

Complaints Procedure

Introduction

North Staffs Mind is committed to ensuring that its services are of the highest quality and aims to provide clients and users of our services with the best possible service. However, from time to time there are occasions when users of our services may feel that the quality or level of service provided falls short of what can reasonably be expected. The Complaints Procedure enables NSM to respond clearly and properly to complaints and to know when and why people are not satisfied with our service so that we can improve them.

Complaints are part of the feedback the organisation receives from clients/service users, other stakeholders and members of the public and this feedback can be invaluable in helping us to improve our services. We want to handle complaints as effectively as possible. Principles that inform our management of complaints are as follows:

- NSM acknowledges that complaints do happen
- We have a commitment to investigating all complaints fully and fairly
- If the complainant is not happy with the result of the response to the complaint we recognise that complainants have a right to appeal
- We perceive complaints to be a valuable and important part of customer feedback
- We will ask complainants what they want the outcome of their complaint to be or if they can suggest solutions to the issue raised
- We will deal with complaints in confidence – the only exception to this is when others could be put at risk by matters referred to in the complaint

What is a complaint?

A complaint is an expression of dissatisfaction, either written or spoken. A complaint may be made by an individual or a group, by client/service user, stakeholder or member of the public. It can relate to the way in which a person has been treated, to the service which they have received or the policies and procedures of NSM.

Complaints can be made to North Staffs Mind in a number of different ways – in person, by letter, email, audiotape, phone or fax, or by completing the comments form on the website.

Who is this procedure for?

This procedure should be used by any member of the public, client/service user or stakeholder utilising any part of NSM's services who wishes to comment on, complain about or compliment the agency, its staff or services.

The purpose of the procedure is not to apportion blame amongst staff but to investigate the complaint in a fair and consistent manner, in order to satisfy complaints and concerns and to learn lessons for NSM's ongoing service improvement and organisational development.

Complaints procedure

There are 3 stages to the procedure and we undertake to resolve any issues at the lowest level, wherever possible.

Stage 1 – Making an informal complaint:

The individual making the complaint (client/service user, stakeholder or member of the public) should speak to the staff member concerned or their line manager in order to pass on comments, complaints, concerns or compliments. In the case of a complaint about a particular service area, the complainant should be able to raise it with any staff member who will pass it on to their service manager. Leaflets explaining NSM's Complaints Procedure are available to all users of services, displayed around our various offices on notice boards or in display racks, or alternatively are available from Reception staff at Marsh Street.

If the complainant prefers, or if the complaint is about an individual and they would find it difficult to address it with them, then the issue can be taken up with the relevant service manager directly. The service manager will talk to or write to the complainant and see if there is a simple solution that meets their needs without a formal investigation taking place. This may involve the service manager talking to other people to gather information and in normal circumstances this should take less than 14 days to complete. It would be hoped that a satisfactory outcome could be achieved through informal discussion.

Where an informal complaint is made we aim to resolve it promptly and satisfactorily in order to prevent it leading to a formal complaint. If complainants are not satisfied with the results of this stage they can go on to Stage 2 (see below). They may also, if they wish, go straight to the formal stage (Stage 2) without using Stage 1.

The relevant service managers are:

Service	Job Title
Supported Housing	Housing Project Manager
Community Support Services	Chief Executive
Adult Counselling/Parents in Mind Training/Groupwork	Counselling Services Manager
Younger Mind (Young Persons Counselling)	Younger Mind Team Manager

Stage 2 – Formal complaint (including investigation):

1. If complainants are not satisfied with the response they receive at Stage 1, or if they feel that they wish to make the complaint formal from the start, they should outline their complaint by letter, fax, email or audiotape and send it to the Chief Executive at 83 Marsh Street, Hanley, Stoke on Trent ST1 5HN, marked "private and confidential".

Formal complaints can also be made to the Chief Executive in person or via a phone call.

If the complaint is about the Chief Executive then it should be addressed to the “Chair of the Council of Management” at the above address, also marked “private and confidential”.

Complaints will be acknowledged by letter within 7 working days from the date they are received. The letter will advise complainants of:

- The name, address and telephone number of the person who will investigate the complaint
- The date the investigation will start
- A request to meet with the complainant
- An explanation of the stages of a formal investigation
- Details of the support the complainant can receive during the process of the complaint e.g. access to interpreters, contact details of external agencies, and option to be accompanied by a friend or relative.

Complaints may be made by a “third party”, a person authorised to act on a client/service user’s behalf – for example, an advocacy service such as Asist or a representative of North Staffs User’s Group. Any complaint made in this way will be considered carefully to ensure that our response in no way breaches the confidentiality of the client/service user.

