

## **SAMPLE POLICIES**

### **#1 SAMPLE POLICY FOR Termination, Complaints, Appeals, Confidentiality**

A letter detailing the reason for the appeal and any evidence that backs the participant's claim is to be mailed to the ESG Grievance officer within three business days of receiving the notice. The Grievance Office will review the information and evidence presented to ensure the participant has been treated fairly and in compliance with program guidelines.

If the Grievance Officer determines that the participant was treated unfairly and should be allowed to enroll or continue assistance through the program, the client will be notified by mail within one week of receipt of the appeal letter and the caseworker will be notified of the decision.

If the decision to terminate/deny is upheld, the client will be notified in writing within one week of receipt of the appeal letter and the caseworker will be notified of the decision. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. Assistance will be provided to those with disabilities upon request to ensure that equal access to an appeal is available.

#### **Complaints**

A letter detailing the reason for the complainant and any evidence that backs the participant's claim is to be mailed to the ESG Grievance Officer within days of the event in question. The Grievance Officer will review the information and evidence presented and consult with the Director as necessary. If it is determined that the participant was treated unfairly, the Grievance Officer the client will be notified by mail within one week of receipt of the complaint. If necessary the complaining party will be contacted concerning the progress of the resolution.

Contact information for the Grievance Officer is provided on the Client Information Handout. A Fair Hearing Poster in each outreach office provides contact information for the Program Director for complaint purposes.

If a complaint provides sufficient evidence that any agency policy or procedure is questionable, a review of the policy/policies will be conducted by the Program Director and a designee of his/her choosing.

This institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. Assistance will be provided to those with disabilities upon request to ensure that equal access to an appeal is available.

#### **Confidentiality**

- Information relating to family information files are to be kept in a locked file at all times.

- When specific files are in direct use, these files will not be left unattended and will be returned to a locked file upon completion of use.
- The Program Director and/or designee will have access to file keys.
- Family information files will not be removed from the premises at anytime unless otherwise requested by the Executive Director or designee.
- Family information can only be released to other person/agencies with written informed consent of client. Written informed consent must specify the information to be released.
- Family information will be discussed only with staff members that are directly concerned or involved with the delivery of services to the family.
- Unauthorized persons will not have access to files at any time. Family information data can only be accessed in direct relationship with service delivery unless otherwise authorized by a direct supervisor, primary case manager or training and technical advisor. Information will not be copied, printed, or shared except for the sole purpose of service delivery.
- Altering client information without approval is a violation and will result in termination.
- Client files must be maintained in a secure area for a minimum of five (5) years. After five (5) years, the files must be destroyed by shredding or burning.
- Clients will have access to their family files upon request.
- Volunteers will be trained on procedures for maintaining client confidentiality. Only general program information will be released without written consent (i.e. number of children with disabilities, compiled data about a family, enrollment numbers etc.). General information DOES NOT pertain to a specific family.
- Any staff person who fails to maintain confidentiality relating to families and fellow staff members, will be disciplined as deemed appropriate, up to and including termination of employment.
- Clients should be aware that they have the right to make a complaint if they feel that their confidentiality has been breached unnecessarily or maliciously. Staff should encourage clients to make a formal complaint and they should assist the client in the following procedure as appropriate.

**"Need to Know"** Information obtained must be necessary in order to conduct assigned job duties and responsibilities including, but not limited to, the following to determining eligibility:

- providing training
- providing treatment for or contributing to the diagnosis of any medical or physiological illness, injury, or condition
- assessing financial ability
- paying any financial obligation
- initiating or furthering any investigatory, regulatory, or enforcement purpose
- providing any service

# EQUINOX

## COMPLAINTS POLICY

### #2 SAMPLE COMPLAINTS POLICY

#### INTRODUCTION

- 1.1 Equinox seeks to provide the best possible service to its service users, partners and the community as a whole. Part of this involves a response to any complaints, issues or problems that may occur. The complaints policy exists as a framework to ensure that each problem is dealt with sensitively, quickly and fairly.
- 1.2 Complaints may come from a number of sources, and be relating to policy and procedure, service users, staff, or a management decision. All should be taken seriously, as they provide a chance to evaluate, test and examine our services.
- 1.3 Equinox has a duty to its stakeholders to ensure that complaints are carefully recorded, and as an organisation, we are accountable for the services we provide.
- 1.4 Complaints may come in a variety of ways, and will differ in how they are presented, and in their seriousness. This policy will detail the differing ways in which they are dealt with.

#### 1.0 UNOFFICIAL COMPLAINTS

- 2.1 When a complainant wishes to complain verbally in an unofficial capacity, this may be dealt with by a project worker, or manager. (The project worker will be expected to assess at this stage, whether the complaint is serious enough to warrant a manager dealing with it, or whether it can be managed unofficially.) Often this type of complaint will elicit a quick response, which will be able to be dealt with immediately, and will not need an investigation. If dealt with by a project worker, this should be written up and passed on to the service manager at the first available opportunity.
- 2.2 It is important that the project worker offers the complainant the option of making a formal complaint, during the unofficial process. If the complainant wishes the complaint to become formal, then the project worker should encourage the complainant to put this down in writing, using the complaint form attached (see Appendix 1). The project worker should inform their line manager of the situation, and write up any necessary information.
- 2.3 All services are required to ensure that they have a means of recording all complaints of an unofficial and official nature (e.g. through use of a record book) and regardless of status all complaints must be reported as part of the Equinox management information system and dealt with in line with agreed standards.

