

**CROSSREACH**

Care you can put your faith in

# Complaints and Compliments

## Procedures

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## **Introduction**

This document should be read in conjunction with the CrossReach Complaints and Compliments Policy document.

CrossReach aims to provide a quality service to all people who use our services, their families and their representatives. However, CrossReach appreciates that there will be occasions where problems arise and in these cases CrossReach will seek to address and resolve issues of complaint as quickly as possible.

During the admission process all people who use the service will be given a copy of the Complaints and Compliments Policy Summary and will be made aware of how to access the full policy and procedure documents and how to make a complaint either verbally or in writing through the CrossReach policy and procedures. CrossReach will also ensure that people who use our services are aware that they have the right to complain directly to the Care Inspectorate.

Leaflets are displayed within all CrossReach services illustrating the Complaints Procedures.

## **Purpose of the Policy and Procedures**

CrossReach recognises that the Complaints and Compliments Policy gives people who use our services, family members, customers, representatives, volunteers or members of the public a process in which to give feedback on the quality of the service provided and in turn it gives CrossReach the opportunity to learn and grow.

The policy is in place to ensure that:

- complaints are dealt with effectively
- complaints are appropriately looked into
- all complainants are treated with respect and dignity
- complainants are given the opportunity to appeal if they remain dissatisfied with the response given
- service and organisational learning is identified out of complaints and compliments.

## **What is a Complaint?**

A complaint is an expression of dissatisfaction about the way in which CrossReach has provided a service, the quality of the service provided or a lack of service provided.

## **Who can make a Complaint?**

CrossReach will fully consider a complaint received from:

- someone who directly receives a service from CrossReach
- a family member, advocate or representative of someone who uses a CrossReach service (where appropriate)
- a member of the public
- someone volunteering for CrossReach
- a member of staff. If a staff member is complaining about a matter relating to their own employment position then it should be raised through the Grievance Procedure.

## **Complaint Handling**

All complaints will be treated sensitively and confidentially. Information will only be shared with staff and management who are looking into the complaint.

Any learning identified from a complaint will be fully anonymised prior to being shared with the staff team.

CrossReach will comply with the Data Protection Act, General Data protection Regulations and Public Services Reform (Scotland) Act 2010.

Complainants will be made aware that CrossReach may seek legal or other specialist advice at any point during the process and in these circumstances it may be necessary to share confidential information with these specialists.

The complainant is required to give permission for confidential information, pertinent to the complaint, to be disclosed by all parties cited in the complaint to those involved in handling the complaint.

After the informal/mediation stage, the complainant and the party or parties complained against and/or their representative will not be required to meet at the same time. The investigating manager will notify both parties that they have the right to attend the investigation meeting separately and not together, to submit evidence and they can be accompanied, but not represented by a supportive person of their choice if they wish.

## **Time Limits to make a Complaint**

CrossReach sets clear expectations of when a complaint should be raised by a complainant and expects that complaints will be raised within 12 months of the date a matter occurred, or the date the matter came to the attention of the

complainant. CrossReach does reserve the right to consider complaints which are outwith the 12 month timeframe if there are specific circumstances which have prevented the issue from being raised sooner.

Historical Abuse complaints will be managed through the Historical Abuse Policy and Procedure.

## **How a Complaint can be made?**

CrossReach requests that issues of complaint are raised at the earliest opportunity. This will give CrossReach the chance to satisfactorily resolve the complaint before it develops into a bigger problem.

### **Verbal or Written Complaints**

Complainants can chose to complain verbally or in writing to a member of CrossReach management e.g. Deputy Manager, Service Manager, Head of Service, Director or Chief Executive Officer. Written complaints can be on the CrossReach Complaints Form (Appendix 5), a letter, e-mail, text or other secure social media. Verbal complaints can be in person or over the telephone.

Regardless of how a complaint is received i.e. verbally or in writing, CrossReach will focus on the nature of the complaint to determine the most appropriate way to resolve it. This could mean that, due to the nature of the complaint, issues raised verbally could be dealt with by the Head of Service. Likewise issues received in writing to the Director could be passed to be dealt with by the Service Manager. This allows CrossReach to deal with complaints most effectively.

