



PROCEDURE FOR DEALING WITH COMMENTS AND COMPLAINTS RELATING TO SERVICES PROVIDED BY THE ORGANISATION

A INTRODUCTION

Mind in Croydon is committed to ensuring that its work is of the highest quality. We believe that through effective management and investigation of comments, compliments and complaints we can identify learning to achieve high quality work and continuous improvement as an organisation.

This procedure is principally concerned with complaints, compliments and comments made about Mind in Croydon 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 Croydon projects.

The following principles underpin Mind's approach to handling comments, compliments and complaints.

B PRINCIPLES

Mind in Croydon recognises that comments, compliments and complaints are an important part of feedback.

- **The procedure is fair, easy and as transparent as possible.**
- **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 efficiently, appropriately and are investigated within the agreed time frame.**
- **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.**
- **Action is taken where necessary in the light of the outcome of the complaint. This might include an explanation or an apology and if relevant and appropriate, information on any action taken.**
- **Learning from complaints will be used to improve Mind in Croydon's work and drive forward a culture of continuous improvement.**
- **It is very important that every effort is made to ensure anyone making a complaint understands the outcome of their complaint.**
- **Mind in Croydon will recognise peoples reasoning for making a complaint.**

- **A complaint can also be challenging for a person or service against whom a complaint is made, and that person may also need assistance and support from the organisation. Any member of staff or volunteer against whom a complaint is made will be given the fullest opportunity to answer any criticisms.**
- **Complaints may have or may have financial or legal consequences for Mind in Croydon. In such cases its insurers require Mind in Croydon to cease direct contact with the complainant. It may then be necessary in the interests of the complainant to refer them to another agency both for assistance with the complaint and to ensure that their service needs are met. [See Appendix I: Procedure for handling complaints which may have financial or legal consequences for Mind in Croydon.]**
- **Mind in Croydon will respect the confidentiality of both the complainant and any person complained about, subject to the provisions of Mind in Croydon's Confidentiality Policy. This states that, 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.**

If you have comments about our work or how we have helped you, please email admin@mindincroydon.org.uk so we can track that feedback and act on it where necessary.

C PROCEDURE - Complaints

1. **1st Stage:** informal discussion with the person concerned. If the complaint is about a service, the Project Manager may be asked to help to resolve the complaint informally. We will respond to Stage 1 complaints within 14 working days.
2. **2nd Stage:** a formal complaint in writing / email should be sent as follows:
 Complaint against a member of staff or volunteer: to the Chief Executive
 Complaint against the Chief Executive: to the Chair
 Complaint against a trustee: to the Chair
 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 this, 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 in Croydon at 26, Pampisford Road, Purley, Surrey, CR8 2NE 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, one of whom will be a service user. These will usually all be trustees, but the Chair may replace one or more of the trustees with people independent of Mind in Croydon 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.

Charity Commission

If you are dissatisfied with Mind in Croydon's complaints process, you can contact the Charity Commission, who will be able to advise on whether they may be able to advise on the matter. The Charity Commission can be contacted at: www.charitycommission.gov.uk.

APPENDIX I:

PROCEDURE FOR HANDLING COMPLAINTS WHICH MAY HAVE FINANCIAL OR LEGAL CONSEQUENCES FOR MIND IN CROYDON: Guidelines for Staff

1. Mind in Croydon has been advised by its insurers that where a complaint appears likely to result in litigation or a financial claim against Mind in Croydon, 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 the type which may have financial or legal consequences for Mind in Croydon:
 - i) A client complains he has lost entitlement to benefit through wrong advice from the Welfare Benefits Advice Service.
 - ii) A Mind in Croydon shop customer claims that she has been hurt by a splinter in a product bought from the shop.
 - iii) A Hub member complains that he has suffered food poisoning as a result of food past its 'sell-by' date.

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

- i) A service user complains of rudeness on the part of a member of staff.
- ii) A Therapeutic Service client complains of being too long on the waiting list.
- iii) A service user complains that they have been excluded from receiving a service because of the rules.

If in doubt consult the Chief Executive or in their absence the Director of Services.

3. Once it is established that financial or legal consequences are likely the Chair and Chief Executive must be informed. Mind in Croydon's insurers must be informed by telephone and then in writing, usually by the Chief Executive. The complainant should be informed in writing that the complaints procedure is suspended and that any future correspondence will be conducted through Mind in Croydon's insurers.
4. In the case of Welfare Benefits clients, or other clients where a complainant's position may deteriorate if no action is taken the complainant must be signposted immediately to another agency.
5. A full written report of the circumstances of the complaint must be prepared and sent to the insurers, usually by the Chief Executive.