

Liber8 Lanarkshire Complaints Policy and Procedure for Counselling Services

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 Liber8's services please contact Liber8 and our Complaints Policy and Procedure for non-counselling services will be supplied to you. The policy can also be found on our webpage www.liber8.org.uk

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

Organisations that can provide independent support and advocacy for people wishing to make a complaint are listed at the end of 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. 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 Liber8's Counselling Service
- the service you have received from Liber8's Counselling Service.

Principles of Liber8's Counselling Service Complaints Procedure

- Liber8 recognises that complaints are an important part of client feedback and can help to improve services.
- Liber8 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 there may be occasions when out-of-time complaints will be considered, this will be on a case by case basis.
- Liber8 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 C.E.O. or Chairperson.
- Liber8 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.

- Liber8 will not accept complaints from third parties who are acting on behalf of complainants e.g. professionals such as solicitors, accountants, claim management companies, friends, colleagues, consumer advisers, local authority councilors and elected members of parliament.
- All complaints will be investigated fully and fairly.
- 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.
- If the complainant is not happy with the result of the response to the complaint, he or she will have the right of appeal.
- This procedure is for anyone who has received a service from Liber8's Counselling Services. It does not cover complaints made against other services, or by staff, who need to follow the Complaints Policy and Procedure for non-counselling services and Liber8's Grievance Procedure for staff and volunteers or Board members who need to follow other internal procedures.
- The maximum time taken for a complaint to be investigated is 6 months
- All clients engaging in our counselling services are made aware of their right to access both COSCA's and BACP'S 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.
- 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 Manager. (If the complaint is about the Manager it should be passed to the C.E.O.) 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 Manager/C.E.O. The Manager/C.E.O. will appoint a Complaint Manager and an impartial and independent investigator, (i.e. someone who is not directly involved in the complaint).

The complaint will be acknowledged by a letter from the Complaint Manager within 20 days of the date it was received. 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. All parties involved in the complaint and its investigation must declare any conflicts of interest.

Should the investigator require 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 in to 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 and must state any conflict of interest to the investigator.

The complainant will receive a response, in writing within 28 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 possible sanctions that may result, e.g. suspension
- Any other action that will be taken as a result of the complaint
- Liber8 aim to conclude any investigation as promptly as possible however, if it has not been possible to complete the investigation within 28 days, the complainant will be informed as to what the reasons are 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 will be responsible for ensuring that any redress or sanctions are applied and fulfilled.

Stage Three (Appeal)

If the complainant is not satisfied with the response to the complaint, then the reasons should be given in writing in the same fashion as above and passed to Liber8's Board of Directors. An Appeals Panel of two members of the board, one of whom will be designated to Chairperson, will be convened to consider the Appeal. As far as possible, 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 Chairperson 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 will be responsible for ensuring that any redress or sanctions are applied and fulfilled.

Stage Four (Reporting)

Because our Counselling Service is accredited by COSCA the results of any complaints against the Counselling Service will be submitted to COSCA.

In addition should the complaint be made regarding a counsellor accredited by BACP and the complaint is considered to be of a serious nature Liber8 will submit details to BACP.

Getting Further Support

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

COSCA Counselling & Psychotherapy in Scotland

16 Melville Terrace, Stirling, FK8 2NE

Telephone: 01786 475 140

Website: www.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.

British Association for Counselling & Psychotherapy (BACP)

BACP House, 15 St John's Business Park, Lutterworth LE17 4HB

Tel: 01455 883300, BACP <http://www.bacp.co.uk>

Office of the Scottish Charity Regulator (OSCR)

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

Telephone: 01382 220446

Website: www.oscr.org.uk

If you are unhappy with our response to a complaint regarding the way Liber8 is governed or aspects of financial management then you may approach OSCR for assistance.

Information Commissioners Office – Scotland

45 Melville Street, Edinburgh, EH3 7HL

Telephone: 0131 244 9001

Website: www.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 organisation have with regards to how they handle your information.

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

Citizens Advice Bureau

Almada Tower, 67 Almada Street , Hamilton ML3 OHQ

01698 283477

There are a number of 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.

Independent Advocacy

South Lanarkshire: Speak Out Advocacy Project

Brandon House, 23-25 Brandon Street, Hamilton, ML3 6DA

Telephone: 01698 283 228

North Lanarkshire: The Advocacy Project Advocacy Project

Cumbræ House, 15 Carlton Court, Glasgow, G5 9JP

Telephone: 0141 420 0961

About Liber8 Lanarkshire

Liber8 Lanarkshire is a registered charity (number SC038836) regulated by the Office of the Scottish Charity Regulator (OSCR), Liber8 is also a Company Limited by Guarantee (number SC331357)

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Webpage: www.liber8.org.uk

Facebook: <https://www.facebook.com/Liber8Ltd>