All complainants will receive a written response and, if appropriate, learning will be identified and shared to improve the quality of service provision.

### **Complaints to Chief Executive Officer**

Anyone can write directly to the Chief Executive Officer if they have a matter of complaint. The Chief Executive Officer will look at each case individually and determine if she will meet with the complainant or whether the Complaints Procedure is followed. The complainant will be informed in writing of the procedure which will be followed.

### **Anonymous Complaints**

Through the Christian Ethos and Values CrossReach strives to create an environment where issues can be raised without fear of retribution however there may be occasions where a complainant feels unable to personally raise their issue and may submit their complaint anonymously.

Anonymous complaints will be considered on an individual basis. The level of action taken to look into an anonymous complaint may be limited dependent on the level of information given in the original complaint.

Where there is a route of communication with an anonymous complainant no outcome will be given. CrossReach will only acknowledge receipt and clarify the understanding of the information given prior to the complaint being looked into.

Anonymous complaints are different to complaints which are raised through the Whistleblowing Policy and the complainant wants to retain anonymity.

### **External Complaints**

CrossReach would welcome the opportunity to resolve any complaints prior to a complaint being made to an external body such as a Local Authority or Regulator such as the Care Inspectorate.

A complaint can be made to the Care Inspectorate by:

- phone – 0345 600 9527
- letter – Compass House, 11 Riverside Drive, Dundee, DD1 4NY
- on-line by completing the on-line complaint form
- in person at a local Care Inspectorate office (see Care Inspectorate website for details)
- website – [www.careinspectorate.com](http://www.careinspectorate.com)

Other external agencies which complaints may be made directly to could be the Scottish Fundraising Standards Panel at [www.goodfundraising.scot/make-a-complaint/](http://www.goodfundraising.scot/make-a-complaint/) The Scottish Fundraising Standards Panel ask that you contact CrossReach in the first instance to try and resolve the matter.

People who have a complaint regarding a counselling service can contact COSCA on 01786 475 140 or access their Complaints Policy at [www.cosca.org.uk](http://www.cosca.org.uk) COSCA will only consider a complaint once the CrossReach Complaints Procedure has been completed.. The complainant will be informed that COSCA will, on receipt of the complaint, verify that the CrossReach complaints procedure has been followed and the outcome was lawful, reasonable and properly explained.

For complaints about BACP counselling services call 01455 883300, e-mail [Professional\\_Conduct@bacp.co.uk](mailto:Professional_Conduct@bacp.co.uk) or access their Complaints Procedure and form on [www.bacp.co.uk/about-us/protecting-the-public/professional-conduct/how-to-complain-about-a-bacp-member//](http://www.bacp.co.uk/about-us/protecting-the-public/professional-conduct/how-to-complain-about-a-bacp-member//)

Where a complaint is made directly to a relevant external body CrossReach will fully comply with requests for information as part of their investigation.

If information is brought to CrossReach's attention through this route then CrossReach may treat it as a written complaint and may wish to speak to the complainant as part of the process.

### **Advocacy**

Complainants who would like to raise a complaint but would like some assistance in doing so should speak to a senior member of staff within the service. The senior staff member will guide the complainant to an independent advocacy service who can assist the complainant with their complaint.

## **Complaints Procedures**

When a complaint is received the nature of the complaint will be reviewed in line with the Complaints Delegated Powers. This will identify the route by which the complaint will be managed. The Complaints Delegated Powers can be found in Appendix 1.

The Complaints Procedure Flowcharts can be found in Appendix 2 and Appendix 3

Within 3 working days the complaint will be acknowledged and the complainant will be notified of how their complaint is being handled e.g. at a local level within the service or by an external manager. The letter of confirmation will also confirm the name of the manager leading the complaint.

When a complaint is received an initial assessment of the situation should take place in order to ascertain that there are sufficient grounds to initiate a full investigation. In situations where it is not felt that a further investigation should be carried out the complainant will be informed in writing of why this is the case.

### **Complaint managed by the Service Manager**

If in line with the delegated powers a complaint is being managed within the service, the Service Manager will arrange to meet with the complainant and confirm the details of the complaint. They will then seek to resolve the complaint within 10 working days.

