



The Harbour Counselling Service Complaints Procedure

Registered Company Number SC 348982 ~ Registered Charity Number SC 039942

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1 Complaints Procedure

The Harbour Counselling Service (known as 'Harbour')
Shore Road, Perth, PH2 8BD
01738 449 102
<https://www.harbourperth.org.uk/>

If anyone is unhappy with any part of our service, or if they have a complaint to make, we would like to know about it as soon as possible in order to resolve the situation quickly. All complaints will be treated seriously and confidentially.

1.1 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

1.2 Access to this Complaints Procedure document

This Complaints Procedure can be accessed as follows:

- It can be viewed and downloaded as a PDF from the website of Harbour Counselling Service
- It is provided at the time of an initial assessment (IA)
- A copy is available on the notice board in the public waiting area of Harbour premises
- A hard copy can be requested by phone, email, letter or in person from the Harbour office.
- 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 from our website using standard online tools.

Information in our Letter of Introduction for clients and our Volunteer Induction process will ensure that everyone we work with knows about this Complaints Procedure.

1.3 Who can complain?

- Anyone who is using the counselling service
- Anyone who has used the counselling service within the past three years
- Anyone who has enquired about the counselling service or is on the waiting list
- Anyone from another organisation who has enquired about our service, or who is working with or representing someone who is using or has used the service
- Anyone who has not received counselling from Harbour Counselling Service, but still feels that they have been adversely affected by paid staff, volunteer counsellors or receptionists, Board members, and other volunteers or contractors acting for or on behalf of Harbour Counselling Service

Anonymous complaints, and any that are deemed to be vexatious or malicious, will be investigated by the Practice Manager and the Chairperson of the board of directors of Harbour, who will use discretion in assessing what action should be taken.

1.4 Time limits for complaints

Complaints can be accepted up to **three years from the time of the problem arising**. If the complaint refers to specific client work the maximum is three years from the date the client ended counselling with the Harbour. However, it is much easier to sort out difficulties if the complaint is brought to our attention as quickly as possible.

1.5 How to Make a Complaint

If you are receiving counselling, please try initially to talk your concerns over with your counsellor if you can, and/or with the Practice Manager informally.

If complaints cannot be resolved informally, a formal complaint should be made in the first instance to the Practice Manager, who will be responsible for managing the complaint. This can be in person by appointment, by telephone, or in writing by email or letter. Please contact: The Practice Manager, Harbour Counselling Service, Shore Road, Perth PH2 8BD, call 01738 449102 or email office@harbourperth.org.uk.

You may also wish to contact Independent Advocacy in Perth for assistance.

<https://www.pkc.gov.uk/article/14586/Independent-advocacy>

1.6 Scope of Complaints

Complaints made under this Procedure may cover paid staff, volunteer counsellors, students or receptionists, Board members, and other volunteers or contractors acting for or on behalf of Harbour Counselling Service. Complaints must be supported by sufficient evidence to enable an investigation, and the Practice Manager will make an initial assessment of whether there is a case to answer and communicate the outcome of all complaints to the Board of Directors in their monthly practice report.

Complaints against a person who has left Harbour will be investigated for the learning of the organisation and a report submitted to the Board of Harbour Counselling Service, even if sanctions cannot be applied. Wherever possible the person complained against will be offered the opportunity to represent their own interest. If they are still a member of a professional counselling body, they may choose to investigate under their system for dealing with information about members.

1.7 Confidentiality and Communications

Every complaint will be treated with care and confidentiality. We will attempt to communicate clearly and directly with all complainants or their representatives in a timely manner, as described below.

The complainant is required to give permission for confidential information pertinent to the complaint to be disclosed to all parties cited in the complaint, by those involved in handling the complaint, including the Harbour's legal or other specialist advisors.

1.8 Safety of Clients

If a complaint relates to the conduct of a counsellor while in counselling, at all times the client's safety will be a primary consideration. Suspension of counselling and/or disciplinary proceedings may take place at any stage of the complaints process, if appropriate.

1.9 Stage 1 – Informal Complaint

Every opportunity will be taken at the time of the initial complaint to settle the concern informally. This may include telephone conversations and/or face-to-face meetings or written explanation of the reasons for a decision taken. The Practice Manager will normally handle the complaint at this stage, but if the Practice Manager is the subject of the complaint, then the Chair of the Board of Directors or other designated member of the Board will undertake to respond to the complaint and manage the complaints procedure. If the complainant remains dissatisfied with the outcome of discussions at this stage, then a formal complaint can be made.

1.10 Stage 2 – Formal Complaint

A formal complaint will be acknowledged in writing by the Practice Manager within seven days. A copy of the Complaints Procedure will be enclosed. If an employee, volunteer or contractor of the Harbour Counselling Service is the subject of the complaint, they will be sent a copy of the complaint along with the Complaints Procedure. The chairperson of the board of Directors will be informed and will take up the investigation.

1.10.1 Investigation of the Complaint

An independent and impartial person or persons with relevant experience will be appointed by the Board of Directors to investigate the formal complaint. They will be independent of the Harbour Counselling Service and the complainant, and all parties involved will be given the opportunity to declare a conflict of interest with them to the Chair, who will be responsible for assessing and dealing with that conflict.

