



Complaints Policy and Procedure

Alternatives abides by COSCA (Counselling and psychotherapy in Scotland) ethics and code of practice (www.cosca.org.uk). We are committed to ensuring that all our staff and team members are aware of and abide by COSCA ethics and code of practice. Alternatives views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.

(Please note that the standards for complaints procedure are numbered in accordance with the 'COSCA standards for complaints procedure')

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- To make sure everyone at Alternatives knows what to do if a complaint is received
- To make sure all complaints are investigated fairly, impartially and in a timely way
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired
- To gather information which helps us to improve what we do

1. Definition of a Complaint

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of Alternatives. This may be against members of staff, volunteers and or groups carrying out work on behalf of Alternatives.¹

A complaint against a former worker from Alternatives can be received and will be investigated for the learning of the organisation, to identify any systematic failures.²

2. Who can make a complaint?

Complaints may come from any client or organisation who has been in receipt of the services provided by Alternatives within the last six months.³

¹ COSCA Standards for complaints procedures number 1

² COSCA Standards for complaints procedures number 4

³ COSCA Standards for complaints procedures number 2



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Alternatives will only consider complaints from third parties that allege that the service provided by Alternatives was a breach of the **COSCA Statement of Ethics and Code of Practice** and/or **illegal** and that it had a direct and adverse effect on the third party submitting the complaint.

A complaint can be received verbally, by phone, by email or in writing.

This policy does not cover complaints from staff or team members who should use Alternatives Discipline and Grievance policies.

3. How long do I have to make a complaint?

Complaints will be accepted for a maximum of 3 years after the alleged breach of [COSCA's Statement of Ethics and Code of Practice](#), but the sooner you make your complaint the easier it is to investigate.⁴

4. Can complaints remain anonymous?

Anonymous complaints cannot be brought against a member because they cannot be dealt with fairly under this complaints procedure. However, all feedback is gratefully received and used to improve and develop services. Anonymous complaints can be fairly made through the anonymous feedback opportunities given to all clients.⁵

5. Confidentiality

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

The complainant is required to give permission for confidential information, pertinent to the complaint, to be disclosed to those involved in handling the complaint.⁶

6. Responsibility

Overall responsibility for this policy and its implementation lies with the Service Lead and ultimately with the Board of Trustees.

7. Malicious complaints

In line with COSCA's Standards, if a complaint is considered vexatious or malicious Alternatives will not engage with the complaint.⁷

⁴ COSCA Standards for complaints procedures number 6

⁵ COSCA Standards for complaints procedures number 3

⁶ COSCA Standards for complaints procedures number 13

⁷ COSCA Standards for complaints procedures number 5



8. Monitoring and Learning from Complaints

Complaints are reviewed annually to identify any trends which may indicate a need to take further action.⁸

9. Review

This policy is reviewed annually and updated as required.
Policy adopted on: 14 July 2014

⁸ Standards for complaint procedure
Number 24



Complaints Procedure of Alternatives Dundee

10. Publicised Contact Details for Complaints:⁹

- The contact details for complaints are publicised on the website¹⁰. These include where to find a copy of the complaints procedure, the contact details for external complaints (once the internal complaints procedure has been exhausted) to OSCR (Scottish Charities Regulator) or COSCA (Counselling and Psychotherapy in Scotland). They also include the timescale for investigation and that a report will be submitted to COSCA at the conclusion of complaints proceedings.¹¹
- Each client is given a copy of the complaints procedure following completion of the support agreement during their initial appointment. They will be given a copy which they can take home.
- There is a 'how to make a complaint' leaflet available in the client room.
- Complaints can be made verbally, by phone, email or in writing.¹²
- Written complaints may be sent to Alternatives, 10 Constitution Rd, Dundee, DD1 1LL or by e-mail at info@alternativesdundee.co.uk¹³
- Verbal complaints may be made by phone to 01382 221112 or in person to any of Alternatives staff, volunteers or trustees at 10, Constitution Rd, Dundee, DD1 1LL.
- Every effort will be made to make available the information for complaints in the language requested by the complainant or to support a complainant unable to submit a complaint in writing.¹⁴

11. Receiving Complaints

⁹ COSCA Standards for complaint procedure
Number 7

¹⁰ COSCA Standards for complaints procedure
Number 27

¹¹ COSCA Standards for complaint procedure
Number 8

¹² COSCA Standards for complaint procedure
Number 8

¹³ COSCA Standards for complaint procedure
Number 8

¹⁴ COSCA Standards for complaint procedure
Number 9



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Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have.

