

(C035) NOSS Complaints procedure



Anyone receiving or asking for a service from NOSS has a right to complain if they are not satisfied with the service provided. A family member, friend, or advocate can also make a complaint on behalf of a service user/client, provided they have permission from them to do this. All complaints will be treated seriously and fairly and will be responded to in writing by one of the NOSS Directors/Manager responsible for the service concerned. We will do everything we can to resolve the complaint and make changes to the service we provide if this is needed. There are three stages to the complaints procedure:

Stage 1 - Local resolution

The majority of the complaints received are resolved at this first stage. The process is:-

- When the complaint is received it is acknowledged in writing within 3 working days.
- The Director/Manager will talk to the complainant, interview any staff involved and review the documentation and records.
- The Director/Manager has 10 working days to investigate at stage 1, though this can be extended to 20 working days in some circumstances.
- When the investigation is complete, the Director/Manager will write to the complainant telling them what they have found and what actions they intend to take.
- A copy of this letter is held on file for audit purposes.
- The complainant has 20 working days in which to decide if they want to go to the next stage and to let NOSS know.

Stage 2 – Formal investigation

When a request for a Stage 2 investigation is received, the process is:-

- The request for Stage 2 is acknowledged in writing and is passed back to the Director in charge of clinical services.
- The Director and the contract manager meet with the complainant to see if they can resolve the complaint.
- If this is unsuccessful, the Clinical Director will discuss with NOSS Directors the appointment of an investigating officer.
- In some cases, an Independent Person (investigating officer) is also appointed.
- The Investigating Officer will see the complainant, meet with and interview the staff involved, read the file records, look at any policies and procedure that relate to the complaint.
- When the investigation is complete the Investigating Officer will write a report which will be sent to the Clinical Director.
- The report will be sent to the Director of Operations who will write to the complainant sending a copy of the report and telling what they intend to do as a result of the complaint.
- The complainant has 20 working days in which to decide if they wish to go to the next stage and to let us know why they want to do this.

Stage 3 – Review panel

If the complainant lets the company know that they want to go to panel:

- They will be asked to tell us why they want to do this, and what they are still dissatisfied about.
- NOSS has 30 working days in which to organise a review panel.
- The Director will appoint three independent people to be on the panel *and may involve BACP*, using professional code of conduct*; advice may also be sought from BACP via their Ethics Helpline Team.
- The panel will be sent documents relating to the complaint.
- The panel will decide who they want to see at the meeting.

- The purpose of the panel is to review the complaint so far.
- The panel will normally ask to see the complainant(s) and their advocate or supporter, the Stage 2 investigator, and the Director for the service complained about.
- The panel will hear from everyone concerned, and they will then write a report.
- The panel has 5 working days to complete their report.
- The report will be sent to the complainant and to the NOSS Director.
- The Director will review the report and write to the complainant with the department's response and detailing any action they intend to take; this may include additional training or CPD identified and support put in place for the counsellor (reviewed over an agreed period) or further escalation (see below).

This is the end of the complaints process:

- ★ should the complaint not be upheld but it is felt appropriate the counsellor may be offered support by way of CPD/training in a specific area.
- ★ should the complaint be upheld at **any** stage of the process and have a bearing on the **professional conduct** of the associate, advice will be sought from the BACP*.

Should an official complaint* be submitted to the BACP they will conduct their own investigation and follow their complaints process – a possible outcome of this could be a recommendation for CPD, a professional warning OR disassociation / disbarment from clinical practice

<https://www.bacp.co.uk/about-us/protecting-the-public/>
<https://www.bacp.co.uk/about-us/protecting-the-public/professional-conduct/>
<https://www.bacp.co.uk/media/1883/bacp-professional-conduct-procedure.pdf>

^Clients/service users can also seek advise from the BACP Ask Kathleen Service (ask@bacp.co.uk); for more information about this service please visit the BACP website <http://www.itsgoodtotalk.org.uk/about-bacp/ask-kathleen>)

^CPD training is a possible outcome of a complaint since there is value in providing training and support to counsellor where this is felt appropriate, whether the complaint is upheld or not. This may be in-house training or self-funded by the practitioner involved, with evidence being provided to NOSS following completion.

*BACP professional conduct team will only become involved if an official complaint is submitted to them. This can either be against an individual or an organisational member.