



Addictions Counselling Inverness

Policy

Approved By:

Title: Complaints Procedures

**Senior
Management**

1. Policy Statement

Addictions Counselling Inverness is committed to providing a high quality experience through the services provided. All feedback, concerns and complaints are welcomed and are an opportunity to improve people's experiences of Addictions Counselling Inverness.

Principles of ACI Complaints Policy

- Recognising complaints can provide important feedback and can help improve services.
- A clear response, within clearly defined timescales, in a sensitive and sympathetic manner will be given to every person complaining.
- The complaints process will be well managed, objective and aimed at resolving problems as promptly as possible in a manner which respects confidentiality and privacy. All complaints will be dealt with fully and fairly.
- All parts of the process will be conducted in a sensitive manner. Different parties involved in the complaint will not come into contact at any point of the investigation.
- Our procedure will be completely impartial – any individuals or panel investigating the complaint will be independent of the person making the complaint and the person complained against.
- We welcome independent support and advocacy for anyone who would find it difficult to make a complaint unsupported and will signpost people to other agencies who may be able to help.
- We will never discriminate against someone for making a complaint.
- Our complaints process reflects its Equality and Diversity Policy and is operated in line with GDPR (General Data Protection Regulation).

2. Scope

Complaints can be made by any individual or organisation with a legitimate interest / concern regarding the services provided by ACI.

This includes any dissatisfaction about the standard or quality of service, treatment, action or lack of action you, or your organisation, has received from ACI.

It includes any concern about the service from, or treatment by, ACI's

- staff
- volunteers
- Members of the ACI board
- members or other workers or groups providing services on behalf of ACI.

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It is the aim of Addictions Counselling Inverness to investigate issues thoroughly as close to the initial point of contact as possible and to settle complaints promptly and courteously in the best interests of all parties, addressing areas where improvement is identified as a result of the complaint.

3. Definitions

3.1 Concern

A matter of interest or importance to someone associated with ACI and normally arises before a formal complaint is made. It may include a request for information or an explanation of policy or practice. If dealt with effectively there may not be the need to escalate the concern to a formal complaint.

3.2 Complaint

is defined as any expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of ACI. Complaints are normally received in writing.

3.3 The definition of a complaint is very broad but may relate to:

- The quality and standard of service
- Failure to provide a service
- Treatment by, or attitude of a member of staff, student or contractor
- Inappropriate behavior by a member of staff, student or contractor
- Dissatisfaction with Addictions Counselling Inverness policies or procedures

4. References

4.1	Diversity and Equal Opportunities Policy	DOC01007
4.2	Data Protection Policy	DOC01008
4.3	Grievance Policy	DOC01013
4.4	Disciplinary Policy	DOC01010
4.5	Whistleblowing Policy	DOC01021

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5. Roles and Responsibilities

- 5.1 Executive Board is responsible for ensuring that there is an effective complaints process in place appointing a suitable Complaints Manager to ensure a robust investigation is carried out and recording mechanisms that demonstrate implementation of change/service improvement.
- 5.2 Service Manager has an active role in ensuring all staff volunteers and students are aware of the Complaints Policy and maintain overall responsibility and accountability for complaints within their own areas of responsibility.
- 5.3 Complaints Manager appointed by the board to manage investigations of complaints working towards a satisfactory early resolution, as close to the point of service delivery as possible to avoid unnecessary escalation.
- 5.4 All staff must be aware of their duties and are encouraged to try to bring concerns and complaints to a satisfactory early resolution, as close to the point of service delivery as possible to avoid unnecessary escalation.

Addictions Counselling Inverness is committed to ensuring that no individual who raises a genuine complaint will be penalised. The Complaint Manager must ensure that the action of raising a complaint does not influence the manner in which the complainant is treated.

6. Procedure

- 6.1 A complaint can be made by anyone who receives, requests or is affected by ACI counselling and psychotherapy service provision. This includes any dissatisfaction about the standard or quality of service, treatment, action or lack of action you, or your organisation, has received from ACI. Including any concern about the service from, or treatment by, ACI's:-
 - a) members of staff,
 - b) individuals (paid and volunteer)
 - c) and groups carrying out work related to counselling and psychotherapy on behalf of the member



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Responses to upheld complaints may take applicable action such as: -

- d) amend its policies or procedures
- e) provide additional training for staff or volunteers
- f) take up disciplinary action with staff
- g) terminate an organisational membership of ACI.

