a consistent approach and that they are treated with fairness, equality and impartiality.

### Purpose

The purpose of this document is to detail the policy and procedure in relation to the management of feedback (comments, compliments) and complaints made by members of the public. It is important to note that this Policy has been developed to complement all relevant policies, procedures and guidelines within IFI.

### How you can make a comment or pay a compliment.

You can make comments or pay compliments in a number of ways:

- You can use the form attached to the IFI Customer Charter.
- You can telephone IFI's head office on **01 8842600**.
- You can email the Complaints Officer [customerfeedback@fisheriesireland.ie](mailto:customerfeedback@fisheriesireland.ie)

You can comment directly on our website <http://www.fisheriesireland.ie/About-Us/making-a-comment-compliment-or-complaint.html>

You can choose whether to include your name and contact details with your comment or compliment.

### Providing Feedback (Compliments and/or Comments)

What happens to my comment or compliment?

Any comments or compliments about a particular aspect of the service provided by IFI will be sent to the staff members working in that area or associated with that part of the organisation.

IFI will use comments and suggestions to identify any improvements that are needed in the service. Compliments that mention an individual member of staff will be sent to that staff member and their department manager. If you included your name and address with your comment, you will receive a note of acknowledgement from the complaints officer.

## Complaints Management Policy

It is the policy of IFI that:

- IFI commit to a complaints management process that is fair, transparent, non-prejudiced, non-recriminatory and impartial.
- IFI commit to safeguarding the rights of the complainant and the employee/service against whom the complaint was made and if required, to a fair and impartial investigation of the complaint.
- All managers will take responsibility for complaints pertinent to their area of work unless the complaint is against the manager, in which case the complaint will be the responsibility of the manager's manager. He/she will take a strong participatory role in the investigation of complaints about their area of responsibility and ensure that they make improvements to their service where required as a result of the findings and recommendations arising from the complaint investigation.
- In the event that an alleged complaint against a staff member or manager is reported, these should be directed to a manager in the Human Resources Department. The HR Manager will require that the complaint be put in writing and will deal with the complaint in line with the section below "Complaints about an Employee".
- IFI has appointed a designated Complaints Officer to deal with and ensure the effective management of complaints.
- The Complaints Officer will record details of all complaints received by him/her to facilitate the effective tracking of such complaints and to ensure the effective monitoring and evaluation of the complaints management process.
- Privacy and confidentiality will be respected.
- All parties will be treated courteously and considerately.
- A prompt, professional and efficient service will be provided.
- IFI will respond to correspondence and provide a contact name and phone number to enable the parties to contact the relevant person in IFI.
- Services will be provided for customers and/or members of the public who wish to conduct business through Irish or English.
- Clear language without jargon will be used and unfamiliar technical terms will be explained.
- Full contact details will be included on IFI outgoing correspondence; Emails will be responded to by email subject to privacy considerations.

## Confidentiality

All personal information is held under strict legal and ethical obligations of confidentiality, and will be in accordance with the Data Protection Acts 1988 and 2003. Complainant identifiable information will only be made available with the consent of the complainant.

## How complaints can be made

- Complaints can be made to IFI either verbally or in a written format, or electronically by email [customerfeedback@fisheriesireland.ie](mailto:customerfeedback@fisheriesireland.ie)
- Complaints may be resolved at point of contact;
- However, if the complaint cannot be resolved at point of contact it may require investigation depending on the severity or complexity of the complaint or the difficulty in accurately interpreting the facts of the complaint made by phone. The complainant will be encouraged to make the complaint in writing or electronically to the Complaints Officer.

## Complaints about an Employee

Where a complaint is made against a named employee, it must be put in writing and signed by the party making the complaint, giving specific details such as dates and locations and any corroborating evidence in order to allow management to check the veracity of the complaint. It is important that the complainant provides contact details.

Where the complaint is made about an employee and the complainant does not provide contact details to enable the validation of the complaint, the complaint will not be investigated in the interest of procedural fairness.

Employees have the right to invoke the provisions of the Grievance Procedure should they deem it necessary as a consequence of any complaint made.

Where a complaint has been deemed invalid or vexatious by IFI, all related documentation will be destroyed.

### **Managing complaints and privacy/confidentiality**

Maintaining privacy and confidentiality of customer information is a basic principle of complaints management. It is the role of all employees to ensure that customer privacy and confidentiality is maintained. The Data Protection Acts 1988 and 2003 place an obligation on IFI and its employees to safeguard the right of individuals in relation to the processing of their personal data.

