

Management of Feedback - Complaints & Compliments Policy

Policy Title	Management of Feedback - Complaints & Compliments Policy
Reference	Corp 010 02
Effective From Date	November 2024
Policy Lead	Seamus Dillon
Policy Sponsor	Seamus Dillon – Director of Quality, Risk & Safety
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Approved by	EMT

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1.0 POLICY STATEMENT

Pieta seeks to create a climate where positive and negative feedback on its services and activities is encouraged and responded to.

In promoting a culture of organisational learning and development, this policy describes how complaints and compliments are received, managed, and responded to.

No Wrong Door - Pieta considers that it is the role of all its staff to listen, receive and respond to feedback such as complaints and compliments in an effective and efficient manner. If the staff member receiving the feedback is not best placed to manage it, they should guide the origin of the feedback to the most appropriate recipient.

Pieta recognises that client feedback, including complaints, is a valuable source of information on how well services are doing and identifying areas where quality initiatives may need to be implemented.

Pieta aims to create an environment where clients feel comfortable and have the opportunity to provide feedback about services and equally where staff feel comfortable about taking ownership of this process.

2.0 PURPOSE

To outline Pieta's positive approach to receiving complaints and compliments and feedback.

To outline how feedback, complaints and compliments can be received and by whom.

To document how Pieta will manage feedback, complaints and compliments and what a complainant should expect when making a complaint.

To comply with Pietas statutory and contractual compliance as it relates to complaints and compliments.

To define what complaints can be managed as part of this policy and what cannot.

3.0 SCOPE

Who can provide a compliment?

- Anyone

Who can make a complaint?

The origin of a complaint can be divided into two broad categories.

Service Provision Complaints

- Clients (Current, Past, Prospective)
- Advocates and carers of clients (Current, Past, Prospective)
- Family members

Organisational Complaints

- Public / Stakeholders
- Donors

The Pieta Management of Feedback - Complaints and Compliments policy is not a mechanism for dealing with staff employment issues. There are a number of alternative routes for complaints or issues relating to employment to be raised, such as line management, grievance, protected disclosure etc. Further details may be found in the staff handbook and Pieta Policy Site

What can you make a complaint about?

You can make a complaint about the following – this is not an exhaustive list.

- The service you or your family have received / not received.
- How pieta have interacted with you

The below is a list of matters that a person is not entitled to make a complaint about. This is an abridged and amended list from Section 48 of the Health Act. Please see section 48 of the Health Act for the full list that Pieta applies.

- A matter that is or has been the subject of legal proceedings before a court or tribunal.
- A matter relating solely to the exercise of clinical judgment by a person acting on behalf of Pieta.
- An action taken by Pieta solely on the advice of a person exercising clinical judgment.
- A matter relating to the recruitment or appointment of an employee by the Executive or a service provider.
- A matter relating to the Social Welfare Acts.
- A matter that could be the subject of an appeal under section 60 of the Civil Registration Act 2004
- A matter that could prejudice an investigation being undertaken by the Garda Síochána.
- A matter that has been brought before any other complaints procedure established under an enactment.

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4.0 DEFINITIONS

Complaint

A complaint is an expression of dissatisfaction which needs a response. It is usually made when a person is unhappy with the experience they have had and want to receive a response from Pieta to address the complaint.

Complainant

A person who makes a complaint

Compliment

A polite expression of praise or admiration.

Feedback

Information or responses given to an organisation regarding their performance, actions, or output, often used to facilitate improvement or adjustment.

Local Complaints Officer

The Pieta staff member that is responsible for a service or function e.g. Clinical Services Manager.

Lead Complaints Officer

The senior manager responsible for providing oversight to the complaints management process.

Clinical Judgment

A decision made or opinion formed in connection with the diagnosis, care or treatment of a client. The person making a clinical decision or forming an opinion in connection with the diagnosis, care or treatment of a client must be suitably qualified and registered with a professional body.

5.0 GENERAL PROVISIONS / PROCEDURE

Making a Compliment

Anyone can make a compliment.

Pieta operates a system that allows staff members to record and log compliments.