The person making the complaint and other parties involved will be informed of the action to be taken

6.2 Complaints about people who have left ACI

If the person complained against has left, an investigation will be conducted for the learning of the organisation. Wherever possible the person complained against will be offered the opportunity to respond to the complaint. If they are still a member of COSCA, COSCA may investigate under its system for dealing with information about members.

As with other complaints, the outcome of the investigation will be sent to COSCA.

6.3 Anonymous Complaints and by third parties

Complaints made anonymously will be given consideration if there is enough information to enable ACI to make further enquiries as necessary. If there is not sufficient information within an anonymous complaint, it may not be possible to pursue it further. This decision will be made by the Chair of ACI Board.

ACI will consider complaints by third parties affected by its services. However, if it is necessary to investigate the complaint further, consent from the person who was originally in receipt of the service may be sought.

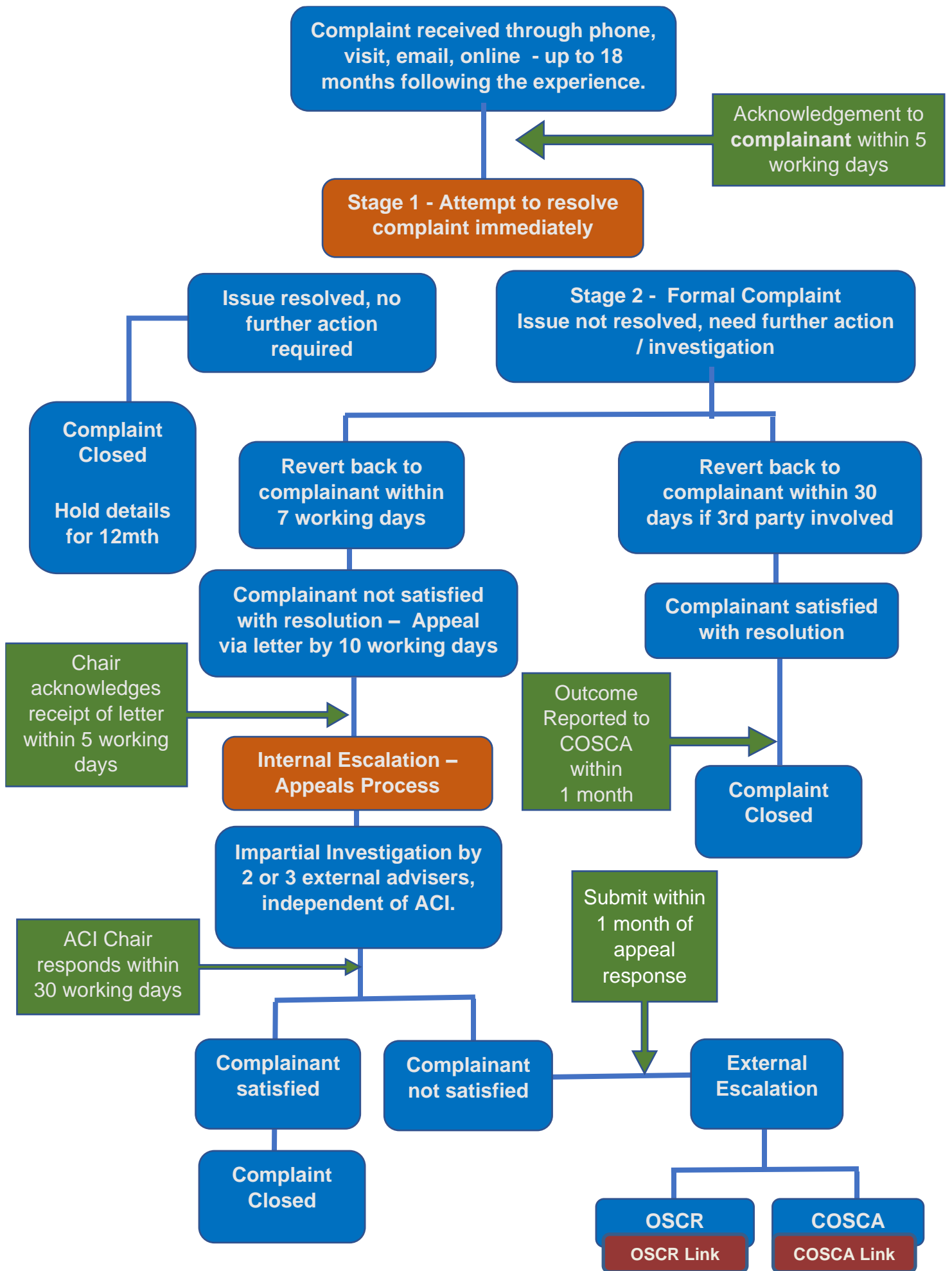
Complaints will not be accepted from third parties acting on behalf of complainants – e.g. solicitors, claim management companies, colleagues, elected members (councillors, MSPs)

