

Complaints Policy

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1. General policy

1.1. This document

- 1.1.1 The information contained in this document is designed to detail all aspects in relation to the Centre of Therapy & Counselling Studies (hereafter referred to as Centre of Therapy) complaints policy and procedure.
- 1.1.2 Hard copies of this and related documents can be requested from the Centre of Therapy offices located at: 8 Newton Place, Glasgow G3 7PR.
- 1.1.3 This document and related documents can be found electronically at the following URL: <https://www.centreoftherapy.org/complaints>
- 1.1.4 Where possible, the Centre of Therapy & Counselling Studies will make the information contained in these documents available in alternative languages or formats upon request.
- 1.1.5 Requests for assistance or advice in understanding the complaints procedure or accessing external support and/or advocacy can be made directly to the Centre of Therapy Complaints Department.

1.2. Purpose

- 1.2.1 This policy covers complaints made against members of staff, counsellors and therapists conducting work on behalf of the Centre of Therapy, persons involved in the training courses offered by the Centre of Therapy and any other individuals associated with the Centre of Therapy, as well as the Centre of Therapy as an organisational whole.
- 1.2.2 The complaints procedure is designed to ensure that:
 - individuals making a complaint about the Centre of Therapy or about anyone who works for the Centre of Therapy are empowered to do so,
 - complaints are investigated promptly and appropriately and in accordance with the procedural steps set out in this document,
 - complaints are treated seriously and given due consideration while also ensuring that the subjects of a complaint are treated fairly and without prejudice pending the outcome of any investigation.
- 1.2.3 This policy relates only to formal complaints. Where a complainant wishes to resolve a grievance informally, they are recommended to attempt do so before initiating this process.

1.3. Complaint handling

- 1.3.1 Complaints will be managed by the Centre of Therapy Complaints Department. This department will not be involved in any investigation of any complaints but will ensure that the policy and procedure detailed here is carried out.
- 1.3.2 All parties involved in a complaints procedure will be required to declare any conflict of interest and remove themselves from that procedure.
- 1.3.3 Any panel selected to investigate a complaint will be chosen to ensure impartiality. Such a panel will comprise of at least three individuals.
- 1.3.4 All persons involved in the processing of a complaint are required to act confidentially during and after the complaints procedure. Any such individual found to be breaching confidentiality or acting in such a way that prejudices the complaints procedure will be removed from the process and may be subject to internal disciplinary procedure.

- 1.3.5 Any proposed adjustments to time frames laid out in this document will, except under extraordinary circumstances, only be adjusted following agreement by all parties involved in the affected stage of the procedure.
- 1.3.6 The Centre of Therapy may wish to seek external professional advice and it may be necessary to have the complainant's permission to discuss the case in these contexts. This will be obtained in writing where needed.

1.4. Requirements for a complaint

- 1.4.1 Because of the difficulty of properly investigating complaints after time has elapsed, the Centre of Therapy cannot undertake to investigate incidents which took place more than twelve months prior to the date of the complaint being made.

1.5. Contact with complainant and party complained about

- 1.5.1 Communication between the Centre of Therapy, the complainant and the party complained about will be through the Complaints Department. Such communication, where feasible, will be done in writing.
- 1.5.2 The complainant and the party complained about will be informed of any updates at each stage of the complaints process.
- 1.5.3 Both the complainant and the party complained about will be invited to attend the complaint investigation panel and may be accompanied by a person of their choice.
- 1.5.4 At no stage of a complaint process will there be contact between the complainant and the party complained about as a result of the investigation or procedure.

1.6. Halting a complaint

- 1.6.1 A complainant may submit a written request to the Complaints Department at any time to formally withdraw a complaint.
- 1.6.2 The Complaints Department may temporarily halt a complaint until the resolution of any associated legal action, should it become known at any stage that such an action is in progress, pending or intended.

2. Procedure for making complaints

2.1. Method of making complaint

- 2.1.1 All complaints should be submitted in writing to the Centre of Therapy Complaints Department. These will be accepted either as a posted hard copy or an emailed electronic copy.
- 2.1.2 Pro-forma complaint forms are available to download from the Centre of Therapy website (www.centreforthrapy.org/complaints-procedure). If not using the pro-forma, the complainant should ensure that all relevant information is included in their complaint.
- 2.1.3 Contact information for submitting complaints can be found in Appendix: Contact information.
- 2.1.4 For those unable to make a complaint in writing, an appropriate alternative will be arranged with the Complaints Department.
- 2.1.5 Complainants will be notified of receipt of complaint and initiation of complaints procedure upon the Centre of Therapy receiving the complaint.

