

## Complaints Procedure

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.

### 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

### 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 footer section of the Cloud 9 for life Group's website
- A copy is available on the notice board in the public waiting area of the Cloud 9 for life Group's premises
- A hard copy can be requested by phone, email, letter or in person from the Cloud 9 for life Group – [info@cloud9forlife.com](mailto:info@cloud9forlife.com).
- We do not have the resources to produce this procedure in multiple languages and formats.
- Information in our Practitioner paperwork and contract for service users ensures that everyone we work with knows about this Complaints Procedure.

### Who can complain?

- Anyone who is using the counselling and goods service
- Anyone who has used the counselling service within the past three months
- 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

Anonymous complaints, and any that are deemed to be vexatious or malicious, will be investigated by the company founder or Personal Assistant, who will use discretion in assessing what action should be taken.

## Time limits for complaints

Complaints can be accepted up to three months from the time of the problem arising. If the complaint refers to specific client work the maximum is three months from the date the client ended counselling with the Cloud 9 for life Group. However, it is much easier to sort out difficulties if the complaint is brought to our attention as quickly as possible.

## How to Make a Complaint

If you are receiving our counselling service, please try to talk your concerns over with your counsellor if you can.

A formal complaint should be made in the first instance to the founder, 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:

Jayne Roberts  
Cloud 9 for life  
Room 22  
Ty AVOW  
Wrexham  
LL11 1ND  
07925-540690  
[info@cloud9forlife.com](mailto:info@cloud9forlife.com)

If you have any difficulty making a complaint in person or in writing, please let us know and we will try to help you. You may also wish to contact the British Association for Counselling and Psychotherapy (BACP) via <https://www.bacp.co.uk/about-us/protecting-the-public/professional-conduct/how-to-complain-about-a-bacp-member/>

## Scope of Complaints

Complaints made under this Procedure may cover any and all persons working for Cloud 9 for life (C9FL) to include, staff, sub-contractors – acting on behalf of C9FL, PA, volunteers, trainee's, administration and reception staff.

Complaints must be supported by sufficient evidence to enable an investigation, and the Founder will make an initial assessment of whether there is a case to answer.

Complaints against a person who has left the C9FL will be investigated for the learning of the organisation.

## **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 C9FL legal or other specialist advisors.

## **Safety of Clients**

If a complaint relates to the conduct of a counsellor 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.

## **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 Founder will normally handle the complaint at this stage, but if the Founder is the subject of the complaint, then a designated member of the organisation 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 written complaint can be made.

## **Stage 2 – Formal Complaint**

A formal complaint will be acknowledged in writing by the Founder within seven days. A copy of the Complaints Procedure will be enclosed. If an employee, volunteer or contractor of the C9FL Service is the subject of the complaint, they will be sent a copy of the complaint along with the Complaints Procedure.

## **Investigation of the Complaint**

An independent and impartial person or persons with relevant experience will be appointed by the Founder to investigate the formal complaint. They will be independent of C9FL Service and the complainant, and all parties involved will be given the opportunity to declare a conflict of interest with them, 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 will have access to relevant documents and policy papers within the C9FL 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 C9FL Service and the person complained against. If it proves 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 a maximum of 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 work with C9FL

Unless C9FL Service makes a formal appeal within fourteen days, C9FL will abide by the decisions and recommendations of the investigator(s). At this stage a Report at the Conclusion of Complaints Proceedings will be sent to the BACP by the investigator(s).

The Founder 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.

## **Stage 3 – Appeal**

### **The Grounds for an Appeal**

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

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

An appeal cannot be accepted only on the grounds that the complainant disagrees with the investigator's report.

### **Making an Appeal**

Any appeal must be made in writing to the Founder or persons dealing with the complaint 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 Founder and considered by the representative for C9FL

The complainant will be informed in writing within twenty-one days whether or not the appeal is accepted.

### **The Appeal Panel**

If an appeal is accepted, the Founder will arrange to set up an Appeals Panel. The panel will be made up of three professionals deemed impartial in the matter of the appeal and two further persons from outside of C9FL 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.

### **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 and the Founder or person representing C9FL (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 re-started 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.

C9FL 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 investigator's report, he/she will be advised to contact The BACP.

## **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 Founder and brought to the attention of the Group. Once a complaint has been concluded, an 'Outcome Report to the BACP at the Conclusion of Complaints Proceedings' will be submitted to BACP within one month.

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 both parties will be informed.

## **Complaints to BACP**

BACP is the professional body for counselling and psychotherapy in the UK. It provides formal professional Recognition for the C9FL Service and we are therefore also covered by the BACP Complaints Procedure.

In the event that a complaint is not resolved satisfactorily by C9FL Complaints Procedure, it is possible to make a complaint directly to the BACP within one month of the exhaustion of the process, under their Complaints Procedure. The BACP 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.

The British Association of Counselling and Psychotherapy (BACP)

BACP House,  
Unit 15,  
St. John's Business Park,  
Lutterworth,  
LE17 4HB  
Or, email it to [professional\\_conduct@bacp.co.uk](mailto:professional_conduct@bacp.co.uk)  
Or, call 01455-883300