

Feedback, Compliments and Complaints Policy and Procedure

Name of Local Mind	Hammersmith, Fulham, Ealing and Hounslow Mind (HFEH Mind)
Policy	Feedback, Compliments and Complaints Policy and Procedure
Version	V3
Date when last reviewed	31/10/2023
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Author	Arti Modhwadia
Date reviewed by Resources OR Safeguarding, Clinical and Risk Subcommittee	[Month] [Year]
Date approved by Board	[Month] [Year]
This policy is for:	All Staff, Volunteers, Service Users and Externals

Version	Change Type	Description of Change(s)	Date
V3	content	Changes highlighted in yellow. Due to a complaint about the complaints policy- we have extended the time for appeal from 7 working days to 15 working days.	10/23

1. Introduction

- 1.1 This policy and associated procedures are intended to enable feedback, compliments and complaints to be raised in a straightforward and open manner.

We at HFEH Mind believe that views and learning from those views, is an important part of achieving high quality work.

2. Principles

- HFEH Mind recognises that compliments and complaints are an important part of customer feedback.
- The procedure is fair to people using services or experiencing HFEH Mind's work, complainants and to staff.
- The procedure is accessible to all regardless of age, disability, gender, ethnicity, belief or sexual orientation.
- Making a complaint will not harm or prejudice the service that is given to the complainant.
- Concerns and complaints are dealt with as a duty of candour, being open and honest, efficiently and are properly investigated.
- Complainants are treated with respect and courtesy and receive appropriate support throughout the handling of the complaint.
- Complainants receive a timely and appropriate response, identifying the outcome of any investigation, wherever possible.
- Action is taken where necessary in the light of the outcome of the complaint.
- Some complaints have or may have financial or legal consequences for HFEH Mind. In such cases its insurers require HFEH Mind to cease direct contact with the complainant. See Appendix 1: Procedure for handing complaints which may have financial or legal consequences for HFEH Mind.
- We will respect the confidentiality of both the complainant and any person complained about, subject to the provisions of HFEH Mind's Confidentiality Policy. In some cases, if a complaint is to be properly investigated and action taken as a result of the complaint, it may not always be possible to avoid a breach of confidentiality. The permission of the complainant will be sought for this but when the welfare of the complainant or other people is seriously at risk it may be necessary to breach confidentiality even if that permission is withheld.
- Learning from complaints will be used to improve HFEH Mind's work and quality.
- If the complainant is not happy with the result of the response to the complaint, she or he will have the right to appeal.

If you have positive comments about our work or how we have helped you,

please email: enquiries@hfmind.org.uk so we can track that feedback and act on it where necessary.

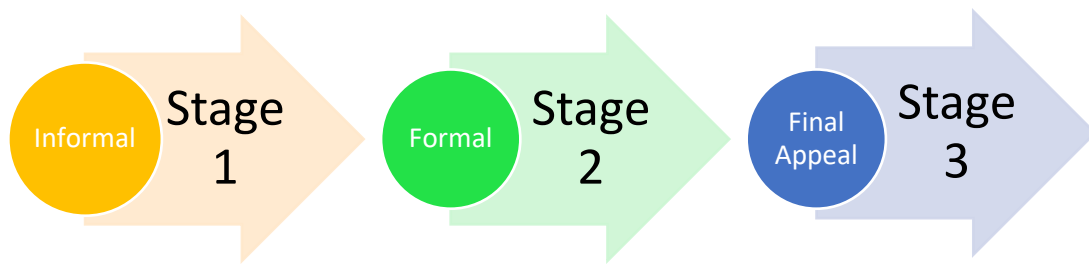
3. Who can make a complaint?

- This procedure is for members of the public who have received a service from HFEH Mind or have experienced any aspect of HFEH Mind's work. It is also for any partner organisation who is dissatisfied with HFEH Mind's work, volunteers and Trustees.
- This procedure does not cover complaints made by HFEH Mind staff who need to follow agreed grievance, disciplinary or reporting a matter of concern (Whistleblowing) policies.
- HFEH Mind funders and contractors need to follow the procedures for complaints or disputes laid out in contracts, grants or other funding arrangements.

