

## Complaints Procedure

If anyone is unhappy with any part of our service, or if they have a complaint to make, we would like to know about it as soon as possible in order to resolve the situation quickly. All complaints will be treated seriously and confidentially.

### Aims of the Complaints Procedure

- To enable a complaint to be investigated in a fair manner
- To enable complaints to be resolved as speedily as possible
- To allow consequences of mistakes to be put right without unnecessary conflict
- To improve the quality of the service

### Access to this Complaints Procedure document

This Complaints Procedure can be accessed as follows:

- It can be viewed and downloaded as a PDF from the 'Helping You' section of the PF website
- A copy is available on the notice board in the public waiting area of the PF premises
- A hard copy can be requested by phone, email, letter or in person from the PF office.
- Although we do not have the resources to produce this procedure in multiple languages and formats, it can be translated, viewed in larger text and read out loud from our website using standard online tools.

Information in our Client Information sheet and Volunteer Induction ensures that everyone we work with knows about this Complaints Procedure.

### Who can complain

- Anyone who is using the counselling service
- Anyone who has used the counselling service within the past three years
- Anyone who has enquired about the counselling service or is on the waiting list
- Anyone from another organisation who has enquired about our service, or who is working with or representing someone who is using or has used the service

Anonymous complaints will be investigated by the Director or the Chair, who will use discretion in assessing what action should be taken.

## **Time limits for complaints**

Complaints can be accepted up to three years from the time of the problem arising. If the complaint refers to specific client work the maximum is three years from the date the client ended counselling with the PF. However, it is much easier to sort out difficulties if the complaint is brought to our attention as quickly as possible.

## **How to Make a Complaint**

If you are receiving our counselling service, please try to talk your concerns over with your counsellor if you can.

A formal complaint should be made in the first instance to the Director. This can be in person by appointment, by telephone, or in writing by email or letter. Please contact:

Alison Hampton, Director  
PF Counselling Service  
8 Balcarres Street  
Edinburgh EH10 5JB  
0131 447 0876  
alison@pfcounselling.org.uk

If you have any difficulty making a complaint in person or in writing, please let us know and we will try to help you. You may also wish to contact Advocard for assistance. Advocard is Edinburgh's advocacy service and can be contacted on 0131 554 5307 or via [www.advocard.org.uk](http://www.advocard.org.uk).

## **Scope of Complaints**

Complaints made under this Procedure may cover paid staff, volunteer counsellors or receptionists, Board members, and other volunteers or contractors acting for or on behalf of the PF Counselling Service.

## **Confidentiality and Communications**

Every complaint will be treated with care and confidentiality. We will attempt to communicate clearly and directly with all complainants or their representatives in a timely manner, as described below.

## **Safety of Clients**

If a complaint relates to the conduct of a counsellor in counselling, at all times the client's safety will be a primary consideration. Suspension of counselling and/or disciplinary proceedings may take place at any stage of the complaints process, if appropriate.

## **Stage 1 – Informal Complaint**

Every opportunity will be taken at the time of the initial complaint to settle the concern informally. This may include telephone conversations and/or face to face meetings or written explanation of the reasons for a decision taken. The Director will normally handle the complaint at this stage, but if the Director is the subject of the complaint, then the Chair of the

Board of Trustees or other designated member of the Board will undertake to respond to the complaint and manage the complaints procedure..

If the complainant remains dissatisfied with the outcome of discussions at this stage then a formal complaint can be made.

## **Stage 2 – Formal Complaint**

A formal complaint will be acknowledged in writing by the Director within seven days. A copy of the Complaints Procedure will be enclosed. If an employee, volunteer or contractor of the PF Counselling Service is the subject of the complaint, they will be sent a copy of the complaint along with the Complaints Procedure.

### **Investigation of the Complaint**

An independent and impartial person who has relevant experience will be appointed by the Board of Trustees to investigate the formal complaint. This person will be independent of the PF Counselling Service and the complainant, and all parties involved will be given the opportunity to declare a conflict of interest with them. The investigator will make a thorough and confidential investigation of the complaint, contacting both the complainant and the person complained against.

The investigator will have access to relevant documents and policy papers within the PF Counselling Service and to staff members, if appropriate. They may ask for evidence from either party and if this is sought in person, they will meet with each party separately. All parties will have the right to be accompanied, and/or be represented, by a supportive person of their choice. The complainant and the party or parties complained against and/or their representative will not be asked to attend any meetings together.

