



For better
mental health

Tameside Oldham and Glossop Mind

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Contents List

Aims and Objectives

Scope

Related Policy and Procedure

The Policy

The Procedure (Options 1-4)

Time Limits

The role of National Mind

Recording and Monitoring Complaints

Aims and Objectives

Tameside Oldham and Glossop Mind are committed to providing a comprehensive and high quality range of services to the public. We endeavour to ensure that these services are delivered in line with our mission statement; meet the needs of the public and our service level agreements. In delivering these services we aim to treat anyone who accesses our services with dignity and respect.

As with any service we will not always get things right. We are only human and we all make mistakes, misunderstandings arise, or we may fail to provide what was promised by us.

We hope that in the majority of cases such issues can be resolved there and then or a simple apology or explanation will suffice. Occasionally this is not the case and the complaints policy and procedure should be referred to.

There are three main reasons why we have a Public Complaints Policy and Procedure.

1. Tameside Oldham and Glossop Mind believes it is only right that anyone who accesses our services has the opportunity to complain if they feel let down and for that complaint to be heard and investigated. We also allow an appeal procedure

to be accessed should the complainant not be satisfied with the outcome of an investigated complaint.

2. As part of our Service Level Agreement with our funders we are required to operate a complaints procedure. It is also a requirement of our affiliation with National Mind.
3. Tameside Oldham and Glossop Mind welcomes complaints as they are one of many ways by which problems with a service may be identified and lead to improvements.

For the purposes of this document, the following definition is used:

“An expression of dissatisfaction, either written or spoken. A complaint may be made by an individual or a group. You may wish to complain if you are not satisfied with the way you have been treated or the service you have received...”

(National Mind 2009)

Scope

This policy applies to anyone accessing our services.

Related Policy and Procedure

This policy should be read in conjunction with all service policies.

The Procedure

The Public Complaints Policy and Procedure is primarily aimed at any member of the public who has had, or has attempted to receive services from Tameside Oldham and Glossop Mind. In practice, how this is then dealt with depends on the nature of the complaint.

This procedure does not cover complaints made by paid workers, volunteers or trustees who need to follow agreed grievance, disciplinary, volunteer policy or other internal procedures.

In some cases a person may wish to complain on behalf of someone else. This is known as by a third party. Careful consideration will be given in these cases to ascertain that the person does wish to complain or that there is a level of cognitive deficiency that makes the person unable to make this judgement. Consideration will also be given to issues of confidentiality. In some cases Tameside Oldham and Glossop Mind may wish to invite the opinion of an independent specialist to advise on this matter. In all cases of third party complaints, Tameside Oldham and Glossop Mind may choose not to accept them as valid.

We would encourage any complaint to be made via face to face contact, telephone call, post or email to office@togmind.org, rather than through social media outlets. This is to ensure your complaint is handled in a timely manner.

The Procedure

The procedure has 4 options which may or may not result in the complaint being escalated:

- Option 1** Complaints not requiring a response
- Option 2** Informal Complaints
- Option 3** Formal Complaints not requiring investigation
- Option 4** Formal Complaints requiring investigation

How negative feedback is dealt with needs to be considered on its individual merit and this will determine which option is chosen.

Option 1: Complaints not requiring a response

Not every complaint would warrant either access to the complaint procedure or indeed a response unless that has been specifically requested or the organisation believes that, for whatever reason, it would be good practice to reply. This might include when someone feeds back they were unhappy with a service but simply want to inform us of this, or where the person is “letting off steam”, has not asked for a reply or investigation and a reply may escalate matters with no benefit to either party.

Example

A client sends us a lengthy and offensive email to say she dislikes her counsellor who does not help her with her problems and no longer wants anything to do with the organisation. It may be prudent here not to reply.

Option 2: Informal Complaints.

It is anticipated that the majority of complaints can be addressed at this stage. Any worker may be able to respond to straightforward or simple complaints, while more specific or detailed complaints may be better addressed by the relevant paid worker. Informal complaints can largely be made verbally and with an immediate response. However, this does not preclude the person placing this in writing, or the response being made after time to consider it has elapsed. Unless there is good reason, all informal complaints should be responded to within 10 working days.

Example

Someone accessing our service asks a volunteer/worker when they failed to meet for an agreed appointment/visit. The volunteer/worker apologises and explains they got caught up on a phone call and an alternative time is arranged. The person complaining accepts this and no further action is taken.

Option 3: Formal Complaint not requiring investigation

This option should be considered when the person does wish to complain formally (i.e. most likely in writing) and has also said they would like an explanation but where any form of investigation is not necessary and a face to face meeting may be a waste of time for both parties.

Example

A counselling client who has signed a contract which explains that the service will cease if they do not attend twice, does then not attend twice and is informed that she can no longer continue counselling. The client then writes to us formally stating she is making a complaint and wants to know why this happened. A letter is sent to her explaining our policy which she signed up to. A copy of the contract is included.

1 Receipt of the Complaint

It is preferable *but not essential* that the complaint is made in writing and assistance should be offered to do so by someone not directly involved in the matter.

