

Complaints Procedure

This document is relevant to:	
Service users	✓
Members of public	✓
External organisations	✓
Volunteers	✓
Trustees	✓
Members	✓

Contents

1. Purpose.....	1
2. Principles.....	2
3. Who can make a complaint?	2
4. Four stage complaint process.....	2
5. Appendix 1 - Verbal Complaints Reporting Proforma	7
6. Appendix 2 – Proforma letter	8
7. Appendix 3 - Procedure for handling complaints which may have financial or legal consequences for Dorset Mind.....	9

1. Purpose

Dorset Mind is committed to continuously improving our services and as such we welcome all feedback and complaints about the services we provide. We take complaints seriously and all complaints and comments will be considered in the annual strategic planning and improvement of the organisation and its services.

2. Principles

The following principles are used:

- Dorset Mind recognises that compliments and complaints are an important part of customer feedback
- the procedure is fair to people using services or experiencing Dorset Mind's work, complainants and to staff, trustees and volunteers
- the procedure is accessible to all regardless of age, disability, gender, ethnicity, belief or sexual orientation
- making a complaint will not harm or prejudice the service that is given to the complainant
- concerns and complaints are dealt with efficiently and are properly investigated
- complainants are treated with respect and courtesy and receive appropriate support throughout the handling of the complaint
- complainants receive a timely and appropriate response, identifying the outcome of any investigation, wherever possible
- action is taken where necessary in the light of the outcome of the complaint
- learning from complaints will be used to improve Dorset Mind's work
- if the complainant is not happy with the result of the response to the complaint, she or he will have the right to appeal.

In line with these, in responding to complaints, Dorset Mind will:

- provide a thorough explanation
- accept shortcomings and apologise where appropriate
- identify actions and reduce the risk or re-occurrence.

3. Who can make a complaint?

This procedure is for members of the public who have received a service from Dorset Mind, or have experienced any aspect of Dorset Mind's work. It is also for any partner organisation who is dissatisfied with Dorset Mind's work, and for volunteers of Dorset Mind and for Trustees.

This procedure does not cover complaints made by Dorset Mind staff who need to follow agreed grievance, disciplinary or reporting a matter of concern (Whistleblowing) policies.

Dorset Mind funders and contractors need to follow the procedures for complaints or disputes laid out in contracts, grants or other funding arrangements.

4. Four stage complaint process

There are four stages which can be used to try and resolve a complaint. Complainants may wish to involve an advocate, friend or someone else to support you at any stage. If a complainant needs a sign language or community language interpreter, please let the person dealing with the complaint know and every reasonable effort will be made to provide it.

Stage One (Informal)

Most complaints are dealt with informally by managers and front line staff. This is the most appropriate route for most concerns and issues, especially those that do not indicate serious misconduct **and** where the complainant agrees.

Complainants should be encouraged to speak openly about their concerns and reassured that what they say will be treated with appropriate confidence and will not affect their care and treatment.

The response should aim to satisfy the complainant that his/her concerns have been taken seriously and an apology and explanation offered as appropriate. The response should also refer to any remedial action that is to be taken.

To make an informal complaint a person should speak to or email the individual(s) concerned or their line manager and try to resolve the complaint informally. The individual concerned is required to provide their name and that of their line manager if asked.

It is also possible, at any point, to contact the Chief Executive to express a concern or comment about any aspect of the organisation's work.

There may be occasions when social media is used, e.g. facebook or twitter, to make a complaint or allegations about Dorset Mind. In such circumstance these should be responded to immediately by the Social Media team, who should liaise with the department which has responsibility for the area of concern, with the aim of resolving the issue as quickly as possible, and minimising the likelihood of the concern being communicated more widely on social media. Given the reputational risk to Dorset Mind of adverse social media commentary, except only in the most serious instances, complaints should aim to be addressed much more rapidly than the time standards set out in this policy. Prompt and effective resolution of a social media complaint can reflect positively on Dorset Mind.

Stage Two (Formally registering a complaint)

If a complainant is not satisfied with the response they have received at Stage One (Informal), or would prefer their complaint to be formally investigated, they should then use Stage Two of this procedure. The following arrangements are in place for Stage Two complaints.

