

RAISING A COMPLAINT



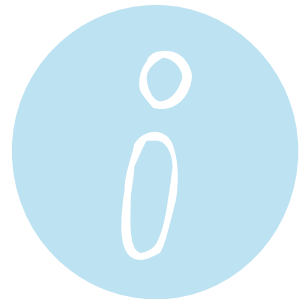
INTRODUCTION

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 about our action, or lack of action, or about the standard of service provided by us.

What can I complain about?

Please note that the following is not an exhaustive list.

- Failure to provide a service.
- Standard of service.
- Treatment by, or attitude of, a member of staff.
- Failure to follow proper practice and procedure in relation to any aspect of our work.
- Attendance at, or involvement in, an event.
- Response to an enquiry or communication from us.

We do not consider the following to fall under our complaints policy and procedure, but we do value your feedback and views on the following will be passed on to the appropriate areas:

- If you have not been successful through our recruitment procedure (unless you feel you have been unfairly treated or we did not follow proper procedure).
- If you have a different opinion or view about SAMH's position statements or campaigns.

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'.



SAMH'S COMPLAINTS
PROCESS IS IN 3
PARTS:

- Complaint Received
- Complaint Handled, Outcome Delivered
- Appeal

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 or email:
 - ➔ SAMH Complaints, Brunswick House, 51 Wilson Street, GLASGOW G1 1UZ
 - ➔ complaints@samh.org.uk
- Via our complaints form online – www.samh.org.uk/contact/complaints
- Completing and submitting the attached form and posting it to us at the address listed above.

When complaining please tell us:

- As much as you can about the complaint (including the date and the name of the service/department).
- The key points you want us to look into and why you are dissatisfied.
- How you think the matter can be resolved.
- Your full name and address.
- Name and contact details of someone acting on your behalf.
- How you would like us to communicate with you.

Please note that:

- We require written confirmation where someone is acting on behalf of another individual.
- We will always follow-up with a written communication when 'closing a complaint'.
- If your complaint is regarding the quality of a registered care service you can contact the Care Inspectorate at any time.

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 Officer will determine the best way to handle your complaint.
- You should receive a response informing you of the outcome of your complaint within 20 working days. If we are unable to meet the timescale we will communicate this to you.

Your right to appeal

If you are unhappy with the outcome of your complaint, you have the right to appeal. 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 'Useful Contacts' section for more information.

Timescales:

- We 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 agree revised timescales and keep you updated on progress.
- Requests for appeals must be made within 15 working days of the outcome of the complaint.

The outcome of the 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.

We understand that you may need support to assist you in making a complaint or appealing a decision. You have a right to access advocacy services at any point during the complaints process; please refer to 'Useful Contacts' section.

Confidentiality

SAMH is committed to protecting any confidential personal information you share with us. For more information about how we handle and protect your information please see our website [Privacy & Cookies | SAMH](#).

You should be aware that there may be circumstances when 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.

Respectful Behaviour

SAMH is a value-based organisation and we believe that everyone has a right to be heard and understood, and we understand that the decision to make a complaint is not easy and 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.

In determining 'unreasonable demands' or 'unreasonable behaviour' we will follow the guidance set out by the Scottish Public Service Ombudsman (SPSO): www.spsso.org.uk

Anonymous Complaint

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

SAMH
Brunswick House
51 Wilson Street
GLASGOW G1 1UZ

T: 0141 530 1000
E: complaints@samh.org.uk
W: [www.samh.org.uk/contact/
complaints](http://www.samh.org.uk/contact/complaints)

Scottish Association for Mental Health. SAMH is a company limited by guarantee; registered in Scotland No: 82340. Scottish Charity No SC008897. Registered office: Brunswick House, 51 Wilson Street, GLASGOW G1 1UZ

USEFUL CONTACTS

You may decide to contact someone external to SAMH regarding your complaint.

This section gives you details of organisations:

At any point in the process:

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**

Scottish Independent Advocacy Alliance
18 York Place
Edinburgh
EH1 3EP
www.siaa.org.uk
enquiry@siaa.org.uk
0131 510 9410

If you are unhappy with the outcome of your complaint you may wish to contact one of the following regulatory bodies or organisations:

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

Care Inspectorate

Compass House
11 Riverside Drive
DUNDEE
DD1 4NY

www.careinspectorate.com
enquiries@careinspectorate.gov.scot
0345 600 9527

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.

Mental Welfare Commission for Scotland

Thistle House
91 Haymarket Terrace
EDINBURGH
EH12 5HE

www.mwscot.org.uk
enquiries@mwscot.org.uk
0800 389 6809 (Personal advice line)
0131 313 8777 (Professional advice line)

If your complaint is relation to a data protection issue, you have the right to complain to the Information Commissioner's Office.

ICO
SAMH Membership No:
Z7100420
The Information Commissioner's Office - Scotland
45 Melville Street
EDINBURGH
EH3 7HL

Scotland@ico.org.uk
0303 123 1113

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.

Office of the Scottish Charity Regulator

2nd Floor, Quadrant House
9 Riverside Drive
DUNDEE
DD1 4NY

www.oscr.org.uk
info@oscr.org.uk
01382 220446

SAMH upholds the Code of Fundraising Practice. 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 Standards Panel.

Scottish Fundraising Standards Panel

www.goodfundraising.scot
info@goodfundraising.scot
0808 164 2520

You can also get in touch with:

- Local social work department
- Member of Parliament (MP)
- Member of Scottish Parliament (MSP)
- Scottish Public Services Ombudsman (SPSO)
www.spsos.org.uk

SAMH Complaints Form



Section 1:

Please tell us as much as you can about the complaint:

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.

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:

Section 2:

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

Section 3:

a) Person making the complaint

Please fill in this section with your details. If you are complaining for someone else you must fill in parts 3a and 3b of this section.

Please provide details **about you**:

Your name:

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:

b) Complaining on behalf of someone else

If you are complaining for someone else, fill in this section with their details

Their name:

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 3a 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: