



Healing for the Heart SCIO Complaints Procedure

Introduction

It is our aim that all who engage with Healing for the Heart receive the service they require. However, we also understand that you may for whatever reason feel dissatisfied with the service you have received.

In the first instance we would invite you to make an informal complaint either to the administrative staff or a manager. If however, you find that your complaint is not resolved you can then make a formal complaint.

Details of our formal complaints policy are detailed below.

Complaints

Normally any complaint needs to be made within 12 months of the matters that are the subject of the complaint. This time limit does not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint in a satisfactory manner.

How to make a complaint

- A complaint can be made verbally, in writing or electronically. Where the complaint is made verbally, Healing for the Heart will make a written record of the complaint and provide a copy to the complainant.
- If an anonymous complaint is made, Healing for the Heart will only be able to act on it once the following have been investigated:
 - The seriousness of the matter
 - The extent to which allegations are specific (e.g. it is clear what is being alleged, dates, times, consequences of wrong doing and names of witnesses.)
 - The extent to which allegations are based on reliable information, not simply hearsay
 - Reasons to believe that there is justification for the matter being reported anonymously, and not through channels that allow for easier scrutiny.
 - Whether the language used is abusive or otherwise suggests a 'poison pen' letter.

If Healing for the Heart have no way of contacting the individual making the complaint, all of the necessary information for a decision to take further action must be clearly visible.

Who can complain?

- A person who has used the services of Healing for the Heart has the right to make a complaint about their personal experience. A complaint can also be made by a third party on behalf of the client, who is known as a representative, if the client:
 - Has asked the representative to act for them
 - Is a child
 - Is unable to make the complaint themselves because of a physical incapacity or lack of capacity (see Mental Capacity Act 2005 Overview and key provisions)
 - Is deceased

The complaint may be about any aspect of our service with which the complainant is dissatisfied and can be directed against any member of staff whether employed or volunteering, or someone carrying out work on behalf of Healing for the Heart.

How does the complaints system work?

Under the complaints procedure, Healing for the Heart will make arrangements for dealing with complaints to ensure that:

- Complaints are dealt with efficiently
- Complaints are properly investigated
- Complainants are treated with respect and courtesy
- Complainants receive, as far as possible, assistance to help them understand the procedure and advice on where to get such assistance.
- Complainants receive a timely and appropriate response
- Complainants are told the outcome of the investigation of their complaint and action taken if necessary.

In compliance with The Equality Act 2010 Healing for the Heart will make any reasonable adjustments to the complaints process to assist a person to access the complaints procedure. For example, we could provide the complaint information in larger font or identify an advocate to support a person. We can also make the complaints procedure available in different languages or formats, if required.

It is the responsibility of the CEO to ensure the complaints procedure is followed.

What happens after the complaint is received?

On receipt of a formal complaint the CEO will acknowledge receipt of the complaint within 7 working days. The CEO will offer to explain to the complainant how the complaint will be handled. If the complainant does not wish to discuss the details of the complaint, Healing

for the Heart will still have to investigate the complaint. All parties involved in the complaint can, where relevant, declare a conflict of interest to the CEO.

The CEO will then appoint an impartial investigator who will investigate the complaint in a confidential manner and who will be independent of both the complainant and Healing for the Heart. The investigator will communicate with all parties involved and hear their evidence and the investigator will make sure all parties do not attend meetings at the same time. Both the person complaining and Healing for the Heart can be accompanied or represented by a supportive person of their choice when they meet the investigator.

If at any time during these proceedings it emerges that legal action is underway or pending regarding the complaint, the CEO can stop the complaints process and wait until the legal process is complete.

The complaint will then be investigated as quickly as possible. The person complaining will receive a written response within 28 days which will explain how the complaint has been considered and how the conclusion has been reached. The response will also confirm what action is to be taken or what action has already been taken as a result of the complaint. This may include such sanctions as:

- Termination or suspension of contract of an individual or individuals
- Changes to procedures or management structures
- Additional supervision, training or mentoring support
- Or any other action that is considered relevant in response to the complaint.

If Healing for the Heart fails to send the complainant the response within 28 days of the date the complaint was made, Healing for the Heart must explain why and send a response as soon as is reasonably practicable thereafter.

If the person complaining wishes to appeal the written response to their complaint, they can do this within 28 days of receiving the written response. The complainant can then send either in written form or electronic format the basis of their appeal to the CEO. The CEO will acknowledge the appeal within 7 days and will then appoint a second independent investigator to review the complaint. A final response will be communicated in writing to the person complaining within 28 days.

Referral to the Ombudsman

If your complaint is not resolved through local resolution you can refer the matter to the Scottish Public Services Ombudsman (SPSO) or seek a judicial review.

Complaints to the Ombudsman have to be sent within a year from when what you are complaining about what happened; and from when you found out about it. If there are special circumstances, the Ombudsman may be able to extend the time limit. For more information about using the Ombudsman, see 'How to use an Ombudsman in Scotland.'