

Disabled & Carers Information Centre Association

Complaints Policy & Procedure – Counselling Service

This policy and procedure covers complaints that may arise from the Counselling Service provided by DCICA.

Approved: February 2022

© Dundee Carers Centre 2022

Introduction

DCICA's definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about DCICA's action or lack of action, or about the standard of service provided by or on behalf of the organisation.'

Should a problem arise that cannot be resolved between the people concerned, the following procedures and stages must be followed in order to raise a complaint. Complaints may be made in writing, in person or over the phone and full details are available in our leaflet 'Getting it Right', which forms part of this policy.

If there is any conflict of interest identified by any of the parties involved, then it must be declared as soon as it arises and reported to the Chief Executive Officer or the Convenor on the Board of Trustees. (see DCICA's Conflict of Interest Policy).

All members of the community have the right to equal access to our complaints procedure. Barriers to this may be physical, sensory, communication or language barriers, but can also include anxieties and concerns. Wherever possible we will always take into account our commitment and responsibilities to equality, including identifying what additional needs a person may have and make reasonable adjustments in order to understand our complaints procedure. (This includes signposting to the appropriate person internally or signposting externally).

Informal (Frontline Resolution)

This step is for a problem that cannot be resolved between the people concerned. The Team Leader will be the person who deals with your complaint. The Team Leader will discuss the matter with you and may talk to other people involved in the service and will aim to resolve the complaint to your satisfaction as quickly as possible. The complainant is required to give permission for confidential information to be disclosed to those involved in the complaint. The Team Leader will keep a written record of your complaint and this record will only be accessible to people who become involved in dealing with the complaint.

If your complaint raises any issues to do with child protection, legal or criminal matters, there may be formalities which will involve external bodies such as social work, police, legal or other specialist advice.

You will receive written notification regarding the outcome of your complaint within 5 working days of your discussion with the person dealing with the complaint. This letter will be kept on file.

If you are not satisfied with the outcome at this stage and you want to take it further, you can activate the Formal Complaints Procedure.

Activate Formal Complaints Procedure (Investigation)

If your complaint requires investigation, the CEO will carry this out. If your complaint is about a member of senior staff including the CEO, your complaint can be directed to the Convenor of our Board of Trustees, who will respond within 3 weeks to arrange a meeting. Your confidentiality will be maintained at all times and if you are receiving other services from us, they will not be affected by you making a complaint. All correspondence will be kept on file. The person complained against will be given a copy of your complaint.

At the discretion of the CEO, with due regard to time restraints and confidentiality, the process may be adjourned or put into recess. Also, DCICA will halt the complaint at any stage should it emerge that

legal action is underway, pending or intended, until any legal process is complete. The process may be restarted within a reasonable time.

The CEO will contact you within 3 working days of receiving your written complaint to offer to discuss your complaint in a face-to-face meeting. The complainant may be accompanied by a support person if they wish. You must tell us the name of the person who will accompany you. To ensure fair consideration and ensure impartiality, the CEO may also ask a lay person to investigate, (eg, a member of the Counselling team at the Abertay University, Dundee). Unless there are exceptional circumstances this meeting must take place within 28 days of the offer being made. If this offer is not taken up within this timescale the complaint will be closed.

At the meeting, the person dealing with your complaint, who will be accompanied by someone who will take notes of the proceedings, will aim to resolve it to your satisfaction. Thereafter a written response to your complaint would be given as soon as possible but within 20 days including any action taken or planned.

If the complaint is still unresolved, you may proceed to the Appeal Committee.

Appeal Procedure

An appeal can only be lodged when you have the previous stages have been carried out. Your appeal must be sent to the CEO by letter and contain the grounds for your appeal. It must be received within 28 days of the letter confirming the outcome of the investigation stage.

The Appeal Committee is independent of any person concerned with the complaint so far. The Appeal Committee will sit within 28 days of receipt of your written appeal. The Appeal Committee will comprise two Trustees from DCICA's Board of Trustees.

The Appeal Committee will hear separately the evidence from the complainant and the party complained against. The complainant may be accompanied by a support person if they wish. The Committee will consider the facts; decide the outcome by which the parties will abide; and announce its decision in writing, with reasons, within 7 days of the meeting. The Committee may recommend the imposing of sanctions e.g. Practitioner may be asked to retrain, or the Practitioner may face a disciplinary process.

All parties will be expected to abide by the outcome of the Appeal. There is no procedure for any further appeal through DCICA. However, this does not exclude the right to refer the complaint to COSCA or to take proceedings through the legal court system. Following the completion of DCICA's procedure, complaints being taken to COSCA must be made within the time limit of one month.

At the conclusion of the complaints procedures, a report will be submitted to COSCA and will include any training/sanctions imposed and how this will be monitored.

The Chief Executive Officer is responsible for imposing, monitoring and informing both parties of the removal of sanctions. COSCA will be informed within one month of these being imposed and/or removed.

Availability of this document

This document is available to download as a PDF on our website and to view in DCICA Staff and Volunteer Handbook. This document can be made available in other languages and formats on request.

Dundee Carers Centre, Seagate House, 132-134 Seagate, DD2 1HB. 01382 200422

COSCA, 16 Melville Terrace, Stirling. FK8 2NE. Telephone: 01786 475140

Additional:

If a complaint is anonymous it will be investigated and where evidence is found to support the complaint internal training or disciplinary action will be taken as appropriate. Where a complaint is found to be malicious, the matter will be closed.

If the person complained against has left the organisation, any investigation will be conducted for the learning of the organisation, and if possible, the complained against offered the opportunity to represent their own interest. The outcome report will be sent to COSCA. If the former employee is a member of COSCA, COSCA may investigate under their system for dealing with information about members.

COSCA will, on receipt of the complaint, conduct a procedural review. COSCA will publish upheld complaints and their sanctions regarding COSCA Individual Members or Member Organisations.

DCICA Counsellors are obliged to pass on information to clients on COSCA's Complaints procedure.

This procedure covers complaints against a member of staff, individuals (paid and volunteer) carrying out work related to counselling.

Complaints made by representatives or third parties are acceptable.

Complaints can be investigated for up to three years from the date of the alleged incident. Complaints made after this time will not be investigated.

Complaints can be discontinued if the complainant fails or refuses to participate at any stage without good reason or the complainant formally withdraws the complaint. Both parties will be informed by letter.