4. Timescales

- A complaint must be made within **one year of the incident taking place**
- However, the Appeals Panel can assess whether a complaint can be investigated outside of this timescale. This can only be done in certain circumstances as listed below:
 1. There are serious concerns raised about HFEH Mind practice that may be on-going
 2. The complaint relates to serious concerns about staff currently employed
 3. Where no improvements have already been made to address concerns mentioned in the complaint.

5. Procedure



6. Stage 1: Informal Complaint

This stage involves an informal discussion with the person involved to try and resolve the problem. The line manager may be asked to help resolve the matter informally.

- To make an initial complaint (Stage 1), please speak to or email the individual(s) concerned or their line manager and we will endeavour to satisfy your complaint and let you know of any remedial action that is to be taken.
- If you don't know who to contact or do not wish to contact the individual involved, please email enquiries@hfmind.org.uk
- All complaints will be acknowledged by the member of staff to whom you communicated your complaint within **3 working days** from the date it is received.
- In order for us to resolve your issue to the best of our ability, please include as much detail as possible regarding your complaint, including any relevant communications or documentation. (See Appendix 1 for the form.)
- We will respond to **Stage 1** complaints with an outcome within **7 working days**.

Staff should:

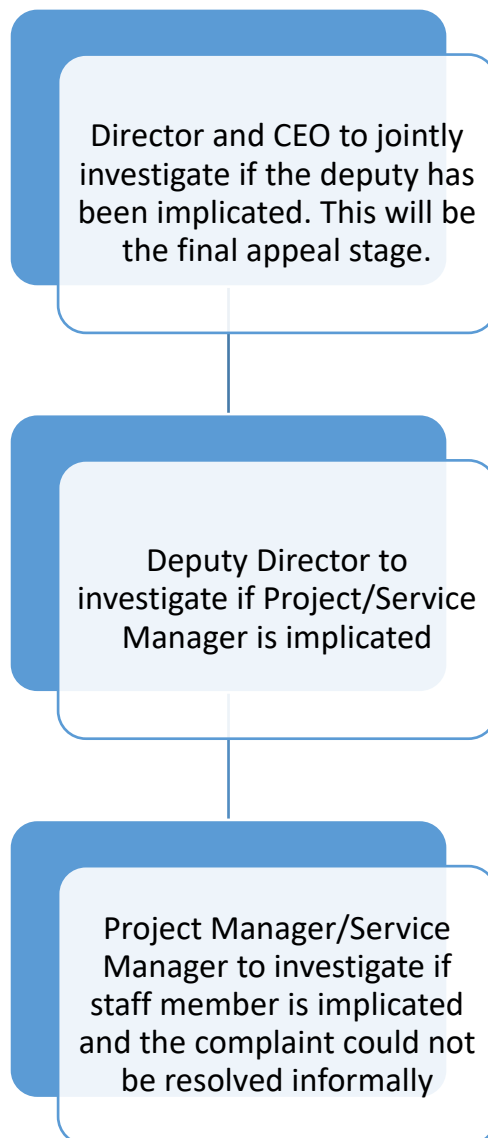
- Discuss with the complainant exactly what it is they are unhappy about.
- If the matter can be easily and quickly resolved, take appropriate action to sort it out. Make sure that you let your line manager know what you have done and that the matter has been dealt with informally. Please retain any documentary evidence and save to the database.
- If the matter cannot be easily and quickly resolved, it should be dealt with as a formal complaint. The complainant should be given a copy of this Policy and

Procedure together with an explanation as to how it operates.

