

# Society Complaints Procedure

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## 1 Our approach to complaints

As professional associations for hypnotherapists and counsellors the Societies are committed to promoting and providing high standards in the practice of hypnotherapy and counselling.

We understand that the people using the services of counsellors or hypnotherapists, who are registrants of the NCS or HS, may have a range of different issues and a range of experiences of working with these registrants.

We encourage constructive feedback about these experiences and we invite people, including our registrants' clients, to tell us about their experiences.

We believe in listening to the voices of both clients and of therapists and in the sharing of these viewpoints and opinions. We believe that each group has much to learn, both from the positive experiences of therapy as well as from times when things have not worked out as planned or hoped.

We are aware that the professional therapeutic relationship in some forms of counselling and therapy necessarily involves the exploration of difficulties and lapses within the relationship itself. We therefore seek to avoid an unnecessarily 'legalistic' approach to dealing with complaints.

We are also aware that therapists can overstep therapeutic boundaries and breach our Code of Ethics, and this needs to be addressed proportionately, fairly and transparently.

Ideally every effort should be made to resolve the issue with the registrant before raising a formal complaint, if the circumstances are appropriate.

## 2 How we can help you raise a concern

If you have any comments or concerns and would like to talk to an officer of the Society please phone the membership team (This number is available Monday to Friday 9.30am to 3.00pm)

We want to ensure that everyone is able to communicate with the Society and we will accept different methods that allow you to access the complaints procedure. For example we can accept an audio file; or you can nominate

another person to communicate on your behalf. An officer of the Society will be pleased to discuss these and other ideas with you

### 3 Who can you make a complaint about?

You can make a complaint against a practitioner if they are a Registrant member at the time the complaint is lodged with the Society. They must also have been a registrant at the time the complained about behaviour occurred and the incident occurred less than 3 years ago.

#### 3.1 Complaints against ex-Registrants

If the practitioner is no longer a registrant at the time the complaint is lodged with us, then we cannot deal with the complaint. However, the information may be held on file and may be reviewed if the practitioner applies to be a registrant of the Societies at a later stage.

We **may** consider complaints against practitioners who were registrants during the period of time to which allegations made in the complaint pertain, but only if it was in the public interest to do so and the incident complained about was less than 3 years ago.

#### 3.2 Complaints against Non-Registrants

If the member complained against is not a registrant of the Society at the time the complaint is received by us, we cannot hear the complaint. Please contact us for details of the informal process we will follow in these instances.

### 4 Types of complaints we handle

If something goes wrong in therapy, this may have its origins in a range of issues, but our Complaints Procedure is intended to consider complaints where there has been a clear breach of the Code of Ethics in some way.

This could include cases of, for example:

- dishonesty, fraud or abuse of trust
- exploitation of a vulnerable person
- breach of confidentiality
- failure to respect a client's rights to make choices about their own care
- an inappropriate relationship with a client

In addition, should a supervisor/supervisee wish to raise a complaint about their supervisee/supervisor, this will be dealt with in line with this complaints process.

When it has been decided that a complaint is a fitness to practise or public safety issue, then sanctions may be imposed in the public interest for example, in order to protect the public, declare and uphold proper standards and maintain confidence in the profession.

When it has been decided that the complaint falls outside the above remit, any sanctions imposed may be one or more of those available to the Assessment Panel as per the Indicative Sanctions Guidance.

#### 4.1 Multiple and Duplicate Complaints

Where a complaint has already been made to another Accredited Register, regulator or professional association, the Society will not normally commence its procedures until the outcome of the duplicate complaint has been finalised. The Assessment Panel has the right to ratify the decision of another Accredited Register (or register which meets similar standards) and to duplicate the sanctions imposed by that register without further recourse to the Society's

complaints process. This decision cannot be appealed but is subject to annual review by the Society's Independent Assessor.

Where complaints are made simultaneously to the Society and to other Registers, the Ethics Officer has the right to negotiate with those registers to avoid duplicating complaints processes. If no such negotiation is possible, the Society will apply the following test: if the registrant complained against has been a registrant of the Society for a longer time than they have been a registrant of the other register, the Society will commence its complaints process. If the registrant has not, the Society will allow the other register to hear the complaint first.

Where multiple or duplicate complaints are made to the Society against the same registrant, they would be considered together to enable a holistic assessment of the registrants fitness to practise, leading to better outcomes and for greater efficiency in the complaints process.

