



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 you find that your complaint is not resolved you can then make a formal complaint, as detailed below.

Time Limit

Normally any complaint needs to be made within three years 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 to enquiries@healingfortheheart.co.uk or to Healing for the Heart, Princes House, 51 West Campbell Street, Glasgow G2 6SE using the Summary of Complaint Form. Where the complaint is made verbally, Healing for the Heart will make a written record of the complaint on the Summary of Complaint Form 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.

If a complaint is considered vexatious or malicious, Healing for the Heart will not engage with it.

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.

If the complaint is about someone who has left the organisation, an investigation will still be conducted for the learning of Healing for the Heart (for example to identify any systemic failures). The person complained against will be offered the opportunity to represent their own interest. In complaints about the community counselling service, an outcome report will still be sent to COSCA (see below) but the normal sanction report will not be published.

How does the complaints system work?

In order for the complaint to be processed for investigation, sufficient corroborating evidence must be provided.

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.

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 signpost to advocacy 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. If the CEO is implicated in the complaint, it is the responsibility of the Chair of the Trustees to ensure the complaints procedure is followed.

Investigation

On receipt of a formal complaint the CEO will acknowledge receipt of the complaint within 7 working days. The CEO will communicate with both the person making the complaint and the person/people they are complaining about by email. The CEO will offer to explain to the complainant how and when 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. Healing for the Heart will communicate with all parties regarding the progress of the complaint.

All parties involved in the complaint can, where relevant, declare a conflict of interest to the CEO.

The CEO will 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. The complainant and the complained against will not come into contact at any time in the course of the investigation, including not being asked to wait in the same area to give evidence to the investigator, but not outside of the investigation of the complaint. Both the complainant and the person complained against can be accompanied by a supportive person of their choice when they meet the investigator.

All those involved will act confidentially in their handling of the complaint and may seek legal or specialist advice. The complainant must give permission for confidential information pertinent to the complaint to be disclosed by all parties cited in the complaint to those involved in the handling of the complaint (including those providing any legal or specialist advice).

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 complaints process can be adjourned or put in recess at the discretion of the CEO and the process will then be re-started at the point at which it was stopped, within a reasonable timeframe. The CEO can also discontinue the complaint if the complainant fails or refuses to participate at any stage without good reason. The

complainant can also formally withdraw the complaint at any time. In all cases, all parties will be informed.

The complaint will be investigated as quickly as possible. All parties will receive a written response within 28 days which will explain how the complaint has been considered and how the conclusion has been reached.

If Healing for the Heart fails to send 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.

Appeals Process

If the complainant wishes to appeal the written response to their complaint, or if the person complained against wishes to appeal, they can do this within 28 days of receiving the written response. The basis of the appeal must be sent in written or electronic form to the CEO within this timeframe. The CEO will acknowledge the appeal within 7 days and will then appoint a second independent investigator, who has had no previous contact with the complaint, to review the complaint.

The CEO will notify all parties of their right to attend the appeal meeting, separately and not together, with the investigator hearing the complaint, and advise that they may be accompanied by a supportive person if they choose. Neither party will come into contact with each other at any time in the course of the investigation, including not being asked to wait in the same area to give evidence to the investigator, but not outside of the investigation of the complaint.

A final response will be communicated in writing by email to all parties within 28 days.

Sanctions

If the complaint has been upheld then the written 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.

These will be imposed and monitored by the CEO who will inform both the complainant and the person complained against by email when they have been fulfilled.

Outcome Report to COSCA

In accordance with COSCA's (Counselling and Psychotherapy in Scotland's) Standards, for complaints relating to the community counselling service, Healing for the Heart will submit to COSCA the Outcome Report immediately or within one month of the conclusion of the complaints process, whether upheld or not upheld, and notify COSCA of any sanctions. COSCA will publish upheld complaints and their sanctions regarding COSCA Individual Members or Member Organisations after the possibility of an appeal expires.

Request for a procedural review by COSCA

Once the above procedure has been exhausted (for complaints relating to the community counselling service), and within one month, a complainant can submit a complaint to COSCA under its Complaints Procedure. This should be submitted to Brian Magee, Chief Executive, COSCA, 16 Melville Terrace, Stirling, FK8 2NE, 01786 475140, brian@cosca.org.uk.

On receipt of the complaint, COSCA will verify that the member's complaints procedure has been followed and the outcome was lawful, reasonable and properly explained.

COSCA's Complaints Procedure can be found at <https://www.cosca.org.uk/guidance-policies/complaints>.