



Comhairle na nDochtúirí Leighis Medical Council

Strictly Private and Confidential

Addressee Only

Mr. Nicholas Moloney

BY POST & EMAIL

Our Ref: C397/19

18 December 2019

Dear Mr. Moloney,

I acknowledge receipt of your complaint received on 02 December 2019, a copy of which has been sent to Dr Dominic Harmon. I also acknowledge receipt of your email dated 13 December 2019 noting that you wish to withdraw your complaint. A copy of your letter will be put before the Preliminary Proceedings Committee ("the PPC") at its meeting on 24 January 2020. Please note a copy of your letter will also be provided to Dr Dominic Harmon for their information.

In accordance with standard procedures, the complaint was processed and assigned to a case officer on 05 December 2019. As such, this matter is to be considered by the Preliminary Proceedings Committee at its next available meeting on **24 January 2020**.

On **24 January 2020**, pursuant to section 59(10) of the Medical Practitioners Act, 2007, it is open to the Committee to:

- a) Decide that no further action is to be taken in relation to the matter the subject of the complaint, or
- b) Proceed as if the complaint had not been withdrawn.

Should the PPC decide to proceed as if the complaint has not been withdrawn, the PPC will carry out an investigation. I will inform you after the PPC meeting what investigation(s) I have been instructed to carry out.

The Preliminary Proceedings Committee

The PPC is the committee of the Medical Council that considers and investigates complaints about doctors. I am a case officer appointed by the Medical Council to assist the PPC. Your complaint has been assigned to me. The PPC meet once a month and your complaint will be considered at its next meeting.

Your complaint will be investigated in accordance with the Medical Practitioner's Act 2007 ("the Act"). Part 7 of the Act relates to the consideration of complaints by the PPC. If you would like to

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access a copy of the Act it can be found at the following internet link;
<http://www.irishstatutebook.ie/2007/en/act/pub/0025/index.html>.

If the matter is sufficiently serious and is referred to the Fitness to Practise Committee for a sworn oral inquiry, it is likely that you will be required to give oral evidence to the Fitness to Practise Committee at an inquiry, which may be held in public.

Additional Information

In order for the PPC to fully consider your complaint, it is important if you have any documentation such as contemporaneous notes, reports, diary entries, medical records, photographs etc that these are furnished to me as soon as possible.

I will be your direct point of contact during the process and I am available to assist you with any queries you may have. Equally, I am a point of contact for the doctor also. However, my role is neutral and independent and I have no part of the PPC decision-making process. I will keep you informed of all decisions made by the PPC in relation to your complaint. Please keep confidential all or any information/documentation provided to you by the Medical Council.

Finally, I note that you have provided an e-mail address and I will correspond with you at your e-mail address.

If you have any queries please do not hesitate to contact me.

Yours sincerely,

Darren Smith
Case Officer
Professional Standards
Email: darren.smith@mcirl.ie
Direct Dial: 01 4983182

Enclosures;

1. The Medical Council publication entitled "Making a Complaint about a Doctor."
2. The Medical Council's PPC's Procedures (the "Procedures").
3. Patient Support Groups

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General Information

What happens next?

A copy of your complaint will be provided to the PPC at its next meeting. The PPC at its meeting, in accordance with the Act and its Procedures, can do one or more of the following:

1. Give directions that further investigations should be carried out in relation to the complaint.
2. Seek information from the doctor in relation to the complaint.
3. Seek further documentation to include medical records.
4. Seek further information from any other person that the PPC considers relevant.
5. Adjourn consideration of the complaint.
6. Make a decision in relation to whether there is sufficient cause to warrant further action being taken in relation to the complaint. In this regard the PPC can do the one of the following:
 - a. Inform the Medical Council, for the Medical Council's consideration, of its opinion:
 - i. That there is not sufficient cause to warrant further action being taken in relation to the complaint.
 - ii. That the complaint should be referred to another body or authority or to a professional competence scheme.
 - iii. That the complaint is one that could be resolved by mediation or other informal means.
 - b. Where the PPC is of the opinion that the complaint is sufficiently serious, refer the matter to the Fitness to Practise Committee for a sworn oral inquiry.

Patient Groups & Support Services to assist people access services and/or make a complaint to the Medical Council

There are a number of patient advocacy groups and patient support services available as per the attached list. The groups on this list who are patient advocacy groups would likely be willing to assist you with making your complaint. You may also wish to consult www.healthcomplaints.ie. This is a website that provides information on how to make a complaint or give feedback about health and social care services in Ireland.