

## POLICY FOR DEALING WITH COMPLAINTS FROM SERVICE USERS OR MEMBERS OF THE PUBLIC

### 1. Introduction

The quality and standard of service that Glasgow Council on Alcohol provides to the individuals who use our services are at the centre of the organisation's activities. The views of our users are important in helping us to maintain and improve our services. It is crucial that any complaint or dissatisfaction about the service that we have provided is dealt with swiftly, satisfactorily and treated as a high priority. Complaints are distinctive from Feedback. Feedback is when service users have no expectation of a personalised response. **A formal complaint is where a complainant expects a response.** GCA will display the Complaints Policy and Procedures on noticeboards within GCA premises and make them known to service users, including those who receive counselling services, training and supervision. The complaints policy is also available publically on the GCA website. Documents will be made available in other languages and formats on request and where possible.

Complaints by third parties will be considered where the third party can evidence any direct and adverse effects on them. Third parties are those who have not directly received services from us.

Anonymous complaints are acceptable. As we will be unable to provide written responses directly to anonymous complainants these any actions taken will be displayed at reception within Head Office.

Complainants must represent themselves. Complaints will not be accepted from third parties who are acting on behalf of complainants e.g., professionals such as solicitors, accountants, or claim management companies.

This policy applies to complaints against members of staff, individuals (paid and volunteer) and groups carrying out work related to counselling and psychotherapy on behalf of GCA by a service user or member of the public.

All complaints should be submitted by letter, email or by proforma to a Team Leader or to Head of Service who will forward it to the appropriate member of staff:

**Post or In Person**– Head of Service, 14 North Claremont Street, Glasgow G3 7LE

**Telephone** - 0141 353 1800

**Email** – [complaints@glasgowcouncilonalcohol.org](mailto:complaints@glasgowcouncilonalcohol.org)

### 2. Principles

In dealing with a complaints and concerns the GCA approach will be open and transparent and the consideration of the issues will be fair and reasonable.

GCA staff will: -

1. Assist the complainant in any way possible to have the complaint communicated and understood clearly.
2. Provide a written response to the complaint.
3. Establish clearly what is important to the complainant(s).

4. Ensure that issues are resolved promptly within agreed time scales.
5. Be consistent and impartial in dealing with responses.
6. Communicate effectively with all concerned.
7. Advise complainant of local advocacy services upon request.
8. Advise the Head of service in writing of all service user concerns whether they are resolved at local level or not.
9. Record all and every complaint, concern.

### **3. Resolution**

It is expected that most complaints will be resolved at local level or service level through the staff member who receives the complaint. If this fails to satisfy the complainant, a formal complaint can be made to the organisation's Head of Service based at Head Office. For further practical guidance, please see Complaints Procedures in Appendix 1.

## PROCEDURE FOR DEALING WITH COMPLAINTS FROM SERVICE USERS OR MEMBERS OF THE PUBLIC

### 1. Informal processes

- 1.1 It is expected that most concerns can and will be resolved informally at local level without the complainant needing to resort to the formal complaints procedure. Please see Appendix 2 for an informal complaints form. Anyone raising concerns should be provided with a copy of the complaints leaflet. Please see Appendix 3 for a formal complaints leaflet.
- 1.2 If the complainant is not satisfied following this local approach, then he/she should be advised that there is a formal complaints procedure and it should be confirmed that they have been provided with a copy of the complaints leaflet.
- 1.3 All concerns raised should be recorded in some form. If the issue does not warrant a complaint form it should still be logged in complaints log which is held on the company drive. For example comments regarding unanswered phone calls to offices may be offered as feedback rather than an actual complaint.

### 2. Formal complaints procedure

- 2.1 All complaints will be dealt with in accordance with the GCA Complaints Policy and Procedures.
- 2.2 Complaints will be handled and resolved locally as far as possible.
- 2.3 Any service user or member of the public wishing to make a formal complaint should be sent a copy of the complaint form, please see Appendix 3. Any other relevant documentation should also be made available on request.
- 2.4 Complainants can submit the complaint in person, in writing, telephone or by email.
- 2.5 The initial contact from the complainant will be acknowledged in writing within 14 working days. He/she will then be kept informed, as appropriate, of the progress being taken to address the issues.
- 2.6 Where a formal complaint has been received by an office, the Line Manager will be advised immediately. He/she will pass the complaint onto the Head of Service who will then determine if whether there is a case to answer, how the complaint will be investigated and who will manage the complaints procedure. The Head of Service will be informed on every occasion of a formal complaint from a dissatisfied service user.
- 2.7 Appropriate, impartial investigators will be appointed to investigate the complaint in a confidential manner. Consideration will be given when an investigator is selected as to whether they are able to impartially investigate a complaint. The investigators will hear

separately and not together the evidence from either party. A lay person may also be appointed to the investigation team.

