



## **Towards Healing Complaints Policy for Service-users February 2024**

### **1. Purpose:**

The purpose of this document is to articulate the policy, procedures, and process for managing complaints from service-users. It also outlines the roles and responsibilities of all parties involved.

### **2. Objective**

Towards Healing is committed to providing a transparent and high quality service to our service-users. As such, we recognise the importance of addressing concerns promptly and fairly so as to maintain the trust and confidence of our service-users and other parties involved. We strongly encourage individuals utilising our services to express any concerns, challenges, issues, or suggestions they may have. We view complaints and suggestions as valuable chances for our organisation to reflect, enhance, and demonstrate a dedication to best practice. This policy outlines the procedures and processes for managing complaints from service-users.

### **3. Scope**

This policy applies to the service-users, staff, and affiliates of Towards Healing.

### **4. Definition of a Complaint:**

A "complaint" pertains to any objection raised against the conduct of Towards Healing or its staff or affiliate counsellors, while on duty, alleged to depart from fair or sound practices, or have an adverse impact on the individual filing the complaint.

### **5. Who Can Make a Complaint:**

Any person who is being or has been provided with a service by Towards Healing, or who is seeking or sought provision of such service, or who is acting in an official capacity on behalf of same, may file a complaint.

### **6. Towards Healing Response:**

Towards Healing is committed to responding to complaints confidentially, sensitively, fairly, and effectively without undue delay. No service-user will be disadvantaged for making a complaint pursuant to this policy. Whilst Towards Healing does take note of anonymous complaints, Towards Healing is not in a position to investigate anonymous or vexatious complaints.

#### *6.1 Time Limit for Making a Complaint:*

A complaint must be made within 12 months of the date of the action giving rise to the complaint or within 12 months of the complainant becoming aware of the action giving rise to the complaint.

#### *6.2 Withdrawing a Complaint:*

A complaint can be retracted at any point. Upon receiving notice of withdrawal, a review or investigation may halt unless there are valid reasons to continue in the public interest. The Director of Services and the Chairperson of the Board will then assess the matter.

### **7. Governing Principles of the Investigative Process:**

- A comprehensive and impartial investigation will be undertaken, demonstrating a commitment to conducting a thorough examination while respecting the rights of all parties involved. The process will be carried out with objectivity and efficiency to ensure a timely resolution.
- Throughout the investigation, confidentiality will be upheld to the extent deemed appropriate, safeguarding the privacy of those involved.
- Staff cooperation is mandatory, and necessary support will be extended to facilitate their participation in the process.
- Any attempt at intimidation or obstruction during the investigation will be treated seriously and can result in disciplinary action. Such behaviour is considered a disciplinary offense, emphasising the commitment to maintaining a fair and respectful investigative environment for all parties.

### **8. Complaints Procedure and Stages:**

#### 8.1 Stage 1 - Informal Approach:

- The complainant is encouraged to discuss the concern directly with the relevant staff member/affiliate counsellor.
- If dissatisfied, the complainant should consult the **Director of Services**, who will make efforts to resolve the complaint informally. If the complaint is related to the conduct of the Director of Services, the complainant can contact the Counselling Manager to manage any actions relating to the complaint.
- Towards Healing aims to resolve such complaints within 30 working days.

### *8.2 Contact Information for Stage 1:*

Director of Services: Dr Aisling Hearn

Phone: 0864400755, Tuesday – Friday, 9am – 5pm

Email: [aisling@towardshealing.ie](mailto:aisling@towardshealing.ie)

Address: Director of Services, Private and Confidential, Towards Healing, PO Box 5654, Dublin 14

Counselling Manager: John O' Donoghue

Phone: 0894556422, Tuesday – Friday, 9am – 5pm

Email: [john@towardshealing.ie](mailto:john@towardshealing.ie)

Address: Counselling Manager, Private and Confidential, Towards Healing, PO Box 5654, Dublin 14

### 8.3 Stage 2 - Formal Approach:

- If not resolved informally, the complainant can contact the Director of Services within 12 months of the action.
- In order to do so, the complainant is required to submit a written and signed complaint to the Director of Services, who will respond within 14 working days. If a written complaint is not feasible, such as due to language or literacy challenges, a verbal complaint can be made – with the understanding that it will be recorded in written format by the Director of Services. Towards Healing may request the use of an interpreter if the complainant is not a fluent in spoken English or to assist with sign language communication.
- After reviewing the complaint, written or verbal authorisation (with recorded documentation) will be sought from the complainant to share a copy of the complaint with the staff member accused of improper conduct. If the complainant requests non-disclosure to the staff member, the Director of Services will notify the complainant in writing or verbally (with recorded documentation) that no further investigation will take place.
- If there is no response from the complainant within 2 months, the Director of Services will write by registered post or meet with the complainant (with recorded documentation) to determine if they wish to pursue the complaint further. If there is no response after an additional 2 weeks, the complainant will be informed in writing or verbally (with recorded documentation) that the complaint will not be considered further.
- Once authorisation is obtained from the complainant, the Director of Services will meet with them to understand the nature of the complaint and offer a full hearing. A note-taker will accompany the Director of Services, and the complainant may bring a support person. Meeting minutes will outline specific details of the complaint, including dates and names of individuals involved, and will be signed and dated by the

complainant and the Director of Services. All parties named in the complaint, the Director of Services, and the complainant will receive a copy of these minutes.

