



Scottish Action for Mental Health

Raising a Complaint Guide

Introduction

SAMH strives to provide high standards of service. We believe that every person who uses one of our services or comes into contact with SAMH is entitled to the highest standard of service possible at all times. This may include the level of care and support provided or the information given to you or to someone you know.

Sometimes things can and do go wrong. We value complaints and use information from them to help us improve our services. If you feel that you have not received an acceptable level of service it is important to let SAMH know. This will help us to put things right where we can and take the necessary steps to make sure it does not happen again.

It is easier for us to resolve issues if you raise them quickly and directly; so please talk to a member of staff at the relevant service/department. They can try to resolve any problems on the spot. However, you do have a right to make a complaint.

This document outlines our complaints procedure; tells you how to make a complaint; and it also tells you what you can expect from us.

What is a complaint?

A complaint is an expression of dissatisfaction or unhappiness, whether justified or not, about our action or lack of action, or about the standard of service provided by us or on our behalf.

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service.

If someone is acting on your behalf it is important that you have formally agreed for them to do so. SAMH will require written confirmation and may require you to verify this.

The reason for this is to protect your confidentiality and personal information as required under data protection legislation.

Please also refer to the section on 'Useful Contacts'.

Please note, if your complaint is regarding the quality of a registered care service, you can contact the Care Inspectorate at any time.



Anonymous complaints

There may be instances where someone making a complaint wishes to keep their identity anonymous. Where possible we will respect this, but if you choose to withhold your identity, it may not be possible to carry out a full investigation, take action or provide feedback of the outcome. If we pursue an anonymous complaint it will be recorded on our system as 'anonymous'.



Respectful behaviour

SAMH is a value-based organisation and we believe that everyone has a right to be heard and understood. We understand that the decision to make a complaint can be difficult.

We also believe that everyone has the right to be treated with dignity, respect and equality; and SAMH staff will apply these values when dealing with your complaint.

We expect our staff to receive the same consideration. We consider actions that result in unreasonable demands or unreasonable behaviour unacceptable.

When determining and responding to unreasonable or persistent behaviour, we will follow guidance set out by the Scottish Public Services Ombudsman (SPSO).

What can I complain about?

We can consider complaints related to the following examples, but are not restricted to this list:

Access to Services: Long wait times for appointments or support/ accessibility making it difficult for individuals to receive timely help.

Quality of Support: Concerns about the qualifications or experience of staff, or the effectiveness of the support provided.

Communication Issues: Lack of clear information about services, processes, or follow-ups, leading to confusion or frustration.

Personalisation of Care: Feelings that services are too generic and not tailored to individual needs or circumstances.

Availability of Resources: Insufficient resources, such as limited support groups or workshops, limiting options for Service Users.

Stigma or Judgment: Experiences of feeling judged or stigmatised by staff or volunteers, which can deter people from seeking help.

Confidentiality Concerns: Worries about the privacy and confidentiality of personal information shared with SAMH.

Diversity and Inclusion:

Complaints regarding a lack of representation or sensitivity to diverse cultural backgrounds and experiences.

Feedback Mechanisms:

Inadequate opportunities for clients to provide feedback or voice concerns about their experiences.

Where a person raises an issue/s that SAMH does not consider to fall under the complaints policy and procedure, the information will be forwarded on to the suitable department if appropriate.

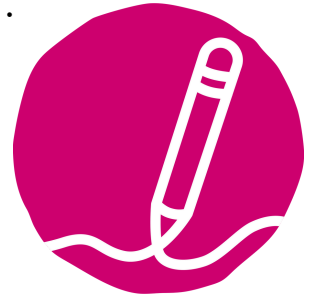


How do I complain?

You can complain:

In person or by calling any SAMH office/service, speaking directly to a member of staff or manager.

By telephone:
0141 530 1000, select option 4.



In writing:
SAMH Complaints, Brunswick House, 51 Wilson Street,
GLASGOW G1 1UZ



Or email:
complaints@samh.org.uk

Via our complaints form online (or scan the QR code):
www.samh.org.uk/contact/complaints

When complaining please tell us:

- As much as you can about the complaint, including:
 - WHAT happened and WHY you wish to complain
 - WHO was involved
 - WHEN did the event/incident happen
 - WHERE did it occur
 - HOW did the issue arise/ HOW has the issue impacted you
- It is helpful if you can tell us how we could make things right. If you know what would help, share this with us too.
- Your full name, address, email and contact number.
- Name and contact details of someone acting on your behalf (if applicable).
- Preferred communication method

How long do I have to make a complaint?

Normally you must make your complaint within 6 months of the event/situation you want to complain about; but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

Your complaint will be acknowledged to ensure that we understand the points you are raising.

We aim to resolve complaints quickly and at the point of service/department delivery. This could mean an 'on-the-spot' apology and explanation if something has clearly gone wrong and immediate action to resolve the problem; or we may need to investigate and collate information to help us respond. Our Complaints Team will determine the best way to handle your complaint.

Once the points of complaint are confirmed, you should be informed of the response deadline - this is normally within 20 working days. If we are unable to meet the timescale we will communicate this to you.

Timescales



The SAMH Complaint Team will...

- Acknowledge receipt of your complaint within **5 working days**.
- Give you a response as soon as possible and within **20 working days**.
- If we are unable to respond to your complaint within 20 working days, we will tell you. We will advise on a revised timescale and keep you updated on our progress.

Your right to appeal

If you are unhappy with the outcome of your complaint, you have the right to request an appeal. Requests for appeals must be made within **14 working days** of the outcome of the complaint.

If you wish to do this you must tell us:

- **Why** you think our decision is wrong.
- Highlight **where** you believe we have made a mistake.
- Provide as much **information** as you can to support your statement.

