

## COMPLAINTS PROCEDURE

### **Art.1. Aims of the Complaints Procedure**

- To enable a complaint to be investigated in a fair manner
- To enable complaints to be resolved as speedily as possible
- To allow consequences of mistakes to be put right without unnecessary conflict
- To improve the quality of the service

### **Art.2. Access to this Complaints Procedure document**

This Complaints Procedure can be accessed as follows:

- It can be viewed and downloaded as a PDF from the Ethics section of the ACCPI website
- A hard copy can be requested by phone, email, letter or in person from the ACCPI office.
- Although we do not have the resources to produce this procedure in multiple languages and formats, it can be translated, viewed in larger text and read out loud here using standard online tools.

### **Art.3. Who can complain**

- Anyone who is using psychotherapy services
- Anyone who has used psychotherapy services within the past three years
- Anyone who has enquired about psychotherapy services or is on the waiting list
- Anyone from another organisation who has enquired about our service, or who is working with or representing someone who is using or has used the service.

Anonymous complaints, and any that are deemed to be vexatious or malicious, will be investigated by the Chair of the Ethics Committee, who will use discretion in assessing what action should be taken.

### **Art.4. Time limits for complaints**

Complaints can be accepted up to three years from the time of the problem arising. If the complaint refers to specific client work the maximum is three years from the date the client ended psychotherapy with a member of ACCPI. However, it is much easier to sort out difficulties if the complaint is brought to our attention as quickly as possible.

### **Art.5. How to Make a Complaint**

If you are receiving psychotherapy services from one of our members, please try to talk your concerns over with your psychotherapist if you can.

A formal complaint should be made in the first instance to the chair of the ethics committee, who will be responsible for managing the complaint. This can be in person by appointment, by telephone, or in writing by email or letter. Please contact:

Georgiana Gane

email:silvia.georgix@gmail.com

telephone: 0745.816.116

If you have any difficulty making a complaint in person or in writing, please let us know and we will try to help you.

#### **Art.6. Scope of Complaints**

Complaints made under this procedure may cover paid staff, Board members, trainers, supervisors or psychotherapists who are ACCPI members.

Complaints must be supported by sufficient evidence to enable an investigation, and the chair of the ethics committee will make an initial assessment of whether there is a case to answer.

Complaints against a person who has left ACCPI will not be investigated. In such a case you may complain to the Romanian Psychotherapy Federation or the Romanian College of Psychologists.

#### **Art.7. Confidentiality and Communications**

Every complaint will be treated with care and confidentiality. We will attempt to communicate clearly and directly with all complainants or their representatives in a timely manner, as described below.

The complainant is required to give permission for confidential information pertinent to the complaint to be disclosed to all parties cited in the complaint by those involved in handling the complaint, including the ACCPI member's legal or other specialist advisors.

#### **Art.8. Safety of Clients**

If a complaint relates to the conduct of a psychotherapist in psychotherapy, at all times the client's safety will be a primary consideration. Suspension of psychotherapy and/or disciplinary proceedings may take place at any stage of the complaints process, if appropriate.

## **Art.9. Stages of complaints**

### *Stage 1 – Informal Complaint*

Every opportunity will be taken at the time of the initial complaint to settle the concern informally. This may include telephone conversations and/or face to face meetings or written explanation of the reasons for a decision taken. The Chair will normally handle the complaint at this stage, but if the Chair is the subject of the complaint, then a designated member of the Board will undertake to respond to the complaint and manage the complaints procedure.

If the complainant remains dissatisfied with the outcome of discussions at this stage then a formal written complaint can be made.

### *Stage 2 – Formal Complaint*

A formal complaint will be acknowledged in writing by the Chair within seven days. A copy of the Complaints Procedure will be enclosed. If a member of ACCPI is the subject of the complaint, they will be sent a copy of the complaint along with the Complaints Procedure.

## **Art.10. Investigation of the Complaint**

An independent and impartial person or persons with relevant experience will be appointed by the Board to investigate the formal complaint. All parties involved will be given the opportunity to declare a conflict of interest with them to the Chair, who will be responsible for assessing and dealing with that conflict. The investigator(s) will make a thorough and confidential investigation of the complaint, contacting both the complainant and the person complained against.