The person appointed to manage the complaint can halt the process at any time, should it emerge that legal action is underway, until any legal process is complete.

6.4 If the complainant fails or refuses to participate at any stage of the process without good reason, the complaint can be discontinued. The complainant can formally withdraw the complaint at any time and the complaint manager will inform both parties.

6.5 Complaints Flow Chart

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6.6 Stage 1 Informal – Individual staff member/ ACI representative delivering /responsible for the service

This stage may be used to advise a member of staff, or ACI representative, of a particular problem - allowing them to resolve the matter first hand. The member of staff, or ACI rep, should respond to the complaint within 5 working days and will note the nature of the complaint and their response with the ACI co-ordinator.

ACI will use this information to improve its services where appropriate and will hold this information for 12 months, in case the complaint is taken further, or similar complaints are made.

In some situations the entire complaints procedure may be managed informally and without recourse to any formal response leaving the complainant completely satisfied with the outcome.

All members of staff should be able to resolve minor concerns immediately and informally and if this is not possible have the knowledge to explain to complainers how to make a more formal complaint.

6.7 Stage 2 Formal Complaint – ACI Board or Independent Investigators

This stage formalises the complaint and involves the ACI Board which is ultimately responsible for ACI's services. It also provides an opportunity for first time complaints of a serious nature to be investigated at board level.

Details of the complaint should be made in writing to the chair of ACI Board – either by letter, e-mail or using the ACI's contact form found at www.addictionscounsellinginverness.org

The Chair
Executive Board
Addictions Counselling Inverness
108 Church Street
Inverness
IV1 1EP

or

Tel: 01463 220995

Email: manager@addictionscounsellinginverness.org

Where the person making the complaint is unable to submit the complaint in writing, complaints will be accepted by telephone or other suitable means

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The chair of the board will appoint a complaints manager to manage the process.

The ACI board will act as the complaints panel and will review the action taken to date and the decision reached.

All board members will declare any conflict of interest to the complaints manager. This would include any connection to a specific person involved in the complaint or any personal or organisational interest in the outcome of the complaint.

Any board member who is not independent of the complainant or the person complained against, will not take part in the investigation of the complaint.

Where it is considered that the ACI board is not able to impartially investigate a complaint, for example if the complaint is regarding the board itself or a trustee, the complaints manager will appoint independent investigators from outwith ACI.

The person making the complaint has the right to attend the complaints panel with a supportive person of their choice.

The complaints manager will acknowledge the complaint within 5 working days of receipt and outline how and when the complaint will be dealt with.

The person complained against will also be informed of the complaint.

The person making the complaint will not come into contact with the person they have made the complaint against, or their representative, at any point during the formal investigation of the complaint.

The complaints manager will advise of the progress /outcome within 20 working days either by letter or e-mail (this can be advised by telephone on request).

If required, the complaints manager may put an investigation on hold – for example while awaiting information or evidence - or if the people involved in the complaint are unavailable or unwell. This will be explained to all parties and the process re-started at the point it was stopped, as soon as reasonably possible.

The person making the complaint and the person complained about will both be informed of the result. Third parties or representatives will not receive notification of the outcome directly from ACI, unless they have been acting in an advocacy role.