### **Confidentiality and disclosure**

Details of a complaint and complainants personal details will be treated in confidence to the greatest extent possible. However, where the investigation of the complaint indicates a requirement to disclose some or all of the details of the complaint, the complainant will be informed immediately and the information will be directed to the appropriate personnel, if the complainant agrees.

### **Staff Member and Rights to Confidentiality**

Particular care, caution and sensitivity must be exercised in certain circumstances, where for example the good name, reputation and rights under natural justice of an employee may arise in the context of an initial and as yet unsubstantiated complaint.

In such circumstances, the person receiving the complaint must consider the right to confidentiality of any employee against whom the complaint appears to be made in the first instance.

Confidentiality, privacy and similar rights must also be protected, pending the outcome of the initial checking and validation. Where a complaint has been made about a named employee, the details of the complaint must be directed to a HR Manager for review.

### **The Freedom of Information Acts 1997 and 2003**

The Freedom of Information Act confers on all persons the right of access to information held by public bodies, to the greatest extent possible, consistent with the public interest and the right to privacy. It is imperative that all employees are cognisant of the right of the complainant to access any information held by IFI in relation to the management of their complaint. Therefore, employees must ensure that they adhere to the principles of Data Protection Act 1988 and 2003, that decisions made during the complaint management process are supported by facts and evidence.

### **IFI's Complaints Management Procedure (*see also Appendix 1*)**

Note: In the event that a complainant feels that he/she has been bullied or suffered any form of harassment from an employee or any person associated with IFI, the procedures outlined in our Respect and Dignity at Work policy will be followed.

The following procedure will be followed when dealing with all other complaints (see also Appendix 1).

### **What does IFI do once you have made your complaint?**

Firstly, be assured that IFI takes every complaint seriously. The procedure for managing complaints is outlined in the next sections.

### **Local resolution**

Once IFI receive a complaint, they will respond to it promptly and, wherever possible, IFI will do their best to resolve the complaint quickly and at a local level. An immediate response to all complaints may not be possible, as some will require formal and careful consideration.

### **Acknowledging complaints**

In the case of a verbal complaint IFI will give a verbal response as soon as possible. It is best practice for the complainant to provide their name and contact details so that follow-up can be provided.

In the case of a written complaint (or a verbal complaint that becomes a formal written complaint), the Complaints Officer will normally acknowledge the complaint in writing within five working days of receiving it.

### **Informal resolution**

The complaints officer should be informed of all verbal complaints (including name and contact details of the complainant) that could not be resolved at the first point of contact. The complaints officer will also receive a copy of all written complaints. Depending on the nature of the complaint, the complaints officer, with the consent of the people involved, may consider if an informal resolution might be appropriate. As part of the informal resolution the complaints officer may arrange a meeting between the parties concerned or use mediation services.

If an informal resolution is not appropriate or turns out to be unsuccessful, the complaints officer may initiate a formal investigation of the complaint.

### **Investigation of the complaint**

The Complaints Officer will have the complaint investigated within 30 working days of the acknowledgement of the complaint. The investigation may call on other staff, witnesses, experts and so on to assist in the process.

If the complaint cannot be resolved within 30 days of acknowledging the complaint, the Complaints Officer or the manager dealing with the complaint will inform the complainant of this before the timeframe passes. They will also indicate the estimated time it will take to complete the investigation and must then update the complainant every 20 working days until the matter is resolved.

IFI will do its best to complete investigations into complaints within three months of receiving the complaint. If IFI cannot meet this deadline, the Complaints Officer or manager dealing with the complaint will inform the complainant that the investigation is taking longer than three months. The complainant must be informed as to why it is delayed and outline proposals for resolving the complaint.

### **After an investigation**

The Complaints Officer or manager dealing with the complaint will write a report of the investigation and give a copy of the report to the complainant, to the Head of Function, RBD Director, HR Manager and to the relevant manager or staff member that may have been the subject of the complaint.

The final report will include any recommendations needed to resolve the matter. The Complaints Officer will invite everyone involved to contact him/her with questions about any issues and will advise the complainant of their right to a review of the recommendations made by the Complaints Officer by IFI's Head of Human Resources, Head of Function or the Chief Executive Officer (CEO).