2 Acknowledging Receipt of the Complaint and Written Response

This will be made in writing and detail the following:

- The name and contact details of the person responding. This will usually be the relevant manager or director or the CEO unless he/she is the subject of the complaint in which case the complaint will be dealt with by the next level of management. In the case of a complaint against the CEO the matter will be dealt with by a member of the Executive Committee.
- A response to the complaint.
- An explanation why the organisation does not feel this requires further investigation (usually reference to the appropriate law or policy)

Option 4: Formal Complaint requiring investigation

Any complaint that cannot be resolved by the above options can be addressed by a formal investigation if the complainant wishes to pursue this route. This would usually be reserved for the most serious of complaints. The process of the formal complaint should be completed within 15 working days unless there is good reason for the delay.

Example

A client discloses to one worker that she has been racially abused by another worker.

This has 10 stages to it:

1 Receipt of the Complaint

It is preferable *but not essential* that the complaint is made in writing and assistance should be offered to do so by someone not directly involved in the matter. If the complaint is made verbally this should be a brief description of the matter and should not preclude stage 3 for a more thorough discussion.

2 Acknowledging Receipt of the Complaint

This will be made in writing and detail the following:

- The name and contact details of the complaints investigator. This will usually be the relevant manager or director or the CEO unless he/she is the subject of the complaint in which case the complaint will be dealt with by the next level of management. In the case of a complaint against the CEO the matter will be dealt with by a member of the Executive Committee.
- A request to make contact to arrange a meeting.
- An explanation of the stages of the formal complaints process. This may be a copy of this document.
- An inquiry as to if they have any particular support needs such as an interpreter or emotional support of a friend.

3 Meeting the Complainant

The main aim of this is to gain a better understanding of the nature and circumstances surrounding the complaint. Notes will be made by the investigator and these must be

signed by both parties to say they are a true reflection of the meeting. This should be done within 3 working days of the meeting.

It may be possible to resolve the matter at this stage. If so, this should be put in writing to the complainant and any other individuals concerned. The letter should also make it clear that no further action needs to be taken.

If it is not possible to resolve the matter then the investigation moves onto the next stage. The complainant should be informed in writing that this will require their initial complaint and subsequent minutes of meetings about the complaint being shared with others involved in the matter.

4 Investigation.

Anyone involved in the complaint and any relevant witnesses will be given a copy of the complaint and subsequent minutes and to then provide a written statement responding to this. Support will be offered where necessary.

The investigator may then choose to make a decision based on this information or to follow these up by interviewing some or all of those who have made statements. Notes will be kept of such meetings and signed and dated by the investigator.

5 Decision on the Outcome of the Investigation

The investigator will then make a decision as to whether or not there are grounds for the complaint and what, if any, recommendations to make. This may be aided by a discussion with the investigators line manager.

6 Letter to the Complainant.

A letter will be sent to the complainant and will address the following items:

- A historical summary of what the investigation entailed.
- A response to each and every item of complaint, indicating whether or not the complaint was upheld and the reasons for this.
- A summary of any action or change of practice that will arise from the investigation.
- Where appropriate, an apology.
- An explanation of what steps the complainant should take if they are still dissatisfied and wish to take the matter further (The Appeal). This should include the name and contact details for the person who will consider the appeal who will usually be the next level of management.

7 Informing relevant Workers and Committee Members

All workers (paid or unpaid) and Committee Members involved in the complaint should be informed of the outcome of the investigation. The complaint and its outcome should also be tabled on the agenda for the next Committee Meeting.

8 Follow up Action

Where any action or change of practice has been identified this should be allocated to a specific person and a deadline set.

9 The Appeal Process.

If the complainant is dissatisfied with the outcome of the investigation then they have the right to appeal. Membership of the panel will be restricted to people who have had no previous involvement in the investigation of the complaint and chaired by someone who is

a management level up from the previous investigator. The panel will preferably consist of three people, two at a minimum.

The panel may review the evidence gathered so far and may also, if they choose, conduct further enquires in a similar manner to the initial investigation.

The process should be completed within 15 working days.

A letter should then go out to the complainant set out in a similar way to the letter following the first investigation and in particular, highlighting where the appeal agrees or differs to the first investigation.

It should also explain that the internal complaints procedure is now exhausted and no further correspondence will be entered into. The letter should finally explain if they are now entitled to access the complaints procedure of the relevant funding body and if so, contact details should be given.

10 Referral to Funders Complaints Procedure

The Appeal Process above constitutes the final phase of Tameside Oldham and Glossop Mind's Public Complaint Policy and Procedure. After this, no further correspondence or discussion will be entered into.

The public *may* have the right to access the complaints policy of the organisation that funds that particular service if this is specified in the agreement between Mind and the funding body. Complainants should be informed how to contact them.

The Role of National Mind

"National Mind does not routinely investigate complaints about Local Mind Associations(LMA's). LMAs are independent charities; hence the trustees of the association are responsible for dealing with complaints as they are ultimately accountable for the charity. Mind would only become involved after the association's own complaint procedure had become exhausted. This would be with the consent of all parties involved and involvement would be limited to a review of the complaints handling process, not an investigation of the complaint." (Handling Complaints, National Mind, July 2003).

Time Limits

In circumstances where time limits cannot be met due to unforeseen circumstances, complainants will be notified in writing. The reasons for the delay with adjusted timescales will be supplied by the person responsible for handling the complaint.

Recording and Monitoring Complaints

The organisation will ensure that a record of complaints is kept and used to aid quality management. Complaints will also be shared with funders as required. *Complaints will be held on our contact management system in accordance with our Data Protection Policy.*