The Service Manager will record the complaint and the actions taken to resolve the complaint on the Service Complaint Recording Form. The complainant will receive a completed copy of this form and will be asked to sign and return a copy if they are satisfied that their complaint is satisfactorily resolved. If the complainant does not feel the actions taken resolve their complaint then within 14 days of receipt they have the right of appeal to a more senior manager, the details of which will be contained within the Service Complaint Recording Form.

### **Complaint Managed by an External Manager**

In line with the Delegated Powers CrossReach may manage a complaint by an external manager. Complaints which are managed in this way will be of a more serious nature or be due to the frequency of the complaint.

The Complaint Manager will then write within 7 working days of the letter of acknowledgement. In that communication they will either respond to the complainant or will confirm the steps which will be taken to look into the complaint. If a complaint requires to be looked into then this will aim to be undertaken within 20 working days. The Complaint Manager will then write to the complainant with a full response. The complainant will be given the opportunity to appeal if they are dissatisfied with the response given. Any appeal should be submitted to the Appeal Manager within 14 days of receipt of the Complaint Manager's letter.

If for any reason these timeframes cannot be met the Complaint Manager will write to the complainant with an explanation for the delay.

If at any point the Complaint Manager becomes aware that legal action regarding the complaint is underway, or is pending, they can halt the Complaints Policy at any time, until any legal process is complete. In these circumstances, the Complaint Manager will write to update the Complainant.

### **Complaints Appeal Process**

Complainants have the right to appeal against the outcome of their complaint if they believe it to be unfair.

In the complaint outcome letter the complainant will be informed of their right of appeal and the name of the Appeal Manager will be given. If a complainant chooses to appeal then they should submit this within 14 days of receipt of the complaint outcome letter, detailing the reason for their appeal.

The Appeal Manager will be aware that a complaint has been received but will not have previously been involved in the detail of the complaint.

The complainant's appeal will be acknowledged within 3 working days and the Appeal Manager will aim to conclude the appeal within 14 working days. In some cases the Appeal Manager may wish to meet with the complainant. If these timescales cannot be met the Appeal Manager will write to the complainant to keep them fully informed.

The decision of the Appeal Manager is the final stage in the CrossReach Complaints Procedure. In some cases arbitration may be sought using external agencies.

## **Complaint Recording and Reporting**

CrossReach keeps written records of all complaints regardless of whether they are received verbally or in writing.

**Complaints managed within the service** – the Service Manager will complete the Service Complaints Recording Form which the complainant will sign if they are satisfied with the outcome of their complaint. This form along with other paperwork relating to the complaint will be retained within the service.

These written records will regularly be audited by the Head of Service. In addition they may be examined by the Care Inspectorate during a service inspection.

**Complaints managed by an external manager** – the Complaint and Appeal Manager will forward all complaint paperwork to the Business Partner – Quality, Compliance and Improvement. Full written records will be maintained and will be securely stored. All complaints managed in this way are logged on the Complaints Database and regular analysis is undertaken.

The CrossReach Corporate Management Team are regularly presented with information on complaints managed externally to the service and focus on the timescales involved and learning identified.

On a regular basis detailed analysis is presented to the Quality Compliance and Improvement Governance Group, a sub-committee of the Social Care Council of the Church of Scotland.

For COSCA registered Counsellors, Sanctions which may be applied to counsellors where a complaint has been upheld are as follows:

- a) Requirement to evidence learning from incident and its repercussions which show an ability to self-reflect and accept responsibility
- b) Suspension from practice until work has been taken to supervision and a subsequent discussion with the clinical team to ensure both are satisfied that practice can resume
- c) Required to cease practice within CrossReach – for CrossReach employees, employment would not be terminated until a formal HR process such as disciplinary or capability was completed.

This process would be monitored by Clinical Manager within the Service to ensure that any agreed action is completed. Manager will speak with both counsellor and supervisor before return to practice. Should the incident be of a serious nature which suggests the counsellor is unfit to practice, their professional body will be informed as per regulatory requirements.


