

WS01 - Complaints Policy and Procedure

1. Complaints Policy

1.1 Aims of this Policy

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

1.2. The difference between a concern and a complaint

- a. A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. Concerns raised should be listened to sympathetically and it may be possible for the person to whom they are expressed to provide an acceptable answer, simple explanation or apology.
- b. A 'complaint' may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

This document covers the management of both concerns and complaints.

1.3. Who can complain?

- a. Anyone who has enquired about the counselling service, is on the waiting list, is a client receiving counselling or is an ex-client
- b. Anyone who is using, has used, or has enquired about using any other Wellspring Therapy and Training's service.

The above are referred to as "complainants" in this document.

1.4. Policy

- a. Complaints may involve paid employees, volunteer counsellors, welcomers and others acting for or on behalf of Wellspring; in this document, they will all be referred to as "staff".
- b. Every complaint will be treated with care and confidentiality. Attempts will be made to communicate clearly and directly with all complainants or their representatives in a timely manner, as described below.
- c. The complainant's safety and privacy will be a primary consideration. If a complaint relates to the conduct of a counsellor during counselling, suspension of counselling and/or disciplinary proceedings may take place at any stage of the complaints process, as appropriate. A similar approach may be adopted where the complaint is related to other (non-counselling) services.

2. Complaints Procedure

Notwithstanding this procedure, where the complaint is in regard to counselling the complainant is entitled to raise the matter with Wellspring's professional association, the Association of Christian Counsellors (ACC) or if an individual counsellor is the subject of a complaint, to that counsellor's professional association, at any point.

Where the Wellspring counsellor is working within another location (such as a school) the complainant may also wish to approach that location directly.

Initial Action

- a. It is in everyone's interest that issues are resolved at the earliest possible stage. Some concerns can be resolved without the need to use even an informal complaint.
- b. If a client receiving counselling or awaiting such, has a concern, they should aim to resolve it in discussion with their counsellor, to give an opportunity to talk the matter through in the safety of the counselling relationship.
- c. Anyone outside a counselling relationship is encouraged to solve issues by discussing them directly with the member of staff involved.
- d. The majority of concerns should be resolved in this way.
- e. If the concern is not resolved, the complainant may raise an informal complaint with the appropriate Wellspring manager.
- f. A complainant has the right to raise an informal complaint without first discussing it with the counsellor or member of staff concerned. An informal complaint should be made by contacting Wellspring and asking to speak to the relevant line manager.

Stage 1 – Informal Complaint

- a. The appropriate line manager will take every opportunity to settle the complaint informally.
- b. This may include telephone conversations and/or face to face meetings and a written explanation of any decision taken.
- c. If the complainant remains dissatisfied with the outcome of discussions at this stage, then a formal complaint can be made. A formal complaint should be made in writing to the Chief Executive Officer of Wellspring.

Stage 2 – Formal Complaint

- a. A formal complaint to Wellspring will be acknowledged in writing by the Chief Executive Officer within 14 days. A copy of this procedure will be enclosed.
- b. If a member of staff is the subject of the complaint, they will also be sent a copy of the complaint along with this Procedure.
- c. If a counsellor is the subject of a complaint with regards to counselling, their supervisor will also be informed.
- d. If the member of staff is working from a non-Wellspring location, the location will also be informed as appropriate.
- e. Counselling sessions with the complainant will be suspended if they raise a Formal Complaint. If appropriate, the counsellor's other client work may also be suspended during investigations.

Investigation

The complaint will be investigated by the Chief Executive Officer and another independent member of the Wellspring management team.