The information collected as part of this system may be used to;

- Enhance the service area that is being complimented.
- Provide encouragement and support to the staff / staff teams involved.
- Identify areas of excellence within Pieta and replicate this throughout the organisation.

Staff members will.

- Receive compliments.
- Thank the person making the compliment.
- Log the compliment on to the online system.
- This information will then inform future quality improvement initiatives.

Making a complaint

A client, prospective client or family member may make an initial complaint using whatever method is most appropriate and accessible e.g. verbal, written, assisted etc

Stakeholders / members of the public and Donors – should submit complaints in writing to the Pieta staff member they are engaging with or by mail to

Pieta Complaints Officer
Pieta
Greenhills Rd
Tallaght
Dublin 24

All Pieta staff are responsible for receiving client complaints. If the person receiving the complaint isn't in a position to manage it, it is their responsibility to guide the complainant and or the complaint to a staff member that can manage their complaint.

Staged Approach to Complaints management

Pieta uses a staged approach when receiving and managing complaints.

This staged approach allows for complaints to be resolved as swiftly and as locally to the origin of the issues as possible.

- Stage 1(a) - Local resolution of verbal complaints at point of contact (informal).
- Stage 1(b) - Local resolution of verbal or non-verbal complaints by Local Complaints Officer e.g., Clinical Services Manager (CSM) or equivalent.
- Stage 2 - Review of written complaints and/or unresolved verbal or non-verbal complaints by Local Complaints Officer
- Stage 3 - Review by the Lead Complaints Officer
- Stage 4 - Independent Review (Ombudsman/Ombudsman for Children).

Stage 1A: Management of a Verbal Complaint at the Point of Contact.

Complaints can be received verbally directly to any member of staff.

Complainants are encouraged to share their complaints directly with the part of the Pieta organisation that they have engaged with – e.g. a complaint relating to a service is best shared with a staff member from that service.

A staff member receiving a complaint should.

- Listen to the complainant.
- Identify the issues (be aware of multiple issues) and what outcome the complainant would wish to result from their complaint.
- Summarise the issues.
- Thank the complainant.
- 'Empathise and Explain' what will happen next.
- Now act: determine the appropriate action: resolve, appropriate to this stage.
- Log the complaint on the online complaints & compliments management system, allocating where the complaint relates to.
- Record the nature of the issue and steps taken to resolve it.
- Record if the complainant is satisfied with the outcome of the complaint at this stage.

Stage 1A Closure

Is the complainant satisfied with the outcome?

- If yes – close complaint.
- If no – hand over, verbally to the local complaints officer responsible for the source of the complaint and update the online system.

Stage 1B Follow Up Contact/Meeting: Informal Resolution.

Stage 1 A & B may be merged if the appropriate complaints officer receives the informal complaint directly.

Follow up contact should be made, by complaints officer / designee, with the complainant as soon as possible from the date of the original complaint.

Where a telephone number is available, the contact should be made by telephone.

Where appropriate to the complaint, further information, clarification, and explanation can be offered over the telephone, which may result in the complaint being resolved at this point.

This process may extend to a number of phone conversations if considered productive.

Stage 1B closure

If a resolution is not agreed the complaint is escalated to Stage 2

Stage 2: Formal Complaint Resolution

Where informal resolution was not successful or was deemed inappropriate, the Local Complaints Officer will initiate a formal review of the complaint. On certain occasions the nature and gravity of a complaint may be too great to deal with informally with complaint proceeding to stage 2.

The complainant is requested to document their complaint in written format and submit it to the Local Complaints Officer. The complaints officer will support a client, advocate, prospective client or family member to do this if required.

Where a complaint is made about a staff member(s), they will be informed of this by a Complaints Officer (as appropriate) at the earliest possible stage in the process, the planned process will be described to them, and they will be provided with regular updates on progress.

Where a complaint relates directly to the Local Complaints Officer, the complaint should be forwarded to the line manager of the Local Complaints Officer who will then lead the management of the complaint (they may assign an investigation/review to another appropriate person/alternative complaint's officer).

The complaints officer will carry out a pre-review to check the validity of the complaint and the appropriate processes to be used to manage the complaint.