Complaints received by telephone or in person need to be recorded.

The person who receives a phone or in person complaint should:

- Write down the facts of the complaint
- Take the complainant's name, address, and telephone number
- Note down the relationship of the complainant to Alternatives.
(for example: client, member)
- Tell the complainant that we have a complaints procedure
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words.
- Offer help or support to a complainant unable to submit a complaint in writing.¹⁵
- Explain the complaint will be acknowledged in writing within 2 weeks and investigated within 4 weeks after which the complainant will be contacted to discuss the outcome.¹⁶
- The complainant will be communicated with by email or telephone, whichever they prefer, but a letter will also be issued when important information needs to be communicated.¹⁷
- If the complainant remains dissatisfied with the outcome, they can take the complaint to a member of the board of trustees.
- Inform the complainant of the external support available to them should they remain dissatisfied by the outcome of the investigation i.e. the option of taking the complaint to OSCR or if the [COSCA code of ethics](#) has been broken, taking the complaint to COSCA.¹⁸

For further guidelines about handling verbal complaints, see Appendix 1

12. Resolving Complaints Stage 1 (informal)

Stage One

¹⁵ COSCA Standards for complaint procedure
Number 9

¹⁶ COSCA Standards for complaint procedure
Number 17

¹⁷ COSCA Standards for complaint procedure
Number 17

¹⁸ COSCA Standards for complaint procedure
Number 6



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In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. Every attempt will be made to resolve the complaint without escalating the complaint to the level of investigation.

Whether or not the complaint has been resolved, the complaint information should be passed to the Service Lead within one week.¹⁹ If the complaint is made against the Service Lead, the complaint information should be passed onto the designated Trustee (Maureen Macleod)

Conflict of Interest

All parties involved in the complaint should be given the opportunity to declare a conflict of interest to the Service Lead or whoever is dealing with the complaint as investigator. Additionally if the investigator feels there is a conflict of interest for themselves, this will be declared to the board of trustees and another investigator, either from within the board, or from a neutral external agency (eg. Dundee Volunteer and Voluntary Action) can be appointed.²⁰

The investigator will act impartially and independently and will investigate the complaint in a confidential manner. (see section 5 on confidentiality)²¹

On receiving the complaint, the Service Lead records it in the complaints log. All information will be stored in accordance with the Data Protection Act 1998. If not resolved by the Service Lead, an appropriate person (Trustee Board Member- Maureen McLeod) will be assigned to investigate the complaint and take appropriate action.

If the complaint relates to a specific individual that person should be informed and given a fair opportunity to respond and may seek legal or specialist advice.

Acknowledgment

Complaints should be acknowledged by the person handling the complaint within two weeks. The acknowledgement should say;

- 1) Who is dealing with the complaint
- 2) When the person complaining can expect a reply
- 3) A copy of this complaints procedure should be attached.²²

¹⁹ COSCA Standards for complaint procedure
Number 10

²⁰ COSCA Standards for complaints procedure
Number 18

²¹ COSCA Standards for complaints procedure
Number 13

²² COSCA Standards for complaints procedure



Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent at this point with an indication of when a full reply will be given.²³

All complaints are taken seriously, however if there is insufficient evidence to support the complaint it cannot be processed for investigation. Every attempt will be made to resolve the complaint through mediation.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

13. Resolving Complaints Stage 2 (formal)

Stage Two

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at Board level. At this stage, the complaint will be passed to Maureen Macleod (Trustee) who will address the complaint at board level.

The request for Board level review should be acknowledged within a week of receiving it.

