



How to make a Complaint to CThA

What complaints can we deal with

- Treatment or advice you have received from one of our members
- Business practices that could disadvantage or exploit clients
- Any aspect of a registrants professional or personal behaviour that is relevant to their fitness to practise

Unless there are exceptional circumstances we will not consider complaints which took place more than one year ago or about something you became aware of more than one year ago.

We cannot deal with

- Complaints about companies or clinics (rather than individual members)
- Claims for compensation – every member will have their own professional indemnity insurance to cover claims made against them and will give you details if you ask them

What to do first

Some Complaints or concerns can be dealt with by discussing them with the therapist concerned.

So we ask that where possible you do this, however in some circumstances we realise that you may prefer to contact us straight away.

Making your complaint

You are required to complain in writing using the CThA Complaint form. We cannot process your complaint unless you complete the CThA form in full.

What happens next

We will decide whether to deal with your complaint formally or informally. We will acknowledge receipt of your complaint within 5 working days and you will receive an initial response within 20 working days.

Informally

- This means one of our team will ask you what you want the CThA member to do and then ask the CThA member to agree to it. For example, you may just want the CThA member to apologise to you.

If a complaint does not fall into one of the 9 categories listed below and does not put the client in a situation of harm, it will probably be dealt with informally. We will ask the complainant to agree to the complaint being dealt with informally. However, there are some complaints that we cannot deal with informally, these include for example:

1. Conduct that falls below the expected standard of a member
2. Abuse of trust (including financial exploitation, stepping outside professional boundaries, predatory and or manipulative behaviour)
3. Lapses in professional competence
4. Dishonesty
5. Fraud or other criminal acts
6. Finding by a statutory regulator
7. Serious problems caused by the health of the member
8. Alcohol or substance abuse
9. A member who has been the subject of more than 2 previous complaints of a similar kind.

If the complainant does not agree to the complaint being dealt with informally then we will deal with it formally and will require all the relevant information detailed in the CThA Complaints Form to be submitted.

When the complainant and the CThA member agree to settle the complaint informally we expect to settle the matter within 20 working days.

If not we will start our formal procedure.

CThA Formal Complaints procedure

Stage 1

1. We will send the CThA member a copy of your complaint and invite them to reply in writing within 20 working days of receipt of the complaint.
2. We will send you a copy of their reply for comment.
3. The member will be given a copy of your comments and we will also ask you to agree to our having a copy of your health records if they are relevant to your complaint.

Stage 2

1. Two members of the CThA Council will meet in private to consider all the information they have regarding your complaint.
2. They will decide whether your complaint needs to be heard by the CThA disciplinary panel
3. We will write to you to let you know the outcome.

Stage 3

1. If the CThA Council decide not to send your complaint for a disciplinary hearing we will write to you and the CThA member saying that no further action will be taken, or if the Council members decide to send your complaint to a disciplinary hearing we will write to you and the member with details of what happens next within 20 working days of the meeting.

Stage 4

Disciplinary Hearing

1. The disciplinary panel will be made up of 2 members of the CThA Council and 1 independent advisor from the industry.
2. Prior to the Disciplinary hearing we will invite you to make a statement of evidence.

We will then send you a final copy to take to your solicitor to witness your signature.

We will ask you to give evidence at the disciplinary hearing.

The Disciplinary panel will then decide whether to take any action or impose any sanctions on the CThA member.

Possible sanctions:

- a) Caution the member – this is a formal warning
- b) Place restrictions on the members practise – e.g. the member must undergo further training
- c) Suspend the member for up to 2 years
- d) Remove the member from the Association and our approved list of members

Prior to the hearing the CThA member will be given the opportunity to admit to all the details of the case and suggest a suitable sanction. In such a case you will then not be required to attend the disciplinary meeting.

We will write to you within 20 days of the Disciplinary hearing to inform you of the outcome.

Appeal

If you wish to Appeal against the outcome of the Disciplinary Hearing you must lodge your appeal within 28 days of the Disciplinary Hearing.

How do the Panel conduct the Appeal

Your Appeal will be passed on to an Appeals Panel

The Panel will consider your appeal in light of the evidence and documents you and the CThA submit. An appeal is a reconsideration of the evidence, not a review of the decision made by the CThA.

What decisions about the appeal can the Panels make?

The Panel may decide to:

- Dismiss the appeal.
- Allow the appeal and overturn the decision you are appealing against.
- Make any new decision which could have been made by the person making the original decision
- Remit the case to the person making the decision to dispose of in accordance with the directions of the Appeal Panel.

Who will sit on the appeal panel

At least three people must sit on the Panel:

- A member of the CThA Council wherever possible the Chair or Vice Chair
- An independent lay person
- An industry expert