



COMPLAINTS PROCEDURE - CLIENTS

1. INTRODUCTION

1.1 Aim

The aim of this procedure is to afford protection to the users, employees and volunteer workers of the agency and to protect the professionalism and high-quality standards of the agency.

1.2 Who can lodge a complaint

A complaint can be brought by any member of the public seeking or using a service provided by the agency.

1.3 Timescale

A complaint shall be lodged within 5 years of the event(s) which form(s) the substance of that complaint.

1.4 All documentary records of complaints will be kept for a period of 2 years from the finalisation of the Complaints Procedure, to include any appeal decisions.

2. MAKING A COMPLAINT

2.1 The Complaint

The complaint must satisfy the following conditions:

- a) the allegation is about a breach of a specific clause or clauses of any Code of Ethics and Practice/Policy of the Agency, or the management of the Agency;
- b) the complaint is brought by a member of the public seeking or using a service provided by the Agency;
- c) the individual complained against is named AND was an employee or volunteer worker of the Agency at the time of the alleged cause of complaint;
- d) the complaint is in WRITING and is dated and signed;
- e) the events(s) which form(s) the substance of the complaint have occurred within 5 years of the date when the initial letter of complaint is received by the Agency;

- f) letters of complaint, signed and dated, are addressed to the Chair of the Management Committee of the agency.

2.2 Acceptance of a Complaint

- a) Letters of complaint will be forwarded, on receipt, to the Complaints Committee, and a written acknowledgement sent to the complainant.
- b) The Complaints Committee will be convened by the Chair/Vice Chair of the Management Committee and will consist of the Chair/Vice Chair and two others will be taken.
- c) The Complaints Committee will consider the complaint to decide if it can be accepted, as lying within the terms of paragraph 2.1.
- d) If the complaint is REJECTED, the complainant will be informed within 7 working days of the receipt of the initial letter and will be given the reasons for this decision.
- e) If the complaint is ACCEPTED the Complaints Committee will initiate the formal complaints procedure and inform the complainant accordingly, within 7 working days of receipt of the initial letter.

3. THE FORMAL COMPLAINTS PROCEDURE

3.1 Inquiry

The Complaints Committee will appoint EITHER a co-ordinator employed by the agency OR a member of the Management Committee of the Agency, whose responsibilities will be:

- a) to contact the person complained against and ask for a written response to the complaint, to be made within 14 working days;
- b) to collect written evidence from any other person(s) as appropriate;
- c) to collate the evidence and submit a written report to the Complaints Committee and recommendations.

3.2 Evidence

All evidence submitted by either the complainant or the individual complained against will be open and available to all parties involved in the complaint.

3.3 Expert Advice

In making an adjudication, the Complaints Committee may request the opinion of an appropriate expert and/or professional body e.g. British Association for Counselling.

3.4 Notification of Findings

The Complaints Committee will notify both the complainant and the individual complained against of their decision, in writing, within 7 working days.

4. **SANCTIONS**

4.1 Complaint upheld

When a complaint against an employee or volunteer worker of the Agency is UPHELD the following sanctions may be imposed.

- a) a requirement to carry out a programme of re-training;
- b) the provision of reports from a supervisor appointed by the Agency to monitor performance and professional standards;
- c) a directive to cease activities for the Agency for a specific period or indefinitely.

4.2 Serious misconduct

Serious misconduct is defined as:

- a) a deliberate breach of the Agency's Terms and Conditions for counsellors;
- b) sexual misconduct;
- c) a deliberate breach of client confidentiality.

In such a situation the sanction recommended by the Complaints Committee will be as follows:

In the case of an employee of the Agency - instant dismissal.

In the case of a volunteer worker of the Agency - a directive to cease all activities for the agency indefinitely.

Decisions to "dismiss" will be subject to the approval of the Management Committee of the Agency.

5. **APPEALS PROCEDURE**

5.1 Either party may appeal against the decision and/or sanctions by writing to the Complaints Committee within 28 days of the notification of the adjudication.

5.2 Both parties will be invited to an interview with the Complaints Committee after which the Complaints Committee will review the evidence and its decision.

- 5.3 Both parties will be informed of the Complaints Committee's final decision in writing within 7 working days.
- 5.4 Either party may appeal against the final decision of the Complaints Committee by writing to the chair of the Management Committee within 28 days of the notification of the decision.
- 5.5 The Chair of the Management Committee will appoint an Adjudication Appeal Panel which will consist of 3 appropriately qualified people, independent of the Agency.
- 5.6 The Adjudication Appeal Panel will examine the evidence and the adjudication and will inform the Management Committee in writing of its decision, which will be FINAL.
- 5.7 The decision of the Adjudication Appeal will be notified to each party in writing with 7 working days. No reasons shall be required to be given for the decision.

6. **PUBLICATION**

- 6.1 The Agency reserves the right to publish such details of complaints as it considers appropriate.