

THE GARNETHILL CENTRE COMPLAINTS POLICY

Important Information About This Complaints Policy and Procedure

This Complaints Policy and Procedure applies to complaints made against any aspect of our Counselling Service. If you wish to make a complaint against any other of the Garnethill Centre services, please contact The Garnethill Centre.

This Complaints Policy and Procedure can be requested in other formats and languages where necessary – please contact us using the details in this policy.

Introduction

A complaint is an expression of dissatisfaction, either written or spoken. A complaint can be made by an individual or by a group, if necessary, via an authorised representative. You may wish to complain if you are not satisfied with the way you have been treated by members of staff, volunteers or other workers and groups providing services on behalf of The Garnethill Counselling Service or the service you have received from The Garnethill Centre's Counselling Service.

How do I complain?

In person/ by post:

*The Garnethill Centre
28 Rose St,
Glasgow
G3 6RE*

Telephone: 0141 333 0730

Email: admin@garnethillcentre.org.uk

Principles of The Garnethill Centre's Counselling Service Complaints Procedure

- The Garnethill Centre recognises that complaints are an important part of client feedback and can help to improve services.
- The Garnethill Centre encourages anyone wishing to make a complaint to do so promptly — this will ensure that any problems are addressed as soon as possible. The time limit for making a complaint is six months, however out-of-time complaints will be considered on a case-by-case basis.
- We will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. Any decision not to pursue an anonymous complaint must be authorised by the Centre Director or Chairperson of the Board of Governors.
- We will consider complaints from third parties who have themselves been directly and adversely affected by the service (third parties are those who have not personally received services related to counselling). As part of the complaint, the onus is on third parties to evidence the direct and adverse effect on them.
- Complaints submitted by third parties will be dealt with under the same procedure for dealing with other complaints.
- Complaints will not be accepted from third parties who are acting on behalf of complainants e.g., professionals such as solicitors, accountants, claim management companies, friends, colleagues, consumer advisers, councillors, and elected members of parliament.
- All complaints will be investigated fully and fairly and in accordance with COSCA's standards. The Garnethill Centre will only investigate if there is sufficient corroborating evidence and a breach of COSCA's Statement of Ethics and Code of Practice.
- In line with COSCA's standards, if a complaint is considered vexatious or malicious, we will not engage with the complaint. Any decision not to pursue a vexatious or malicious complaint must be authorised by the Centre Director or Chairperson of the Board of Governors.
- If the person complained against has left the organisation, they will not be able to be investigated under this procedure. However, an investigation may be conducted to identify any learning opportunities or systemic failures within the organisation. If possible, the complained against person will be offered the opportunity to represent their own interest and the outcome report is still sent to COSCA as below, but no sanction report will be issued. If the former worker is still a member of COSCA, COSCA may choose to investigate under their system of dealing with information about members.
- The Garnethill Centre reserves the right to seek legal or specialist advice if required.

Principles of The Garnethill Centre's Counselling Service Complaints Procedure **Continued**

- Complaints will be dealt with in confidence. The only exceptions to this will be when others could be put at risk by matters referred to in the complaint, or the complaint is of a very serious nature.
- Anyone making a complaint must give their permission for confidential information, pertinent to the complaint, to be disclosed by all parties cited in the complaint to all those involved in the handling of the complaint.
- If the complainant is not happy with the result of the response to the complaint, they will have the right of appeal.
- This procedure is for anyone who has received a service from The Garnethill Centre Counselling Service. It does not cover complaints made against other services, or by staff, who need to follow the Grievance Procedure and volunteers or Board members who need to follow other internal procedures.

Clients are made aware of their right to access COSCA's Complaints Procedure.

THE GARNETHILL CENTRE COMPLAINTS PROCEDURE

Stage One (Informal Complaint)

The complainant should approach the individual concerned or that person's Line Manager and try to resolve the complaint informally (with a record kept of contact and outcomes)

If no satisfactory response is received at Stage One, then the complainant should move to Stage Two.

Stage Two (Formal Complaint)

A member of staff can explain the formal complaints process to any potential complainant or their representative if this is necessary.

The details of the complaint should be put in writing to the Centre Director. (If the complaint is about the Centre Director, it should be passed to the Chairperson of the Board of Governors). See contact details at the end of the procedure.

If the complainant is not happy about writing a letter, then a member of staff can be asked to take notes of the complaint. The complainant should ensure that they agree with what has been written,

sign the document to this effect and obtain a copy for reference. This record will then be passed to the Centre Director/Chairperson. The Centre Director /Chairperson will appoint a Complaint Manager and an impartial and independent investigator.

The complaint will be acknowledged by a letter from the Complaint Manager within seven days of the date it was received and will communicate with both the complainant and the person/people they are complaining against. The letter will contain the following information:

- Who is investigating the case
- When the investigation will start

The investigation will be impartial and independent of the complainant and the person(s) complained against. The team investigating the complaint will be appointed by the Complaint Manager and will include one person from the Garnethill Centre and one independent and impartial person with relevant experience. All parties involved in the complaint and its investigation must declare any conflicts of interest to the Complaint Manager.