Where relevant, the Investigating Manager will submit the **Outcome Report to COSCA** at the Conclusion of Complaints Proceedings (found at

[www.cosca.org.uk](http://www.cosca.org.uk) under Complaints). The Outcome Report will be submitted immediately or within one month of the conclusion of your/your organisation's complaints process. CrossReach understands that COSCA will publish upheld complaints and their sanctions regarding COSCA Individual Members or Member Organisations.

## **Compliments**

The feedback received through compliments is as important as complaints. Compliments allow CrossReach to identify where things have gone well and this can allow CrossReach to introduce this positive practice in other parts of the organisation.

Copies of written compliments are forwarded to the Business Partner – Quality, Compliance and Improvement and are presented on a quarterly basis to the Corporate Management Team and Quality and Standards Governance Committee.

	Policy Number:	Version 3	Approved by:	CMT/SMT
	Policy area:	Organisational		
	Subject:	Complaints & Compliments	Effective Date:	Sept 2021
			Next Revision Date:	

## **APPENDICES**

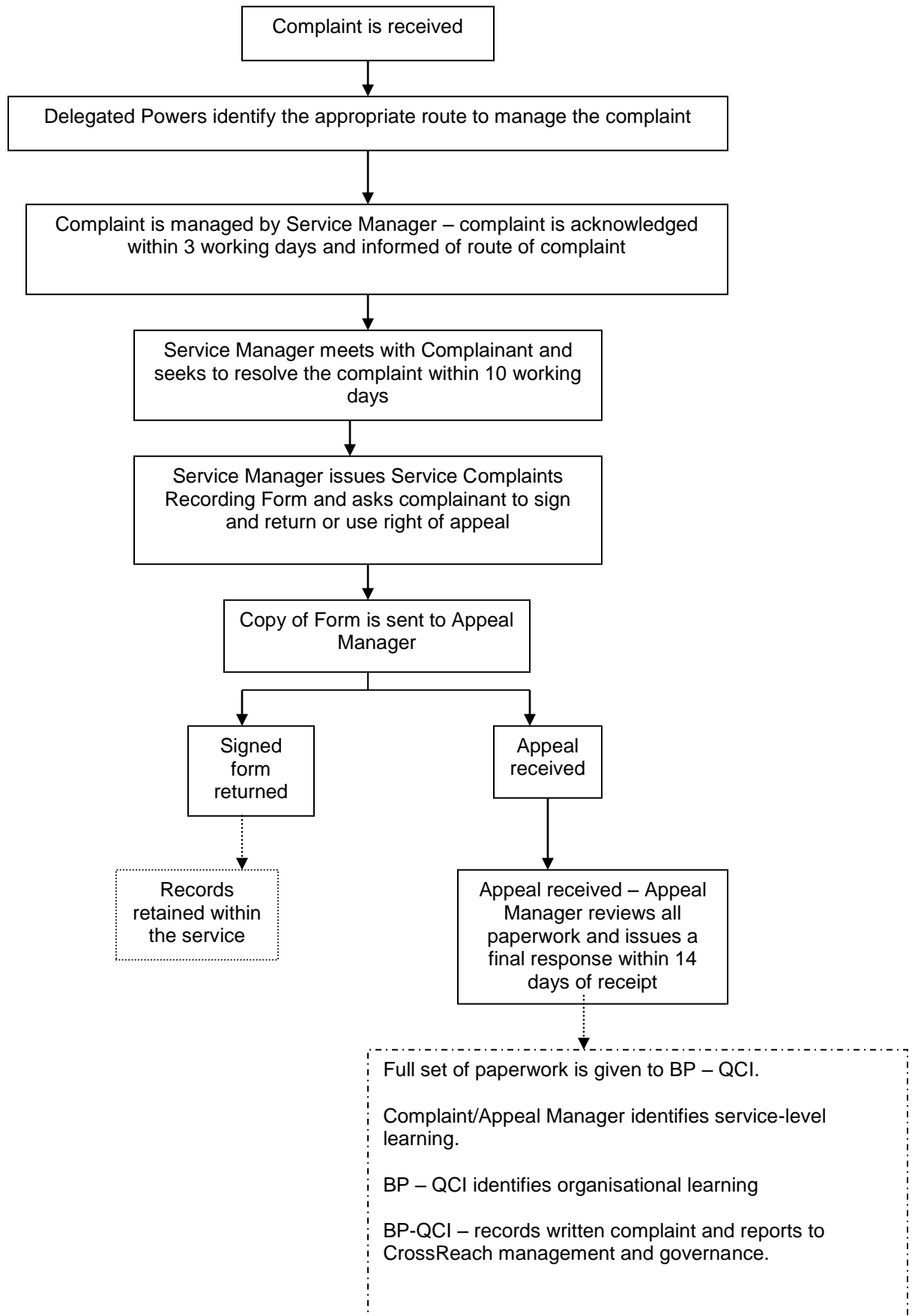