The investigator(s) will make a thorough and confidential investigation of the complaint, contacting both the complainant and the person complained against. The investigator(s) will have access to relevant documents and policy papers within the Harbour Counselling Service and to staff members, if appropriate. They may ask for evidence from either party and if this is sought in person, they will meet with each party separately. All parties will have the right to be accompanied, but not be represented, by a supportive person of their choice. The complainant and the party or parties complained against and/or their representative will not be asked to attend any meetings together.

The investigator(s) will make a written response to the complainant by email or letter **within twenty-eight days**, a copy of which will be sent to the Harbour Counselling Service and the person complained against. If it is not possible to respond within 28 days, the complainant will be informed of any reasons for a delay. All investigations will be completed and responded to **within six months**.

The investigator(s) will make recommendations regarding the action required to bring about the resolution of the complaint and any sanctions which they may consider appropriate to apply to either party. In such circumstances, they will also provide instructions for the monitoring of the fulfilment of said actions or sanctions. Examples of possible sanctions would include:

- A formal apology to the complainant
- A requirement to undertake further relevant training
- Suspension of the person concerned from their role at the Harbour
- Report to professional body or the police

Unless the Harbour Counselling Service makes a formal appeal **within fourteen days**, the Harbour will abide by the decisions and recommendations of the investigator(s).

The chairperson of the Board of Directors or whoever is managing the complaint, may halt the procedure at any stage if it emerges that legal action is under way, pending or intended, until such time as any legal process is complete. They may also adjourn the procedure, ensuring that it is re-started at the point at which it was stopped, within a reasonable time.

1.11 Stage 3 – Appeal

1.11.1 The Grounds for an Appeal

Any party may appeal against the findings of the investigator(s) on the following grounds:

- that the complaints procedure had not been followed
- that there was new evidence which the investigator(s) did not have access to in the investigation

An appeal cannot be accepted only on the grounds that either party disagrees with the investigators' report.

1.11.2 Making an Appeal

Any appeal must be made in writing to the Chair of the Board of Directors **within fourteen days of the receipt of the investigators' report**. The reasons for the appeal must be clearly set out in writing. The appeal will be acknowledged in writing by the Chair and considered by the Harbour Board of Directors. The appellant will be informed in writing **within twenty-one days** whether or not the appeal is accepted.

1.11.3 The Appeal Panel

If an appeal is accepted, the Chairperson will arrange to set up an Appeals Panel. The panel will be made up of three members: one of the Board of Directors who may be considered impartial in the matter of the appeal and two persons from outside of the Harbour Counselling Service with relevant experience. The panel will meet **within twenty-eight days of the notification of the acceptance of the appeal** to the appellant. No-one on the panel will have taken any part in the previous handling of the complaint.

1.11.4 The Appeal Hearing

Fourteen days written notice of the date of the hearing and the composition of the panel will be given to all parties.

All documentation relating to the appeal will be copied to all parties and the panel members **fourteen days before the hearing**.

The complainant and the complained against may be asked to make a written statement to the panel which will be circulated seven days before the hearing. The complainant and complained against may be required to attend the hearing and may be accompanied, but not be represented, by a supportive person of their choice. The complainant and complained against will have the opportunity to make a short statement to the hearing.

The investigator(s) and the Practice Manager or the Chair of the Board (whoever managed the original complaint) will be available to give information to the panel. The appeal hearing will be recorded.

The appeal panel will have the authority to adjourn the hearing, with the process being restarted at the point at which it was stopped, within a reasonable time.

The panel will come to a decision regarding the appeal in private session. This discussion will not be recorded but a written record will be made of the proceedings. The decision will be given to both parties in writing by email or letter within seven days and will include the reasons for the decision.

Third parties, representatives and anonymous complainants will not be notified directly. If the appeal is upheld the panel will make recommendations regarding the action required to bring about the resolution of the complaint.

The Harbour Counselling Service will abide by the decision and recommendations of the appeal panel. If the complainant remains dissatisfied after the decision of the appeals panel or remains dissatisfied about the content of the investigators' report, he/she will be advised that they can seek legal advice.

1.12 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 Practice Manager and brought to the attention of the Board of Directors through monthly reporting. Records of complaints will be kept for a period of **five years**. A complaint will be discontinued if the complainant fails or refuses to participate at any stage of the complaint procedure without good reason or the complainant formally withdraws the complaint. In these circumstances, all parties will be informed.

1.13 Complaints to COSCA

COSCA is the professional body for counselling and psychotherapy in Scotland. It provides formal professional Recognition for The Harbour Counselling Service and we are therefore also covered by the COSCA Complaints Procedure. In the event that a complaint is not resolved satisfactorily by The Harbour Counselling Service Complaints Procedure, it is possible to make a complaint to COSCA within one month of the exhaustion of the process, under their Complaints Procedure. COSCA will, on receipt of the complaint, verify that the member's complaints procedure has been followed and the outcome was lawful, reasonable and properly explained.

www.cosca.org.uk/guidance-policies/complaints

COSCA
16 Melville Terrace
Stirling
FK8 2NE
01786 475140
info@cosca.org.uk
www.cosca.org.uk

An Outcome Report will be sent to COSCA at the Conclusion of Complaints Proceedings (found at www.cosca.org.uk under Complaints) within one month of the conclusion of The Harbour Counselling complaints process. COSCA will publish upheld complaints and their sanctions regarding COSCA Individual Members or Member Organisations.