

Charis Complaints Procedure

If anyone is unhappy with any part of our service, including the professional conduct of our counsellors, 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.

This document only covers complaints concerning failure to comply with the Charis counselling Code of Ethics and Practice, and COSCA standards and guidelines in relation to any team member carrying out work related to counselling on behalf of Charis counselling.

In the event of a complaint against an individual the counsellor/therapist will, with the support of the agency, contact their accrediting bodies. The counsellor/therapist and agency have a responsibility to clarify their legal rights and obligations before acting in ways which conflict with their agreement with clients who are directly affected.

On receipt of a formal complaint the Chair of Charis Board of Directors will liaise with the counsellor and the client; if there is still no satisfactory resolution then the complaint will be investigated and assessed by a specially convened Panel.

If there is no satisfactory outcome the complaint should then be taken up with COSCA, details of which will be made available by the Chairperson of the Board of Directors.

The only complaints that can be dealt with are those concerning failure to comply with this Code of Ethics and Practice, and that of COSCA.

As a Recognised Member of COSCA Charis counselling are required to submit to COSCA immediate reports at the conclusion of any complaint proceedings related to counselling, counselling skills and psychotherapy, and notify COSCA of any sanctions applied to individual members of COSCA working for Charis. COSCA will consider taking appropriate action on receipt of notifications about sanctions.

Aims of the Complaints Procedure

- To enable a complaint to be assessed 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

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.

Access to this Complaints Procedure

- On request from our reception team 01592 744632 or enquiries@charisfoundation.co.uk
- 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:- <https://blog.gengo.com/15-online-translation-tools-translators/>

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 counselling manager. This can be in person by appointment, by telephone, or in writing by email or letter. Please contact: Counselling manager, Charis counselling, 232 High Street, Leslie, KY6 3DB

Tel: 01592 744632 or email: counselling@charisfoundation.co.uk

If you have any difficulty making a complaint in person or in writing, or you are having difficulty in understanding the process, please let us know and we will try to help you. You may also wish to contact a local advocacy service such as:

Circles Network, New Volunteer House, 16 East Fergus Place, Kirkcaldy, Fife, KY1 1XT Tel: 01592 645360.

Third party complaints will be considered only in so far as the complainant has been directly affected.

Anonymous complaints will be logged but not progressed unless a pattern becomes evident. Counsellors will be advised of such complaints.

The time limit for complaints to be accepted is 3 years from the date of the alleged breach of COSCA's Statement of Ethics and Code of Practice.

If the person complained against has left Charis Counselling the complaint may still be investigated to identify any changes that may need to be made within the organisation and the complete Charis Complaints Procedure followed. If this is the case the person would be invited to make representations for their own interest. In addition, if the person is still a member of COSCA, COSCA may investigate further under the system for dealing with information about members.

If the complaint is deemed to be vexatious or malicious it will not be investigated and all parties would be informed in writing. The complainant would have the right to appeal that decision as outlined below Stage 3 Appeals.

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, as appropriate.

Stage 1 – Informal Complaint

Every opportunity will be taken at the time of the initial complaint to resolve 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 counselling manager will normally handle the complaint at this stage, but if the counselling manager is the subject of the complaint, then the Chair of the Board, 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 Chair of the Board within seven days. A copy of the Complaints Procedure will be enclosed. If a team member is the subject of the complaint they will be sent a copy of the complaint along with the Complaints Procedure.

Investigation of the complaint and assessment of professional conduct

The Chair of the Board will make an initial assessment of the complaint. If there is sufficient corroborating evidence to support the complaint the investigation will proceed.

An independent panel of impartial people who have relevant experience will be appointed by the Board of Directors to investigate the formal complaint and assess professional conduct. All parties involved will be obliged to declare any conflict of interest to the Chair of the Board. The panel will make a thorough and confidential investigation of the complaint, contacting both the complainant and the person complained against.

The panel will have access to relevant documents and policy papers within Charis counselling and to team members, where 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 will be required to give their permission for confidential information to be disclosed to parties involved in the handling of the complaint. 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 panel will make a written response to the complainant within twenty-eight days, a copy of which will be sent to Charis counselling 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 panel will make recommendations regarding the action required to bring about the resolution of the complaint and any sanctions that 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.

Sanctions shall be commensurate and may include:

- Mandatory additional training/personal therapy
- Suspension
- Termination of working for Charis counselling

The commencement and completion of sanctions will be communicated face to face and in writing by the counselling manager and/or Chair of Board. Return to practice will follow only after an acceptable written reflection on any mandated remedial work which will be monitored by the counselling manager and/or Chair of Board.

The counselling manager 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. The process can also be adjourned at any time, at the discretion of the person managing the complaint, due to time constraints or concerns about confidentiality. Once these constraints or concerns have been dealt with the process can be restarted.

As a Recognised Member of COSCA Charis Counselling is required to submit to COSCA immediate (within one month of conclusion) reports at the conclusion of any complaints proceedings related to counselling, counselling skills and psychotherapy, and notify COSCA of any sanctions applied to individual members of COSCA working for Charis counselling. COSCA will consider taking appropriate action on receipt of notifications about sanctions. If the person being complained against no longer works at Charis Counselling the report would still be sent to COSCA. If that person is a member of COSCA they may investigate the complaint further under the system for dealing with information about members.

The investigation can be discontinued at any time if the complainant fails or refuses to participate at any stage without a good reason for doing so. The complainant may also withdraw the complaint at any time which would discontinue the process. If the investigation has been discontinued both parties will be informed in writing.

Stage 3 – Appeal

The Grounds for an Appeal

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

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

Making an Appeal

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

The complainant must make an appeal in writing within 14 days of the receipt of the panel's 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 Board of Charis counselling.

The complainant will be informed in writing within 21 days whether or not the appeal is accepted.

The Appeal Panel

If an appeal is accepted, the Chair will arrange to set up an Appeals Panel. The Appeals Panel will be made up of three members: the Chair of the Board of Directors or other designated member of the Board, and two persons with relevant experience and external to Charis counselling.

The panel will meet within 28 days of the notification of acceptance of the appeal to 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 appeal panel members fourteen days before the hearing.

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

The investigator and 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 Appeal 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 7 days. If the appeal is upheld the panel will make recommendations regarding action required to bring about the resolution of the complaint.

Charis counselling will abide by the decision and recommendation 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 they will be advised that they can submit a complaint to COSCA under their Complaints Procedure within a month of the completion of the 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 Counselling manager and brought to the attention of the Board at Charis. 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 three years.

Complaints to COSCA

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

In the event that a complaint is not resolved satisfactorily by Charis counselling Complaints Procedure, it is possible to make a complaint to COSCA under their Complaints Procedure. On receipt of the complaint COSCA will verify that the Charis counselling Complaints Procedure has been followed and the outcome was lawful, reasonable and properly explained.

COSCA, 16 Melville Terrace, Stirling, FK8 2NE - 01786 475140 info@cosca.org.uk or www.cosca.org.uk