## Complaints - Delegated Powers

Nature of Complaint	First complaint from SU//Family/Customer on routine issue	2nd complaint from SU//Family/Customer on any routine issue within a 3 month period	3rd or more complaint from SU//Family/Customer on routine issue within a 3 month period	Complaint on quality of care, service provision or significant failure	Complaint on allegation of harm or neglect	Complaint on allegation of serious harm or neglect
<b>Received by</b>	Service Manager	Service Manager	Service Manager	Service Manager/Head of Service/Director/CEO	Service Manager/Head of Service/Director/CEO	Service Manager/Head of Service/Director/CEO
<b>Responsible Officer</b>	Service Manager	Service Manager/Head of Service*	Head of Service	Head of Service	Head of Service/Director*	Director/CEO*
<b>Copy of Response to</b>	Head of Service	Head of Service/Director	Director	Director	Director/CEO	CEO/Convenor
<b>Appeal Officer</b>	Head of Service	Head of Service/Director	Director	Director	Director/CEO	CEO/Convenor
<b>Recording</b>	in service if resolved verbally, QCI if written response	in service if resolved verbally, QCI if written response	QCI for all responses	in service if resolved verbally, QCI if written response	QCI who will link with Safeguarding	QCI who will link with Safeguarding

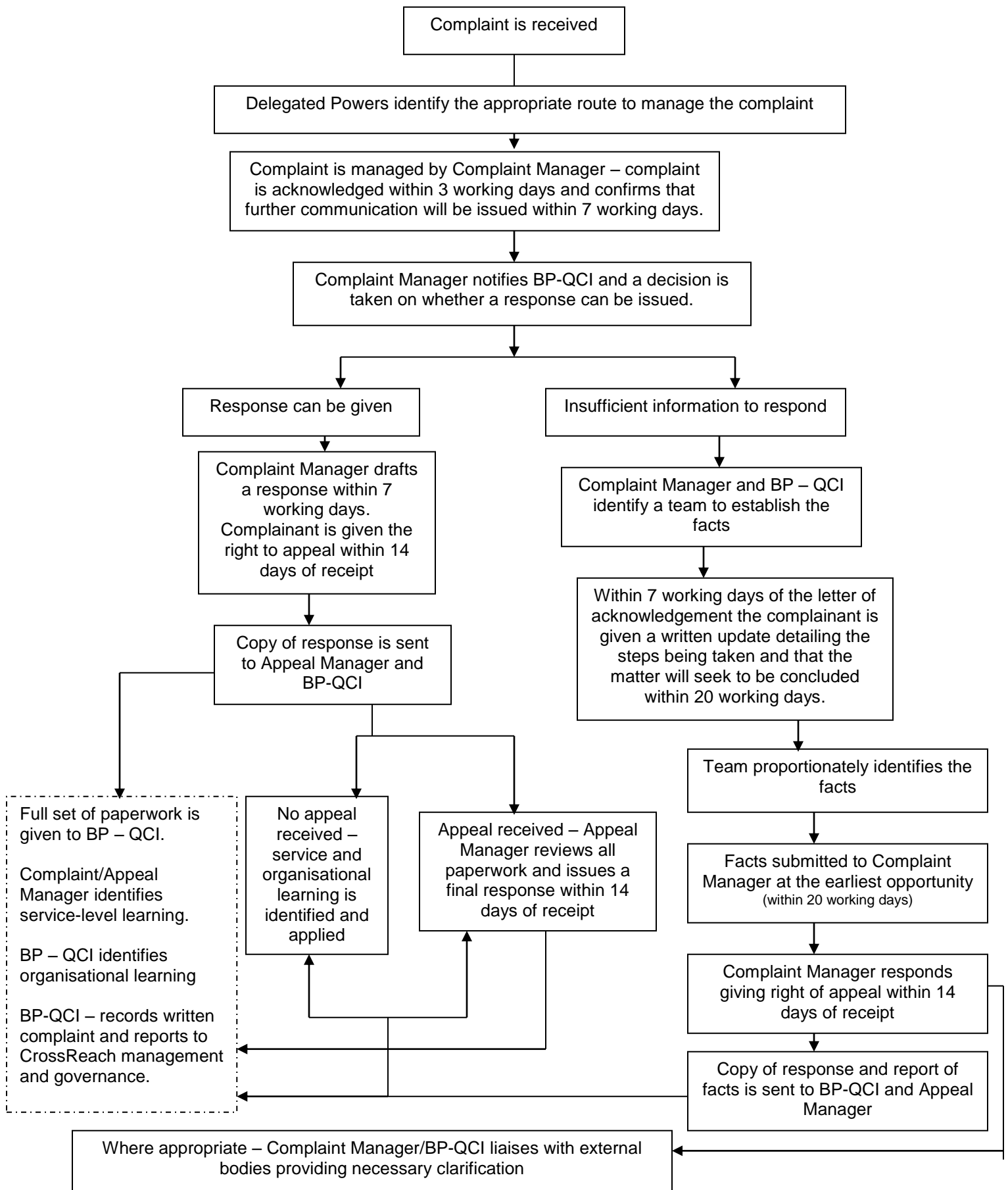
\* Individuals to agree who will be responsible officer