The response about the outcome of the complaint will include:-

- details of the investigation
- the decision on whether the complaint was upheld or not and the reasons

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for the decision

- any action that will be taken as a result of the complaint and its related timeframe – for example disciplinary action; change to staff role or responsibilities; change to procedures; requirement for additional training
- if it has not been possible to complete the investigation within 20 working days, the reasons why and an expected completion date.

Any action resulting from the complaint will be managed and monitored by ACI Board.

The outcome of the complaint will also be reported to COSCA within one month of the conclusion of the process. (COSCA publish upheld complaints and the action taken in relation to its members and member organisations. ACI is a member organisation of COSCA)

6.8 Stage 3 Appeal – Appeals Panel of Independent Advisors

The appeals process is open to all parties involved in the complaints procedure.

An appeals process will commence if the person making a complaint, or the person complained against, is not satisfied with the outcome of the formal complaint at Stage 2.

This is the final stage of ACI's complaint procedure and provides an opportunity for people to have their appeal heard by a panel made up of 2 or 3 external advisers, independent of ACI.

A letter of appeal should be made to the chair of ACI Board within 10 working days of receiving the response from Stage 2. This should outline the reasons why the complainant, or the person complained against, is not satisfied with the response.

The Chair of ACI Board will

- co-ordinate the appeal stage of the complaints procedure
- acknowledge the appeal within 5 working days of receipt
- appoint external advisers

The Chair of ACI Board will respond to the complainant within 30 working days of the appeal, advising the outcome from the Appeals Panel, which is final.

This response will include:-

- the reason for the decision
- any action to be taken in light of the complaint
- if it has not been possible to complete the appeal investigation within 30 working days, the reasons why and an expected completion date.

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If you are unhappy with the outcome of your appeal you can submit a complaint to COSCA under its Complaints Procedure (see below) within one month. COSCA will make sure that ACI's complaints process has been followed and that the outcome is lawful, reasonable and has been properly explained.

6.9 Time Limit for Raising Complaints

Complaints should be raised as soon as problems arise to enable prompt investigation and swift resolution.

The time limit for making a complaints is up to 18 months following the experience. Complaints outwith this time limit may be given consideration depending on the circumstances surrounding the complaint and the feasibility of investigating fully and fairly. This decision will be made by the Chair of the ACI board.

Usually, complaints should be lodged at the informal stage of the complaints procedure and then proceed, as appropriate, through the stages.

However, if the complaint is of a serious nature, the initial complaint can be made at the formal stage. Where gathering information around the complaint is complex, and the time limit needs to be extended, the maximum time for completion of all stages would be 3 months.

ACI is an organisational member of COSCA (Counselling and Psychotherapy in Scotland) and submits an outcome report to COSCA within one month of completion of any complaint process.

6.10 Confidentiality

When a person makes a complaint, they are required to give permission for all information related to the complaint to be shared with

- anyone mentioned in the complaint
- those handling the complaint and investigation
- anyone giving legal or specialist advice to the person complained against.

At all stages complaints will be dealt with confidentially by everyone involved.

Information would only be shared with other professionals if :-

- others could be put at risk by matters referred to in the complaint
- the complaint is of a very serious nature - for example it is alleged a person has done something illegal.



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6.11 External Agencies

ACI is an organisational member of COSCA (Counselling and Psychotherapy in Scotland) and its specialist training courses are validated by COSCA.

If you are not satisfied with ACI's response to your complaint, or the outcome of your appeal, you can raise your concerns with COSCA through their Complaints Procedure.

COSCA (Counselling & Psychotherapy in Scotland)
16 Melville Terrace
Stirling
FK8 2NE
01786 475140
info@cosca.org.uk
www.cosca.org.uk

ACI is a Scottish Charitable Incorporated Organisation SC000233 and is registered with OSCR (the Scottish Charity Regulator).

If you are concerned about Addictions Counselling Inverness complaint procedure or any other aspect of how ACI is run you can raise your concern with OSCR www.oscr.org.uk/about-charities/raise-a-concern

6.12 Monitoring

The ACI Board will be responsible for ensuring that timescales are met for each stage of the complaints process and for ensuring adequate records are maintained. These will include: -

- name and contact details of the complainant
- details of complaint
- tracking/progress information
- outcome of the complaint and the monitoring of any action taken in response to upheld complaints
- number of complaints which include a racist incident
- number of complaints which contain an allegation of discrimination any improvement or changes to ACI services or policies made in response to the complaint

6.13 Informing the public and staff

All ACI staff, volunteers, members of the ACI board, ACI members or other workers or groups providing services on behalf of ACI will be made aware of ACI's complaints procedure.