Records of complaints are kept on file for a period of 3 years in line with the requirements of the IFI Records Management Policy.

### **Implementing the Complaints Officer's recommendations**

Recommendations for change or amendments to processes, as a result of an investigation, will be acted upon by the relevant manager in IFI unless the recommendations will clearly impact on the work of IFI. In this instance, the Head of Function must write to the complaints officer outlining the reasons why the recommendation/s cannot be implemented.

If the complainant requests a review of the investigation, IFI will suspend the implementation of any recommendations from the complaints officer and will tell the complainant about this suspension.

### **Dealing with Unreasonable Complaints**

In a very small number of cases the complainants behaviour in persisting with their query/ies may become unreasonable. Unreasonable behaviour may take the form of:

- unreasonable persistence in pursuing an argument that has already been addressed or re-framing the complaint to present it as a fresh complaint
- unreasonable demands – examples include seeking an alternative decision on a case that can only be appealed further by taking the case to court, demanding that their case is not to be dealt with by a particular officer (where that officer is the most appropriate officer to deal with the case), demanding that the opening hours of the public office be changed to facilitate their requirements, etc.
- unreasonable lack of co-operation – examples include making multiple queries in relation to the same issue to the same officer or to a number of officers and/or expecting an almost instantaneous response to correspondence
- unreasonable arguments – examples include the customer presenting irrelevant arguments and/or insisting that their interpretation of legal or other issues should be accepted as fact
- unreasonable behaviour – examples include threats of violence, abuse of IFI's employees, rude or aggressive conduct, and threats of self-harm.
- unreasonable volume of correspondence, phone calls and contact with the organisation or employees of the organisation.

Such cases can expend a disproportionate amount of time and resources that might be used more effectively.

If the unreasonable behaviour consists of abusive phone calls or repeated phone calls in relation to a matter that has already been dealt with or an issue relative to the matter, a record of the phone calls will be kept.

Where the customer persists with an issue which has been fully dealt with or behaves in an unreasonable fashion, examples of which are described above, the matter will be referred to the relevant senior manager (Head of Function). The senior manager will review the matter in its entirety and, if appropriate, may decide to commence a progressive or immediate disengagement with the customer. If appropriate, the senior manager will write to the individual/s outlining why IFI believe the behaviour to be unreasonable and what action IFI propose to take.

The options IFI are most likely to consider are:

- requesting contact in a particular form (letters only),

- requiring contact to take place with a named officer,
- restricting telephone calls to specified days and times,
- restricting access to the Office,
- asking the customer to enter into an agreement about their future conduct, and,
- ultimately, terminating all contact with the complainant where the behaviour shows no signs of abating (this decision will be taken at senior manager level)

Where the senior manager has made a decision to disengage with the customer all IFI staff will be informed of the decision.

**All correspondence to the customer will advise the complainant of his/her option to take the matter up with the Ombudsman** (or, where a legal matter is concerned, appealing the matter to court).

### **Right to Review of Complaint**

If the complainant is not satisfied with the recommendations made by the Complaints Officer or with how the complaint has been handled by IFI, he/she has a right to request an independent review of the complaint by the Ombudsman or the Ombudsman for Children.

#### **Office of the Ombudsman:**

18 Lower Leeson Street,  
Dublin 2.

Phone: 01 6785222

Email: [ombudsman@ombudsman.irlgov.ie](mailto:ombudsman@ombudsman.irlgov.ie)

#### **Office of the Ombudsman for Children:**

Millennium House  
52-56 Great Strand Street  
Dublin 1.

Free-phone: 1800 20 20 40

Phone: 01 865 6800

Email: [oco@oco.ie](mailto:oco@oco.ie)

Website: <http://www.oco.ie>

## **Review and Monitoring**

This policy will be reviewed on a 2 yearly basis for effectiveness in its implementation and operation by the Policy Review Group. This will be done in line with changes in statute law, relevant case law and other developments but in any case no later than two year intervals.

## **Reference Documents:**

- Data Protection Act 1988 and 2003
- Disability Act 2005
- Equal Status Acts 2000 & 2004
- The Freedom of Information Acts 1997 and 2003
- IFI Respect and Dignity at Work Policy and Procedure
- IFI Grievance Policy and Procedure
- IFI Customer Charter



## Appendix 1

### General Complaints Procedure IFI