The acknowledgement should say who will deal with the case and that the complainant will be notified of the date of a complaint panel meeting.

The complaint panel meeting should take place within 6 weeks from the time of the complaint being passed onto board level.

The Trustee who receives the complaint may investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One. However, they should investigate the complaint and hear the evidence from either party independently.

At stage two the complainant and the complained against, and/or their representative will not come into any contact.²⁴

If the complaint relates to a specific individual that person should be informed and given a further opportunity to respond.

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²³ COSCA Standards for complaints procedure
Number 17

²⁴ COSCA Standards for complaints procedure
Number 19

The person who dealt with the original complaint at Stage One should be kept informed of what is happening by the board.

Complaints panel

A complaints panel meeting should be arranged by the Board of Trustees.

The complainant and the person complained against have the right to attend the complaints panel meeting with the Board of Trustees separately and have the right to attend with a supportive person of their choice.²⁵

The complaint panel will

- examine a complaint, establish the facts of the allegations and determine any resultant harm or impairment.
- decide whether to take legal and/or other specialist advice on the complaint.
- consider all relevant issues raised by each party to ensure an accurate understanding of each party's viewpoint
- decide on any mitigating circumstances or defence raised by the member complained against for each of the alleged breaches in the COSCA Statement of Ethics and Code of Practice or standards of practice
- determine whether any legal action on the matter of the complaint is under way, pending or intended
- in the event of an alleged breach of the law (civil or criminal), decide whether to pass information regarding the complaint to the appropriate legal authorities.

Following a complaints panel meeting the board of trustees will determine

- the nature of the complaint, whether it breaches the COSCA Ethics and code of practice or if the complaint relates to a different area of practice.
- if there is sufficient evidence that there was a breach of the COSCA statement of Ethics and code of practice or if there is sufficient evidence that the complainant has not received a satisfactory service.
- if breaches have taken place, whether they amount to serious professional misconduct and determine any resultant harm or impairment.

²⁵ COSCA Standards for complaints procedure
Number 20



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- what sanctions and actions are appropriate?
- if sanctions should include suspension or termination of role or other appropriate action.

Ideally complainants should receive a definitive reply within a further four weeks.²⁶ If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent at this point with an indication of when a full reply will be given. A maximum of six months is acceptable for a complaint to be investigated.²⁷

The Board of Trustees will ensure

- implementation of these agreed actions at this time or subsequent to an appeal by process of review with timescales appropriate to the action.
- Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.
- Third parties, including those who submitted written evidence, where appropriate are notified of the Complaints Panel decision, following the period of appeal.
- All complaints, investigations and outcomes are recorded in the complaints log and reviewed annually.
- A report is sent to COSCA at the conclusion of the complaints proceedings (See COSCA's website under complaints www.cosca.org.uk) This will be delayed in the event of appeal until after the appeals process.
- Both parties will be reminded of their right to appeal within 28 days of the complaints panel meeting.

²⁶ COSCA Standards for complaints procedure
Number 21

²⁷ COSCA Standards for complaints procedure
Number 17



14. Possible sanctions and how these may be applied²⁸

- Verbal or written warning
- Suspension from practicing as a team member
- Termination of employment
- Termination of volunteer contract
- In addition, or as an alternative, to these sanctions, the board may make recommendations to the member regarding, for example: ceasing to practise as a team member, either temporarily; changing working structures and management systems; undertaking further training
- The board will state the commencement date and duration of any sanctions to be applied
- Sanctions will not be applied until the possibility of an appeal being upheld expires.
- The board shall decide whether sanctions have been fulfilled and whether they should be lifted.
- The commencement and completion of sanctions will be communicated by the board in writing.

15. Appeals Procedure²⁹

Both the complainant and the party complained against have the right to appeal the outcome of the complaints procedure stage 2 within 28 days of the meeting of the Complaints Panel. This will require the Board to meet to look again at the reason for the appeal and whether any further information has come to light or has been missed or misrepresented. This may require them to reinvestigate the complaint and arrange again to speak with both parties. The Board of Trustees are required to do this in a confidential and impartial manner.

