

Many people may approach OPEN MINDS at times when they feel vulnerable or anxious. If services are not satisfactory, this may be particularly distressing. It is very important for OPEN MINDS to be aware of areas of dissatisfaction and to correct any shortcomings.

Service users need to have the right to complain about the service they receive by means of free and clear access to a complaint procedure.

This procedure is to enable people using services of, or taking part in activities organised by OPEN MINDS to be heard when they feel things have gone wrong.

OPEN MINDS aim to ensure that complaints/problems are resolved quickly, fairly and as close to the point of service delivery as possible to ensure that the individuals involved and the organisation as a whole benefit from the experience.

OPEN MINDS also have mechanisms to hear *suggestions* that individuals may have to improve services.

Before making a complaint, service users should think about whether their issue could be resolved by using the suggestion process and if it is felt that this may be the case then this avenue should be tried first.

Suggestions can be emailed to openminds@counsellingdoncaster.com.

To make a suggestion anonymously go to the bottom of the website www.counsellingdoncaster.com and use the contacts form. In the email section simply input anon@anon.com and your suggestion will be anonymous.

Please read this policy before completing the complaints form on page 15

Who Can Complain?

1. Any individual who is receiving a service from OPEN MINDS
1. Any individual who has received a service from OPEN MINDS
2. Any individual who has been refused a service from OPEN MINDS.
3. Any individual acting on their behalf.

The Principles

1. People making complaints have the right to be treated equally and not suffer discrimination.
2. Complaints are to be treated seriously and dealt with in good time.
3. There should be ease of access to enable service users or their representatives to make their views known.
4. There should be clearly indicated means of challenging decisions on service provision/non provision or other matters of concern to service users.
5. No person should be involved in investigating a complaint relating to his/her own actions or judgement.
6. Complaints are to be treated with an open mind, and will be investigated without prejudice. Those making a complaint must be reassured that complaining will not result in any discrimination against them.
7. The overall number of complaints is to be recorded and monitored.

Confidentiality

People making complaints ([the complainants](#)) have the right to confidentiality. If requested and appropriate, names of complainants will not be disclosed in investigating complaints.

Limits on confidentiality:

1. The person being complained against ([the respondent](#)) has the right to sufficient information to present their own version of events.
2. This means that where the complaint is by a client about their therapist and relating to events occurring within the counselling session, the counsellor can discuss their perception of events.
3. *Wherever possible* the counsellor's defence should avoid breaking the client's confidentiality beyond the immediate incident under discussion.
4. Anonymous complaints may not be investigated if they appear to be malicious.
5. The complainant should also be aware that anonymous complaints do not always allow for the complainant to be made aware of any possible resolution.

The Procedure

The procedure identifies two types of complaints:

- **Informal Complaints** – those that appear to be able to be resolved quickly and easily e.g. complaint about people talking too loudly in corridor.
- **Formal Complaints** – those that appear to be more serious and which should follow a set procedure e.g. complaint that discrimination has occurred or that the confidentiality policy has been breached.

Informal Complaints

If you have an informal complaint any member of staff will be happy to discuss it with you and take any action required.

If you feel that an informal complaint has not been remedied to your satisfaction you can decide to make a formal complaint.

Formal Complaints – A 3 Step process

1. If you have a complaint about any service, individual or activity which you wish to be handled formally, **you should speak to the Managing Director**. You can also email the Managing Director to discuss this on md@counsellingdoncaster.com

Written postal complaints about the Managing Director should be addressed to The Chairperson, OPEN MINDS, 28 Christchurch Road, DN1 2QL

Complaints can be submitted by email to:
openminds@counsellingdoncaster.com or md@counsellingdoncaster.com
subject headed FAO: relevant professional
(Chairperson, Managing Director, Vice-Chairperson, Company Secretary)

The person investigating the complaint, whether the Managing Director or Chairperson, is known as [the investigating officer](#). At their discretion the investigating officer may seek the support of Open Minds' external Human Resources and/or other members of the Board of Directors.

2. Where formal complaints are raised with the investigating officer, the investigating officer will ask how you would like the complaint to be dealt with.

There are two options as to how formal complaints can be dealt with and these are:

- You can use the complaint form to detail your complaint and opt out of mediation.
- You can use the complaint form to detail your complaint, and opt into mediation meetings where appropriate.

Mediation meetings would incorporate the complainant and a support person of their choice; the respondent and a support person

of their choice; and the investigating officer along with possible other investigation support or human resources support.

The aim of a mediation meeting would not be to attribute blame but rather to examine ways of resolving the situation, which are acceptable to everyone.

Please be aware that the complainant can request mediation meetings but the respondent has the right to refuse these.