At any point during the process you have a right to refer the matter to another organisation for example, the Care Inspectorate. Please refer to the 'Useful Contacts' section for more information.

The outcome of an appeal is final which means that we will not investigate the matter further.

Your rights

When you contact us you can expect that your complaint:

- Will be taken seriously.
- Will be resolved as quickly, professionally and sensitively as possible.
- Will be treated confidentially (please see the note on 'Confidentiality' below).

If you are supported by a SAMH service you will not be disadvantaged as a result of making a complaint.

If your complaint relates to a care service you have a right to contact the Care Inspectorate at any time. Please refer to 'Useful Contacts' section.

You have a right to withdraw your complaint at any point; however SAMH may still have a duty of care to continue to investigate the matter.

Should you require support to make a complaint or appeal a decision, you have a right to access advocacy services at any point during the complaints process; please refer to the 'Advocacy' section.

Confidentiality

There may be circumstances where SAMH will be required to share/disclose information with other managers or agencies. For example: where we receive a complaint that concerns an allegation of abuse or a circumstance that indicates a present or potential risk to the health or welfare of an individual; we would be required to share information with the relevant external organisations including the police, local authority and the Care Inspectorate.

Advocacy

If you think that you need independent help to make your complaint, an independent advocacy service may be able to help.

You can find out more about the advocacy services in your area by contacting the Scottish Independent Advocacy Alliance (SIAA).

Telephone number:
0131 510 9410

Postal address:
Scottish Independent Advocacy Alliance
The Melting Pot,
15 Calton Road
Edinburgh
EH8 8DL

Email: enquiry@siaa.org.uk

Online:
www.siaa.org.uk

Useful contacts

You may decide to contact someone external to SAMH regarding your complaint if you are unhappy with the outcome of your complaint. Contact details for useful regulatory bodies or organisations are available on the next page.

<p>If your complaint is regarding the quality of a registered care service, you can contact the Care Inspectorate at any time.</p> <p>Care Inspectorate Compass House 11 Riverside Drive DUNDEE DD1 4NY</p> <p>www.careinspectorate.com</p> <p>enquiries@careinspectorate.gov.scot</p> <p>0345 600 9527</p>	<p>If you experience a mental health problem/or learning disability and you feel that you are not getting the right care and treatment, you can contact the Mental Welfare Commission for Scotland.</p> <p>Mental Welfare Commission for Scotland Thistle House 91 Haymarket Terrace EDINBURGH EH12 5HE</p> <p>www.mwscot.org.uk</p> <p>mwc.enquiries@nhs.scot</p> <p>0800 389 6809 (Personal advice line)</p> <p>0131 313 8777 (Professional advice line)</p>	<p>If your complaint is in relation to a data protection issue, you have the right to complain to the Information Commissioner's Office.</p> <p>SAMH Membership No: Z7100420</p> <p>The Information Commissioner's Office - Scotland Queen Elizabeth House Sibbald Walk Edinburgh EH8 8FT</p> <p>Scotland@ico.org.uk</p> <p>0303 123 1115</p>
<p>The Office of the Scottish Charity Regulator is the independent regulator of Scotland's charitable organisations, ensuring that the standards set in The Charities and Trustee Investment (Scotland) Act 2005 are being met.</p> <p>If you have a concern or complaint about a Scottish charity, you must complete the OSCR online concern form. OSCR do not deal with complaints via email or telephone.</p> <p>https://www.oscr.org.uk/concern-form</p>	<p>SAMH upholds the Code of Fundraising Practice.</p> <p>If your complaint is about SAMH's fundraising and you remain unsatisfied with the outcome of your complaint, you may refer the matter to the Scottish Fundraising Adjudication Panel.</p> <p>www.goodfundraising.scot</p> <p>info@goodfundraising.scot</p> <p>0808 164 2520</p>	<p>You can also get in touch with:</p> <ul style="list-style-type: none"> • Local social work department • Member of Parliament (MP) • Member of Scottish Parliament (MSP) • Scottish Public Services Ombudsman (SPSO) www.spsso.org.uk

SAMH Complaint Form

Section 1 - about you

a) You are the person making the complaint

Please fill in this section with your details and then Section 2 with details about the complaint. If you are complaining on behalf of someone else, you **must** fill in parts 1a and 1b of this section.

Please provide details about you:

Your full name:

Are you 18 years of age or over? YES ☐ NO ☐

Your address:

Postcode:

Contact telephone number:

Email address:

Please tell us your preferred method of communication (please note that we will always close a complaint by sending a written communication as well as your preferred format):

☐ Letter

☐ Email

☐ Telephone

Your signature:

Date:

Please continue to the next page of the form.

b) You are complaining on behalf of someone else

If you are complaining on behalf of someone else, please fill this section with their details:

Their full name:

Are they 18 years of age or over? YES ☐ NO ☐

Their address:

Their postcode:

Their contact telephone number:

Their email address:

What is your relationship to this person:

Consent

If you are complaining on behalf of someone else, you need their permission to do so. SAMH requires written consent and may need to verify this. An example of consent is set out below.

I authorise the person named in section 1a to make my complaint to SAMH for me. I understand that SAMH may give personal information about me and my complaint to this named person.

Signature:

Date:

Please continue to the next page of the form.

Section 2 - about what happened

When did the problem you are complaining about happen?

Day: Month: Year:

Note: normally you must make your complaint within 12 months of the event or situation that happened. If the matter took place more than 12 months ago, please tell us why you are bringing it to us now in the box below:

Name of the service/department:

Please tell us as much as you can about the complaint; outline the key points you want us to look into; and tell us why you are dissatisfied:

Please tell us how you think the matter can be resolved:

You can email your completed form to complaints@samh.org.uk, send the form via post to the address on page 6 or hand the form in to any SAMH service or staff member.