Where this is being used within Corporate Services, Service Manager will refer to First Line Manager and Head of Service will refer to Business Partner

# Complaint Managed by Service Manager



# Complaints Procedure Managed by Complaint Manager



**SERVICE COMPLAINTS RECORDING FORM**

Name of Complainant \_\_\_\_\_

Subject of Complaint \_\_\_\_\_

Date Complaint Received \_\_\_\_\_

How Complaint Received: Verbally  In Writing

Please summarise the nature of the complaint and include any relevant information:

Please summarise the actions taken:

**To be completed by the Service Manager**

Signed \_\_\_\_\_ Date \_\_\_\_\_

Designation \_\_\_\_\_

**To be completed by the Complainant**

I confirm that I am satisfied that my complaint has been resolved and I have been informed of the outcome of my complaint

Signed \_\_\_\_\_ Date \_\_\_\_\_

If you are not satisfied that your complaint has been fully resolved you should appeal in writing to:

**COMPLAINTS FORM**

CrossReach strives to provide a quality service but understands from time to time issues of complaint will arise. CrossReach encourages complainants to raise issues of complaints at the earliest opportunity.

**Complainant's Details**

Name:- .....

Address:- .....

.....

.....

Contact Telephone Number:- .....

If you wish your response to be sent to a different address than that provided above, please provide details.

**Please tick the box which best describes the capacity in which you are raising this complaint**

Service User	<input type="checkbox"/>	Relative	<input type="checkbox"/>
Representative/Advocate	<input type="checkbox"/>	Member of the public	<input type="checkbox"/>

**If you are complaining on a person who uses our service behalf or are assisting a person who uses a service to complain, please provide their name**

Name:- .....

**Please provide the name of Service which your complaint refers to**

**Details of the nature of your complaint** – please provide specific details including, date, time, location etc. (please continue on a separate sheet if necessary)

**Any action already taken** – please detail any action already taken with regards to this complaint (eg, raised verbally with Manager), and if so, what was the outcome.

**Signed:-** .....

**Dated:-** .....

**Please submit your Complaint Form to:-**

Business Partner – Quality, Compliance and Improvement  
CrossReach  
Charis House  
47 Milton Road East  
Edinburgh  
EH15 2SR

You will receive a written acknowledgement within 3 working days of receipt.