#### 4.2 Action by other Accredited or Statutory Registers

Please see our separate policy 'Action by other Accredited or Statutory Registers' for details of the Societies intended action in these cases, which does not form part of these Complaint Procedures.

#### 4.3 Evidence of criminality

If a client contacts the Society about a complaint that appears to be a criminal offence they will be advised to contact the police and in relevant circumstances, the Society may also do so.

Where there is evidence of criminality, the Ethics Officer of the Society will seek immediate advice from the Assessment Panel as to how to proceed. If there are any concerns around public safety the registrant will be suspended or removed from the register in accordance with the Indicative Sanctions Guidance.

A registrant has the right to make a formal representation regarding the decision to suspend and this will be fully considered prior to either the suspension remaining in place or being lifted.

Disclosure of any previous unspent criminal conviction is required at membership application.

#### **Custodial Sentences**

Where a registrant is given a custodial sentence this means that they no longer meet the requirements for registration and both their registration and membership will be revoked. Disclosure of any custodial sentence being served to the Society is required by any member so convicted. On receipt of evidence that a member is serving a custodial sentence, the Ethics Officer shall provide this evidence to the Chair of the Assessment Panel who will authorise the removal of registration and membership. A member serving a custodial sentence may not appeal this decision as they no longer meet the requirements for Society membership. Once a custodial sentence and any licensing or probationary requirements are complete, the former member may complete a new application for membership which will be assessed on an individual basis and reviewed by the Society's Professional Standards Committee.

#### 4.4 Adjunctive Therapies

We will accept complaints about a Registrant offering adjunctive therapies in cases where any element of the therapy offered was an element for which we register the person i.e. provided that there was a counselling or psychotherapy element within the context of the complaint. If the client saw the Registrant for solely the adjunctive therapy with no counselling involved, unfortunately we cannot hear the complaint. If that Registrant is solely using an adjunctive therapy then we would not hear the complaint unless we also registered that therapy. If the client has received counselling or any other activity that we Register as part of the service offered by the Registrant, but it is subsequently discovered that the complaint rests solely with the execution of the adjunctive therapy then we would not hear that complaint, for example an issue relating to the quality of oils used, or massage technique used, or any activity that solely pertains to the adjunctive therapy. If the complaint is not relevant to the counselling element of the relationship, we are unable to hear it, unless the complaint otherwise would bring the profession into disrepute under relevant section of the Code of Ethics.

## 5 Complaints we would not normally investigate

There are some types of complaints that we would not normally consider:

### 5.1 Private life:

We do not usually deal with complaints about a registrant's behaviour when they are acting outside their professional role, unless that behaviour has resulted in a criminal conviction or finding of a court or tribunal. If you consider that a registrant has committed a criminal offence, you should report the matter to the police. Also, we will not normally investigate a complaint of misconduct which relates to a registrant's private or non-professional life where there is a clear legal remedy available to you which you have not yet pursued.

### 5.2 Debts:

We do not usually deal with complaints against registrants who are in debt to members of the public. We have no power to enforce the payment of debts and you may be able to take legal action through the courts to recover the debt. However, if a registrant has not complied with a court order, we may be able to consider the matter but we will need to know what steps you have taken to enforce any judgment obtained against the registrant. Although we may be able to take disciplinary action for failure to comply with a court order, we have no powers to make the registrant pay you or comply with the order.

### 5.3 Disputes between therapists in practice together:

Our primary function is to protect members of the public affected by professional misconduct. Our complaints system is not designed to resolve disputes between therapists who work together. This includes disputes concerning money allegedly owed to each other.

### 5.4 Complaints by a third party:

We cannot hear complaints made by another professional body; by someone involved in a professional dispute; , or where complaints are made as part of wider litigation e.g. family disputes.

Where a complaint is made by someone other than the client or on the clients behalf and they do not agree with proceeding, we will take investigative steps as part of the screening process to ascertain if there is a legitimate public protection issue. If this appears to be the case, efforts will be made to gain the clients agreement to proceed with investigating the complaint.

### 5.5 Complaints with no evidence of impact on actual client relationships:

If your complaint is not about the impact of the registrant's conduct on clients or the client relationship it is unlikely that we would hear the complaint.