The investigator will have access to relevant documents and policy papers. They may ask for evidence from either party and if this is sought in person, they will meet with each party separately. All parties will have the right to be accompanied, but not be represented, by a supportive person of their choice. The complainant and the party or parties complained against and/or their representative will not be asked to attend any meetings together.

The investigator will make a written response to the complainant by email or letter within twenty-eight days, a copy of which will be sent to the person complained against. If it proves not possible to respond within 28 days, the complainant will be informed of any reasons for a delay. All investigations will be completed and responded to within a maximum of six months.

The investigator(s) will make recommendations regarding the action required to bring about the resolution of the complaint and any sanctions which they may consider appropriate to apply to either party. In such circumstances, they will also provide instructions for the monitoring of the fulfilment of said actions or sanctions. Examples of possible sanctions would include:

- A formal apology to the complainant
- A requirement to undertake further relevant training
- Suspension of the person concerned as an ACCPI member

The Chair, or whoever is managing the complaint, may halt the procedure at any stage if it emerges that legal action is under way, pending or intended, until such time as any legal process is complete. They may also adjourn the procedure, ensuring that it is re-started at the point at which it was stopped, within a reasonable time.

## **Art.11. Appeal**

### *The Grounds for an Appeal*

Any party may appeal against the findings of the investigator on the following grounds:

- that the complaints procedure had not been followed
- that there was new evidence which the investigator did not have access to in the investigation

An appeal cannot be accepted only on the grounds that the complainant disagrees with the investigator's report.

### *Making an Appeal*

Any appeal must be made in writing to the Chair of the Ethics Committee within fourteen days of the receipt of the investigators' report.

The reasons for the appeal must be clearly set out in writing.

The appeal will be acknowledged in writing by the Chair and considered by the Board.

The complainant will be informed in writing within twenty-one days whether or not the appeal is accepted.

### *The Appeal Panel*

If an appeal is accepted, the Chair will arrange to set up an Appeals Panel. The panel will be made up of three members. The panel will meet within twenty-eight days of the notification of the acceptance of the appeal to the appellant. No-one on the panel will have taken any part in the previous handling of the complaint.

### *The Appeal Hearing*

Fourteen days written notice of the date of the hearing and the composition of the panel will be given to all parties.

All documentation relating to the appeal will be copied to all parties and the panel members fourteen days before the hearing.

The complainant and the complained against may be asked to make a written statement to the panel which will be circulated seven days before the hearing.

The complainant and complained against may be required to attend the hearing and may be accompanied, but not be represented, by a supportive person of their choice.

The complainant and complained against will have the opportunity to make a short statement to the hearing.

The investigator and the Chair of the Ethics Committee (whoever managed the original complaint) will be available to give information to the panel.

The appeal hearing will be recorded.

The appeal panel will have the authority to adjourn the hearing, with the process being re-started at the point at which it was stopped, within a reasonable time.

The panel will come to a decision regarding the appeal in private session. This discussion will not be recorded but a written record will be made of the proceedings. The decision will be given to both parties in writing by email or letter within seven days and will include the reasons for the decision. Third parties, representatives and anonymous complainants will not be notified directly.

If the appeal is upheld the panel will make recommendations regarding the action required to bring about the resolution of the complaint.

If the complainant remains dissatisfied after the decision of the appeals panel or remains dissatisfied about the content of the investigator's report he/she will be advised to contact the Romanian Psychotherapy Federation or the Romanian College of Psychologists.

### **Art.12. Monitoring of Complaints**

A record will be kept of all complaints received. Anonymous complaints will also be recorded, including the reasons for any decision to pursue or not to pursue the complaint.

Complaints will be monitored regularly by the Chair of the Ethics Committee and brought to the attention of the Board.

Records of complaints will be kept for a period of five years.

A complaint will be discontinued if the complainant fails or refuses to participate at any stage of the complaint procedure without good reason or the complainant formally withdraws the complaint. In these circumstances, both parties will be informed.