- 2.8 The party complained against and the complainant has the right to attend any investigative meetings and to be accompanied but not represented by a supportive person of their choice at the meeting.
- 2.9 All parties involved in the complaint can, where relevant, declare a conflict of interest to the Head of Services who will assess and deal with that conflict.
- 2.10 Steps will be taken to ensure that the complainant and the complained against, and / or their representative, will not come into contact at any time as a result of the investigation.
- 2.11 The individual identified to manage the complaints procedure can halt the complaint at any stage should it emerge that legal action is under way, pending or intended and can halt the procedure until any legal process is complete.
- 2.12 All complaints should be raised within 6 months from the incident giving rise to the complaint.
- 2.13 We aim, as far as possible, for the complaint to be investigated and the results of the investigation communicated to the complainant and the complained against in writing within 14 working days. If, for any good reason, it is going to take longer than 14 days the complainant will be advised accordingly with the expected completion date.
- 2.14 If a complaint is specifically about a member of staff or volunteer, then the staff member/volunteer will be advised of the nature and status of the complaint and offered support where appropriate.
- 2.15 Depending on the seriousness of the complaint against a member of staff or volunteer, it may be appropriate to follow steps laid out within the GCA Disciplinary Policy.
- 2.16 If the complaint is against a member of staff or volunteer who has left the organisation the complaints procedure will be still be followed and will wherever possible allow the individual complained against the opportunity to represent their own interest. The outcome report will be submitted to COSCA who may take further steps to investigate.
- 2.17 Complaints received directly at the Head Office will normally be recorded and acknowledged by the Head of Service and forwarded to the appropriate service for action.
- 2.18 The complaint may be discontinued if the complainant refuses to cooperate with the complaint investigation without good reason or of the complainant withdraws the complaint. All relevant parties will be informed of the decision to discontinue a complaint in writing.

- 2.19 The complaint process may be adjourned at any time at the discretion of the Head of Services with due regard to time constraints and confidentiality. The process will recommence within a reasonable time period at the point at which it was stopped.
- 2.20 GCA reserves the right to seek legal advice or advice from other specialist organisations such as COSCA at any point in the process.
- 2.21 If the complaint is upheld by the investigation team various sanctions may be applied against the person complained about. Recommendations for appropriate sanctions from the investigating team will be taken into consideration. Sanctions may include, but are not limited to, disciplinary action, appropriate training or suspension from practice. The commencement date and the duration of the sanction will be communicated to all relevant parties in writing. The GCA Quality Assurance group will be responsible for the monitoring the status of ongoing sanctions by communicating with all relevant parties. The Head of Services will be responsible for notifying the sanctioned party when a sanction has been lifted.
- 2.22 If the complainant is not satisfied with the response, then he/she will be entitled to appeal. The letter advising the result of the complaint will detail the appeals process to be followed.
- 2.23 If a complaint is received in relation to a counselling or counselling related activity, the Head of Service will complete the proforma 'Outcome Report to COSCA at Conclusion of Complaints Proceedings' and submit it COSCA within one month of the conclusion of the complaints process. COSCA will publish upheld complaints and their sanctions regarding COSCA Individual Members or Member Organisations.
- 2.24 Vexatious or malicious use of the complaints procedure will not be tolerated. Where a complaint is deemed to be vexatious or malicious GCA may seek legal advice and take appropriate action if necessary.

### **3. Appeals procedure**

- 3.1 The complainant should write to the person handling the appeal within 28 days of receiving the complaint response letter, supplying contact details.
- 3.2 The person handling your appeal will write to you acknowledging receipt of your appeal letter within 14 days.
- 3.3 The person handling the appeal will review the original complaint and relevant documentation to ascertain whether it was handled correctly.
- 3.4 The person handling the appeal will ensure that no one involved in investigating the complaint will be involved in the appeal process.
- 3.5 The person handling the appeal, or an independent person appointed by the person handling the appeal, may contact the complainant to provide or clarify information.

- 3.6 The person handling the appeal will consider the findings and recommendations of the investigation into your original complaint were reasonable. The complainant will receive a response to their appeal in writing within eight weeks of the appeal being received.