### 5.6 Advertising:

If your complaint is about how a registrant advertises, the Society's role will be to check whether qualifications and membership are being advertised correctly. . It is likely that many complaints about advertising may need to be referred to the Advertising Standards Authority and cannot be dealt with by the Society.

### 5.7 Complaints where there is no prospect of evidence:

For example where a complainant passes on a rumour but has no evidence to substantiate it or will not provide evidence.

### 5.8 Acts of Discrimination

If you believe that you have been discriminated against under the Equality Act 2010 because of a protected characteristic, you should contact the Equality Advisory Support Service on 0800 800 0082 for further advice on the options available to you.

## 5.9 Overseas

The Society's Accredited Register only covers UK practice. The Society can only apply standards or receive complaints or concerns about practice that takes place within the United Kingdom.

## 6 Making a complaint

Going through a formal complaints process can be a distressing experience, so it is always preferable to resolve concerns or complaints in an informal way if possible. If you feel comfortable doing so, talk to your therapist to see if they can put things right. However, we recognise that you may not feel able to do this, depending on the nature of your complaint. In this case, you should get in touch with us.

You will talk to a trained member of staff who can provide information about whether your concern is something that we can deal with.

If your therapist was not one of our registrants at the time to which your complaint pertains, we will not be able to investigate your concern, but there may be another professional body to whom you can complain. For example, if your therapist works for the NHS, we would advise you to contact the NHS organisation that employs them or the Patient Advice and Liaison Service (PALS).

If you choose to follow the complaints and conduct process you will need to fill in a form giving details of your complaint and send it to the Ethics Officer at the National Hypnotherapy Society or National Counselling Society as appropriate. (Please let the Society know if you would prefer to provide information in an alternative format).

Further details can be found on our website

<http://www.nationalcounsellingsociety.org/listening-to-clients/policies/complaintform/>

<http://www.nationalhypnotherapysociety.org/listening-to-clients/policies/complaintform/>

### 6.1 Acting on Evidence/Anonymous complaints

Where the Society receives an anonymous complaint or information about the registrant (which may include a declaration or information from the registrant directly about their suitability to be on the register) Ethics Officer will determine whether the allegation is independently verifiable or admitted by the registrant. If the Ethics Officer determines that there is sufficient information and evidence to investigate the complaint and believes it is reasonable and in the public interest to do so, the complaint may proceed without a complainant. This decision will be ratified by the Assessment Panel.

We will not process a complaint where any complainant makes the complaint on the basis that their anonymity will be preserved, unless the complainant confirms in writing that they accept that they may be identified or become identifiable during the course of the investigation and any subsequent action. We may however look into the complaint to establish if a new complainant from a new source can be established in order to proceed in the interests of public protection.

### 6.2 Approximate time scales for the complaints process

Acknowledgement of receipt within 2 weeks

Review of initial information up to 4 weeks (at each stage where further information is sought from either party they will be notified of time limits for responses)

Review of initial complaint up to 12 weeks

Review by Assessment Panel up to 12 weeks

Independent Panel Hearing within 6 – 9 months from the date of the Assessment Panel Decision (dependent upon the availability of both parties to the complaint and support persons)

We aim to complete complaints cases within nine to twelve months

### 6.3 Complaints Process - Screening

When the complaint arrives at the Society, a Ethics Officer will review it. We aim to respond acknowledging receipt of a complaint within 2 weeks.

This involves checking that the complaint falls within the Society's remit. This involves checking that the complaint falls within the Society's remit. The Ethics Officer will consider the evidence to establish whether the matter complained about happened; whether there has been a breach of the Code of Ethics resulting in a registrant's fitness to practise being impaired.

We aim for the Ethics Officer to determine whether to proceed within 4 weeks from our acknowledgment of receipt. Possible reasons for a complaint falling outside our remit include:

- The complaint is not normally one we would investigate (see above.)
- The Hypnotherapist or Counsellor was not a registrant of the relevant Society when the incident occurred. We will not accept a therapist's resignation once a complaint about them has been submitted.
- The complaint clearly falls outside the relevant Code of Ethics
- Incident was more than 3 years ago unless the Ethics Officer decides it would be reasonable and in the public interest to allow the complaint to proceed
- The complainant cannot or will not provide sufficient information within a reasonable timeframe for a decision to be made
- There is not enough information to support the complaint\*

The screening process may involve contacting other people linked to the complainant; the Police or other authorities to gather further evidence; further questions and clarification for the complainant as well as general evidence gathering.