Should the investigator be required to interview anyone involved in the complaint, evidence will be taken from each party separately and in a manner which means the parties involved will not come into contact with each other. Anyone interviewed regarding the complaint is entitled to be accompanied by a supportive person of their choice, however this person must be independent of the complaint.

The complainant will receive a response, in writing within 21 days of the start of the investigation. The response will include the following information:

- Details of the investigation
- A decision on whether the complaint was upheld or not
- The redress, if appropriate, which will be offered e.g., an apology
- Any other action that will be taken as a result of the complaint e.g., suspension pending further action or dismissal of the counsellor
- If it has not been possible to complete the investigation within 21 days, the reasons why and the expected completion date

The Complaint Manager may halt the complaint at any stage if it emerges that legal action is under way, pending or intended. The complaints procedure can be halted until any legal process is complete. The Complaint Manager may also adjourn the process in recess to be restarted at the point at which it was stopped and within a reasonable time. They can also discontinue the complaint if the complainant fails or refuses to participate at any stage without good reason. The complainant may formally withdraw the complaint at any time. In all cases, both/all parties will be informed.

The Complaint Manager will be responsible for ensuring that any redress or sanctions are applied and fulfilled, and they will also inform all parties once they have been fulfilled. The maximum time period allowed to investigate the complaint and to respond is 6 months.

Stage Three (Appeal)

If the complainant is not satisfied with the response to the complaint, then the reasons should be given within 14 days in the same fashion as above and passed to the Board of the Garnethill Centre

An Appeals Panel of two members of the board, one of whom will be designated to chair, and one member from outwith the organisation with experience and knowledge related to the appeal, will be convened to consider the Appeal. Membership of the Appeals Panel will be restricted to members who have had no previous involvement in the complaint.

The members of the Appeal Panel will make a final decision after reading any necessary papers and speaking to relevant individuals involved with the complaint. Any interviews will be conducted under the same terms as those for Stage Two.

The chair of the Appeals Panel will write to the complainant within 28 days of receiving the appeal to confirm the decision about the complaint which will be final. The letter will include:

- The reason for the decision
- The redress, if appropriate, which will be offered e.g., an apology
- Any action which may be taken in light of the complaint
- If it has not been possible to complete the investigation within 28 days, the reasons why and the expected completion date

The Appeals Panel may halt the complaint at any stage if it emerges that legal action is under way, pending or intended. The complaints procedure can be halted until any legal process is complete. The Appeals Panel may also adjourn the process in recess to be restarted at the point at which it was stopped and within a reasonable time. They can also discontinue the complaint if the complainant fails or refuses to participate at any stage without good reason. The complainant may formally withdraw the complaint at any time. In all cases, both/all parties will be informed.

The Appeals Panel will be responsible for ensuring that any redress or sanctions are applied and fulfilled, and they will also inform all parties once they have been fulfilled. These may include:

- A formal apology to the complainant
- Suspension or termination of the person concerned from their work within FDAMH.

Stage Four (Reporting)

Because the Garnethill Centre is an organisational member of COSCA (see below for details) the results of any complaints against the Counselling Service will be submitted to COSCA immediately or within one month of the conclusion of the complaint process. COSCA will publish upheld complaints and their sanctions regarding COSCA Individual Members or Member organisations

Getting Further Support

If you are unhappy with the results of the Appeals Procedure you may wish to pursue the matter with one of the organisations listed below.

Office of the Scottish Charity Regulator (OSCR)

2nd Floor, Quadrant House, 9 Riverside Drive, Dundee, DD1 4NY

Telephone: 01382 220446

Website: oscr.org.uk

If you are unhappy with our response to a complaint regarding the way, The Garnethill Centre is governed or aspects of financial management then you may approach OSCR for assistance.

COSCA

16 Melville Terrace, Stirling, FK8 2NE

Telephone: 01786 475 140

Website: cosca.org.uk

You may approach COSCA for assistance if you are unsatisfied with the outcome of a complaint you have made against our Counselling Service and the appeals process has been exhausted within one month following completion and outcome of the complaints process. On receipt of the complaint COSCA will verify that the members complaint procedure has been followed and the outcome was lawful, reasonable, and properly explained.

Information Commissioners Office — Scotland

45 Melville Street, Edinburgh, EH3 7HL

Telephone: 0131 244 9001

Website: ico.org.uk

The ICO will be able to assist you if you are unsatisfied with the outcome of any complaint regarding how we have handled your information, they will also be able to advise you about the legal obligations all organisations have with regards to how they handle your information.

The following organisation may be able to offer you independent advice and support to make a complaint

Citizens Advice Bureau

There are several different CAB offices and outreach services in the area, for details of all local services please go to www.cas.org.uk. You can also call 03454 04 05 06 to access the Consumer Advice Line