

Complaints Procedure – Registration Function

Responsibility in Registration

The Pharmaceutical Society of Ireland (PSI), in the operation of its registration functions (initial and continuing registration), seeks to provide and operate registration practices that are transparent, objective, impartial and fair. The PSI discharges its registration functions as prescribed under the Pharmacy Act 2007 as amended, in a manner that is intended to ensure that only suitably qualified individuals may practise pharmacy in and from premises that are suitable for that purpose, and in the discharge of those functions is committed at all times to protecting the safety of patients and the public.

If an applicant for registration or continuing registration is dissatisfied with the manner in which an application has been processed, or in respect of the way in which the application has been handled, he/she may make a complaint to the PSI setting out the grounds for complaint. The complaint will then be examined independently within the offices of the PSI with a view to resolving the issue(s).

It should be noted that this complaints procedure is not an appeals mechanism and should not be viewed as such. Specific provisions are included in the Pharmacy Act 2007, as amended¹ in respect of appealing a registration decision, or absence thereof.

What is a complaint?

A complaint is any expression of dissatisfaction with any action undertaken in relation to the administrative operation of the registration process.

What can I complain about?

A complaint may be made in regard to the performance of registration functions if the action carried out has resulted adversely on an applicant. Some examples of issues that may be complained of include actions taken:

- without proper authority,
- on irrelevant grounds,
- which are the result of negligence or carelessness,
- based on erroneous or incomplete information,
- which are improperly discriminatory,
- which are based on an undesirable administrative practice, or
- that are otherwise contrary to fair or sound administration.

¹ Sections 21 and 21A of the Pharmacy Act 2007, as amended

How can a complaint be made?

A complaint may be made orally, or in writing. The complaint may also be made by any other means, for example, via telephone or electronically. In the case of oral complaints, the complainant may be required to submit the complaint in writing, and in certain circumstances he/she may be assisted to do so.

Who should the complaint be made to?

All complaints should be submitted to the Registrar following which the complaint will be independently examined² within the organisation.

What information should be provided in the complaint?

A complaint need not be long or detailed, but it should include at a minimum:

- the contact details of the complainant;
- who or what is being complained about;
- where and when the event(s) detailed in the complaint occurred; and
- where possible, the outcome expected.

How will my complaint be handled?

- An acknowledgement of a complaint received will be issued within 5 working days; at this point the name of the complaint facilitator who will be handling the complaint will be provided. The complaint facilitator may seek further information pertinent to the issue, and/or seek any clarifications that may be required.
- The complaint facilitator will assemble all relevant documentation, and will arrange for an independent review of both the registration file compiled in the handling of the application, and matters identified as relevant in the processing of the issue complained about in the context of the complaint made.
- The complaint facilitator will convey to the complainant the outcome of the review based on the facts available. The complainant may then submit any further comment(s) on the matters outlined that he/she may wish to make.
- The complaint facilitator on receipt of any further comments will refer the matter in full to the designated complaint decision maker³ who will again review the material, examine and consider its content, and finalise a decision on the complaint on behalf of the PSI.
- The decision will then be relayed to the complainant as soon as possible, setting out the reasons for the decision. The right of the complainant to make a complaint to the Ombudsman's Office will be clearly outlined in this closing letter.
- A record of the complaint will be maintained in a complaints log established for that purposes; the outcome of all complaints will be reviewed annually in line with systems reviews occurring under the PSI Annual Service Plan.

² Examined by an individual within the organisation not involved previously in the decision that gave rise to the complaint

³ The decision to assign the complaint to a particular decision maker will be dependent on a number of factors including and not limited to who/what is the issue of concern, who would appear to have been responsible for the action complained of, and the principles of natural justice will be respected.

General Principles

- All complaints will be treated impartially, in confidence, with sensitivity, dignity and respect and any person lodging a complaint will not be adversely impacted because he/she has found cause to make a complaint.
- All complaints received will be dealt with promptly, and the process and manner by which the complaint will be examined will be explained as necessary to the complainant.
- Not all complaints will require the same level of examination. Each complaint will be processed in a manner which will facilitate identification of validity, cause, effect, and outcome.
- Individuals wishing to make a complaint will have open access to the Complaints Procedure and the information required to enable them to make a complaint about any aspect of the registration process and the subsequent management of their application.
- All issues raised in a complaint will be addressed.
- The PSI has a responsibility to record and monitor the outcome of any complaints received and review with particular emphasis the identification of any systems and/or process which may impact on an applicant in an unfair manner.
- It is not envisaged that this complaints procedure is applicable in the event that a matter may be more appropriately managed through a legal appeals process, or in the event that legal proceedings have been initiated.