Some complaints will not be suitable for review by the local complaints officer and must either be referred to the appropriate manager or body for investigation or returned to the complainant with an explanation as to why the complaint cannot be reviewed or with details of the correct process for the management of their complaint.

The complaints officer is responsible for overseeing and leading the formal review of the complaint at Stage 2 but may draw on appropriate expertise, skills etc. as required. E.g. HR, Finance, QRS etc.

Staff have an obligation to participate and support the review of any complaint where requested.

Please see appendix 9.1 for detail as to how a complaints review may be conducted.

Stage 2 Closure

A complaint will be closed at the end of stage two unless the complainant indicates, when asked, their dissatisfaction with the outcome and requests, in writing, a stage 3 review.

Stage 3: Review by Lead Complaints Officer

The stage 3 complaints review process will be instigated when.

- The stage 2 process has been completed.
- The complainant expresses their dissatisfaction with the outcome of stage 2 and requests, in writing, an escalation to stage 3.
 - The complaint officer overseeing the stage 2 process will facilitate the complainant if they wish to escalate to Stage 3

This request should be addressed to -

Pieta Lead Complaints Officer
Pieta
Greenhills Rd
Tallaght
Dublin 24

- The Lead Complaints Officer will examine the request for review and appoint a Review Officer if appropriate to carry out the review of the complaint.
- The Review Officer will review the processes used to carry out the investigation of the complaint, the findings and recommendations made post investigation.
- The Review Officer will either uphold, vary or make a new finding and recommendation.
- The Review Officer may carry out a new review of the complaint or recommend that a local review of the complaint be carried out by a Complaints Officer independent of the initial review team.

Stage 4: Independent Review

If the complainant is not satisfied with the outcome of the complaints management process s/he may seek a review of the complaint by the Ombudsman. The complainant must be informed of their right to seek an independent review from the Ombudsman at any stage of the complaint management process.

The Office of the Ombudsman 6 Earlsfort Terrace, Dublin 2, D02 W773. Tel: 01-8656800

***The Ombudsman for Children's Office, Millennium Houses, 52-56 Great Strand Street, Dublin 1
Tel: 01-8656800***

Certain complainants may also have the right to raise a concern with the Charities Regulator

Charities Regulator 3 Georges Dock IFSC Dublin 1 D01 X5X0 Telephone: 01 633 1500

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Anonymous Complaints

All anonymous complaints, both written and verbal, should be logged onto the complaints system and brought to the attention of the relevant local complaints officer for a decision as to whether quality improvements are required on the basis of the complaint.

It is the policy of Pieta that Complainants must provide contact details when making a complaint against Pieta to enable appropriate validation, follow up and investigation of that complaint unless there is a good and sufficient reason for withholding this information.

Anonymous complaints will not normally be investigated as there is always a possibility that they are vexatious or malicious and the anonymity of the Complainant does not enable the principles of natural justice and procedural fairness to be upheld.

Notwithstanding the fact the anonymous complaints cannot be the subject of a formal investigation unless there is supporting evidence, management should assure themselves that the systems in place are robust and the welfare of patients/clients is not at risk.

What should a Complainant expect?

Stage 1

Complainants should expect a verbal acknowledgment of the complaint as soon as possible and ongoing engagement while both the complainant and Pieta work together to resolve the complaint informally.

Stage 2

Complainant should expect an acknowledgment within 5 working days.

Complainants should expect that the stage 2 complaints management process to be completed within 30 working days of receiving the acknowledgement. If this is not possible, Pieta will let the complainant know and provide regular updates, at least every 20 working days.

Stage 3

Complainant should expect an acknowledgment of a written request to escalate to stage 3 within 5 working days of that request being received.

Complainants should expect that the stage 3 complaints management process to be completed within 20 working days of receiving the acknowledgement. If this is not possible, Pieta will let the complainant know and provide regular updates, at least every 20 working days.

