



TITLE: COMPLAINTS POLICY & PROCEDURE

Service area: Mind in Bexley

January 2017 version

1. Introduction

- 1.1. This Complaints Procedure is for those who access Mind in Bexley's services.
- 1.2. Complaints made by trustees (Board of Trustees), members of staff, students/trainees or volunteers should be processed through the separate Grievance and Disciplinary Procedures of Mind in Bexley.

2. Reasons for having a Complaints Policy and Procedure

- 2.1. Mind in Bexley wants to ensure that the services it provides run effectively for the people who use them. An effective complaints policy and procedure acts as a means of ensuring quality.
- 2.2. It is a requirement of our funders and part of their performance expectations.

3. The Aims of our Complaints Policy

- 3.1. To ensure that all service users have easy access to the complaints system.
- 3.2. To ensure that there is a procedure in place which enables complaints to be handled confidentially, speedily and effectively.
- 3.3. To enable Mind in Bexley to take necessary steps to remedy problems and improve services.
- 3.4. To provide a tool for monitoring the quality of Mind in Bexley services.
- 3.5. To ensure that all complaints are acknowledged and responded to.

4. Definition

- 4.1. A "complaint" is taken to mean a written or oral expression of dissatisfaction about the standard of a service, action or lack of action by Mind in Bexley or a member of its staff which has affected a service user.

5. Who Can Complain

- 5.1. Any users of services provided by Mind in Bexley. A user is here defined as anyone who has come into contact with Mind in Bexley; this may be a member of the public, a service user, a carer or another organisation.
- 5.2. Any person acting as the agreed representative or advocate on behalf of the complainant.

6. Limitations to Complaints Procedure

- 6.1. *Anonymous complaints:* the Complaints Procedure cannot deal effectively with complaints received anonymously. Responsibility for dealing with anonymous complaints rests with the Chief Executive in conjunction with senior managers.

- 6.2. *Complaints about services that Mind in Bexley does not provide:* these will be treated as suggestions and be referred by the Chief Executive to commissioners and/or Healthwatch if appropriate.
- 6.3. *Constraints:* it is also important to recognise that it is not always within Mind in Bexley's remit or power to act on every complaint made e.g. statutory authority restrictions.

7. Publicity/Communication

- 7.1. A leaflet drawing people's attention to their right to complain and outlining the Complaints Policy and Procedure is available. This leaflet will be prominently displayed at all Mind in Bexley venues..
- 7.2. Mind in Bexley senior team will review the publicity about the Complaints Procedure at least annually in order to check that leaflets are available with up to date information.

7.3. Record Keeping

- 7.4. Detailed records relating to the complaint and investigations will be kept, with the necessary respect for confidentiality. Complaint records will be kept in a separate file in a lockable cabinet or in protected access electronic files.
- 7.5. A Complaints Log will be maintained in which will be recorded brief details of the nature of the complaint, action taken and outcome. This will be used to provide information to the Board of Trustees, Funders, where required, and for general monitoring purposes.
- 7.6. HR Record keeping is compliant with Data Protection and GDPR regulations.

8. Induction

- 8.1. The Complaints Policy and Procedures will be part of the induction provided to staff, volunteers and Board of Trustee members.

THE COMPLAINTS PROCEDURE

1. **FIRST STAGE: (Problem Solving)**

- 1.1. This stage may be by-passed. When a problem arises, it may be possible to resolve the matter satisfactorily before a formal complaint is made. The complainant should be allowed to express his/her views openly, should be carefully listened to and should indicate what s/he hopes to achieve by bringing the problem to the attention of the organisation. Staff should take the trouble to facilitate the process and every attempt should be made to resolve the problem at this stage. A record should be kept of the nature of the complaint and of the decision(s) taken. All employed staff are expected to be able to deal with this type of problem solving, but should speak with their immediate line-manager if the matter is not straight forward.
- 1.2. In the event that the matter is not resolved in this way or the complainant does not wish to undertake this stage, it should be referred to the second stage.

2. **SECOND STAGE: (Formally Registering a Complaint)**

- 2.1. To register a formal complaint, it will be necessary to put it in writing. Some people may require assistance in writing or formulating a complaint. Those who provide assistance should ensure that the written complaint fully reflects what the complainant wishes to say, and have the complainant sign it and retain a copy.
- 2.2. The complaint should be addressed to the Chief Executive at the Mind in Bexley ***registered address**. Where the complaint concerns the Chief Executive it should be sent to the Chair of Mind in Bexley.
- 2.3. The Chief Executive will investigate the complaint and produce a written report within three weeks of the investigation being completed. This report will include a description of any action taken. Copies of the report will be made available to the complainant, relevant member(s) of staff or users and if appropriate, the Chair of Mind in Bexley.

3. **THIRD STAGE: (Board of Trustees Referral)**

- 3.1. Should the complaint not be settled at Stage Two the complainant or Chief executive can refer the matter to the Board of Trustees. The Board of Trustees will convene an ad-hoc committee – the Complaints Panel, (its membership to be determined by the Board of Trustees), who will report and decide on the matter.

4. **FINAL STAGE: (Appeals Procedure)**

- 4.1. Should the complainant be dissatisfied with the outcome of Stage Three s/he will have the right to take the matter before an Appeals Panel. This panel will consist of the Chair of Mind in Bexley (or a delegated substitute), and the independent external advisor to the Board, who will chair the proceedings. This is the final stage of the Mind in Bexley complaints procedure.



Signed by

A handwritten signature in black ink, appearing to read "David Palmer".

David Palmer

Chief Executive

Ratified by the Management Committee on: 9 December 2002.

Author: Stephen Brooks

Passed by Peninsula: 3 October 2002 (David Whittingham)

Reviewed annually and revised June 2006, August 2008, September 2010, August 2012,
January 2015, January 2017

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