



Complaint's Procedure

A clear and well-publicized complaints procedure can have many positive effects, where areas of weakness in the service can be highlighted and resolved swiftly and efficiently. The aim of the policy is to be straightforward, responsive and effective.

Complaints are welcomed as a positive force for change and continual improvement.

It is important to remember the purpose of the complaint's procedure is to put right unsatisfactory situations while increasing the mutual understanding of staff, service users and volunteers of respective rights and responsibilities. An effective complaints policy should result in the issue being resolved satisfactorily and reduce the risk of escalation.

Service users must be made aware of the level of service they can expect, and they must be able to rely on Talk Now to receive and treat all complaints with respect and take them seriously. An acknowledgement and a full reply will be guaranteed even when the complaint is not upheld.

The complainant can be assured of a fair and impartial consideration and if required investigation into the complaint. Investigations are carried out by the board members of Talk Now and when appropriate the service manager. All conflicts of interest between Talk Now board members, service manager and person of complaint will be removed from consideration and resulting investigation ensuring the credibility and integrity of the investigation is kept intact. The board members of Talk Now come from all walks of life including members out with the counselling and social work industry.

Following COSCA guidelines, all upheld complaints and resulting sanctions by COSCA will be published by COSCA.

Access to Talk Now's complaint Policy.

It is essential that this policy be published, it has been produced in a form, which is user friendly and is available to everyone, a copy can be collected in person in the Talk Now office and is also available on the Talk Now website. The policy has also been designed to encourage rather than hinder its use, for example, by allowing an initial verbal approach, and by allowing assistance with complaints.

Your right to complain.

Talk Now welcomes comments on the service it provides. We are a charity, which means Talk Now are required to meet high standards. Upheld Complaints can only result in service improvement by highlighting deficiencies and areas in need of positive development, resulting in a better service for each survivor.

Know Your Rights

Talk Now have to inform you about Talk Now's policies, give an update on confidentiality requirements, anyone is welcome to ask staff to explain each policy, and go over each policy if the person is unsure of them.

Who can complain?

1. All service users.
2. Ex-service users (if the complaint is about something that happened while you were using the service within the last two years).
3. Volunteers.
4. Members of other Organizations.
5. The general public.

What is a complaint?

1. Any form of dissatisfaction with the high level of service you are entitled to.
2. Failure to fulfil our legal obligation to you.
3. Failure to achieve acceptable standards in our service.
4. Dissatisfaction with the way you have been treated.
5. Dissatisfaction with decisions that affect you.
6. A way of letting us know if we have been unfair or made a mistake resulting in no repeats and service improvement.

An anonymous complaint

The complainant has the right to place a complaint anonymously and be assured that the complaint will be taken seriously and investigated in an efficient manner with the information given. An anonymous complaint can be made by telephone, email or letter.

Talk Now will assess their own policies and procedures and consider and implement any changes required that will strengthen the service and aim to prevent any further issues and repeats.

If the person of complaint has left Talk Now

If the person of complaint has left Talk Now, the complainant can be assured that the complaint will be taken seriously and investigated if required, the person of complaint will be contacted by Talk Now to assist with the investigation, however the person of complaint may not engage with Talk Now and the investigation.

Talk Now will assess their own policies and procedures and consider and implement any changes required that will strengthen the service and aim to prevent any further issues and repeats.

Depending on the severity of the anonymous complaint and after investigation, Talk Now will update the appropriate regulating bodies such as COSCA or the BCAP, as the person of complaint may still be practicing and to reduce risk of further issues.

COSCA will be updated on the investigation and complaint. COSCA have the right to investigate further, including if the person of complaint is a member of COSCA.

Support with your complaint.

A friend or advisor may support you at any stage, at any time in the progress of your complaint; you can talk to an advice or advocacy agency to support you. The staff of Talk Now will be able to inform you where the nearest offices are. Useful services could be the Citizens Advice Bureau or the Law Centre. You can also ask advice/advocacy workers to pursue your complaint on your behalf. Talk Now will treat them in exactly the same way as if it were you.

