

# COMPLAINTS POLICY



**THE ARTHUR ELLIS**  
**MENTAL HEALTH FOUNDATION**



## Purpose

The complaints policy gives clients, other workers and agencies a way of raising any concerns they may have in a clear and transparent way.

It is essential that anyone using, accessing our service or working alongside us, a professional feel that they can raise any concerns and that they will be responded to in a fair transparent and balanced manner, with an opportunity to challenge if they disagree with the findings.

## Scope

This policy applies to all staff and volunteers, clients, parents/carers and other agencies that we come into contact with.

Allegations against staff and volunteers do not come under this policy but must be addressed by the Managing Allegations policy. This will either be a low level concern, dealt with internally or if it meets the harm criteria, it must be referred to the LADO within 24 hours.

## What is a Complaint

Although not exhaustive, complaints about any of the following would always be treated as serious:

- Risk of or actual serious injury or harm, bullying or sexual harassment.
- Discriminatory behaviour, according to current legislations protected characteristics.
- Substantive breaches of safety, such as Health & Safety at Work or safeguarding procedures.
- Substantive data protection breaches.
- Fraud or other criminal acts.
- Any complaint against an individual that falls within our definition of gross misconduct.
- Gross Misconduct.
- Any behaviour or negligence resulting in a fundamental breach that irrevocably destroys the trust and confidence necessary to continue a relationship will constitute gross misconduct.

## REVIEW

Written: January 2025

Adapted: September 2026

For review: September 2029

Updated on Website: September 2026



## Complaints Policy Exemptions

The following will not be dealt with by this policy:

- Staff grievances and issues will be dealt with through personnel policies and procedures. See staff handbook.
- Disciplinary matters. See staff handbook.
- Safeguarding Allegations against Staff. See separate Safeguarding Adults, Child Protection and Behaviour Management policies.
- Whistleblowing disclosures. See Whistleblowing Policy.

## Procedures

We believe that clients and partner agencies are entitled to expect courtesy and prompt, careful attention to their concerns. We welcome suggestions on how to improve our service and will give prompt and serious attention to any concerns about the running of AEMHF.

We anticipate that most concerns will be resolved quickly, by an informal approach with the appropriate member of staff. If this does not achieve the desired result, we have a set of procedures for dealing with concerns. We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all of the parties involved.

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# Making a Complaint

## Stage 1

The first act should be a discussion between the client (or parent/carer if under 18 or a vulnerable adults) and the manager. The manager will record the concern and respond to the concerns. Most complaints should be resolved amicably and informally at this stage. A record of the complaint and the outcome is recorded on file.

## Stage 2

If stage 1, does not have a satisfactory outcome, or if the problem recurs, the client or parent/carer moves to this stage of the procedure by putting the concerns or complaint formally in writing.

For those who are not comfortable with making written complaints, the manager can sit down and complete a form, it must be signed by the client or parent/carer.

All information relating to a written complaint from client is filed in the complaint record. However, if the complaint involves a detailed investigation, our manager may wish to store all information relating to the investigation in a separate file designated for this complaint.

On completion of the investigation, our manager meets with the client to discuss the outcome. This must be completed within 28 days of the initial complaint.

If the complaint is resolved at this stage, we log the summative points in our Complaint Investigation log.

## Stage 3

If the client is still not satisfied with the outcome of the investigation, they must request a meeting with our manager and the director. The client may have a friend or partner present if they prefer, and our manager should have the support of the management team.

An agreed written record of the discussion is made, as well as any decision or action to take as a result. All of the parties present at the meeting sign the record and receive a copy of it. This signed record signifies that the procedure has concluded. When the complaint is resolved at this stage, we log the summative points in our Complaint Investigation Record.

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## Making a Complaint Cont.

### Stage 4

If at the stage three meeting the client cannot reach agreement with us, we invite an external mediator to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers, but can help us to define the problem, review the action so far and suggest further ways in which it might be resolved.

The mediator keeps all discussions confidential. S/he can hold separate meetings with our staff and the client, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice s/he gives.

### Stage 5

On conclusion of the investigations, a final meeting between the client and our manager, or director is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.

A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

The individual can also take unresolved complaints to the Charity Commission at this stage.

There are 4 internal stages to our complaints process with the aim to resolve complaints at the earliest level.

The stages are outlined below in brief, with a detailed explanation following.

Stage 1 – Informal – handled by CEO.

Stage 2 – Written – handled by CEO.

Stage 3 – Meeting with CEO.

Stage 4 – Escalation to Board of Trustees.

Stage 5 – External mediator and the Charity Commission.

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## Record Keeping

A record of complaints in relation to AEMHF, is kept according to data protection guidance; including the date, the circumstances of the complaint and how the complaint was managed. The Complaints Log will be reviewed by the Director and reported to the Board quarterly. Serious complaints will be reported to the Board within 48 hours. The outcome of all complaints is recorded in our Complaint Investigation log, which is available for clients. This includes successful and unsuccessful complaints.

## Confidentiality

All complaints are confidential and any communication on this issue, including responding to the complainant, will be subject to compliance with the General Data Protection Regulations.

## Unsatisfactory Complaint Response

If the complainant remains dissatisfied with AEMHF response to their complaint, they may escalate their complaint to the appropriate regulatory board and the Charity Commission.

- For complaints about fundraising.

Fundraising Regulator: [www.fundraisingregulator.org.uk/complaints/makecomplaint](http://www.fundraisingregulator.org.uk/complaints/makecomplaint)

- For complaints about advertising or an advertising campaign.

Advertising Standards Authority: <https://www.asa.org.uk/make-a-complaint.html>

- For all serious complaints i.e.
  - A charity is not following the law, with damaging consequences to its reputation and public trust in charities generally.
  - Serious harm to the people the charity helps or other people who come into contact with the charity through its work.
  - A person or organisation receiving significant financial benefit from a charity.
  - Criminal, illegal or terrorist activity.
  - A charity set up for illegal or improper purposes.
  - A charity losing significant amounts of money.
  - A charity losing significant assets e.g., land or buildings.

The Charity Commission:

<https://forms.charitycommission.gov.uk/raising-concerns/>

### Follow up

AEMHF identifies complaints, as part of a learning experience. There are always areas where improvements can be made and any complaint should help AEMHF to identify areas where improvements can be made in practice or communication. Any complaint will be reflected upon as a learning opportunity and may lead to changes being made to policies and procedures.

### Review

This policy will be reviewed every 3 years unless there is a change in legislation and guidance or the structure of AEMHF

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Adapted: September 2026

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**ARTHUR ELLIS**

**CHARITY NUMBER 1207350**



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**MENTAL HEALTH FOUNDATION**