#### **4. Criminal offence**

- 4.1 In some cases, the original complaint, or the results of an investigation, may suggest that a criminal offence has been committed by a volunteer or member of staff. The decision to breach confidentiality should normally be taken by a senior member of staff.

Please see GCA Confidentiality Policy and Procedures for further information on reporting criminal offences.

#### **5. Records and reports**

- 5.1 A record must be kept of all complaints listing:

- Date the complaint was received
- Time the complaint was received
- Name and address of complainant
- Description of the nature of the complaint
- Who the complaint was addressed to
- Who dealt with the complaint
- Action taken
- Outcome
- Reasons for decisions taken
- Any future action required
- Initial and final response to complainant

Please see attached record forms for more information.

- 5.2 Copies of complaints and associated correspondence/notes must be kept for six years. In the case of young people records should be kept for six years or until they are 21 years old, whichever is the longer.
- 5.3 A report of the number and nature of the formal complaints received and dealt with will be provided to the Board as part of the quarterly performance reporting arrangements. The Heads of Services will report routinely to the Chief Executive Officer as a matter of course in all instances of received complaints.
- 5.4 The Heads of Service can, if so deemed necessary (or beneficial) and following discussions with the Chief Executive Officer, direct a staff member (or members) out with the department receiving the complaint to lead any investigation. However, the concept of dealing with complaints at the level the dissatisfaction was experienced is the general approach adopted by GCA.

#### **5.5 Counselling service and counselling related activities**

GCA is an organisational member of COSCA (Counselling and Psychotherapy in

Scotland).

If an individual is unable to resolve their complaint with GCA and their complaint is in relation to the above service they can contact COSCA (Counselling & Psychotherapy in Scotland).



COSCA (Counselling & Psychotherapy in Scotland)  
16 Melville Terrace | Stirling | FK8 2NE  
t: 01786 475140  
e: [info@cosca.org.uk](mailto:info@cosca.org.uk)  
[www.cosca.org.uk](http://www.cosca.org.uk)

This must be done within one month of the conclusion of the GCA complaints process.

Any complaint must be made in writing using the Proforma for Submitting a Complaint to COSCA and within the procedures laid down in the COSCA Complaints Procedure (see [www.cosca.org.uk](http://www.cosca.org.uk) under Complaints).

The above proforma can be obtained from COSCA. This must be completed and sent, signed, dated and marked 'private and confidential' to the Chief Executive, COSCA (Counselling & Psychotherapy in Scotland), 16 Melville Terrace, Stirling FK8 2NE.

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

A complaint can be submitted within 3 years of the alleged breach of the COSCA Statement of Ethics and Code of Practice.

## **6. Confidentiality**

6.1 Confidentiality must be respected at all times. Information concerning complaints should only be shared with those engaged in the process, on a 'need to know' basis. The complainant is required to give permission for confidential for all relevant confidential information to be disclosed by all parties cited in the complaint to those involved in handling the complaint.

Please see the Confidentiality Policy and Procedures for further information. Any breach may result in disciplinary action.

**Complaint Record – Informal (Local Level) Form 1**

<b>Date received:</b>		<b>Received by:</b>	
<b>How received:</b>	Caller	Telephone	Letter (attach copy) <input type="checkbox"/>
<b>Name of complainant:</b>			
<b>Address:</b>			
<b>Telephone number:</b>			
<b>Nature of complaint:</b>			
<b>Action taken:</b>			
<b>By whom:</b>			
<p><b>If the complaint was resolved locally, detail the action taken and the proof of the complainant's satisfaction with the action taken:</b></p>			
<b>Signed:</b> _____		<b>Date:</b> _____	
<p><b>Pass to Head of Service for information reporting purposes</b></p>			
<p><b>If the complaint becomes formal, see Form 2.</b></p>			

**Complaint Record – Formal Form 2**

<b>Passed to:</b>		<b>By:</b>
<b>Date received:</b>	<b>Time:</b>	
<b>Name of complainant:</b>		
<b>Address:</b>		
<b>Telephone number:</b>		
<b>Nature of complaint:</b>		
<b>Acknowledged: <i>(date &amp; copy of letter attached)</i></b>		
<b>Action taken to resolve:</b>		
<b>Action taken by: <i>(name, title, date)</i></b>		
<b>Complainant's reaction to response:</b>		
<b>How can we make sure this doesn't happen again:</b>		
<b>Head of Service to sign off</b>		
<b>Signed:</b> _____		<b>Date:</b> _____