



# COMPLAINTS POLICY AND PROCEDURE

*October 2019 version*

## **PROCEDURE FOR DEALING WITH COMPLAINTS RELATING TO SERVICES PROVIDED BY MIND IN BEXLEY**

### **INTRODUCTION**

This procedure is principally concerned with complaints made against Mind in Bexley staff, trustees or volunteers. Disputes between service users will generally be covered by one or more of the policies in place for individual Mind in Bexley's services. However, there will be occasions when it will be appropriate to use this procedure to provide a framework for an investigation of a dispute.

We do not look on complaints as unwanted. In fact, they may help us to see where our services may be improved. We welcome suggestions where we have room for improvements or when we have made a mistake.

Any complaints made will be treated in confidence and given serious attention before appropriate action is taken. We aim to respond to verbal or written complaints within ten working days if at all possible.

People making a complaint can be helped by an advocate of their choice. Advocates can clarify the complaints procedure, spell out your options, offer support and help you express your point of view. Advocates will not necessarily agree entirely with your views, they are, however, confidential, impartial and independent.

### **PRINCIPLES**

1. The opportunity to make a complaint or grievance is an essential right for all those who use the services provided by Mind in Bexley. Complaints can be a valuable way of evaluating and improving our services and of ensuring they are responsive to the needs and preferences of users.
2. Mind in Bexley's complaints procedure is intended to be speedy, effective and easily understandable. To ensure fairness, any investigation required will be carried out by someone who was not directly involved with the incident relating to the complaint.
3. Mind in Bexley recognises that making a complaint can be difficult and stressful for the person making the complaint. Appropriate assistance will be offered to the complainant.
4. A complaint can also be stressful for a person against whom a complaint is made and that person may also need assistance and support. Any member of staff or volunteer against whom a complaint is made will be given the fullest opportunity to answer any criticisms.
5. Every effort will be made to try and resolve any problem as soon as possible with the person concerned. If it is necessary to take the matter further it will be done in line with the procedure described below.
6. Some complaints have or may have financial or legal consequences for Mind in Bexley. In such cases our insurers may require Mind in Bexley to cease direct contact with the complainant.



7. Mind in Bexley will make efforts to ensure that every user of its services is aware that this procedure exists. The procedure is available on the Mind in Bexley website. Copies of this policy and procedure will be available on request for all Mind in Bexley services.

## PROCEDURE

**1. 1st Stage:** The first step is to talk to a member of Mind in Bexley staff. This can be done quite informally, either directly or by telephone.

Usually, the best staff member to talk to will be the person who dealt with the matter you are concerned about, as they will be in the best position to help you quickly and to put things right. If they are not available, or you would prefer to approach someone else, then ask for their relevant line manager.

We will try to resolve the problem on the spot if we can. If we can't do this, then we will take a record of your concern and arrange to get back to you. This will normally be within five working days. A Service Manager may be asked to help to resolve the complaint informally.

**2. 2nd Stage:** If you are unhappy with the response you received at Stage 1, the next stage is to put your complaint in writing, explaining what you think went wrong and what you feel would put things right. If you are not happy about writing a letter, you can always ask a member of staff or an independent advocate to take notes of your complaint.

A formal complaint in writing should be sent as follows in writing to:

**Mind in Bexley, 2A Devonshire Road, Bexleyheath DA6 8DS**

Complaint against a member of staff or volunteer: to Mind in Bexley Senior Support Manager

Complaint against the Chief Executive: to the Chair of Mind in Bexley

Complaint against a trustee: to the Chair of Mind in Bexley

Complaint against the Chair: to the Chief Executive, for the attention of the trustees

The person who receives the complaint will carry out an investigation, or, where appropriate, appoint someone else to do so. The investigator will report the results in writing within four weeks to the complainant and the relevant members of staff.

If the complainant or the person about whom the complaint is made is unhappy with the results of the investigation, then they can then ask for the complaint to be referred to the 3rd Stage. This request should be made in writing to the Chair of Mind Bexley within 28 days of the date of the letter giving the investigator's results. After this date, the matter will be considered closed.

**3. 3rd Stage:** On receiving the complaint the Chair will consult with another trustee to decide whether the complaint should proceed to this level. If they decide it should not, the Chair will write to the complainant explaining why. If they deem that it should, the Chair will set up a panel to consider the complaint. The panel will generally consist of three people, these will usually all be trustees, but will include people independent of Mind in Bexley if appropriate. The panel will aim to meet within 28 days, although this may take longer in complicated cases. The panel will invite to the meeting the complainant and the person or persons against whom the complaint has been made. Any such person may be accompanied to the meeting by a friend or supporter, or by an independent advocate.



The panel will report their decision and any recommendations in writing to the complainant and to any persons against whom the complaint was made within 21 days. The decision of the Panel will be final.

## **What can I do if my formal complaint hasn't worked?**

If you don't feel like your formal complaint has been dealt with effectively, you can make a complaint to the ombudsman.

Separately, you could also approach a health or social care regulator, or a professional regulator if your complaint is about an individual.

These won't solve your complaint but may inform the regulator's decision to investigate that organisation or person. If you are dissatisfied with the outcome of your complaint you may be able to contact some external bodies.

Where services are funded by a Local Authority or NHS Clinical Commissioning Group (CCG), you can contact the Complaints Officer in the relevant department.

### **Signed by**

A handwritten signature in black ink, appearing to read "David Palmer", with a wavy line underneath.

David Palmer  
Chief Executive

October 2019

Ratified by the Board of Trustees  
Review by: January 2021