The Board of Trustees will meet again as an Appeal Panel. They will aim to do this within 6 weeks of the receipt of the appeal. If this is not possible both parties will be informed of the date for the appeal and the reasons for the delay.

The decision of the board at this stage is final.

²⁸COSCA Standards for complaints procedure
Number 22

²⁹ COSCA Standards for complaints procedure
Number 23



16. Who will be notified of the result?³⁰

Both parties will be informed of the result of the appeal in writing within 7 days of the final decision. The reasons for the decision will be included.

Third parties and representatives may also be informed if requested by the complainant.

Anonymous complainants cannot be notified.

An outcome report will be sent to COSCA (See 17 below)

17. How will COSCA be informed of the outcome?³¹

- An outcome report will be sent to COSCA at the conclusion of the complaints proceedings
- The outcome report will be submitted immediately or within one month of the conclusion of the Alternatives complaints process
- COSCA will publish upheld complaints and their sanctions regarding COSCA member organisations.

18. External Stage³²

If the complainant feels the complaint has not been satisfactorily resolved at stage 2 then a complaint can be made externally.

External complaints can be made to;

- OSCR (Scottish Charity Regulator) at any stage.

Information about the kind of complaints the Commission can involve itself in can be found on their website at: <https://www.oscr.org.uk/contact-oscr/charity-complaint-form>.

- COSCA (Counselling and Psychotherapy in Scotland) under their complaints procedure. (see <http://www.cosca.org.uk/> under ethics)

³⁰ COSCA Standards for complaints procedure
Number 24

³¹ COSCA Standards for complaints procedure
Number 26

³² COSCA Standards for complaints procedure
Number 25



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This is for those who wish to make an external complaint for counselling related services.

An complaint must be submitted within one month of the exhaustion of the appeals process.

Normally the complaint must be made in writing, using the proforma obtained from COSCA. This must be completed, signed, dated, marked private and confidential and sent to the Chief Executive, COSCA (Counselling and Psychotherapy in Scotland), 16 Melville Terrace, Stirling, FK8 2NE

COSCA, on receipt of the complaint will verify that the Alternatives full complaints procedure has been followed, that the outcome was lawful, reasonable, and properly explained.



1. Variation of the Complaints Procedure

The Board may vary the procedure for good reason. This may be necessary to avoid a conflict of interest, for example, a complaint about the Chair should not also have the Chair as the person leading a Stage Two review.

The individual responsible for managing the complaint can halt the complaint at any stage should it emerge that legal action is under way, pending or intended until the legal process is complete.³³

A complaint may be discontinued if the complainant refuses to participate in any stage of the complaints procedure without good reason, or if the complainant formally withdraws the complaint. Both parties will be informed.³⁴

³³ COSCA Standards for complaints procedure
Number 14

³⁴ COSCA Standards for complaints procedure
Number 16



Appendix 1 - Practical Guidance for Handling Verbal Complaints

- Remain calm and respectful throughout the conversation
- Listen - allow the person to talk about the complaint in their own words. Sometimes a person just wants to "let off steam"
- Don't debate the facts in the first instance, especially if the person is angry
- Show an interest in what is being said
- Obtain details about the complaint before any personal details
- Ask for clarification wherever necessary
- Show that you have understood the complaint by reflecting back what you have noted down
- Acknowledge the person's feelings (even if you feel that they are being unreasonable) - you can do this without making a comment on the complaint itself or making any admission of fault on behalf of the organisation
e.g. "I understand that this situation is frustrating for you"
- If you feel that an apology is deserved for something that was the responsibility of your organisation, then apologise
- Ask the person what they would like done to resolve the issue
- Be clear about what you can do, how long it will take and what it will involve
- Don't promise things you can't deliver
- Give clear and valid reasons why requests cannot be met
- Make sure that the person understands what they have been told
- Wherever appropriate, inform the person about the available avenues of review or appeal³⁵

³⁵ Standards for complaint procedure
Number 6



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