2. The person who will investigate the complaint will arrange to meet the complainant to get a better understanding of the circumstances surrounding the complaint and establish any possible outcomes that the complainant is hoping for. Notes of the meeting will be made and the complainant’s statement and the investigating person and complainant will both sign these notes. If a resolution is reached as a result of the meeting this will be confirmed in writing to the complainant and any other individuals concerned. Failure to reach a resolution requires the investigation to move on to the next stage, as detailed below.
3. A thorough investigation into the circumstances surrounding the complaint will be undertaken. Written statements will be taken by the person investigating from all those involved in the complaint and any relevant witness. Once written statements have been collected, the investigating person will usually interview all those involved in the complaint and notes from each interview will be written up, signed and dated. Relevant supporting documentation will also be collected at this stage and all those interviewed will be entitled to have a union representative or friend with them at the time of interview.

All statements and interviews will be treated in the strictest confidence.

Once the investigation is complete the person investigating will decide whether or not there are grounds for the complaint and what, if any, recommended actions need to be taken as a result.

The complainant will receive a full response to their complaint in writing within 21 working days from the start of the investigation, from the person appointed to investigate. The response will include the following information:

- Details of the investigation and what it has entailed
- A decision about whether the complaint was upheld or not
- The reasons for the decision
- The redress, if appropriate, which will be offered to the complainant e.g. an apology, an explanation, an assurance that the same thing will not happen again and the practical steps to be taken to back this commitment, action that can put things right.
- Any other action that may be taken in the light of the complaint
- What steps the complainant can take if they are still dissatisfied and want to take the complaint further, including a full description of the appeals procedure.

If it is not possible to provide a full answer to complaints within 21 working days, the letter will outline the reasons why and give a date by which a full answer is expected.

Stage 3 – Appeal:

If complainants are dissatisfied with the response to their complaint then they should outline the reasons for their dissatisfaction by letter, fax, email or audiotape within seven working days of receiving written confirmation of whether their complaint was upheld or not. Reasons for dissatisfaction should be brought to the attention of the Chief Executive (or the Chair of trustees/Council of Management where relevant).

An appeals panel, normally comprising three members, including a trustee/Council of Management member, will be convened to consider the appeal. The Chief Executive will be responsible for ensuring the Appeal Panel is appropriately representative. Panel membership will be restricted to people who have had no previous involvement in the complaint.

The Appeals Panel will then investigate the complaint in a similar fashion to that conducted in the formal investigation and will:

- Read through the necessary papers
- Speak to relevant individuals involved with the complaint
- Make a final decision

The chair of the Appeals Panel will write to the complainant within 28 working days of receiving notification of dissatisfaction with the outcome to confirm:

- The final decision about the complaint
- The reason for the decision
- The redress, if appropriate, which will be offered to the complainant
- Any action that may be taken in the light of the complaint

Review of the Process

If the complainant has been through stages 1 – 3 of the Complaints Procedure outlined above and is not satisfied that North Staffs Mind has followed the process properly and dealt with their complaint fairly (e.g. by giving them insufficient opportunity to represent their view or ensuring all the relevant people are involved in the investigation), then they can outline the reasons for their dissatisfaction with the complaints process by letter, fax, email or audiotape within 21 working days of receiving the Appeals Panel decision to the Chief Executive (or Chair of trustees/Council of Management) to request a review of the complaints handling process, **not a further investigation of the complaint.**

The Chief Executive or the Chair will make arrangements for the review of the complaint handling process, and will inform the complainant of how the review will be carried out.

The decision of the review process will be final. The chief Executive or the Chair will communicate in writing within 28 working days of receiving the expression dissatisfaction from the complainant:

- Whether or not the procedure has been followed properly and fairly
- The reason for the decision
- The redress, if appropriate, which will be offered to the complainant
- What action may be taken in the light of the review

Involvement of third party organisations

In the event of continued dissatisfaction with the outcome of a complaint the complainant has the right to take their complaint directly to an external body/third party organisation as follows:

- BACP (British Association of Counselling and Psychotherapy) with respect to North Staffs Mind's Counselling services;
- Stoke-on-Trent Supporting People Team with respect to the organisation's Supported Housing service;
- Staffordshire County Council Children and Young People's Joint Commissioning Unit with respect to Younger Mind service;
- Commissioning Team at Staffordshire County Council with respect to North Staffs Mind's Community Support Services.

Complainants can contact Mind (NAMH, National Association for Mental Health) for an independent review of NSM's Complaints Procedure. Mind should only become involved after the complaints procedure has been exhausted and act in this role with the agreement of all parties concerned. Any involvement would be limited to a review of the complaints process, not an investigation of the complaint.

Limitations of the Complaints Procedure

This procedure does not cover complaints made by staff, volunteers and trustees who need to follow the agreed grievance, disciplinary or other internal procedures within NSM.

Training in complaints management

Training will be provided to staff, volunteers and trustees on a regular basis on complaints handling, customer care and how to resolve issues.

Complaints Reporting

NSM keeps a record of all complaints received, including details of complaints, summaries of investigations undertaken and remedies offered. An analysis of complaints received by the organisation is presented to the Council of Management on an annual basis to capture any necessary organisational learning. The information about the number, nature, outcome of complaints received and improvements made as a result of complaints will be published (anonymously) in the annual report each year.

Approved by North Staffs Mind's Council of Management

Date approved: 19th July 2006

Reviewed: September 2011