

## CSARP01- Complaints, Concerns and Subject Access Requests

### Policy and Procedure

**Category:** Clinical

#### Policy Review Sheet

	Version	Edited	Authorisation	Last Reviewed	Effective Date
Version Control:	1	Clinical Director	Clinical Committee	22.1.2023	22.05.2024
	2	Clinical Risk and Governance Lead	Clinical Committee	16.04.2025	27.05.2025

Reason for this review:	Yearly Review
Were changes made?	Yes
Other relevant policies:	<p>This policy should be used in conjunction with the following policies:</p> <ul style="list-style-type: none"> <li>• Incident, Accident and Near Miss</li> <li>• Serious Incidents</li> <li>• Safeguarding</li> <li>• Data Protection</li> <li>• Duty of Candour</li> </ul>
Relevant Legislation:	<ul style="list-style-type: none"> <li>• Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 – Regulation 20</li> <li>• CQC Guidance</li> <li>• GMC/NMC Professional codes</li> <li>• <b>UK General Data Protection Regulation (UK GDPR)</b> and the <b>Data Protection Act 2018</b></li> </ul>



## 1. Purpose

**1.1** To ensure that Gordon Moody provides a clear, accessible, and confidential process for people to make complaints.

**1.2** Gordon Moody is aware of their responsibilities relating to complaints are acknowledged, investigated, and resolved promptly.

**1.3** For Gordon Moody to learn from complaints and use feedback to improve services.

**1.4** Gordon Moody recognises and maintains peoples trust and uphold their rights.

**1.5** To support Gordon Moody in meeting the following Key Lines of Enquiry:

Key Question	Key Line of Enquiry (KLOE)
Responsive	R4.1 How easy is it for people to use the complaints process or raise a concern in confidence? Are they supported to make a complaint?
Responsive	R4.2 How are people who raise concerns or complaints protected from discrimination, harassment or disadvantage?
Responsive	R4.3 Does the provider make a record of every complaint and seek to resolve complaints within 28 days?
Responsive	R4.4 How are service users informed of the outcome of any investigation into their complaint and of any subsequent action taken?
Responsive	R4.5 Are concerns and complaints used as an opportunity to learn and drive continuous improvement?
Responsive	R4.6 Is there an escalation process for unresolved complaints?

## 2. Scope

**2.1** The following roles may be affected by this policy:

- All staff
- Senior Management
- Executive Management
- Trustees

**2.2** The following people may be affected by this policy:

- People who use our services



2.3 The following stakeholders may be affected by this policy:

- Family
- Volunteers
- Contractors
- Commissioners
- External health professionals

### **3. Definitions**

3.1 A complaint is an expression of dissatisfaction about any aspect of the care or treatment received, whether it is clinical, administrative, or related to staff conduct.

3.2 A Subject Access Request (SAR) is a request made by an individual to an organisation, asking for access to the personal data that Gordon Moody holds about you.

### **4. Policy**

4.1 Gordon Moody is committed to providing high-quality care and services to all people. We recognise that people and their family, friends have the right to voice concerns or complaints about the services they receive, and they will be taken seriously and treated compassionately.

4.2 This policy outlines the procedure for receiving, investigating, and resolving complaints in a timely, fair, and confidential manner.

4.3 People receiving gambling treatment and support will know how to give feedback about their experiences including how to raise any concerns or issues and can do so in a range of accessible ways.

4.4 Learning from complaints and concerns is seen as an opportunity for improvement and incorporated learning into daily practice.

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### **5. Procedure**

#### **5.1 Concern or Complaint**

At Gordon Moody, we want people to feel comfortable and confident in the service they receive. If you're unhappy with something, we'd really appreciate the chance to resolve it, quickly and fairly by a way of an apology or by an acceptable explanation.