6.0 ROLES & RESPONSIBILITIES

All Staff

- All staff are responsible for adhering to Pieta's Management of Feedback, Complaints & Compliments policy.
- All staff are responsible for receiving client complaints and compliments. If the person receiving the complaint isn't the appropriate person to manage it, it is their responsibility to guide the complainant to a staff member that can manage their complaint.
- Listen to the complaints and compliments carefully and log them onto the online management system.
- Where possible manage complaints at the point of contact.
- If point of contact resolution is not possible staff are responsible for escalating to the local complaints officer.
- Participate in an investigation process of a complaint on request of their line manager or Local Complaints Officer.

Line Managers

- Ensure all staff are familiar and comply with the Management of Feedback, Complaints and Compliments Policy.
- Support staff to manage complaints at point of contact.
- Seek to ensure that any individual who has made a complaint is not adversely impacted as a result of making a complaint.
- Ensure that the complaints and compliments management system is kept up to date.
- Implement recommendations made from resolved complaints.
- Celebrate compliments and share learnings from same.
- Ensure complaints are discussed regularly at team meetings.
- Promote a culture and attitude that welcomes feedback and supports the effective and timely resolution of complaints received.
- Reflect on feedback for the purpose of quality improvements within respective services.

Local Complaints officer - (Line Manager)

- Responsible for overseeing the management of Feedback, Complaints and Compliments received for their area in line with this policy.
- Responsible for ensuring that potential complainants have access to the Pieta Management of Feedback, Complaints and Compliment's Policy
- Work with complainants to seek to address and resolve issues raised.
- Conduct complaints reviews / investigations as appropriate to the seriousness and complexity of the complaint.
- Assume responsibility for the implementation of policy within their area.
- Escalates complaints where appropriate.
- Communicate findings to complainant and provide them with an opportunity to consider findings, making representation should they wish to do so.

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Lead Complaints Officer (QRS)

- Supports and guides the local complaints officer in the management of complaints and compliments.
- Ensure all complaints are responded to and recorded appropriately.
- Maximises the organisational learning from complaints and compliments by providing oversight to recommendations and ensuring recommendations and learnings are shared where appropriate.
- Support with the commissioning of reviews and investigations
- Ensure Pieta fulfil its responsibilities for external reporting of complaints metrics.
- Oversee the completion of stage 3 of the complaints management process.
- Communicate findings of stage 3 reviews to complainant and provide them with an opportunity to consider findings, making representation should they wish to do so.
- Report on complaints metrics to the Executive Management Team (EMT)

Role of Research and Evaluation Department

- Ensure client evaluation survey is circulated to those clients who have consented to be contacted.
- Prepare quarterly client feedback evaluation reports for the EMT with analysis and trends identified.

Role of the Quality, Risk and Safety Department

- Ensure oversight of complaints management system
- Ensure appropriate reporting systems are in place between Pieta and the HSE in accordance with the Health Act 2004
- Prepare quarterly reports on complaints and compliments, identifying trends, compliance and learnings.

Executive Management Team

- Individually and collectively accountable for ensuring that Pieta receives and manages complaints and compliments appropriately.
- Responsible for commissioning level 3 complaint investigation reviews.
- Ensure this policy is established, monitored and reviewed accordingly.
- Ensure that analysis of feedback, complaints and compliments inform and influence organisational strategies, planning and organisational improvements.

CEO

- Accountable for ensuring that feedback, complaints and compliments are managed appropriately.

Board

- Hold the CEO and Executive Management Team accountable for ensuring that Pieta has a fit for purpose complaints and compliments management system.

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7.0 EVALUATION & AUDIT

This policy will be reviewed at a minimum every three years or more frequently if required and in line with feedback and/ or regulatory or legislative requirements.

8.0 REFERENCES

[Complaints and feedback - HSE.ie](#)

<https://www.hse.ie/eng/about/who/complaints/ysysguidance/ysys-feedback-policy-guidance.pdf>

[HSE - Your Service, Your Say - We would like to hear from you - Your feedback matters](#)

[Charities Governance Code \(charitiesregulator.ie\)](#)

[guidance-for-fundraising-english.pdf \(charitiesregulator.ie\)](#)

Children First - National Guidance for the Protection and Welfare of Children-
[Children First National Guidance 2017.pdf \(tusla.ie\)](#)

Safeguarding Vulnerable Persons at Risk of Abuse National Policy & Procedures -
[personsatriskofabuse.pdf \(hse.ie\)](#)

