

POLICY TITLE:	No5 Complaints Policy & Procedures	VERSION NO:	1
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1. PURPOSE

No5's complaints procedure is designed so that if clients or other users of No5's services have a complaint about, or are dissatisfied with, any aspect of No5's service, they will feel confident that the complaint will be taken seriously and will be dealt with efficiently.

2. SCOPE

This policy covers complaints that may arise from any of the services provided by No5 Young People (the "Charity") including (but not exclusive to) No5 Counselling, Training & Community Outreach.

3. POLICY STATEMENT

1. No5 encourages the users of our services to comment on the standard and quality of the services received. It is essential that No5 has a mechanism for accessing this information from service users and that the information is used to improve services.
2. The complaints policy and procedure is one of those mechanisms and it is No5's policy to:
 - Encourage feedback from users.
 - Ensure that service users are aware of the complaints policy and procedure.
 - Ensure that those who wish to make a complaint will be taken seriously and listened to.
 - Support service users in their use of the complaints procedure, either directly through members of staff or by arranging an independent advocate for the client.
 - Deal with complaints swiftly and efficiently.
 - Resolve complaints to the satisfaction of the service user at an early stage.
 - Safeguard the rights of the service user and staff in any such process.
 - Ensure that the complaints process is seen as an opportunity to deal with a problem, to put it right and to improve the service permanently.
 - Ensure that complaints are dealt with sensitively and based on complete confidentiality.
 - Adhere to the timetable for the complaints process as detailed in this procedure paper; and
 - Ensure that staff are appropriately trained or briefed to deal professionally with service user complaints.

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4. POLICY PRINCIPLES

1. Service users have the right to expect the highest standards from staff within No5. It is therefore important to listen to and act on all complaints.
2. Service users may have a feeling of powerlessness. It is therefore all the more important to be seen to listen, demonstrating to users and others that their views and concerns are taken seriously.
3. There must be a mechanism for ensuring that they can raise complaints with No5 and for dealing with these fairly.
4. Complaints should be dealt with at the earliest opportunity. In most cases complaints will be resolved at an early stage before they reach the stage of formal procedure. However, this will not always be the case and where it is not possible it is important that No5 has accessible and fair procedures; and
5. The procedure strives to ensure that a considerate, objective & sensitive approach is used and that it safeguards the rights of service users and staff.
6. Complaints should be seen as opportunities to put things right and improve our services. They are not to be seen as presenting a problem but as a useful source of feedback on how well we are doing and what needs improvement. Complaints give us the opportunity to:
 - Put things right for service users when things go wrong to the client's satisfaction whenever possible.
 - Learn from each complaint to prevent them happening again.
 - Use complaints as a way of helping us to change or improve the services offered and identify gaps and bad practice in our services; and demonstrate that we take the views of service users seriously.

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5. COMPLAINTS PROCEDURE

No5 aims to treat all service users with consideration and respect and to act within the Ethical Framework for Good Practice in Counselling and Psychotherapy of the British Association for Counselling and Psychotherapy (BACP) and to follow the procedures of the Westminster Pastoral Foundation (WPF).

All complaints made by service users will be taken seriously and given due consideration.

Confidentiality:

- All aspects of any complaint will be dealt with in a confidential manner.
- The complainant and the person complained against will be kept aware of the extent and detail of any information divulged to the other, which will be on a need-to-know basis.
- The maintenance of the file and administration of the procedure in connection with a complaint will be the responsibility of an "Investigating Manager" (usually but not always the Service Director)
- The complainant and the person complained against will be given the name and position of the Investigating Manager and be informed that they will be responsible for the conduct of the complaint proceedings.

Stage One: Informal One to One Conversation

1. Any complaint made on the telephone or face-to-face in person should be reported to the Director at the earliest opportunity and a note of the date and person receiving the complaint should be made.
2. An "Investigating Manager" will be nominated and will contact the complainant to discuss the nature of the complaint.
3. If the complainant declines to pursue the complaint the date of the conversation and nature of the complaint will be recorded by the Investigating Manager and the person complained against and their line manager will be informed within 10 days of the initial complaint.
4. If the service users wish to pursue the complaint, the Investigating Manager will send the complainant a copy of the Complaints Procedure and advise them that

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they should send a formal, written statement laying out the matters which give rise to the complaint within 10 working days.

- Internal disciplinary procedures may be put into effect if considered necessary.
- Any written complaint received from a client regarding the work of No.5 by any person working for No5 should be passed to the Director as soon as possible and, in any case, within a week of receipt. A formal record will be made on the Client file.

Stage Two: Formal Written Complaints Procedure

- When a written complaint is received, the Director will write a letter or email acknowledging receipt within 10 working days. The staff member concerned and their line manager will be informed of the complaint and a meeting will be arranged, either together or separately with the Investigating Manager, to discuss the complaint. The Director will be informed that a formal complaint has been made.
- A second letter or email will be sent to the service user advising them that discussion has taken place with the staff member concerned and offering an opportunity for formal discussion of the complaint with the Investigating Manager. This meeting should take place not more than four weeks after receipt of the written complaint.
- The complainant will have the right to be accompanied at the meeting by one other person of their choice, but that person will not actively participate in the meeting.
- If the complaint is resolved at the meeting all parties will receive written confirmation that the matter is resolved within 10 working days of the meeting.
- If the complainant is not satisfied with the outcome of the meeting, they will be asked to give a written statement to this effect to the Investigating Manager, and the complaint will move to Stage Three.