## **What to Do If You're Unhappy**

We're here to listen. If you have a concern or complaint, here's how you can let us know:

Talk to Us. Often, the quickest way to resolve things is by speaking directly with a member of our team. You can:

- Speak to the team.
- Ask to talk to the manager.
- We'll do our best to resolve things as soon as possible.

## **Prefer to Put It in Writing?**

You can send us an email or letter.

## **What Happens Next?**

- We'll listen carefully and take your concerns seriously.
- If we can fix the issue straight away, we will.
- If it needs a bit more time, we'll keep you updated.
- We aim to resolve informal complaints within a few days.

## **Still Not Happy?**

If you're not satisfied or the issue is more serious, you can make a formal complaint. Just ask us how, and we'll guide you through it—no pressure, no judgment.

## **Your Feedback Helps Us Get Better**

We appreciate all feedback- positive or negative. It helps us grow, learn, and keep delivering the treatment, and or service you deserve.

### **5.2 Making a Formal Complaint**

Stage 1: You may submit a complaint:

- In person
- By phone
- In writing (letter or email) to Unit 3, 1 Castle Court, Castlegate Way, Dudley, West Midlands, DY1 4RD. [help@gordonmoody.org.uk](mailto:help@gordonmoody.org.uk), with the word Complaint as a subject
- Through the website (if applicable)

The complaint should include the complainant's contact details, the nature and date of the complaint and how they want to see it resolved.



On receipt, each complaint will be allocated a reference number and logged on the complaints register.

### **5.3 Timeframe**

- Complaints should ideally be made within 6 months of the issue occurring.

### **5.4 Acknowledgment**

- All complaints will be acknowledged within 3 working days of receipt.
- A written acknowledgment will confirm that the complaint is being investigated.
- Any complaint which refers to a Safeguarding incident should involve an immediate reference to the Gordon Moody's Safeguarding Lead Danielle Dunn.  
Email [Danielle.dunn@gordonmoody.org.uk](mailto:Danielle.dunn@gordonmoody.org.uk)
- If the complaint is about the Chief Executive, then the matter will be discussed with two Trustees.

### **5.5 Investigation**

- A thorough and impartial investigation will be conducted by the appropriate manager.
- The investigation may include interviews with staff, review of records, and other relevant steps.

### **5.6 Response**

- A written response will be provided within 28 working days.
- If more time is needed, you will be informed and given an estimated timeline.
- Where the complaint is upheld, an apology should be offered, this is not an admission of liability but an essential part of Gordon Moody's duty of candour.

### **5.7 Resolution and Follow-Up**

- Where possible, the issue will be resolved to the satisfaction of the complainant.
- Corrective actions will be implemented to address systemic issues.
- Feedback from complaints will be used to improve policies and training.

### **5.8 Confidentiality**

- All complaints will be handled confidentially. Only those directly involved in the complaint will have access to related information.

### **5.9 Stage 2 Escalation**

- If you remain dissatisfied with the outcome from Stage One, you can appeal within fourteen working days of the date of the outcome and progress. The next stage is to escalate to the CEO.



## **Gordon Moody**

- The Chief Executive and/or Trustees will review the Stage One investigation and recommend one of the following actions within twenty-one working days (from the date you stated you wanted to take the complaint to Stage Two)  
Email the Chief Executive [monica.shafaq@gordonmoody.org.uk](mailto:monica.shafaq@gordonmoody.org.uk)
- Uphold the action taken at Stage One
- Make changes to the Stage One recommendation/actions
- You should be informed in writing of the outcome of Stage Two, the decision reached about this complaint will then be final but other options available to you and should be detailed in the letter

If you are still not satisfied with the outcome, you may escalate the matter to:

## **Relevant authority**

**GambleAware:** [info@gambleaware.org](mailto:info@gambleaware.org)

**Ombudsman:** Helpline 0345 015 4033

Monday to Thursday 8.30am to 5.00pm | Friday 8.30am to 12pm

## **Citizens Advice Bureau**

- Adviceline (England): 0800 144 8848
- Advicelink (Wales): 0800 702 2020

## **Charity Commission**

Complain to the Charity Commission if a charity is, for example:  
not doing what it claims to do

- losing lots of money
- harming people
- being used for personal profit or gain
- involved in illegal activity

[Make a serious complaint about a charity.](#)

## **Fundraising complaints**

[Contact the Fundraising Regulator](#) to complain about:

- the way you've been asked for donations
- how fundraisers have behaved
- You can also complain on behalf of someone else.