8.1 Related PPPGs

- HR20- Grievance policy
- CORP 004-Protected Disclosure Policy

8.2 Relevant Legislation

- Health Act 2004
- Ombudsman Act 1984
- Ombudsman for Children Act 2002
- Freedom of Information Act 2014
- General Data Protection Regulation 2016

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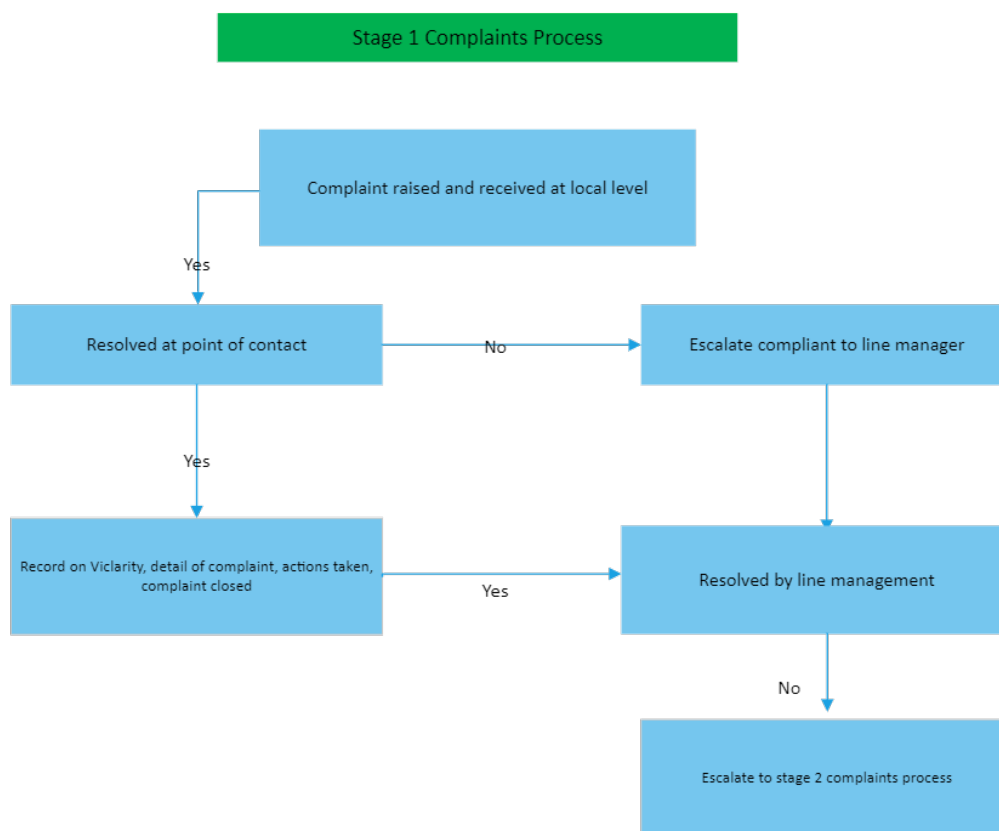
9.0 APPENDICES

Appendix 9.1 Complaints Review Process

Stage 1 of Complaint Process:

Pieta will endeavour to resolve complaints as quickly as possible and where possible at the first point of contact.