#### 2.0 MAKING A COMPLAINT

- 3.1 The complaints policy & form will be made available to all service users, and to anyone wishing to have a copy. The policy will be placed in the welcome pack for residential services or other relevant service specific information packs. The complaints form will also be displayed in communal areas of projects, as appropriate.
- 3.2 Equinox recognizes that some service users may not be used to making complaints in this way. Some people may also have difficulties in filling in forms. Where a staff member is aware that a complainant may find the process difficult, they should offer to assist the complainant in making the complaint. They should also explain that the complainant may ask for someone else to assist them in making the complaint, if that member of staff is not appropriate.
- 3.3 Each service should also have a list of external agencies where a service user may find someone externally to advocate on their behalf. This list will be included in welcome packs, and displayed within the project.
- 3.4 Some complaints are made over problems that Equinox has no control over, e.g. maintenance done by a partner RSL. In these cases, the complainant should be made aware that Equinox has no control over the situation. Staff will encourage the complainant to complain to the right agency, and support and advocate on their behalf as appropriate.

#### 4.0 **THE COMPLAINTS PROCESS**

- 4.1 When a complaint is made staff should always inform their line manager. If s/he is not available, then they should contact another manager within the service. The staff member should fax or email a copy of the complaint to them immediately.
- 4.2 Managers should then investigate the complaint. Because of the tight timescale involved in responding to the complaint (5 working days), managers will have to re-prioritize their work, in order to give the investigation enough time.
- 4.3 An investigation will potentially involve a meeting with the person who has complained, as well as any third party involved with the situation. The manager will consider all views, before making their decision. The manager's decision will be communicated in writing to all parties immediately. Where possible a personal meeting should be offered to explain the decision taken.
- 4.4 Service Managers must ensure that they report all complaints to partner agencies and commissioners as required including Supporting People Teams, CSCI and partner Housing Associations.
- 4.5 The complainant should be informed at this point that if they are unhappy with the decision that they may appeal to the Operations Director.
- 4.6 The Operations Director will hear all appeals under the same conditions that governed the original decision. They will wherever possible, respond to the complaint within 5 working days, and will undertake as appropriate, to meet with the complainant, as well as the manager who made the initial decision. The Operations Director's decision will be considered final within Equinox.

4.7 The complainant will be informed that if they wish to appeal against this decision, they may be able to appeal to an external organization. This would include CSCI, ombudsman, a partner RSL, or a funder, as appropriate. Details will be given to the complainant, at this time, as appropriate.

## **5.0 OTHER PRINCIPLES**

5.1 Equinox strives to be a responsible service provider and as such will treat seriously complaints received from relatives of service users, neighbors and significant others. These complaints will be dealt with using this framework though for the purposes of monitoring recorded distinctly on reports to Management Committee.

5.2 The Management Committee will set performance targets for the response to complaints and actively monitor performance in this area.

5.3 It is the responsibility of all staff within equinox to treat complaints seriously and to seek to resolve issues sensitively. It is the responsibility of Service Managers to ensure that this policy is fully implemented.

**Reviewed: March 2006**

(Next Review: March 2008)

### **#3 SAMPLE CONFIDENTIALITY POLICY**

- **Equinox**

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- **Tenancy Support Service**

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- **Confidentiality Policy**

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- Equinox TSS operates an open file system, allowing tenants access to their files, and to any information that Equinox holds concerning them.
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- Any tenant wishing to examine their file, should approach their housing support worker who will arrange a convenient time at both persons convenience. Whilst reasonable notice should be given, the worker should endeavour where possible to arrange the meeting within 24 hours of the request.
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- The tenant may examine any of the written information within the file. They should also be offered assistance in understanding what is in there. They may also make photocopies of the file for their personal use. However the file remains the property of Equinox and should not be taken away from the office.
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- If information is needed from another agency, written permission should be obtained from the tenant and this should be faxed or posted to the agency, along with the request.
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- Any information concerning the tenant will not normally be given without written permission from the tenant.
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- Information may be given out to a third party under the following circumstances:
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  -  The member of staff believes that the tenant is a serious danger to either themselves, others or property.
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  -  The member of staff should contact the TSS manager to gain permission to release the information. If the TSS manager is not available, they should talk to an alternative Equinox manager. Failing this, they should agree it with a colleague before releasing the information.
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  -  They should inform the third party that this is an exceptional case, and ask them to respect the circumstances in which they are giving the information out, and that the information should not be passed on without the tenants and / or Equinox's consent.
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-  If a request for information is received from a press source, they should be referred to the Operations Director who deals with all external press enquiries. On no account, should anyone else give information out.
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- If a third party sends information concerning a tenant but instructs that they should not see it the following procedure should be adhered to:
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-  A note should be placed in the file informing that the information has been received.
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-  A separate file should be started, with the relevant document stored within it. The file should be marked Confidential – Staff only. This should be locked away separately.
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- If workers are unsure of the circumstances concerning either of the above procedures, or any other potential conflict of interest they should seek guidance from a manager before taking any action.
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- **Tenant Appeals Procedure**
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- Tenants should be aware that they have the right to make a complaint if they feel that their confidentiality has been breached unnecessarily, or maliciously. Staff should encourage tenants to make a formal complaint and as appropriate, they should assist the tenant in following the complaints procedure.
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- If the staff member has breached confidentiality, they should address their complaint to the service manager, however if the service manager has made the original decision they can complain direct to the Operations Director.
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- Last reviewed May 2004
- Next review May 2005