Confidentiality

Care must be taken to maintain confidentiality of the complaint between the complainant and the person to whom it is addressed. The complainant will be asked for permission for information to be shared by a representative of Talk Now (member of staff or board member of Talk Now) if it is necessary to discuss the details of the complaint with another person or service who are relevant to the complaint.

Similarly, staff have the protection of confidentiality if a complaint results in specific action being taken, or in extreme disciplinary cases. Dismissal, in such circumstances, a full reply to the complainant would not state the exact details of the action taken but would say that action has been taken.

Confidentiality will be broken if the complainant discloses that illegal activity is taking place, or they are concerns for the persons safety and the safety of others. Talk Now has a duty of care and will update the appropriate authorities when deemed necessary.

Legal Action

The complainant has the right to seek out legal and specialist advice regarding the complaint

When and if legal proceedings are taking place, Talk Now's investigation into the complaint will be suspended by the service manager or Talk Now's board until the legal proceedings have been fully completed.

Investigation adjourned

Due to unforeseen circumstances an investigation can be adjourned for a limited amount of time. This is at the discretion of service manager or Talk Now board with time restraints and impact on confidentiality taken into consideration. When restarted, the investigation will continue from the point at which it was stopped

Official Complaints Officer (OCO)

Talk Now will assign an official complaints officer (OCO). The OCO will be first person of contact for the complainant. The OCO will reply and acknowledge that the complaint has been received. This should be carried out within five days. The OCO will inform the complainant of when and how the complaint will be addressed. The OCO will also update the person of complaint.

The OCO will not investigate the complaint. The OCO will update the service manager and Talk Now board with all complaints. If there is collaborating evidence to support the complaint an investigation by the Talk Now board and service manager (when appropriate) will take place.

A complaint log is in operation and the OCO will monitor the complaints received. The complaints policy and procedure will also be reviewed annually or when required.

The OCO will update the complainant and person of complaint on the progress of the investigation and be available for a wellbeing call. The complainant and person of complaints preferred method of communication will be used such as telephone, writing or email.

Complaints should be addressed to

Official Complaints Officer

Talk Now

3 Redwood Crescents

East Kilbride

G74 5PF

Telephone number: 01355 458 272

Email address: info@talknow.org.uk

The complaint procedure

Talk it over with a member of staff

Most day-to-day problems can be resolved quickly and efficiently with a conversation. You do not have to make a written statement.

If you make a formal complaint, if you are not sure whether you want to make a complaint, or if you would like support in writing the complaint, staff can support you with this, you may also write to the service Manager or OCO with your concerns.

Contact the OCO

If you are sure you want to make a formal complaint, or it is regarding a member of staff and would rather discuss it further with them, you should contact the OCO. The OCO will gather all information and update the Talk Now Board of Trustees and service manager. The person on the Management Committee who deals with the complaint is the Chairperson.

You can write to or telephone the OCO to discuss your concerns within three years of the incident. The longer the gap in time between incident and complaint will have an impact on any potential investigation.

The Management Committee will investigate your complaint after an update by the OCO. The Management Committee will send an explanation of what action has been taken, if any. This will be sent within eight weeks of the complaint.

Investigation process

During and after the investigation, Talk Now will ensure that the complainant and person of complaint including all representatives of each party, will not come into contact at any time in the course of the investigation. Talk Now will aim to have all meetings and appointments required for the investigation to be held on separate days. If time restraints are an issue, all meetings will be held at separate times.

Complaint withdrawn and investigation termination

The complainant has the right to withdraw the complaint at any time during the investigation. This can result in the termination of the investigation. The investigation can also be terminated if the complainant refuses to engage at any stage of the investigation without good reason. At this stage all parties involved will be updated.

Talk Now has the right to continue the investigation after the complaint has been withdrawn. Talk Now will assess their own policies and procedures and consider and implement any changes required that will strengthen the service and aim to prevent any further issues and repeats.