\*If there is not enough information to support the complaint, the Ethics Officer will write to you to explain why. You can then resubmit your complaint one more time if you wish.

If the screening process indicates we cannot hear your complaint, the Ethics Officer will communicate this to you. There is no appeal relating to a decision from the outcome of the screening process.

***Checking decisions made:*** please note that on an annual basis the Ethics Officer's decisions are reviewed by the Society's Independent Assessor, who is a highly qualified professional not employed by the Society, and is not otherwise part of our complaints process. They produce annual reports on the Society, especially relating to how we meet the standards of an Accredited Register. Their reports are sent to the Professional Standards Authority.

If the screening process indicates that it is in our remit to hear your complaint, we will move to the next stage of the Complaints process. The Ethics Officer may request further information from either the complainant or registrant, on behalf of the Society in order to gather evidence and clarification, at any point of the complaint procedure.

The Ethics Officer will write to you to confirm the complaint is being passed to the Assessment Panel for their consideration and will detail the evidence that is being sent to the registrant complained about for their response.

The Ethics Officer will send details of your complaint, together with any additional evidence, to the registrant to allow them to make representations, and will then communicate their response to you. All of the documents will then be sent to the Assessment Panel. In the event that the registrant does not respond, details of the complaint will still be passed to the Assessment Panel for their consideration.

## 7 Early Resolution

If you have a clear idea of what you would like to resolve the complaint (e.g. a refund, an apology etc.) then the Ethics Officer will communicate with you and the registrant informally to see if such a resolution can be achieved to your satisfaction. If it can, this will be communicated to the Assessment Panel. However, even if early resolution is achieved, the Panel can still take the view that further action needs to be taken against the registrant for the sake of public protection.

This must be communicated to the Ethics Officer no later than 7 days before the complaint documents are issued to the Assessment Panel and you will be notified of this cut-off date as part of the process.

## 8 Suspending a Registrant

The Ethics Officer may, on the basis of the evidence provided and in the interest of public protection, issue a temporary and interim suspension order to the registrant if they feel that this is warranted. This order will suspend the registrants' Society membership and will be reflected on the Society's website.

Suspension may also occur where there is evidence of criminality.

The Ethics Officer must immediately refer their decision together with the evidence upon which the decision was made to the Assessment Panel for ratification. If the decision is ratified, the order remains in place throughout the complaints proceedings, until the complaints process comes to an end. If the decision is not ratified, the registrant's suspension is lifted.

The registrant will be advised of the suspension order after the decision to suspend has been made.

A registrant has the right to make a formal representation to the Assessment Panel regarding the decision to suspend and this will be fully considered prior to either the suspension remaining in place or being lifted. The registrant has 5 days from the date of being notified of the suspension to make a representation regarding the decision to suspend and the outcome to this representation will be communicated no later than 5 days after it was received.

## 9 Assessment Panel

The Assessment Panel will consist of a Chair and 2 practitioners, one of whom practises the same type of therapy as the therapist. The practitioners will be Society registrants. They will not have had any prior interaction with the registrant complained against.

The Assessment Panel will make a decision about what to do with your complaint based on the written information that has been provided. However, if a lack of information restricts the Assessment Panel from making a decision, they may instruct the Ethics Officer to gather further detail before making a final decision.

The Assessment Panel's role is to decide whether the complaint:

- is a fitness to practise or public safety issue;
- non-fitness to practise issue or
- no case to answer or no prospect of success (no wrong doing can be established)

You will *not* be asked to attend the Assessment Panel's decision meeting.

Outcomes of the Assessment Panel's decision meeting:



If the Assessment Panel decides there is a realistic prospect of a finding under the civil standard of proof (balance of probabilities) that could result in the registrant being removed or suspended from the register, your complaint will be referred to an **Independent Complaints Panel** for a formal hearing. This does not mean that your complaint has been accepted to be correct; this will be decided at the hearing.

Your complaint may be referred back to the Ethics Officer with instructions or sanctions if the Assessment Panel decides that there is no realistic prospect of a finding that could result in the suspension or removal of the registrant. This does not mean that your complaint has been rejected; it may be that the therapist who is being complained about has made mistakes.

