



## **BEDFORDSHIRE OPEN DOOR**

### **COMPLAINTS POLICY & PROCEDURE**

#### **Aims of the Complaints Procedure**

- To enable a complaint to be investigated in a fair and appropriate manner
- To enable complaints to be resolved as promptly and professionally
- To allow consequences of mistakes to be put right without unnecessary conflict
- To improve the quality of the service

#### **Access to this Complaints Procedure document**

This Complaints Procedure is available as follows:

- It can be viewed and downloaded as a PDF from the website
- A copy is available in the waiting room at the Tavistock Street Centre
- A copy can be requested by contacting the main office by telephone, text, email, letter or in person

Information in our Client Information sheet and Volunteer Induction ensures that everyone we work with knows about this Complaints Procedure.

#### **Who can complain**

- Clients currently using the counselling service
- Clients who have used the counselling service within the past three years
- People who have enquired about the counselling service or who are on the waiting list
- Anyone from another organisation who has enquired about our service, or who is working with or representing someone who is using or has used the service

Anonymous complaints will be investigated by the Operations Manager or the Chair, who will use discretion in assessing what action should be taken.

#### **Time limits for complaints**

Complaints can be accepted up to three years from the time of the problem arising. If the complaint refers to specific client work the maximum is three years from the date the client ended counselling with Bedfordshire Open Door. However, it is much easier to sort out difficulties if the complaint is brought to our attention as quickly as possible.

#### **How to Make a Complaint**

If you are receiving our counselling service, please try to talk your concerns over with your counsellor if you can.

A formal complaint should be made in the first instance to the Operations Manager. This can be in person by appointment, by telephone, or in writing by email or letter.

If you have any difficulty making a complaint in person or in writing, please let us know and we will assist you.

### **Scope of Complaints**

Complaints made under this Procedure may cover paid staff, volunteer counsellors or receptionist administrators, Board members, and other volunteers or contractors acting for or on behalf of Bedfordshire Open Door.

### **Confidentiality and Communications**

Every complaint will be treated with care and confidentiality. We will attempt to communicate clearly and directly with all complainants or their representatives in a timely manner, as described below.

### **Safety of Clients**

If a complaint relates to the conduct of a counsellor in counselling, at all times the client's safety will be a primary consideration. Suspension of counselling and/or disciplinary proceedings may take place at any stage of the complaints process, if appropriate.

### **Stage 1 – Informal Complaint**

Every opportunity will be taken at the time of the initial complaint to settle the concern informally. This may include telephone conversations and/or face to face meetings or written explanation of the reasons for a decision taken. The Operations Manager and Clinical Manager will normally handle the complaint at this stage, but if the Operations Manager or Clinical Manager is the subject of the complaint, then a designated member of the Board will undertake to respond to the complaint and manage the complaints procedure.

If the complainant remains dissatisfied with the outcome of discussions at this stage then a formal complaint can be made.

### **Stage 2 – Formal Complaint**

A formal complaint will be acknowledged in writing by the Operations Manager within seven days. A copy of the Complaints Procedure will be enclosed. If an employee, volunteer or contractor of Bedfordshire Open Door is the subject of the complaint, they will be sent a copy of the complaint along with the Complaints Procedure.

### **Investigation of the Complaint**

It is the role of the Operations/Clinical Managers to investigate formal complaints (unless the complaint is about one of the Managers, in which case the complaint will be investigated by a designated Trustee). All parties involved will be given the opportunity to declare a conflict of interest. The investigator(s) will make a thorough and confidential investigation of the complaint, contacting both the complainant and the person complained against.

The investigator(s) will have access to relevant documents and policy papers within Bedfordshire Open Door and to staff members, if appropriate. They may ask for evidence from either party and if this is sought in person, they will meet with each party separately. All parties will have the right to be accompanied, and/or be represented, by a supportive person of their choice. The complainant and the party or parties complained against and/or their representative will not be asked to attend any meetings together.

The investigator(s) will make a written response to the complainant within twenty-eight days. If it is not possible to respond within 28 days, the complainant will be informed of any

reasons for a delay. All investigations will be completed and responded to within six months.

The investigator(s) will make recommendations regarding the action required to bring about the resolution of the complaint and any sanctions which they may consider appropriate to apply to either party. Examples of possible sanctions would include:

- A formal apology to the complainant
- A requirement to undertake further relevant training
- Suspension of the person concerned from their work at Bedfordshire Open Door

The Manager or Trustee who is managing the complaint, may halt the procedure at any stage if it emerges that legal action is under way, pending or intended, until such time as any legal process is complete.

### **Stage 3 – Appeal**

The Grounds for an Appeal

Any party may appeal against the findings of the investigator(s) on the following grounds:

- that the complaints procedure had not been followed
- that there was new evidence which the investigator(s) did not have access to in the investigation

An appeal cannot be accepted only on the grounds that either party disagrees with the investigators' report.

### **Making an Appeal**

Any appeal must be made in writing to the Chair of the Board of Trustees within fourteen days of the receipt of the investigators' report.

The reasons for the appeal must be clearly set out in writing.

The appeal will be acknowledged in writing by the Chair and considered by the Board of Trustees.

The appellant will be informed in writing within twenty-one days whether or not the appeal is accepted.

### **The Appeal Panel**

If an appeal is accepted, the Director will arrange to set up an Appeals Panel. The panel will be made up of three members: one of the Board of Trustees who may be considered impartial in the matter of the appeal and two persons from outside of the PF Counselling Service with relevant experience.

The panel will meet within twenty-eight days of the notification of the acceptance of the appeal to the appellant.

No-one on the panel will have taken any part in the previous handling of the complaint.

### **The Appeal Hearing**

Fourteen days written notice of the date of the hearing and the composition of the panel will be given to all parties.

All documentation relating to the appeal will be copied to all parties and the panel members fourteen days before the hearing.

The complainant and the complained against may be asked to make a written statement to the panel which will be circulated seven days before the hearing.

The complainant and complained against may be required to attend the hearing and may be accompanied, and/or be represented, by a supportive person of their choice.

The complainant and complained against will have the opportunity to make a short statement to the hearing.

The investigator(s) and the Director or the Chair of the Board (whoever managed the original complaint) will be available to give information to the panel.

The appeal hearing will be recorded.

The appeal panel will have the authority to adjourn the hearing.

The panel will come to a decision regarding the appeal in private session. This discussion will not be recorded but a written record will be made of the proceedings. The decision will be given in writing within seven days. If the appeal is upheld the panel will make recommendations regarding the action required to bring about the resolution of the complaint.

The PF Counselling Service will abide by the decision and recommendations of the appeal panel.

If the complainant remains dissatisfied after the decision of the appeals panel or remains dissatisfied about the content of the investigators' report he/she will be advised that they can submit a complaint to COSCA under their Complaints Procedure.

### **Monitoring of Complaints**

A record will be kept of all complaints received. Anonymous complaints will also be recorded, including the reasons for any decision to pursue or not to pursue the complaint. Complaints will be monitored regularly by the Management and brought to the attention of the Board of Trustees.

### **Complaints to BACP**

BACP is the professional body for counselling and psychotherapy in England. Bedfordshire Open Door is registered as an accredited service with the BACP and we are therefore work to the BACP Professional Code of Conduct and are covered by the BACP Complaints Procedure.

In the event that a complaint is not resolved satisfactorily by the Bedfordshire Open Door Complaints Procedure, it is possible to make a complaint to British Association of Counsellors and Psychotherapists (BACP) using their Complaints Procedure:

<https://www.bacp.co.uk/about-us/protecting-the-public/professional-conduct/how-to-complain-about-a-bacp-member/>