- Ask the person to put the complaint in writing if they can if not they can speak to a member of the duty team to whom they can dictate the complaint to, see **Appendix 1**.
- If you receive a formal written complaint, ensure that this is passed directly to the Project/Service Manager. If the complaint relates to data, please inform the Data Protection Officer.
- The informal stage can be used to resolve most problems with the following exceptions, which need to be formally investigated at **Stage 2** of the procedure. These include:
 - The abuse of a child or vulnerable adult;
 - A health and safety hazard;
 - Something which is, or may be a criminal offence;
 - Something which, if upheld, would result in disciplinary action against a member of staff. If the complainant is not satisfied with the response, they have received at Stage 1, or the nature of the complaint requires formal investigation, the complainant should use Stage 2 of this procedure.

7. Stage 2: Formally registering a complaint

- If you are not satisfied with the response you receive at **Stage 1**, or you would prefer your complaint to be formally investigated, you can request your complaint to be escalated to **Stage 2**, by completing the **Complaints Form in Appendix 1** or if you are unable to write, by calling the duty number and speaking to an administrator to whom a complaint can be dictated to. Administrator should also use the form in Appendix 1. Check the below flowchart to check who the complaint should be addressed to.



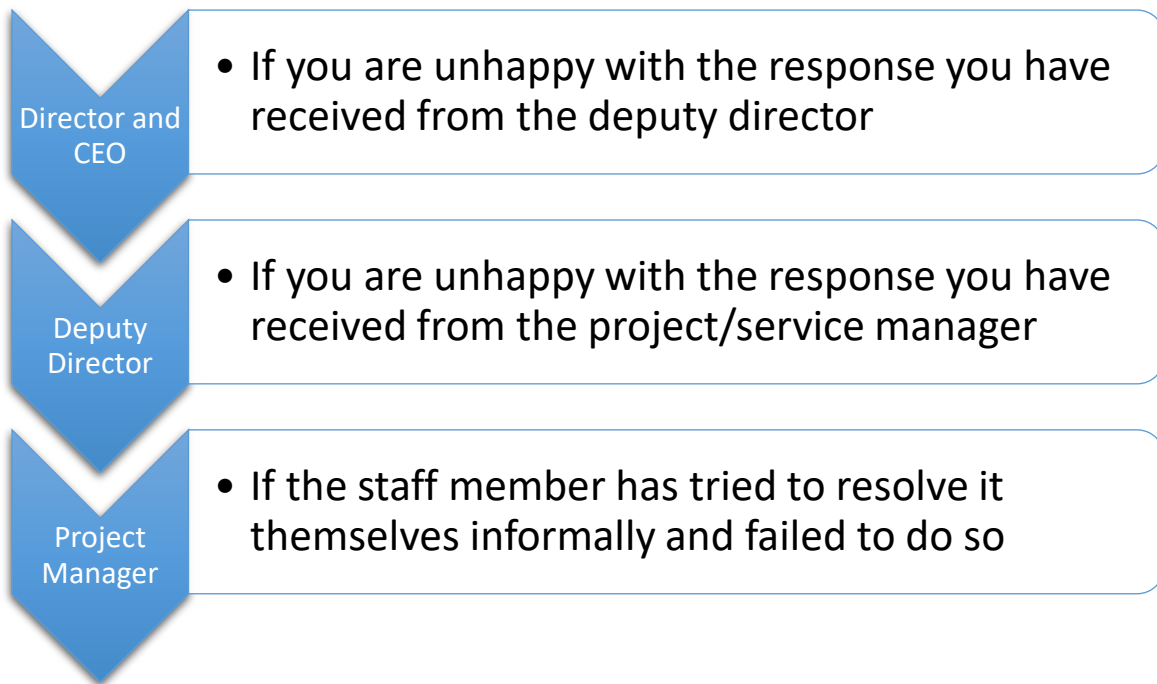
- All complaints must be sent via email to enquiries@hfmind.org.uk or in a letter, to: 309 Lillie Road, London, SW6 7LL.