## Advertising complaints

[Contact the Advertising Standards Authority](#) to complain about:

- an advertising campaign you think is offensive, deceptive or inaccurate
- the number of emails or mail you get from a charity
- You can change how often you get emails, phone calls, texts or post from a charity using the [Fundraising Preference Service](#).

### 5.10 Anonymous complaints

Complaints received anonymously will be recorded and considered as far as possible, but action or investigation may be more limited if further information is required to ensure a full and fair investigation.

### 5.11 Monitoring and Review

- Complaints will be logged and tracked in a secure system on Teams- Clinical Governance.
- The service will review trends quarterly to identify areas for improvement.
- This policy will be reviewed annually or when significant changes occur.
- Complaints files will be kept for 10 years from the date of closure of the complaint. Archived files will be stored securely to preserve confidentiality.

### Matters Excluded from Consideration under this Policy

The following types of concern and complaints are excluded from the remit of the service and therefore, from this policy:

- A complaint made by a responsible body (Gamble Aware which relates to the exercise of its functions by another responsible body).
- A complaint the subject matter of which has previously been investigated.
- A complaint made by a member of staff about matters relating to their contract of employment.
- A complaint which is being, or has been, investigated by the Health Service Commissioner under the 1993 Under s3(1), the Ombudsman may investigate complaints by or on behalf of any person that he has sustained injustice in consequence of the failure of or in consequence of an alleged failure.

### 5.12 Subject Access Request

A Subject Access Request (SAR) is a request made by an individual (the “data subject”) to access personal data held about them by the organization. This includes any data that can identify the person, whether stored digitally or on paper.

Examples of personal data include:

- Medical or clinical records
- Appointment or treatment history
- Emails or correspondence containing identifiable information



### **5.13 Submitting a SAR Request**

SARs can be submitted:

- In writing (letter or email)
- Verbally (in person or by phone) – staff must document the request within the persons file- Phase-Notes on Apricot.

Note: Requests do not need to mention “subject access” to be valid – any request to view personal data must be treated as a SAR.

### **5.14 Identity Verification**

Before releasing any data, the requester’s identity must be verified to prevent unauthorised disclosure.

- Acceptable ID may include:
- Passport or driving licence

Utility bill or official letter with current address (within last 3 months)

For representatives, proof of identity and written authority (e.g. signed consent) is required.

### **5.15 Logging and Acknowledgement**

Upon receiving a SAR, we will:

- Log the request with the date received
- Acknowledge receipt within 5 working days
- Confirm the identity of the requester (if not already verified)
- Clarify scope of request if unclear or too broad

### **5.16 Timescales**

- We will respond within 1 calendar month from the date of receipt or from the date ID is verified
- If the request is complex, the deadline may be extended by up to 2 additional months, but the requester must be informed within the first month

### **5.17 Contact for SARs**

Data Protection Officer

Julia Herdman

01384 881647

[Julia.Herdman@gordonmoody.org.uk](mailto:Julia.Herdman@gordonmoody.org.uk)





### 5.18 Refusing a Request

SARs may be refused if:

- The request is manifestly unfounded or excessive
- Disclosing the information would adversely affect the rights and freedoms of others

In such cases, a written explanation must be provided along with details of how to complain to the ICO. Email: [casework@ico.org.uk](mailto:casework@ico.org.uk) Telephone: 0303 123 1113

#### Forms

Title of form	When would the form be used?	Created by
Organisational Responsibilities	To share information with staff	Gordon Moody