Stage Three: Formal Independent Appeals Procedure

The purpose of this stage is to review the conduct of the complaint, to ensure that procedure has been followed correctly, to provide the service user with an opportunity to contest the decision of the Investigating Manager, to arrive at a final ruling for the resolution of the complaint.

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1. The Investigating Manager will inform the Director of the continuing complaint, the Director will inform the Chair of Trustees, and will write to the service user and person complained against advising them that the procedure has moved to Stage Three.
2. The Chair of Trustees will convene a panel comprising a Trustee, a Member of No5 Young People (not the Investigating Manager) and a person external to the Service, with relevant experience, agreed by the Investigating Manager and the Complainant. A meeting date will be set for the meeting to take place, within six weeks of the decision to move to Stage Three.
3. The panel will be provided with all relevant paperwork prior to the date of the meeting. The service user, person complained against, and the Investigating Manager will be given the opportunity to attend and maybe questioned by the panel. The service user and person complained against can be joined by one person of their choice, but that person may not actively participate.
4. The findings of the panel, in the form of a written report, will be conveyed to the Chair of Trustees, the Management Committee, the client and person complained against.
5. In the event of a satisfactory outcome all parties will receive written confirmation within 10 working days of the meeting.
6. In the event of the client being dissatisfied with the outcome of Stage Three, the Chair of Trustees will inform the complainant that that No5 has exhausted its procedure and that they may refer their complaint to the British Association for Counselling and Psychotherapy.

Independent advice and support for service users

Making a complaint will in many cases not be easy for a client to do.

Support should be available to the client from the outset of a complaint. Access to independent advice or help will help overcome many of the barriers that clients encounter in expressing dissatisfaction. They may therefore be encouraged to seek help from citizen advice centres or a local advocacy group. This support has several functions:

- To help with practical difficulties which may be experienced such as writing down the complaint; and

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- To act as an advocate or representative of the client at any meeting or simply to accompany them

No5 will facilitate access to the procedure by making arrangements for translation, Braille etc. as and when appropriate.

6. STAFF MEMBER CONSIDERATIONS

It is important that the rights of the volunteer or member of staff who is the subject of a complaint are safeguarded. The Director or their supervisor is responsible for informing them that a complaint has been made against them. This should be done verbally and then followed up in writing. They should be kept informed of timescales and the stage in the procedure that has been reached. They should also be informed of the final outcome of the complaint, particularly if no action is to follow.

On occasions when the Director feels it is not appropriate to alert a member of staff to a complaint in which case the advice of the Chair of the Trustees should be sought before taking action.

The link between the complaints procedure and disciplinary procedure

If a complaint raises serious issues about a member of staff, Investigating Manager may decide it is necessary to carry out an investigation under No5's Disciplinary Procedure.

In most cases it would be appropriate for the two investigations to run concurrently, however each situation needs to be judged individually. Where an investigation is carried out concurrently under the Disciplinary Procedure this may affect the timescales for concluding investigations under the Complaints Procedure.

Specifically Counselling sessions will be suspended if the complaint moves to Formal Procedure Stage Three. At the discretion of the Head of Counselling, all client work of the counsellor complained against may be suspended during investigations.

7. CONFIDENTIALITY

Confidentiality must be maintained at all stages throughout the Complaints Procedure by ensuring only those who need to know have access to details of the complaint. Volunteers and staff not involved in the complaint would normally not be advised that a complaint is being investigated.

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If a member of staff or volunteer breaches confidentiality it could result in them facing disciplinary action under No5's Disciplinary Procedure.

While it is not possible to enforce, it is reasonable to expect that service users who are pursuing a complaint would not discuss the matter other than with the person investigating the complaint and their own advocate.

All papers relating to a complaint should be marked 'Private and Confidential' and stored securely.

8. TRAINING

In order to ensure a consistent objective and sensitive approach is taken to dealing with complaints, it is essential that those involved in the procedures are appropriately trained or briefed.

9. RESPONSIBILITY

All those persons referred to within the scope of this policy are required to adhere to its terms and conditions. Employees failing to meet the obligations set out in this document may result in the Charity following a disciplinary procedure through to termination of employment.

The Director has the responsibility for ensuring the maintenance, regular review and updating of this policy. Revisions, amendments, or alterations to the policy can only be implemented following consideration and approval by the Charity board.

Specific Responsibilities of Staff

1. Service users should understand, receive written information about the procedure and understand how they can make a complaint.
2. The Director and potentially the Executive are responsible for dealing with complaints that are not resolved at a local level.
3. All volunteers and staff should therefore read and comply with the Procedure.

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8. RESERVED RIGHTS

The Charity reserves the right to amend this policy at its absolute discretion.