The Ethics Officer must follow the instructions of the Assessment Panel and the sanction(s) they impose on the registrant. Details of the sanctions that can be imposed by the Assessment Panel can be found in the Indicative Sanctions Guidance.

The Assessment Panel can also decide that there is no further action to be taken due to insufficient evidence being provided or due to a change in circumstances which would preclude an appropriate decision being made on the best way to deal with the complaint.

You will receive a copy of the Assessment Panel's decision as to whether your complaint is referred back to the Ethics Officer or onwards to a formal hearing with the Independent Complaints Panel. The decision will also be shared with the registrant. Both the registrant and the complainant will be notified of the Assessment Panel's decision by the Ethics Officer within 7 days of the Assessment Panel communicating that decision to the PP.

If any new evidence comes to light that may influence the decision made by the Assessment Panel during the 28 day review period or within 7 days of the Ethics Officer receiving the Assessment Panel's decision, the Society reserves the right to refer the original complaint and any new evidence back to the Assessment Panel for further consideration.

**Checking decisions made:** *The Independent Assessor will conduct an annual review of the decisions of the Assessment Panel to ensure they are fair and consistent. The Independent Assessor is not otherwise part of our complaints process.*

### 9.1 Consensual disposal or voluntary removal from the register

If the Assessment Panel decides that there is a case to answer and the complaint is to be referred to an Independent Complaints Panel, it may be possible for the complaint to be resolved by either consensual disposal or voluntary removal.

Once you have been notified of the decision to refer the complaint onto the Independent Complaints Panel, you will have 14 days in which to lodge a request to either have the case resolved by either consensual disposal or voluntary removal.

Consensual disposal would mean the Assessment Panel accepting a written statement from the registrant applying to have the complaint disposed of by consensual agreement, where the registrant accepts responsibility for the issue with the client and accepting a sanction as laid down by the Assessment Panel (see Indicative Sanctions Guidance).

Voluntary removal would involve the Assessment Panel accepting an application from the registrant where the registrant accepts full responsibility for what went wrong with the client, and would then be removed from the register and membership of the Society.

In both cases, the outcome would be published, but there would be no need for a formal hearing with the Independent Complaints Panel, thus saving the emotional stress of a hearing for both parties whilst still providing protection to the public.

## 9.2 Appeal following decision of the Assessment Panel

The complainant and the registrant may appeal against the decision of the Assessment Panel. The appeal must be received by the Appeals Panel within 14 days of the notification of the AP's decision and the appeal can be made on the following grounds:

- A) the decision was made against the weight of evidence
- B) There is new evidence that was not available at the time of the Assessment Panel review of the complaint

The completed Appeals form must be accompanied by the evidence to support the submission.

The grounds of appeal, together with details of the original complaint and any further supporting evidence, will be considered by an appeals panel and their role will be to decide whether the appeal is upheld or not. The decision of the appeals panel is final.

## 9.3 Non – compliance with sanctions issued by the Assessment Panel

If sanctions are issued by the Assessment Panel and the therapist does not comply with the sanctions, the Ethics Officer will refer the case to the Independent Complaints Panel which has powers to suspend or terminate the therapist's registration for not complying with the sanctions. The Independent Complaints Panel will conduct a paper review of the evidence submitted by the Ethics Officer and you will not be asked to contribute to this review. This is not a formal panel hearing and only occurs where sanctions are not followed by the registrant.

A registrant has the right to make a formal representation to the Independent Complaints Panel regarding the decision to suspend or remove them from the register and this will be fully considered prior to either action taking place.

# 10 Independent Complaints Panel

Your complaint will be referred by the Assessment Panel to an Independent Complaints Panel if the Assessment Panel decides that there is a realistic prospect of a finding that could result in the registrant being removed or suspended from the register.

Full details of the process followed at a panel hearing can be found in the **Independent Complaints Panel** documents on our website.

The Independent Complaints Panel will be chaired by an independent lay chair and will include 2 practitioners, one who practises the same type of therapy as the therapist who is being complained about. The practitioners will be Society registrants and they will not be connected to the Assessment Panel.

If your complaint is referred to an Independent Complaints Panel the hearing will be in private, unless the complainant or registrant wishes for the hearing to be held in public. All parties will be invited to attend and are likely to be present during representation. The venue for this hearing will probably be the Society's headquarters in Worthing, West Sussex.