Where mediation meetings are not possible or fail to achieve an acceptable result, you can continue with the formal written complaint following the steps below.

3. In the case of FORMAL WRITTEN COMPLAINTS, the following procedure shall apply:

1. If not immediately clear from the guidance on the following page, the Chairperson will decide, from the nature of the complaint, who is the appropriate person/people to deal with the complaint.
2. The person making the complaint will receive an acknowledgement of their complaint from the appropriate person (the investigating officer) within 10 working days of receipt of the complaint.
3. The complaint will be investigated, and the complainant given a response, within 25 working days of the complaint being received.

If for any reason it seems unlikely that the original time period for response is not going to be met, the person making the complaint will be advised of this fact and a new time-scale for completion will be agreed with them.

4. **The investigating officer will make a judgement as to whether each complaint is UPHELD, NOT UPHELD OR NOT SUBSTANTIATED and detail any action which they recommend to be taken as a result of the complaint.**

5. This information will be passed to the Chairperson who will respond in writing on behalf of OPEN MINDS.

Appeal Process:

1. The complainant should be given the right to state whether they are satisfied with the response *and if not whether they wish the complaint to be considered by the Management Committee (Board of Directors) as a whole.*
2. Complainants who are not satisfied with the response should write to the Management Committee, within 10 working days, outlining why they are not satisfied with the response.
3. **The Management Committee will discuss the complaint at the next committee meeting and make a judgement as to whether each complaint should be further investigated, and/or whether the complaint is UPHELD, NOT UPHELD OR NOT SUBSTANTIATED and note any action which should be taken as a result of the complaint.**
 - a. At the Management Committee's discretion they can seek independent support at this point from VCF agencies with whom Open Minds' work.
 - b. If such agencies are to be part of the appeal process the complainant must be informed and given the right to refuse this process if their confidentiality will be affected.
4. The complainant will be informed in writing of the outcome and will be given the opportunity to state whether they are satisfied with the response.
5. The decision of the Management Committee is final

SUMMARY OF STEPS:

INFORMAL COMPLAINTS:

to any member of staff

if not resolved

(OR IF INFORMAL COMPLAINT PROCESS IS NOT APPROPRIATE)

FORMAL COMPLAINTS:

Step 1 Speak to (or write to) the Managing Director or write to the Chairperson to explain your concerns

Step 2 The Managing Director or the Chairperson will offer you the opportunity to complete a complaints form AND arrange a mediation meeting

if not resolved (OR IF STEP 2 IS NOT APPROPRIATE)

Step 3 You can complete the complaints form yourself, or the Managing Director or the Chairperson will complete a complaints form with you and then investigate your complaint

if not resolved

The response can be appealed to the Management Committee.

This decision is final

Who to address **FORMAL WRITTEN** complaints to:

1. Formal complaints **about the Chair** of the Management Committee should be addressed to the Vice-Chair or Company Secretary.

These will be dealt with by either the full Management Committee or by a Sub-Group appointed by the Management Committee, *which would not include the person who is being complained about.*

2. Formal complaints **about individual members** of the Management Committee should be addressed to the Chairperson of the Management Committee.
3. Formal complaints about **any member of staff, paid or unpaid**, should be addressed to the Managing Director or Chairperson
4. Formal complaints about **any service user** should be addressed to the Managing Director or Chairperson
5. Any complaint, which alleges malpractice by a **counsellor**, can be dealt with under OPEN MINDS's complaints procedure by following the steps outlined above.

The address for all written postal complaints is

[i.e. Chairperson, Managing Director, Vice-Chairperson, Company Secretary]

COMPLAINTS,

OPEN MINDS Counselling Service,

28 Christchurch Road, Doncaster, DN1 2QL

Complaints can be submitted by email to:
openminds@counsellingdoncaster.com or md@counsellingdoncaster.com
subject headed FAO: relevant professional
(Chairperson, Managing Director, Vice-Chairperson, Company Secretary)

example complaints letter

Private & Confidential

Dear

I am writing to inform you that Open Minds have become aware that you have expressed concerns about the service you have received from (your counsellor, office team, named other).

Open Minds' Management Committee take very seriously any concerns about any of the people who provide services on our behalf. As such if you would like to express your concerns to Open Minds, you can make an informal complaint or a formal complaint, through the Managing Director (or the Chairperson of the Management Committee if the complaint is about the Managing Director).

Open Minds will deal with any such response promptly and thoroughly.

I have included a copy of Open Minds' complaints procedures for your reference.

You can address any response to

MANAGING DIRECTOR / CHAIRPERSON,

Open Minds, 28 Christchurch Road, Doncaster, DN1 2QL.

This will then not be opened by any other employee of the charity.

