

## Derbyshire Mental Health Forum Complaints Procedure

| Procedure title   | Complaints  |
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| <b>Version number &amp; issue date</b>  | 3<br>April 2015   |
| <b>Audience</b>   | Derbyshire Mental Health Forum members, customers, partners and the public  |
| <b>Definitions</b>  | None  |
| <p>This document sets out the procedures we will follow when we receive a complaint from users of the service, whether an organisation, individual or member of the public. It does not address complaints made by staff or volunteers (dealt with through grievance and disciplinary procedures) or job applicants (recruitment procedure).</p> <p>This procedure provides a means to resolve a dispute between the Forum and any complainant. Complaints are likely to be in one or more of the following areas:</p> <ul style="list-style-type: none"> <li>• dissatisfaction with our service, such as inadequate work, problems with casework, unacceptable delay or failure to deliver a service etc.</li> <li>• disputes between user and the organisation regarding policy, procedures or activities</li> <li>• unfair treatment of an organisation or individual that is in breach of our Equality and Diversity policy</li> <li>• discourtesy or unhelpfulness on the part of staff or executive committee members.</li> </ul> <p>When someone wishes to register a complaint, the following stages should be followed.</p> <p>Where the complaint is against the Manager, the same stages will be followed, but with the Chair of the organisation substituting for the Manager's role at all stages.</p> |   |
| <b>1</b>  | <p><b>Stage One – Initial Complaint</b></p> <p>The complaint should be made by telephone, letter or e-mail to the Manager, who will acknowledge receipt of the complaint in writing within 5 working days.</p> <p>(As Derbyshire Mental Health Forum is a small organisation this may not be possible if the Manager is ill or on holiday. If the complainant has not heard back from the organisation within this timescale they should contact the office, who will advise who is deputising for the Manager in his/her absence. This is likely to be the Chair.)</p> <p>In addition to stating the nature and circumstances of the complaint the complainant is strongly encouraged to state the remedial action they wish to be taken. If the complaint is about the Manager, the complaint should be addressed to the Chair.</p> |

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|                 | <p>All complaints should be marked '<i>private and confidential</i>'.</p> <p>The Manager (or Chair) will investigate the circumstances leading to the complaint. If the complaint involves a member(s) of staff the Manager will offer the opportunity for the member of staff to put forward their account, either by written statement or by presentation to the Manager.</p> <p>The Manager (or Chair) will communicate the results of the investigation to the complainant within a reasonable time – normally within 20 working days of the complaint being received.</p> <p>If the complaint is found to be justified, the Manager (or Chair) will agree any necessary further action with the complainant.</p>  |
| <p><b>2</b></p> | <p><b>Stage Two – Appeal</b></p> <p>The complainant will have the right – if dissatisfied with the results of the investigation – to put their case, in writing, to an appeal panel of three Executive Committee members, which will include at least one Officer. The appeal must be lodged within 20 days from the date of the original findings of the complaints procedure. The appeal will be dealt with within 20 days of receipt of the wish to appeal by the complainant.</p> <p>The role of the Appeals Panel is to see if the complaint has been dealt with properly and fairly and whether an appropriate decision has been reached, not to re-investigate the complaint.</p> <p>Where the complaint is against a member of staff, that person will be given the opportunity to submit a written statement to the panel. This will be considered alongside the original complaint, the investigation and any action suggested to remedy the situation.</p> <p>The complainant will be given at least 7 days notice of the date, time and venue of the panel meeting. The complainant may attend this meeting to witness the procedure, and may bring a person to assist them at that meeting. All reasonable efforts will be made to hold the meeting at a time convenient to the complainant.</p> <p>If the appeal is found to be justified, the appeal panel will agree any necessary further action with the complainant. The decision of the appeal panel is final and no further appeal is possible.</p> |
| <p><b>3</b></p> | <p><b>Recording and Monitoring Complaints</b></p> <p>All complaints will be recorded and kept on file.</p> <p>The Manager (or Chair) will keep the Executive Committee informed of the number and nature of complaints, and the outcomes. S/he will report to the Board on this at least annually.</p>   |
| <p><b>4</b></p> | <p><b>Confidentiality</b></p> <p>Records of the complaint, the investigation, any external advice and the original decision and appeals panel decision will remain confidential except where specific action needs to be taken.</p>  |

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| <b>5</b> | <p><b>Publicising the Procedure</b></p> <p>The Manager is responsible for ensuring that information is available to explain the procedure for making a complaint. A copy of the complaints policy and procedure will be posted on the SDVSMHF website and included in the Derbyshire Mental Health Forum Membership Pack and will also be made available upon request.</p> |
| <b>6</b> | <p><b>Ensuring the Effectiveness of the Procedure</b></p> <p>All Executive Committee members will receive a copy of the complaints procedure.</p> <p>Existing and new workers will be introduced to the Complaints procedure via induction and training.</p>   |

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| <b>Related policies, procedures and standards</b> | Complaints Policy   |
| <b>Procedure owner</b>                            | Executive Committee |
| <b>Original issue date</b>                        | January 2009        |
| <b>Next review date &amp; comments</b>            | April 2018          |