At the hearing, your complaint will be presented to the Panel by the Societies' Ethics Officer.

You will be asked to attend to give evidence, as will the registrant and any witnesses. You can bring someone with you for support, but not to speak on your behalf.

The registrant may also bring additional support in the form of a supporter or a union representative, but they will not be able to speak on the registrant's behalf.

In the event that you are unable to attend to give evidence, the Independent Complaints Panel Chair may decide that no further action can be taken in your complaint and it may not be upheld.

After it has heard all the evidence, the panel will make a decision in private about the complaint. If it is satisfied that the facts of the allegation have been proved, it will decide which sanctions to impose.

### 10.1 Indicative Sanctions Guidance

The decision as to what sanction, if any, should be imposed on a registrant following a panel hearing is decided by the Independent Complaints Panel.

In deciding the sanctions, the Independent Complaints Panel must ensure that any sanction imposed on the registrant is proportionate having balanced the interests of the registrant and the public interest. Further details of the sanctions available to the Independent Complaints Panel are detailed in the Indicative Sanctions Guidance, but the following are examples of the type of sanctions that may be imposed:

- An advisory letter containing Learning Points
- Conditions on Registration (e.g. further training, Supervision, reflective statement)
- The Independent Complaints Panel may impose a sanction that relates specifically to the case for example an apology and acknowledgment of error; requirement for therapy
- Suspension from Registration and membership of the Society
- Removal from the Register and membership of the Society

### 10.2 Following the Panel Hearing

At the end of the process, the complainant and registrant will receive a copy of the panel's final decision and the outcome of the hearing will be published according to our policy.

The Ethics Officer will monitor the sanctions placed on the therapist, so that if the therapist does not comply further action can be taken.

For public protection, sanctions imposed by the Society's Independent Complaints Panel will, where appropriate, be communicated with other Accredited Registers; professional associations; clinics; professional insurers; and the public.

Publication of sanctions will only occur where no appeal has been filed within the appeal deadline (see below) or, where an appeal has been filed, it has been unsuccessful and sanctions have still been imposed.

Where an appeal is lodged, any sanctions may be suspended whilst the Appeals procedure is in process. If the Appeal is refused, the sanction is automatically effective from the date of notification of refusal and will run from that date. However, where it is deemed necessary for public protection, sanctions may remain in place pending the appeal period. This decision will be made by the Chair of the Independent Panel.

### 10.3 Non-compliance with sanctions issued by the Independent Complaints Panel

Failure to comply with a sanction is likely to result in withdrawal of Society membership and removal from the register. The registrant concerned will be notified in writing and a notation will be added to the register and full details recorded on the registrant's file.

A registrant has the right to make a formal representation to the Independent Complaints Panel regarding the decision to suspend or remove them from the register and this will be fully considered prior to either action taking place.

## 11 Appeals Process following decision of the Independent Complaints Panel

An appeal must be submitted in writing on the Appeals Form (along with any supporting documentation) within 28 days of notification of findings and decision of the Independent Complaints Panel. (Please contact the Societies if you wish to submit your appeal in an alternative format and we can advise you).

An appeal will be considered on the following grounds:

- The facts were found against the weight of evidence
- The sanction imposed is considered to be disproportionate
- Any evidence of procedural impropriety
- There is new evidence that was not available at the time

The grounds for appeal will be considered and a decision will be made as to whether the leave to appeal is accepted or rejected if there is insufficient evidence to satisfy any of the grounds for appeal. If the leave to appeal is rejected, the registrant and the complainant will be notified in writing of this decision which will be final.

If the leave to appeal is accepted both the registrant and the complainant will be informed and the appeal will be considered by an appeal panel composed of an independent lay member and two registrant members. The appeal panel will not be connected with either the Assessment Panel or Independent Complaints Panel.

This will be a paper process where the appeal committee consider all the relevant papers and any written comments provided by both parties to decide whether the appeal is upheld or not. The registrant can, however, request an oral hearing.

If the appeal is upheld, the appeals panel can make any decision regarding the complaint that could have been made by the Independent Complaints Panel, in accordance with the Indicative Sanctions Guidance.

If the appeal is rejected, the decision of the appeal panel, including any details of any sanctions or amendments to sanctions imposed, will be published on the website in accordance with the Publications Guidance.