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All supervisors working for ACI's supervision practices will be provided with information on ACI complaints procedure and other relevant policies. ACI's complaints policy and procedures is available to the public at www.addictionscounsellinginverness.org

The website is publicised on all ACI leaflets and printed materials.

6.14 Vexatious Complaints

Addictions Counselling Inverness reserves the right to conduct an initial investigation into a complaint but to decline to consider it if it is deemed to be vexatious or where the complainant is unreasonably persistent. Similarly the ACI reserves the right to refuse to deal with a complainant who takes an overly aggressive or abusive approach towards members of staff, volunteers or students; all members of staff, volunteers and students have a right to be treated courteously and with respect

6.15 External Support to navigate complaints procedure

Both the complained and the complainant have the right to be accompanied and/or represented by a supportive person of their choice at any complaint meetings.

If anyone requires independent support to navigate our complaints process, they can contact:-

Advocacy Highland,
2 Seafield Road,
Inverness,
IV1 1SG

Tel/Fax: 01463 233460

or

Email: info@advocacy-highland.org.uk



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7. Training

- 7.1 All Board members, Employees, Volunteers and Students should be familiar with this document.

8. Approval

- 8.1 Consultation and formal approval for this policy is by Senior Management.

9. Review

To ensure that Addictions Counselling Inverness's Complaints Procedures are effective, the policy and its implementation will be monitored and kept under review every three years unless there are legislative changes that impact the policy. Any questions relating to the policy should be referred to your Manager. This policy does not form part of the employee's terms and conditions of employment and is not a contractual procedure. Addictions Counselling Inverness reserves the right to amend this policy from time to time.

- 9.1 The Complaints Register shall be periodically audited by Management to establish if there is any pattern to the complaints made.
- 9.2 A review of complaints may lead to the identification of a training need or review of a policy and procedure.

10. Appendices

- 10.1 Appendix 1 - Good Practice Guide

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Good Practice Guide

Emphasis is laid on resolving concerns and complaints as quickly as possible. All staff should know how to respond to concerns and complaints and if they are unable to deal with the problem they should provide reassurance that it has been listened to, understood and outline how this will then be handled.

When a client or relative is considering whether or not to make a complaint our personal responsibility is to ensure that the process is as clear and easy for them as possible and once an issue is identified to resolve it if at all possible without it becoming a written complaint. This is the stage when a client or relative is unhappy with the service or care we have given them and is our opportunity to apologise and solve their problem quickly.

Most people do not want to complain and it can take a lot of courage for them to do so. This must be understood and allowed for by the staff they are speaking with as the complainant's behaviour may be more challenging because of this nervousness.

An apology is much more than an expression of regret, it needs to be meaningful. A meaningful apology can help both sides calm their emotions and move on to put things right. It is often the first step to repairing a damaged relationship and can help restore dignity and trust. It says that both sides share values about appropriate behaviour and that we have regrets when we do not behave in line with those values.

- We will accept what we have done wrong
- We will accept our responsibility and need to be explicit if it was someone's fault
- We will explain why it happened, show it was not intentional or personal and if there is no excuse we will say so
- We will show we are sincerely sorry either by meeting and telling them in person or by letter or both
- We will make clear assurance that it will not be repeated and explain what steps we are taking to prevent a recurrence

(Adapted from Scottish Public Services Ombudsman guidance)

Complaints may relate to any aspect of services provided by Addictions Counselling Inverness. Each complaint must therefore be taken on its own merit and responded to appropriately.

Where a complaint is made that relates to a service matter, the client should be informed that information from their service record may need to be disclosed to those handling the complaint, but this information will only be shared on a need-to-know basis. If the client objects they should be advised that refusal to allow information sharing could affect the ability to fully investigate a complaint.

Document Revision Summary

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Referenced DOCS: 01007, 01008, 01013, 01010, 01021

Details of Revision	Revision	Effective Date
COSCA Audit Outcomes	B	16/11/22