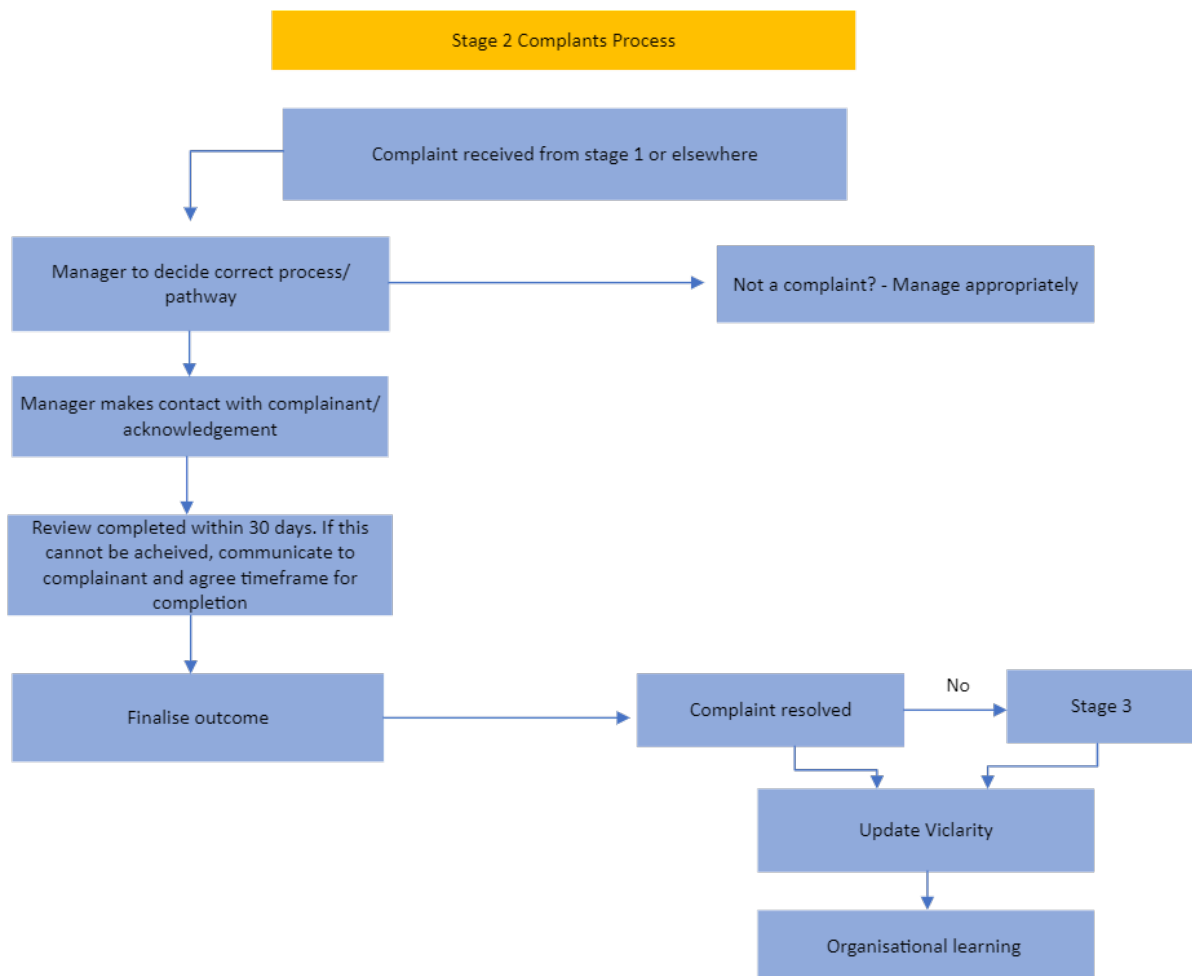
Pieta hopes to resolve the complaint locally, informally and promptly. All complaints resolved in this way must be recorded on Pieta’s complaint management system Viclarity and recorded as closed at stage 1.



Stage 2 of Complaint Process:

As part of the stage 2 complaints management process, a review will be undertaken. Complaint management should be conducted in a way that is proportionate to the nature and degree of seriousness of the complaint. It is a target that a full response to the complainant will be issued within 30 working days of the receipt of the original complaint. This may be extended if necessary and any extension must be communicated to the complainant with a revised time period outlining when a final response will be provided.

Stage 2 concludes when a full response has been communicated to the complainant and a report has been completed with findings e.g. upheld or not upheld. If the complainant is dissatisfied with the outcome of the process and wish to pursue the complaint the complaint should progress to stage 3 complaint.