## 12 Complaints Publication

The Societies complaints procedures seek to be open, transparent and proportionate and the outcome of the IP hearing will be published on the Societies' website at the conclusion of the hearing. If there is found to be 'no case to answer', case details of the IP hearing will not be published.

Sanctions issued by either the Assessment Panel for minor breaches of the Code of Ethics or by the Independent Complaints Panel following a formal complaints hearing will be published on the Societies' website, following the passing of the Appeals deadline

The publication of such decisions provides information about the standards expected of registrants (and members); assists clients to make informed choices and helps to maintain public confidence in the Accredited Register programme.

We aim to strike a balance and consider the rights of both clients and registrants and take account of the risk of any harm that may arise from the disclosure or nondisclosure of information.

Details of sanctions will be appear as an annotation to a registrant's online register entry with a link to the 'Outcomes of Complaints' section of the website where further details will be recorded.

Sanction information will be published on the websites for the period of the sanction – and will be recorded internally on the registrant's file.

If a sanction is not fulfilled then that information will be published on the Society website outcomes of complaints page indefinitely.

If there is no sanction then no information will be published on the Society website.

When the sanction has been fulfilled this information will be published on the Societies website outcome of complaints page and recorded on the registrant's file. The online register annotation will be removed.

In cases where a registrant is removed from the register, the published decision will remain on the website in all published areas indefinitely.

## 13 Re-admission to Register Policy

Public safety is at the heart of the AR programme and it will be the responsibility of the therapist concerned to demonstrate that they are fit to practice.

A registrant who has been removed from the register may, after a period of five years, apply to be re-admitted to the Register by submitting an application form meeting all the current membership criteria and qualifications, along with a reflective written submission, which will be reviewed by the Professional Standards Committee.

A registrant who has been suspended from the register but who continues to pay their annual subscription will be downgraded to Companion and will not be re-admitted to the Register at the end of the suspension period unless they apply to be re-admitted submitting an application form meeting all the current membership criteria and qualifications, along with a reflective written submission, which will be reviewed by the Professional Standards Committee

A registrant who has been issued with sanction(s) must comply with the actions and time limits as instructed and assessed by the independent Complaints Panel. In cases where the registrant has failed to comply with a sanction it is likely that their membership will have been withdrawn at that time and they will not be re-admitted to the Register until such time as the sanctions have been completed and any new application assessed in line with current membership criteria by the Professional Standards Committee.

Re-admittance to the register following other notifications separate from a complaints procedure, such as Not in Practice, sanctions following audit (i.e non-compliance with CPD and other such issues) shall be dealt separately from any complaint.

When sanctions have been issued following an audit, registration status shall remain affected via a notification on the register, until such time that the sanctions have been completed and verified by the Society.

There may be cases where criminal behaviour or behaviour considered to be an ongoing issue relating to public protection, and a decision will be made on a case by case basis if re-admission to the register is appropriate.

## 14 Other information

### 14.1 Confidentiality

The complaints process has been designed to be as fair and transparent as possible, while balancing the need to protect the confidentiality of clients and therapists.

If you choose to make a formal complaint and the screening process by the Ethics Officer indicates that a potential breach of the Code of Ethics has occurred, it is important to be aware that:

Details of your complaint will be shared with the therapist, and the therapist's response to your allegations will be shared with you.

The panel that makes a decision about your complaint will receive all the information relating to the complaint. Depending on the type of concern you have raised, this could include information about the content of your therapy sessions.

#### 14.2 Vulnerable clients

In the case of vulnerable clients the Society will ensure that appropriate mechanisms are in place. This may include, for example, independent advocacy, screening, video links, client care information packs, plain language complaints policies.

#### 14.3 Additional sources of support

If you are seeing a counsellor within an agency setting or through your GP then you should speak to them in the first instance.

If you think that a child or vulnerable adult may have been harmed, or be at risk of harm, you should contact your local social services department.

If you think that a criminal offence has been committed you should contact the police.

#### 14.4 Independent Complaints Advocacy Service

Supports those who have a complaint against the NHS.

#### 14.5 Citizens Advice Bureau

Provide online advice, and you can visit your local branch.

#### 14.6 MIND

We understand that you may feel nervous or worried about making a complaint – we want to reassure you that we will treat you fairly, that we will look into your complaint, and make sure that the individual concerned learns from what you tell us.