The investigator will make a written response to the complainant within twenty-eight days, a copy of which will be sent to the PF Counselling Service and the person complained against. If it proves not possible to respond within 28 days, the complainant will be informed of any reasons for a delay. All investigations will be completed and responded to within a maximum of six months.

The investigator will make recommendations regarding the action required to bring about the resolution of the complaint and any sanctions which he/she may consider appropriate to apply to either party. In such circumstances, he/she will also provide instructions for the monitoring of the fulfilment of said actions or sanctions.

Unless the PF Counselling Service makes a formal appeal to COSCA within fourteen days, the PF will abide by the decisions and recommendations of the investigator. At this stage a Report at the Conclusion of Complaints Proceedings will be sent to COSCA by the investigator.

The Director or Chair, whoever is managing the complaint, may halt the procedure at any stage if it emerges that legal action is under way, pending or intended, until such time as any legal process is complete.

## **Stage 3 – Appeal**

### **The Grounds for an Appeal**

A complainant may appeal against the findings of the investigator on the following grounds:

- that the complaints procedure had not been followed
- that there was new evidence which the investigator did not have access to in the investigation

An appeal cannot be accepted only on the grounds that the complainant disagrees with the investigator's report.

### **Making an Appeal**

The complainant must make an appeal in writing within fourteen days of the receipt of the investigator's report.

The reasons for the appeal must be clearly set out in writing.

The appeal will be acknowledged in writing by the Director and considered by the PF Board of Trustees.

The complainant will be informed in writing within twenty-one days whether or not the appeal is accepted.

### **The Appeal Panel**

If an appeal is accepted, the Director will arrange to set up an Appeals Panel. The panel will be made up of three members: the Chair of the Board of Trustees or other designated member of the Board and two persons from outside of the PF Counselling Service with relevant experience.

The panel will meet within twenty-eight days of the notification of the acceptance of the appeal to the complainant.

No-one on the panel will have taken any part in the previous handling of the complaint.

### **The Appeal Hearing**

Fourteen days written notice of the date of the hearing and the composition of the panel will be given to all parties.

All documentation relating to the appeal will be copied to all parties and the panel members fourteen days before the hearing.

The complainant and the complained against may be asked to make a written statement to the panel which will be circulated seven days before the hearing.

The complainant and complained against may be required to attend the hearing and may be accompanied, and/or be represented, by a supportive person of their choice.

The complainant and complained against will have the opportunity to make a short statement to the hearing.

The investigator and the Director or the Chair of the Board (whoever managed the original complaint) will be available to give information to the panel.

The appeal hearing will be recorded.

The appeal panel will have the authority to adjourn the hearing.

The panel will come to a decision regarding the appeal in private session. This discussion will not be recorded but a written record will be made of the proceedings. The decision will be given in writing within seven days. If the appeal is upheld the panel will make recommendations regarding the action required to bring about the resolution of the complaint.

The PF Counselling Service will abide by the decision and recommendations of the appeal panel.

If the complainant remains dissatisfied after the decision of the appeals panel or remains dissatisfied about the content of the investigator's report he/she will be advised that they can submit a complaint to COSCA under their Complaints Procedure.

### **Monitoring of Complaints**

A record will be kept of all complaints received. Anonymous complaints will also be recorded, including the reasons for any decision to pursue or not to pursue the complaint. Complaints will be monitored regularly by the Director and brought to the attention of the Board of Trustees. Once a complaint has been concluded, an 'Outcome Report to COSCA at the Conclusion of Complaints Proceedings' will be submitted to COSCA within one month. Records of complaints will be kept for a period of five years.

### **Complaints to COSCA**

COSCA is the professional body for counselling and psychotherapy in Scotland. It provides formal professional Recognition for the PF Counselling Service and we are therefore also covered by the COSCA Complaints Procedure.

In the event that a complaint is not resolved satisfactorily by the PF's Complaints Procedure, it is possible to make a complaint to COSCA under their Complaints Procedure.

COSCA  
16 Melville Terrace  
Stirling  
FK8 2NE  
01786 475140  
[info@cosca.org.uk](mailto:info@cosca.org.uk)  
[www.cosca.org.uk](http://www.cosca.org.uk)

## Complaints to NHS Lothian

As the PF is a recipient of funding from NHS Lothian, it is also possible to complain to them if considered appropriate. For information regarding the NHS Lothian complaints procedure, please visit their website at: [www.nhslothian.scot.nhs.uk](http://www.nhslothian.scot.nhs.uk) and follow the link on 'Your Rights'.