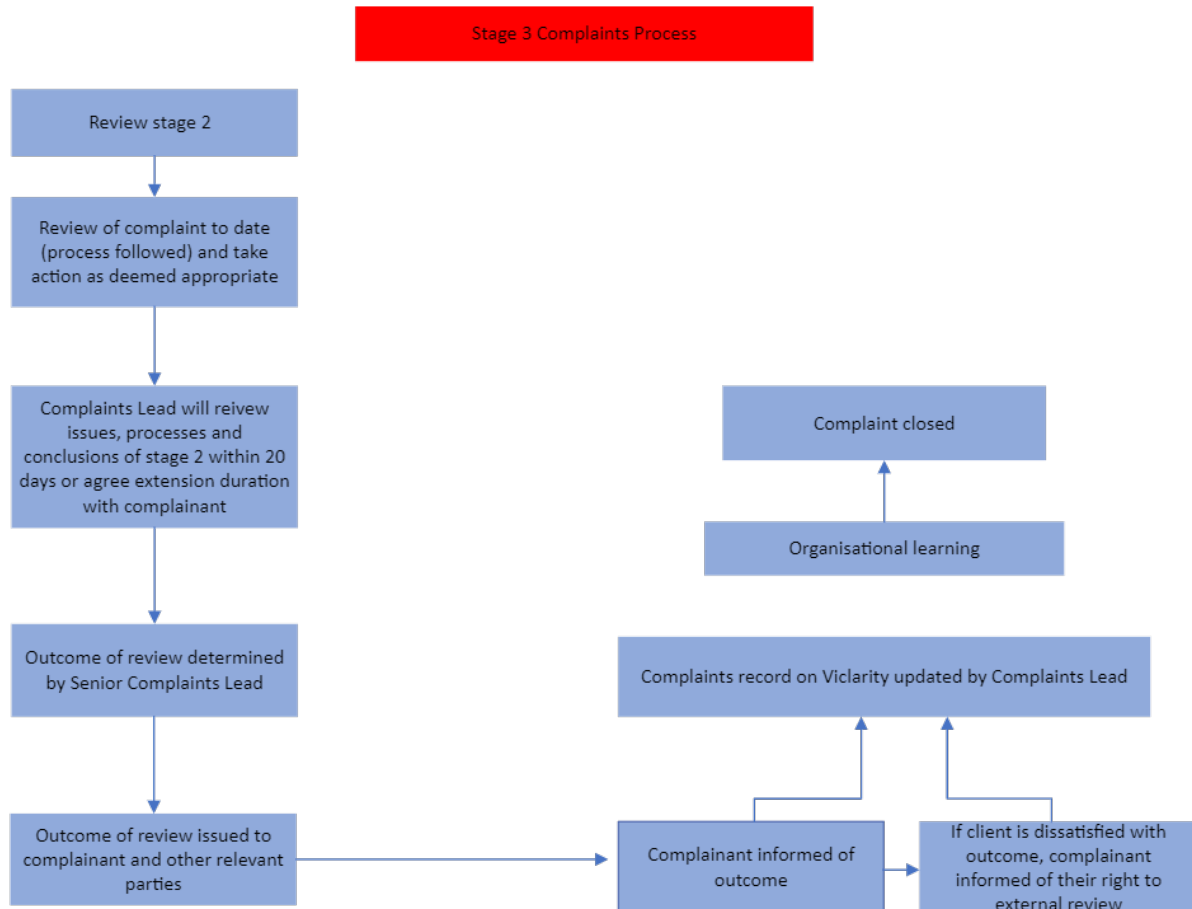


Stage 3 of Complaint Process:

The nature of the review will be decided by the Local Complaints Officer.

As part of a Review.

- Purpose of stage 3 process is to review what processes and actions have been taken to date.
- Communicate outcome of this review to the complainant and document accordingly.
- If complainant is not satisfied with outcome, advise complainant of their right to seek an external review.
- Confidentiality will be maintained throughout the review.



Appendix 9.2 Vexatious Complaints

It is the policy of Pieta that all complaints must be appropriately responded to, however there are times when there is nothing further which can reasonably be done to assist the complainant or to rectify a real or perceived problem.

In the course of dealing with complaints Pieta staff inevitably have contact with a small number of complainants who absorb a disproportionate amount of Pieta resources.

The aim of this procedure is to identify situations where the complaint might be considered to be vexatious and to suggest ways of responding to these situations.