AN EXAMPLE OF THE COMPLAINTS FORM IS BELOW, AND THE COMPLAINTS FORM ITSELF IS AT THE END OF THE POLICY

EXAMPLE complaints form

FORMAL complaint

by the person making the complaint (the complainant) : **Joe Bloggs, client**

GDPR Consent

In order for us to proceed with your complaint please delete the following which do not apply to you:

- ~~I would like my complaint to be anonymous and do not want feedback~~
- ~~I would like my complaint to be anonymous BUT I do want feedback about what happens next~~
- I consent for my name to be shared with the respondent so that they know who has made this complaint
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my email: **Joe@Bloggs.com**
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my phone number: **07775 55555**

If you do not complete the section in yellow we will assume you want to make an anonymous complaint and will not contact you with feedback or for more details

Date Complaint Made to Open Minds: **19th May 2018**

This means the date on which you are completing this form

COMPLAINT TAKEN BY **name, role Helen Mason, Managing Director**

IF YOU ARE SENDING THIS BY EMAIL WE WILL ACCEPT THIS AS EVIDENCE OF SIGNED BY SENDING.

IF YOU ARE SENDING THIS BY HARD COPY PLEASE SIGN THIS PAGE.

The person the complaint is against (the respondent) : Jane Smith, counsellor

Date Incident Occurred On: **12th May 2018**

If you do not know the date you can give a rough estimate of when the cause for your complaint happened

DESCRIPTION OF INCIDENT AND NATURE OF COMPLAINT

Please attach additional sheets as required, remember to clearly label them with page numbers

Jane was persistently off sick at short notice and when I was very upset and wanting counselling this made it very difficult to want to work with her.

On 12th May she told me she was leaving Open Minds and I could have a new counsellor.

I think if she was so ill she couldn't carry on she should have let me know sooner and I could have been working with a different counsellor by now.

WHAT ACTION WOULD THE COMPLAINANT LIKE?

Please delete the options below as appropriate, leaving the ones you would like:

1. Please **discuss** my complaint with the respondent
2. **Feedback** to me what they have said
3. I would like the opportunity to attend **mediation** meetings
4. I would like an **apology in person / in writing**
5. I would like you to change your **systems** so that this does not happen again
6. Please let me know what **changes** you are making
7. ~~I would like the respondent to be **disciplined**~~

WHAT RESOLUTION WOULD COMPLAINANT LIKE? (what would you like to happen?)

I think in future if Jane becomes ill she should think of the impact on her clients, and Open Minds should offer a different counsellor a lot sooner.

If the respondent is a member of staff there are several actions Open Minds might take, including but not limited to the following:

1. Suspension with pay while we investigate (this is not a disciplinary action)
2. Contacting the respondent's external supervisor for details
3. Putting in place more support
4. Changing Open Minds' systems to prevent further incidents
5. Verbal warning
6. Written warning
7. Final written warning
8. Suspension without pay
9. Termination of work at Open Minds
10. Contacting the organisation overseeing the respondent's practice to inform them of concerns

DATE FOR ACTION TO BE TAKEN

(this should be within 15 working days of receiving the complaint)

7th June 2018

DATE FOR RESPONSE TO BE MADE

(this should be within 25 working days of receiving the complaint)

21st June 2018

**Open Minds'
complaint form
follows on the next
3 pages for people
to complete and
return if they wish to
make a formal
complaint**

FORMAL complaint

by the person making the complaint (the complainant) :

GDPR Consent

In order for us to proceed with your complaint please delete the following which do not apply to you:

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- I would like my complaint to be anonymous BUT I do want feedback about what happens next
- I consent for my name to be shared with the respondent so that they know who has made this complaint
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my email:
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my phone number:

If you do not complete the section in yellow we will assume you want to make an anonymous complaint and will not contact you with feedback or for more details

Date Complaint Made to Open Minds:

This means the date on which you are completing this form

COMPLAINT TAKEN BY **name, role**

IF YOU ARE SENDING THIS BY EMAIL WE WILL ACCEPT THIS AS EVIDENCE OF SIGNED BY SENDING.

IF YOU ARE SENDING THIS BY HARD COPY PLEASE SIGN THIS PAGE.



FORMAL complaint

The person the complaint is against (the respondent) :

Date Incident Occurred On:

If you do not know the date you can give a rough estimate of when the cause for your complaint happened

DESCRIPTION OF INCIDENT AND NATURE OF COMPLAINT

Please attach additional sheets as required, remember to clearly label them with page numbers

FORMAL complaint

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DATE FOR ACTION TO BE TAKEN

(this should be within 15 working days of receiving the complaint)

Investigating Officer complete

DATE FOR RESPONSE TO BE MADE

(this should be within 25 working days of receiving the complaint)

Investigating Officer complete