

## **BFHI – Complaints Policy and Procedure**

The “participant” in activities of the Baby Friendly Health Initiative in Ireland (BFHI) is deemed to be the health facility (as an entity) and not the service users of the health facility.

Complaints received from users of the health facility services will be informed of the appropriate complaint channels of the individual health facility and HSE “Your Service, Your Say” and other similar channels that may be in place. Complaints received from users will be kept in the file for the specific health facility to inform monitoring and assessment teams of possible areas or patterns of complaints to give specific attention to.

The BFHI staff, contractors, employees or volunteers are not expected to have any need for access to a child or a vulnerable adult in the participating health facility in the course of the BFHI activities. No BFHI staff, contractors, employees or volunteers will be in any contact with a child unless the child’s parent or health facility staff member responsible for the child is also present and any contact will only be on health facility premises. The BFHI staff, contractors, employees or volunteers are expected to comply with the national child protection guidance, e.g. *Children First*, DYCA.

The BFHI National Committee views comments and complaints about the BFHI service as an opportunity to continuously improve the quality of service provided and to learn lessons so as to prevent further similar occurrences in the future. If a health facility has any complaint about the action or omission of the BFHI in Ireland staff, contractors, employees or volunteers acting in a capacity as an official representative or acting on behalf of the BFHI in Ireland, in relation to that health facility, that, it is claimed, does not accord with fair and sound administrative practice or adequate health and safety practice, and adversely affects the health facility by whom the complaint is made, there is a complaint procedure:

- A formal complaint may be made in writing or by email to the BFHI Coordinator, to the Chair of the BFHI National Committee, or to any Committee member for transmission to the Chair. A complaint must include the name of the complainant, contact details and their position within the health facility.
- Within five working days of receipt of the complaint, the Chair or other designated Committee member will acknowledge receipt of the complaint to the complainant.
- The BFHI National Committee will not investigate complaints that are a matter that is or has been the subject of legal proceedings before a court or tribunal, or a matter that could prejudice an investigation being undertaken by the Garda Síochána.
- At least two Committee members will be assigned to pre-investigate the complaint to determine the validity of the complaint within the scope of the BFHI expected actions and also determine that the subject matter of the complaint is not trivial, the complaint is not vexatious, the complaint is made in good faith, and the complaint has not already been resolved. The pre-investigation team will inform the Chair of the validity of the complaint within 14 days of being assigned the pre-investigation task. The complainant will be informed if the complaint is deemed valid and going for investigation or not deemed valid (with the reason) within 5 working days of making the determination.
- Investigation of a valid complaint will be undertaken by at least two assigned Committee members who will advise all parties involved that a formal investigation is being carried out to determine the sequence of events leading to the complaint and the root causes of the complaint. The assigned members will gather information from those involved in the health facility, within BFHI staff, contractors, employees or volunteers, and from other sources deemed relevant. A written trail will be kept of the investigation process. A report will be provided to the Chair within 30 days, and if the investigation extends longer, every 30 days until resolution. The BFHI National Committee will be informed of the complaint and its progress through routine Committee notifications, unless the complaint is considered as a possible major or catastrophic complaint, in which case the Committee will be informed within 48 hours of the complaint.

- The investigation team will not make a finding or a criticism in their report, adverse to an individual person or an entity without having afforded the person/entity concerned the opportunity to consider the proposed findings or criticism and to make representations in relation to it.
- The investigation team will prepare a written report (signed and dated) to the BFHI National Committee which will include their findings, any recommendations they consider appropriate to redress the complaint, actions to be taken to prevent reoccurrence of the cause of the complaint, and include the evidence/reasons for such findings and recommendations. If the BFHI National Committee is in agreement with the report, the report will be forwarded to the complainant and to any BFHI staff, contractors, employees or volunteers, against whom the complaint was made. The investigation team may need to consider anonymising parts of the report to protect the identity of the complainant or the staff member when deemed appropriate by the investigation team.
- If the health facility and/or the involved BFHI staff, contractors, employees or volunteers are dissatisfied, an appeal may be requested on the grounds of the conduct of the original investigation or evidence not considered by the investigation. A written request for a second review/appeal should be sent, stating the grounds for the appeal, to the Chair of the BFHI National Committee within 21 calendar days of the complainant or BFHI staff, contractors, employees or volunteers against whom the complaint was made, being sent the report of the investigation of the complaint by a recorded delivery method. At least two Committee members who were not involved in the first investigation will be assigned to review the complaint and its investigation process. The process of the review will be similar to the process of the original investigation; gather additional evidence, examining existing and any new evidence, examining process, providing a written report to Committee, Committee discussion and communicating with the complainant or BFHI staff, contractors, employees or volunteers against whom the complaint was made.
- A complainant may, at any time, withdraw a complaint made and, on advice of such withdrawal, the investigation team may cease to investigate or review the complaint. However, where the investigation team has reasonable grounds for believing that public interest would best be served by the continuation of the investigation or review, they must refer the matter to the BFHI National Committee for a decision on the matter.
- The Committee members' assigned responsibility for pre-investigation and full investigation of a complaint will have no current or recent connection with the health facility making the complaint.

The BFHI will keep records of any complaints received from a health facility and the action taken. These records will be stored electronically for a minimum of 5 years from the date of resolution of the complaint. These records will be available to the HSE on request. Any reporting of complaints in any public document, such as the BFHI Annual Report, will not identify the health facility or individuals involved.

All BFHI staff, contractors, employees or volunteers will cooperate with any complaint investigation, and will participate in any improvements to the service if deemed to be needed. The BFHI National Committee commits to safeguard the rights and dignity of the BFHI staff, contractors, employees or volunteers in implementation of this policy and procedure.

In the event of any employee, officer, volunteer or agent of the BFHI in Ireland having behaved illegally, wrongfully or inappropriately or in breach of the BFHI's applicable policies and procedures, whether by act or omission, in respect of a participant or the BFHI National Committee becoming aware of any allegation or complaint that any such person has behaved in such a manner in respect of a participant health facility, the BFHI National Committee shall take all necessary actions (including disciplinary action if appropriate) in respect of such person to ensure safety and protection of the participant and participants generally and report the matter to all relevant authorities.

This complaints policy and procedure will be reviewed on a 3-yearly basis, unless an earlier review is necessitated for a specific reason.

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