Update on outcome

The person of complaint has the protection of confidentiality. If a complaint results in specific action being taken, or in extreme disciplinary cases, dismissal. In such circumstances, a full reply in writing to the complainant would not detail the action taken but would state that action has been taken.

The complainant and person of complaint will both receive an update in writing. The reasons of the decision and the action taken will be stated. Both parties have the right of appeal if not satisfied of the outcome and reasons stated. Any third parties will be updated although permission to do so by the complainant and person of complaint will have to be stated. If the complainant is anonymous then this will place limitations on any update Talk Now will be able to provide.

COSCA will also be updated on the outcome of the complaint's investigation. Talk Now will notify COSCA within one month of the conclusion of the investigation. COSCA will publish upheld complaints and sanctions regarding COSCA individual members and organizations on www.cosca.org.uk.

Appeals

The complainant and person of complaint has right to appeal an outcome of a complaint that is unsatisfying. The appeal can be made within four weeks of the outcome of the original complaint. Talk Now staff can provide support with the appeal if requested. Talk Now are obliged to provide information on advocate and advice services to assist the complainant with the appeal if required and requested. Local sources may also be of help such as the Citizens Advice Bureau or law centers.

The appeal will be considered by Talk Now representatives (including Talk Now staff and Talk Now board members) who were not involved in the original complaint and investigation. Also, a person who is not affiliated with Talk Now will sit on a three-person appeal panel. All panel members will not be involved in the original investigation. The complainant and person of complaint with all groups and individuals involved are able to attend meetings with the appeals panel and submit statements.

The complainant and person of complaint will receive the outcome of the appeal within four weeks.

Talk Now staff are obliged to inform COSCA. On receiving the complaint and all appeals, COSCA will verify that Talk Now's complaints procedure has been followed and the outcome was lawful, reasonable and properly explained.

After all avenues have been explored with Talk Now's appeal process, the complainant and person of complaint have the right if the outcome is still unsatisfying to take the complaint further with COSCA, within four weeks of the appeal outcome.

16 Melville Terrace

Stirling

FK8 2NE

Telephone number: 01786 475 140

Email address: Info@cosca.org.uk

url: cosca.org.uk

Complaint upheld sanctions

If the complaint is upheld and depending on the severity of the complaint, there is an incremental process leading to dismissal. This will be carried out by the Talk Now board or service manager if appropriate. The process is as follows.

1. Verbal warning.
2. Written warning.
3. Dismissal.

If the complaint is upheld and deemed to be gross misconduct, instant dismissal is the outcome.

Possible further sanctions

1. Training for the person of complaint as there may be a need of change in practice.
2. A set Probation period for the person of complaint, which will be monitored and reviewed weekly by the service manager if appropriate. If not the Talk Now board will assess during this time.
3. Once the probation period is completed, a review of the completed probation period with the Talk Now board and service manager, if appropriate, will take place.

Possible outcomes of probation period

1. The service manager and Talk Now board are satisfied then no further action is needed.
2. The service manager and Talk Now board are not fully satisfied as there still areas of concern, an extended probation time.
3. Dismissal.

Fictitious complaints

If the complaint is found to be fictitious or malicious the Talk Now board and service manager, if appropriate, will investigate the complaint further. The following action will be taken.

1. Arrange a meeting with the complainant.
2. As we have a duty of care to the complainant, Talk Now will arrange a meeting with all support service and advice and advocate services involved with the complainant support plan to discuss the best way forward for the complainant.
3. A review will be arranged with the service manager if appropriate and board members to discuss the best way forward for Talk Now including if the complainant is suitable for the service, if the complainant wishes to continue using Talk Now. Talk Now has a duty of care to all counsellors and staff.
4. Talk now will update COSCA with the findings of the investigation and the final outcome.
5. The complainant has the right to an appeal and to contact COSCA if unsatisfied with the final outcome when all other avenues of appeal with Talk Now have been explored.

Approved by _____ Date _____