PF COUNSELLING SERVICE

8 Balcarres Street
Edinburgh
EH10 5JB

0131 447 0876

info@pfcounselling.org.uk

www.pfcounselling.org.uk

Complaints Procedure

If anyone is unhappy with any part of our counselling 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.

The purpose of the Complaints Procedure is to determine whether a breach of the COSCA Statement of Ethics and Code of Practice has taken place and whether any action should be taken by the PF.

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, and any that are deemed to be vexatious or malicious, will be investigated by the Chief Executive or the Chair, who will use discretion in assessing what action should be taken.

Time limits for complaints

It is much easier to sort out difficulties if the complaint is brought to our attention as quickly as possible.

Complaints can be accepted up to three years from the time of the problem arising. Complaints will be accepted for investigation by COSCA up to three years following the date of the alleged breach of COSCA's Statement of Ethics and Code of Practice.

Complaints will be accepted outside of this 3 year limit if they are deemed to be in the public interest.

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 Chief Executive, who will be responsible for managing the complaint. This can be in person by appointment, by telephone, or in writing by email or letter. Please contact:

Chief Executive
PF Counselling Service
8 Balcarres Street
Edinburgh EH10 5JB
0131 447 0876
eilidh@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.

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.

The PF is governed by the COSCA Statement of Ethics and Code of Practice and complaints must demonstrate how this Code has been breached, with reference to the relevant terms and clauses.

Complaints must be supported by sufficient evidence to enable an investigation, and the Chief Executive will make an initial assessment of whether there is a case to answer.

Complaints against a person who has left the PF will be investigated for the learning of the organisation and a report submitted to COSCA, even if sanctions cannot be applied. Wherever possible the person will be offered the opportunity to represent their own interest, and if the

they are still a member of COSCA, COSCA may investigate under their system for dealing with information about members.

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.

The complainant is required to give permission for confidential information pertinent to the complaint to be disclosed to all parties cited in the complaint by those involved in handling the complaint, including the PF's legal or other specialist advisors.

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 Chief Executive will normally handle the complaint at this stage, but if the Chief Executive 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 Chief Executive 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 or persons with relevant experience will be appointed by the Board of Trustees to investigate the formal complaint. They 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 to the Chair, who will be responsible for assessing and dealing with that conflict. The investigator(s) will make a thorough and confidential investigation of the complaint, contacting both the complainant and the person complained against.

The investigator(s) 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, but not 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(s) will make a written response to the complainant by email or letter within twenty-eight days, a copy of which will be sent to the PF Counselling Service and the person complained against. If it is 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 six months.

The investigator(s) will make recommendations regarding the action required to bring about the resolution of the complaint and any sanctions which they may consider appropriate to apply to either party. In such circumstances, they will also provide instructions for the monitoring of the fulfilment of said actions or sanctions. Examples of possible sanctions would include:

- A formal apology to the complainant
- A requirement to undertake further relevant training
- Suspension of the person concerned from their work at the PF

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

The Chief Executive 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. They may also adjourn the procedure, ensuring that it is re-started at the point at which it was stopped, within a reasonable time.

Stage 3 – Appeal

The Grounds for an Appeal

Any party may appeal against the findings of the investigator(s) on the following grounds:

- the member has failed to follow their own procedure
- that there was new evidence which the investigator(s) did not have access to in the investigation
- the decision was not warranted, or the sanction was disproportionate.

An appeal cannot be accepted only on the grounds that either party disagrees with the investigators' report.

Making an Appeal

Any appeal must be made in writing to the Chair of the Board of Trustees within fourteen days of the receipt of the investigators' report.

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

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

The appellant 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 Chief Executive will arrange to set up an Appeals Panel. The panel will be made up of three members: one of the Board of Trustees who may be considered impartial in the matter of the appeal 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 appellant.

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, but not 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(s) and the Chief Executive 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, with the process being re-started at the point at which it was stopped, within a reasonable time.

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 to both parties in writing by email or letter within seven days and will include the reasons for the decision. Third parties, representatives and anonymous complainants will not be notified directly.

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 investigators' 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 Chief Executive 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. COSCA will publish upheld complaints and their sanctions regarding COSCA.

Records of complaints will be kept for a period of five years.

A complaint will be discontinued if the complainant fails or refuses to participate at any stage of the complaint procedure without good reason or the complainant formally withdraws the complaint. In these circumstances, all parties will be informed.

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 within one month of the exhaustion of the process, under their Complaints Procedure. COSCA will, on receipt of the complaint, verify that the member's complaints procedure has been followed and the outcome was lawful, reasonable and properly explained.

www.cosca.org.uk/guidance-policies/complaints

COSCA
16 Melville Terrace, Stirling FK8 2NE
01786 475140
info@cosca.org.uk
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 and follow the link on 'Your Rights'.