- a. They will make a thorough and confidential investigation of the complaint. Details of the complaint and the investigation will be kept in a separate secure area, not available to other staff including anyone complained against.
- b. The investigators may contact both the complainant, and the party or parties complained against, and may also consult with relevant experts, for instance our Data Protection Officer, as appropriate.
- c. They will have access to any relevant documents and to staff members, as appropriate. They may ask for evidence from either party and if this is sought in person, they will meet with each party separately. The complainant and the party or parties complained against and/or their representative will not be asked to attend any meetings together.
- d. If a meeting in person takes place, all parties will have the right to be accompanied, and/or be represented, by a supportive person of their choice.
- e. Each individual counsellor at Wellspring is obliged to be on a professional standards register.
 - a. If the complaint alerts Wellspring to actions of a counsellor who is acting in breach of the BACP, HCPC or ACC ethical frameworks, Wellspring will report this misconduct to the counsellor's professional body.
 - b. If the counsellor is a student and not a fully registered member, Wellspring will notify the counsellor's training provider instead.
- f. A written response to the complaint will be made within 28 days of receipt of the formal complaint. A copy of the response will also be sent to the person complained against.
- g. If it proves impossible to respond within 28 days, the complainant will be informed of the reasons for a delay. All investigations will be completed and responded to within a maximum of six months.
- h. 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 – Escalation to Wellspring Board

If the complainant remains dissatisfied after reading the response to the formal complaint, they will be advised, if appropriate, that they may take their complaint to the Chair of Trustees.

Investigation

- a. If the complainant does not agree to the outcome of Stage 2, they may escalate the complaint to Stage 3 by submitting their reasons in writing to the Chair of Trustees. This written submission must be received by Wellspring's Chair of Trustees within 14 days of the Stage 2 response.
- b. Such written submission must set out the full grounds for the escalation.

- c. The Chair will engage the assistance of another trustee to participate in the complaints process.
- d. Where the complaint specifically relates to counselling, the Trustee selected will be the Trustee Counselling Subject Matter Expert (SME) the Board of Trustees has such a person appointed who is an experienced Counsellor.
- e. Full discretion and privacy will continue to be maintained throughout this stage.
- f. If a further member of staff is implicated in the escalation, they will be informed in writing within three working days and given the opportunity to respond. Such response to be in writing and made to the Chair of the Trustees within seven working days where possible.
- g. The Chair of Trustees will convene a special Complaints meeting within 21 days of the receipt of the written escalation. The Complaints Committee should comprise of the Chair, a trustee (in the case of a counselling complaint the Trustee Counsellor SME) and the appropriate Manager. None of the meeting members should be those implicated in the complaint.
- h. The complainant and the member(s) of staff implicated in the complaint will be notified of the date of and may be invited to attend part of the Complaints meeting to present their views. If invited, attendance is not compulsory.
- i. The findings of the Complaints meeting will be relayed to the complainant and other relevant parties in writing within 5 working days of the date of the Complaints meeting.
- j. The Complaints meeting will decide on appropriate action, should the complaint be upheld. This may include Disciplinary action which can ultimately result in dismissal.
- k. If the complaint is resolved to the complainant's satisfaction, no further action is taken.
- l. For **non-counselling**-based complaints, the results of this stage are binding, and the process ends, unless the complainant wishes to escalate to an external body which they believe is appropriate.
- m. For **counselling-based** complaints, the complainant may move to Stage 4 as below.

Stage 4 – Escalation to an External Body

- a. If the complainant, who's complaint is based upon our counselling service, remains dissatisfied after reading the response to the stage 3 complaint, they will be advised, if appropriate, that they may take their complaint to Wellspring's professional association, the Association of Christian Counsellors (ACC) or if an individual counsellor is the subject of a complaint, to that counsellor's professional association. Each individual counsellor at Wellspring is obliged to be on a professional standards register.

3. Monitoring of Complaints

- a. A record will be kept of all complaints received.
- b. Anonymous complaints will also be recorded, including the reasons for any decision to pursue or not to pursue the complaint.
- c. Complaints will be monitored regularly by the Director and brought to the attention of the Board of Trustees.

4. Access to this Procedure

This procedure can be accessed as follows:

- a. A copy is available on request by phone, email, letter or in person from the Wellspring Office.
- b. On Wellspring Therapy & Training's website.