Complainants can outline the details of their complaint in writing, verbally or electronically.

The complaint should be sent as follows:

- complaint against a member of staff or volunteer: to the CEO
- complaint against the CEO: to the Chair of Trustees
- complaint against a trustee: to the Chair of Trustees
- complaint against the Chair of Trustees: to the CEO, for the attention of the trustees.

For verbal complaints, the manager taking the complaint should, whenever possible, receive the details using a complaint proforma, attached at Appendix 1.

All complaints will be acknowledged in writing (by post or email) within seven working days from the date it is received. The letter will contain the following information:

- name, postal address, email address, telephone number of the person who will investigate the complaint
- the date the investigation will start
- an offer of support where appropriate
- where a complainant has given the details of the complaint verbally, the letter will also include a summary of the complaint written down.

Consent to access information about a person using a service for the purpose of investigating a complaint is implied when the complaint is raised by the same person. Confirmation of this should be included within the initial acknowledgement response letter. A draft proforma letter is attached at Appendix 2.

People will ordinarily receive a full written response to their complaint within a maximum of 20 working days from the start of the investigation. The response will include the following information:

- details of the investigation and what has been found
- a decision about whether the complaint was upheld or not
- details of the changes Dorset Mind will make to prevent a recurrence of the issue/s which led to the complaint
- the reason for the decision
- the redress, if appropriate, which will be offered e.g. an apology, additional help or directing to other sources of advice or support.

If it is not possible to provide a full answer to a complaint within 20 working days, the investigating officer will, in any event, write at 20 working days to provide a progress report explaining the reasons for delay and give a date of when it is expected the investigation will be completed.

Stage Three (Appeal)

If a complainant is not satisfied with the response to their complaint, the next stage is to outline the reasons for dissatisfaction in writing or electronically, within seven working days of receiving the decision, to the CEO (or the Chair of Trustees if it is about the CEO).

An Appeals Panel, normally of three members, including a trustee, will be convened to consider your appeal. The CEO or Chair of Trustees will be responsible for ensuring the panel is appropriately representative. Panel membership will be restricted to people who have had no previous involvement in the complaint.

Members of the Appeals Panel will:

- read through the necessary papers
- speak with relevant individuals involved with the complaint
- make a final decision.

The chair of the Appeals Panel will write within 28 working days of receiving the appeal, to confirm:

- the final decision about the complaint
- the reason for the decision

- the redress, if appropriate, which will be offered e.g. an apology, additional help or signposting to other sources of advice or support
- details of the changes we will make to prevent a recurrence of the issues which led to this complaint
- any action that may be taken in light of the complaint.

Stage Four (Review of the Process)

If once a person has used stages one to three of the complaints procedure, and are not satisfied that Dorset Mind has followed the process properly and dealt with their complaint fairly (e.g. by giving insufficient opportunity to represent their views or ensuring all the relevant people are involved in the investigation), then they can outline the reasons for their dissatisfaction about the process, in writing or electronically, within 21 working days of receiving the Appeals Panel report, to the CEO (or the Chair Trustees if it is about the CEO) to request a review of the complaints handling process.

The CEO or the Chair of Trustees will make arrangements for a review of the complaint-handling process, and will inform you of how the review will be carried out.

The decision of the process review will be final. The Chair of Trustees or CEO will communicate in writing within 28 working days of receiving your appeal:

- whether or not the procedure has been followed properly and fairly
- the reason for the decision
- the redress, if appropriate, which will be offered e.g. an apology, additional help or directing to other sources of advice or support
- what action may be taken in light of the review.

If a complainant remains dissatisfied and if the complaint is about one of Dorset Mind's services or staff, they can complain to the local Social Service department for the area where they live.