This procedure gives clear guidelines where a complaint can be classed as vexatious and outlines options staff have for dealing with these complaints. This procedure should only be used as a last resort and after all reasonable measures have been taken to try to resolve complaints through the Pieta complaints policy. Judgement and discretion must be used in applying the criteria to identify potential vexatious complainants and in deciding on action to be taken in specific cases. This procedure should only be implemented following careful consideration by the relevant regional manager / senior manager in consultation with the relevant Director and The Director of Quality, Risk & Safety.

Identifying Vexatious Complaints

Complainants (and/or anyone acting on their behalf) may be deemed to be vexatious where previous or current contact with them shows that they meet two or more of the following criteria:

Where complainants:

1. Persist in pursuing a complaint and the Pieta complaints procedure has been fully and properly implemented and exhausted;
2. Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints;
3. Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed;
4. Repeatedly do not clearly identify the precise issues which they wish to have investigated, despite reasonable efforts of Pieta to help them specify their concerns, and/or where the concerns identified are not within the remit of Pieta to investigate;
5. Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. Determining what a trivial matter is can be subjective therefore careful judgement must be used in applying this criterion;

6. Have threatened or used physical violence towards staff at any time – this will, in itself, cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidents must be documented;
7. Have in the course of addressing a registered complaint, had an excessive number of contacts with Pieta, placing unreasonable demands on staff. For the purposes of determining an excessive number, a contact may be in person, by telephone, letter, e-mail or fax. Discretion must be used in determining the precise number of “excessive contacts” applicable under this section, using judgement based on the specific circumstances of each individual case;
8. Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. Staff must recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. All instances of harassment, abusive or verbally aggressive behaviour must be documented.
9. Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved;
10. Display unreasonable demands or expectations and fail to accept that these may be unreasonable (e.g. insist on responses to complaints or enquiries being provided more urgently than is reasonable or normal recognised practice).

Managing Vexatious Complaints

In determining the options for dealing with vexatious complaints it is important to ensure that:

- The complaints procedure has been correctly followed so far as possible and that no material element of a complaint has been overlooked or inadequately addressed.
- Staff dealing with complaints appreciate that even habitual or vexatious complaints may have aspects which contain some substance.

Where complainants have been identified as vexatious in accordance with the criteria identified above a regional manager / senior manager and a Director will determine what action needs to be taken. The Regional Manager / senior manager will implement such action and will notify complainants in writing of the reasons why they have been classified as vexatious and the action to be taken. This notification will be attached to the complaints log and referenced if future vexatious complaints are received and logged. The reasons why a complainant has been classified as vexatious will also be similarly logged.

The Regional Manager / Senior manager, in consultation with a Director may decide to deal with complaints in one of more of the following ways:

- Try to resolve the matters, before invoking this policy, by drawing up a signed “agreement” with the complainant which sets out a code of behaviour for the parties involved if Pieta is to continue processing the complaint. If these terms are contravened, consideration would then be given to implementing other action as indicated in this section.
- Decline contact with the complainant either in person, by telephone, by fax, by letter or any combination of these, provided that one form of contact is maintained.

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- Notify the complainant in writing that Pieta has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant should also be notified that the correspondence is at an end and that further letters received will be acknowledged but not answered.
- Inform the complainant that in extreme circumstances Pieta reserves the right to pass unreasonable or vexatious complaints to its solicitors/report to Gardai.
- Temporarily suspend all contact with the complainant or investigation of a complaint whilst seeking legal advice. If found to be vexatious, Pieta will not pursue the complaint any further. However, this does not remove the complainant's right to submit their complaint to independent agencies, such as the Ombudsman or the Ombudsman for Children.

Withdrawing 'Vexatious' status

Once complainant has been deemed vexatious there needs to be a mechanism for withdrawing this status at a later date if, for example, complainant subsequently demonstrates a more reasonable approach or he/she submits a further complaint for which normal complaints procedures would appear appropriate.

Staff should previously have used discretion in recommending 'vexatious' status at the outset and discretion should be similarly used in recommending that this status be withdrawn when appropriate. Where this appears to be the case discussion will be held with the relevant regional manager / senior manager and a Director. Subject to their approval normal contact with the complainant and application of the Pieta complaints procedure will then be resumed