mind Hammersmith, Fulham, Ealing and Hounslow

- If you are unable to send an email or a letter, you can call the service on 0208 571 7545 and a member of staff will fill the complaints form out with you.
- Your complaint will be acknowledged within **3 working days** from the date it is received and will contain the following information:
 - Name, office address and office telephone number of the investigating manager
 - The date the investigation will start;
 - What support the complainant will receive during the process of the complaint in making information accessible, e.g. a translation service.
- You will receive a full written response to the complaint within **30 working days** from the start of the investigation from the manager appointed to investigate the complaint. The response will include the following information:
 - Details of the investigation;
 - A decision about whether the complaint was upheld or not;
 - The reason for the decision;
 - The redress, if appropriate, which will be offered to the complainant, e.g. an apology, additional help or directing to other sources of advice or support;
 - Any other action that may be taken in light of the complaint.
- If it is not possible to provide a full answer to the complaint within **30 working days**, you will be sent a letter outlining reasons why and given a date by which a full answer is expected.
- If you are unhappy with the results of the findings and/or decision read the next Section for how to appeal.

8. Stage 3: The Appeal

- If you are not satisfied with the response to your complaint, follow the below chart to see who to appeal to.



- To appeal against a decision, the complainant should put in writing the reasons for their dissatisfaction within **15 working days** of receiving the decision. This should be addressed: 309 Lillie Road, London, SW6 7LL via letter or via email to enquiries@hfmind.org.uk. Appeals outside of this timescale will only be considered under exceptional circumstances.
- This will be acknowledged within **7 working days** of receipt and will outline the next stage of the process.
- The appeals manager will write within **30 working days** of receiving the appeal, to confirm the final decision about the complaint and any action that may be taken in light of the complaint.
- There is no further appeal after a response from the CEO has been received.
- If you are dissatisfied with HFEH Mind's complaints process, you can contact the Charity Commission, who will be able to advise on whether they may be

able to assist

(http://www.charitycommission.gov.uk/About_us/Contacting_us/default.aspx)

9. Complaints against staff pertaining to abuse or neglect

- If you believe a member of staff has been the perpetrator of abuse or neglect, this falls within the remit of our safeguarding policy which we can provide on request.
- All complaints alleging staff of abuse or neglect should be sent directly to the adult safeguarding lead for the organisation Arti Modhwadia arti.modhwadia@hfehmind.org.uk and Nana Owusu if it relates to CYP safeguarding nana.owusu@hfehmind.org.uk
- The matter will be investigated with support from HR and the CEO of the organisation and will be reported externally to the local authority and LADO if a child is involved.
- We will respond to complaints of this nature within 3 working days and raise the concern within 24 hours, as per our safeguarding policy.

Appendix 1 - Complaint Form

The complainant's full name:

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Address:

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Contact number:

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Email address:

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The service you have or are receiving from HFEH Mind:

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The dates and details of the complaint:

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The reasons you have not been satisfied with resolving the complaint at the informal stage:

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Details of any support you may need in processing your complaint:

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Signature:

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Date:

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Appendix 2 – Procedure for Handling Complaints which may have Financial or Legal Consequences for HFEH Mind

Guidelines for Staff

1. HFEH Mind has been advised by its insurers that where a complaint appears likely to result in litigation or a financial claim against the organisation, direct contact with the complainant must cease and all negotiations will be conducted by the insurers.
2. As a guide, the following fictitious complaints are of a type which may have financial or legal consequence for Mind:
 - A service user complains they were injured by falling on stairs due to a loose carpet.
 - A service user complains that they have lost benefits due to advice given by a worker.
 - A service user's data is lost
 - A service user has faced discrimination by a staff member

The following types of complaint are unlikely to have legal or financial consequences for HFEH Mind:

- A service user complains of rudeness on the part of a member of staff.
3. Once it has been established that financial or legal consequences are likely the CEO and Head of Service must be informed. HFEH Mind's insurers must be informed by telephone and then in writing, by the Head of Service (Adult or Youth). The complainant should be informed in writing that the complaints procedure is suspended and that any future correspondence will be conducted through HFEH Mind's insurers.
 4. A full written report of the circumstances of the complaint must be prepared and sent to the insurers, usually by the Head of Service.