In Bournemouth:

The Complaints Officer
Bournemouth Borough Council
Town Hall
Bourne Avenue
Bournemouth BH2 6DY

In Poole:

The Complaints Officer
Adult Social Services Commissioning
Borough of Poole,
FREEPOST (SWB20248)
Poole BH15 2Z

In Dorset:

The Complaints Officer
Adult Service Directorate
County Hall
Colliton Park
Dorchester DT1 1XJ

If they have concerns about the way Dorset Mind is run, they can raise the matter with The Charity Commission by writing to:

Charity Commission Direct
PO Box 1227
Liverpool
L69 3UG

Time Limits

In circumstances where time limits cannot be met due to unforeseen circumstances, complainants should be notified in writing. The reasons for the delay with adjusted timescales should be supplied by the person responsible for handling the complaint.

Insurers

Some complaints have or may have financial or legal consequences for Dorset Mind. In such cases its insurers may require Dorset Mind to cease direct contact with the complainant. It may then be necessary in the interests of the complainant to refer them to another agency both for assistance with the complaint and to ensure that their service needs are met. Please immediately refer to the CEO and follow the guidelines outlined in Appendix 3.

5. Appendix 1 - Verbal Complaints Reporting Proforma

Name of complainant:
Address of Complainant:
Complainants email:
Complainants telephone number:
Date complaint made:
Description of complaint, itemising in individual complaints (where relevant)

6. Appendix 2 – Proforma letter

[Insert name]
[Insert address]

[Insert date]

Dear

Your complaint

I have received your letter/email dated confirming that you wish to make a formal complaint under Stage 2 of our complaints process. I am sorry that it has not been possible to resolve your concerns informally.

My name is and I will be investigating your complaint. My contact details are [insert postal address, tel. number and email address]. From your letter/email/telephone conversation with..., I understand your complaint to be as follows:

- List in bullet point form the grounds of complaint

If my understanding of your complaint is incorrect, please contact me to let me know as soon as possible.

I appreciate that making a complaint can be difficult and stressful. Some advocacy services may be able to help you through the process, so it might be worth finding out whether there are any advocacy services in your area. You can contact the Mind Infoline for help with this on 0300 123 3393. Alternatively, your local Citizens Advice Bureau may be able to help you.

If you need extra support throughout the complaints process, please contact me to let me know. We can, for example:

- arrange for letters to be produced in large print, easy read, audio or braille
- arrange for letters to be translated into another language, or
- communicate with you in another way if you find writing and/or receiving letters difficult.

I expect to start my formal investigation of your complaint on [insert date] and I will write to you within 20 working days of this date to confirm the outcome of my investigation – i.e. by [insert date].

Please contact me if anything in this letter is unclear.

Yours sincerely
[Insert name]
[Insert job title]

7. Appendix 3 - Procedure for handling complaints which may have financial or legal consequences for Dorset Mind

Guidelines for Staff

Dorset Mind has been advised by its insurers that where a complaint appears likely to result in litigation or a financial claim against Dorset Mind, direct contact with the complainant must cease and all negotiations will be conducted by the insurers.

As a guide, the following fictitious complaints are of the type which may have financial or legal consequences for Dorset Mind:

- a client complains he has lost entitlement to benefit through wrong advice
- a Dorset Mind member claims that she has been hurt by a splinter in a piece of furniture.
- a service user complains that he has suffered food poisoning as a result of food past its 'sell - by' date.

The following types of complaint are unlikely to have legal or financial consequences for Dorset Mind:

- a user complains of rudeness on the part of a member of staff
- a befriending client complains of being too long on the waiting list
- a user complains that they have been excluded from receiving a service because of the rules in force.

If in doubt consult the CEO.

Once it is established that financial or legal consequences are likely the Chair and CEO must be informed. Dorset Mind's insurers must be informed by telephone and then in writing, usually by the CEO. The complainant should be informed in writing that the complaints procedure is suspended and that any future correspondence will be conducted through Dorset Mind's insurers.

In the case of clients where a complainant's position may deteriorate if no action is taken the complainant must be referred immediately to another agency.

A full written report of the circumstances of the complaint must be prepared and sent to the insurers, usually by the CEO.

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Chris Price	<i>Chris M Price</i>	

Consult the Chief Executive for the latest version of this procedure.

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Reviewers

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