- The person or people named in the complaint will be interviewed by the Director of Services, with the option to bring a support person. A report will be prepared by the Director of Services, signed by them and the Director of Services.
- The complainant will be informed of the response in a meeting with the Director of Services. At this stage, efforts may be made to resolve the complaint informally by clarifying misunderstandings or acknowledging the wrong and apologising verbally.
- Mediation by an external accredited mediator may be attempted at this stage, provided both parties agree.
- If the complainant remains dissatisfied, the Director of Services will inform the other involved parties. Towards Healing will aim to complete these procedures within 30 working days. If the process extends beyond this timeframe, the Director of Services will provide updates to the complainant every 10 working days, explaining the reasons for the delay.
- If the complainant is dissatisfied with the outcome, the Director of Services will extend an invitation by letter or verbally (with recorded documentation) to proceed to the Formal Investigation Procedure.

#### *8.4 Contact Information for Stage 2:*

Director of Services: Dr Aisling Hearn

Phone: 0864400755, Tuesday – Friday, 9am – 5pm

Email: [aisling@towardshealing.ie](mailto:aisling@towardshealing.ie)

Address: Director of Services, Private and Confidential, Towards Healing, PO Box 5654, Dublin 14

*Counselling Manager: John O' Donoghue*

Phone: 0894556422, Tuesday – Friday, 9am – 5pm

Email: [john@towardshealing.ie](mailto:john@towardshealing.ie)

Address: Counselling Manager, Private and Confidential, Towards Healing, PO Box 5654  
Dublin 14

#### 8.5 Stage 3 - Formal Investigation Procedure:

- If the complainant or another individual involved in the complaint, such as the staff member, is dissatisfied with the outcome of Stage 2, they should communicate this to the Director of Services either in writing or verbally (with a record made). The Director of Services will then initiate the Formal Investigation Procedure. This is activated by the Director of Services writing to the Chairperson of the Board of Directors of Towards Healing, referring the matter to them. This referral will include a copy of the complaint and should be made within 30 working days of the completion of Stage 2.

- The Board of Directors will subsequently commence an impartial investigation. The Board will appoint an external investigator with suitable experience. If additional information is needed from the complainant or the staff member, they will be requested in writing or verbally (with a record made) to respond within 10 working days. If necessary, this time limit may be extended by a further 10 working days.
- The investigation will encompass interviews with the complainant, the staff member under complaint, and other relevant parties or witnesses. Anyone attending for an interview may be accompanied by a support person. This process should be concluded within a timeframe agreed upon by the Board and the investigator, preferably no longer than 30 working days.
- Upon the full investigation of the complaint, the investigator will compile a report presenting their conclusions and recommendations to the Board of Directors. The Board will then make a final decision on how to proceed, and a response will be provided to all parties within a further 30 working days.
- If the complaint is upheld, the staff member will be subject to the disciplinary procedures outlined in the Towards Healing Staff Handbook.
- Regarding a complaint against an affiliate counsellor being upheld, Towards Healing will terminate the contract with the affiliate counsellor in line with their Contract of Services. Further to this, Towards Healing will inform the complainant of the complaint procedures of the counsellor's professional body.

#### 8.6 Stage 4 - Independent Review:

- If the complainant remains dissatisfied upon the conclusion of the Board Review or at any point during the complaints process, they also have the option to request that Towards Healing provide an Independent Panel to review the complaint.

### **9. Unreasonable Complainant Behaviour:**

Towards Healing reserves the right to refuse engagement with a complainant exhibiting abusive, unreasonable, or vexatious behaviour.

### **10. Confidentiality:**

At Towards Healing, we recognise the importance of confidentiality in these matters and endeavour to maintain confidentiality as far as possible. However under Irish law, in particular, the Children's First Act 2015, Protections for Person Reporting Child Abuse Act 2015, Section 176 of the Criminal Justice Act 2006, Criminal Law (Sexual Offences) Act 2017 there are situations that may require the sharing of certain information to a relevant service or authority. This is enacted if:

- You are at risk of harm to yourself or others.

- Any child is at risk of harm.<sup>1</sup>
- Any records requested by the Courts

In these case, mental health practitioners may contact your general practitioner, medical specialist, emergency services, or child protection and welfare services. Towards Healing will make every effort to share information with you. However, if the sharing information to the relevant service and/or authority would increase the risk of further harm, information may not be shared.

For the purposes of improving our service, Towards Healing also evaluates the impact of our work. In this case, anonymised data given to us by service-users may be used in external audits in order to evaluate and recommend improvements. This includes any complaints and compliments that are made by service-users.

#### **11. Redress:**

- Redress aims to be consistent and fair for both complainant and the service against which the complaint was made.
- Forms of redress include apology, explanation, admission of fault, change of decision, correction of records, and recommendations for policy changes.

#### **12. Policy Review:**

This policy will be reviewed every two years to ensure its effectiveness and relevance.

#### **13. Availability of Procedure:**

The complaints procedure will be made available on the Towards Healing website [www.towardshealing.ie](http://www.towardshealing.ie) and is available to download or service-users may request a paper copy to be sent to them

#### **Date of Policy Approval:**

\_\_\_\_ 20<sup>th</sup> February \_\_\_\_ 2024

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<sup>1</sup> Harm is considered any exposure to suicide, physical abuse, sexual abuse, emotional abuse, or neglect.