

Wellbeing Service Complaints Procedure

Introduction

This policy covers complaints that may arise from Cancer Support Scotland Wellbeing Services. Cancer Support Scotland is committed to providing high-quality support to people affected by cancer. The desire is that matters of concern are resolved co-operatively, informally and as quickly as possible. All complaints will be treated seriously and confidentially.

This procedure covers complaints against a member of staff, individuals (paid and volunteer) and groups carrying out work related to the wellbeing services.

Aims of the Complaints Procedure

- To enable a complaint to be investigated 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 wellbeing services
- Anyone who has used the wellbeing services within the past three years
- Anyone who has enquired about the wellbeing services or is on the waiting list
- Anyone from another organisation who has enquired about our wellbeing services, or who is working with or representing someone who is using or has used the services
- Anonymous complaints will be investigated by the Chief Executive Officer or the Chair, who will use discretion in assessing what action should be taken
- Complaints made by representatives, or third parties are acceptable, however, the onus is on the third party to evidence the complaint

How to Make a Complaint

If you are receiving our wellbeing services, please try to talk your concerns over with the staff member/volunteer providing the service if you can.

If you have a complaint or a concern about our wellbeing services, you can:

- Call our Head of Wellbeing Services on 0141 337 8199
- Email us at info@cancersupportscotland.org
- Write to us at Head of Wellbeing Services, Cancer Support Scotland, Calman Centre, 75 Shelly Road, G12 0ZE

If you have any difficulty making a complaint in person, over the telephone or in writing, please let us know and we will try to help you. Cancer Support Scotland will signpost you to external support from organisations such as local advocacy services if requested.



First Stage

If you make a complaint by telephone, we will aim to resolve it during the call or correspondence with you. If this is not possible, we will let you know how long it will take to resolve and what the anticipated next steps of the process are.

If you make a complaint by email or post, we will resolve it or acknowledge receipt of it within 5 working days. If the complaint is more complex, we will contact you again with a resolution within 20 working days of receipt.

If your complaint raises any issues to do with child protection, legal or criminal matters, there may be formalities which will involve external bodies such as social work, police, legal or other specialist advice.

Second Stage

We would hope you were satisfied with our response, however if not, do let us know. We will then escalate your complaint to our Chief Executive Officer.

At this stage, the complaint must be in a letter (not an email) dated and signed by you. This letter will be kept on file. The letter will be acknowledged within 10 working days of receipt. The person complained against will be given a copy of your complaint. The Chief Executive Officer will lead an investigation and contact you with a resolution within 20 working days of receiving your second stage complaint.

Third Stage

If you are still not happy with our response, you can contact The Board of Trustees, they are the authority of last resort. An appeal can only be lodged when the previous stages have been exhausted.

Your appeal must be sent to the Chief Executive Officer by letter, dated and signed by you and contain the grounds for your appeal. It must be received within 28 days of confirmation the outcome of Stage 1.

The Board of Trustees is independent of any person concerned with the complaint thus far. At least two members of The Board of Trustees will sit within 28 days of receipt of your written appeal.

The Board of Trustees will hear separately the evidence from the complainant and the party complained against. The complainant may be accompanied by a support person if they wish. The Board of Trustees will consider the facts; decide the outcome by which the parties will abide; and announce its decision in writing, with reasons, within 10 working days of the meeting.

If the complaint is upheld, they will also suggest sanctions ranging from further inhouse training to formal CPD, reporting to professional bodies and dismissal in line with the organisations Disciplinary Procedure. Line Managers, and the Chief Executive Officer will impose sanctions depending on stage and nature of complaint. This would be noted in the Complaint's log and personnel file. All outcomes will be communicated face to face then followed up in writing. Line Managers, and the Chief Executive Officer will remove any sanctions.

All parties will be expected to abide by the outcome of the appeal. There is no procedure for any further appeal through Cancer Support Scotland. However, this does not exclude the right to refer the complaint to the governing body/professional organisation that the staff member/volunteer are members or to take proceedings through the legal court system. Following the completion of Cancer Support Scotland's procedure, complaints being taken to governing body/professional organisation must be made within the time limit of 28 days.

Please note the complainant is required to give permission for confidential information, pertinent to the complaint, to be disclosed by all parties cited in the complaint to those involved in handling the complaint.

Counselling Complaints to COSCA

COSCA is the professional body for counselling and psychotherapy in Scotland. Cancer Support Scotland is an organisational member and we are therefore also covered by the COSCA Complaints Procedure.

In the event that a complaint is not resolved satisfactorily by the Cancer Support Scotland Wellbeing Services Complaints Procedure, it is possible to refer a complaint to COSCA.



COSCA
16 Melville Terrace
Stirling
FK8 2NE

01786 475140

www.cosca.org.uk

Complainant will have 28 days to complain to COSCA.

COSCA will, on receipt of the complaint, verify that the members complaints procedure has been followed and the outcome was lawful, reasonable, and properly explained.

Outcome report to Cosca

The Outcome Report to COSCA at the Conclusion of Complaints Proceedings will be submitted to COSCA. The Outcome Report will be submitted immediately or within one month of the conclusion of our complaints process. COSCA will publish upheld complaints and their sanctions regarding COSCA Individual Members or Member Organisations.

Conflict of Interest

If there is any conflict of interest identified by any of the parties involved, then it must be declared as soon as it arises and reported to the Head of Wellbeing Services. An identified Board Member will be responsible for assessing and dealing with any conflict of interest. If the Board of Trustees are not able to be or not seen to be independent of the complaint it will be passed to our independent HR consultant.

Anonymous, Vexatious or Malicious Complaints

If a complaint is anonymous, it will be investigated and where evidence is found to support the complaint internal training, CPD training or disciplinary action will be taken as appropriate and in line with the organisations Disciplinary Procedure.

Where a complaint is found to be vexatious or malicious, the matter will be recorded and closed.

Complaints Against Former Staff and Volunteers

If the person complained against has left the charity, any investigation will be conducted for the learning of the charity, and if possible, the complained against offered the opportunity to represent their own interest. For counselling staff and volunteers the outcome report will be sent to COSCA, but the normal sanction report will not be published and if the former worker is still a member of COSCA, COSCA may investigate under the system for dealing with information about members.

Time Limits

Complaints can be investigated for up to six months from the date of the alleged incident. Complaints made after this time will not be investigated.

Cancer Support Scotland aim to resolve first stage complaints within 20 working days of receipt, second stage within 20 working days of receipt, and an outcome reached within 38 days after receipt of an appeal.

Complaints can be discontinued if the complainant fails or refuses to participate at any stage without good reason or the complainant formally withdraws the complaint. Both parties will be informed.

At the discretion of the person managing the complaint, with due regard to time restraints and confidentiality, the process may be adjourned or put in recess. The process will be re-started at the point at which it was stopped, within a reasonable time.



Conduct Complaint

If a complaint relates to the conduct of a staff member or volunteer providing wellbeing sessions, at all times the person affected by cancer's safety will be a primary consideration. Suspension of the staff member/volunteer and/or disciplinary proceedings may take place at any stage of the complaints process, if appropriate.

Legal Action

The person managing the complaint can halt the complaint at any stage should it emerge that legal action is under way, pending or intended, until any legal process is complete.

Cancer Support Scotland may seek legal or other specialist advice.

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 Chief Executive Officer. Once a complaint has been concluded, an 'Outcome Report' will be generated. Outcome Reports may not be pass onto third parties, representative and anonymous complainants. Records of complaints will be kept for a period of up to five years.

Availability of this document

- It can be viewed and downloaded as a PDF from the 'Terms and Conditions' section of the Cancer Support Scotland website
- A copy is available in the main public area of Cancer Support Scotland's premises
- A hard copy can be requested by phone, email, letter or in person from Cancer Support Scotland
- 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 using standard online tools

This procedure will be reviewed periodically giving due consideration to legislative changes.

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