2.2. Information to be included in complaint

- 2.2.1 Each complaint must detail contact information for the complainant (name, postal address and optionally telephone number or email address) the name of the party complained about, the relation this party has to the complainant (e.g. therapist, tutor, supervisor, etc.) and a detailed description of the reason for complaint.
- 2.2.2 It is recommended that complainants enclose copies of any useful evidence alongside their written complaint.

2.3. Provision for communications unable to be made in writing

- 2.3.1 Where written communication with either of the complainant or the party complained against is impractical or impossible, the Complaints Department will make provision for appropriate alternative means of communication throughout the complaints procedure.
- 2.3.2 Where this involves verbal communication the date and content of such communications will be minuted for the purpose of demonstrating such communication took place.
- 2.3.3 Where a complaint in the first instance cannot be made in writing, the Complaints Department should be contacted to make alternative arrangements. This contact can be over the phone or in person if required.

2.4. Complaints made by third parties

- 2.4.1 Those who are not directly receiving a service from the Centre of Therapy (e.g. counselling, training, facility hiring, membership, etc.) are considered third parties for the purposes of complaints.
- 2.4.2 Complaints from third parties will only be heard where the third party has been directly and adversely affected by the inciting incident. A third party must be able to clearly evidence that this is the case.
- 2.4.3 Third parties should not make complaints on behalf of complainants. Except in circumstances where the complainant is entirely unable to make the complaint themselves (e.g. complainant is a minor or adult without capacity), complaints will only be accepted directly from the complainant.
- 2.4.4 Where a third party has made a complaint that has been accepted for investigation, data protection laws may limit the amount of information that can be shared directly with that third party.

2.5. Anonymous complaints

- 2.5.1 Where possible anonymous complaints will be investigated but this presents certain limitations.
- 2.5.2 Without a complainant contact person, the complaint investigation board will be unable to ask questions of the complainant at the panel meeting. It is therefore imperative that as much detailed supporting evidence as possible be provided enclosed with the initial complaint.
- 2.5.3 It will not be possible to update the complainant on proceedings during the complaint investigation process.
- 2.5.4 Outcomes of complaints investigations are not published and cannot be communicated to the complainant.

2.6. Provisions for complaints made against therapists

- 2.6.1 Where a complaint is made by or on behalf of a client against a therapist working from the Centre of Therapy, steps will be taken to ensure that client

receives adequate and appropriate support and ongoing therapeutic help, should the client wish it.

- 2.6.2 In the event that a client is referred to a different therapist as a result of an ongoing complaint, that new therapist will not be informed of the reason for the reallocation.

2.7. Provisions for complaints made against student peers

- 2.7.1 The Centre of Therapy is only able to investigate complaints against other students for incidents that took place in one of our training locations.
- 2.7.2 In the event that an incident occurs outwith the Centre of Therapy we will take steps to mediate and/or offer a resolution where requested. Possible resolutions may include allowing the complainant to switch to another class or taking other steps to separate the two parties.
- 2.7.3 Whilst investigating an ongoing complaint against a student peer, the Centre of Therapy will act as much as possible to ensure that both parties are able to continue their studies uninterrupted during this time. This may mean temporary or permanent separation of the two parties to alternate classes.
- 2.7.4 It is imperative for the wellbeing of the classes that other student peers are not placed in a position to pick sides in a complaint or any undue enmity is caused between students. All persons involved in a complaint should be mindful of minimising disruption to the classes.

3. Complaint investigation procedure

3.1. Procedure once a complaint is received

- 3.1.1 Upon receiving a complaint, the complainant is notified that complaint procedure has been initiated. The party complained about is also notified of this and given details of the nature of the complaint.
- 3.1.2 The CEO of the Centre of Therapy will call a meeting of the Board of Directors if there is not one previously scheduled within three weeks of receiving a complaint.
- 3.1.3 The Board of Directors will be responsible for arranging a panel of at least three suitably qualified and impartial professionals to investigate the complaint. This panel may, at the Board's discretion, be comprised partially by members of the Board of Directors if considered appropriate.
- 3.1.4 A period of time will be allocated to allow the Board to identify and recruit appropriate individuals to form the panel who are able and willing to act in this capacity.
- 3.1.5 The complaint investigation panel will be called together to review evidence submitted with the complaint, set a date for the panel meeting and to suggest individuals to attend this panel meeting as witnesses or experts.

3.2. Timescales for procedure

- 3.2.1 The Board of Directors will meet to make arrangements for a complaint investigation within three weeks of receipt of the complaint.
- 3.2.2 The Board will be allowed a period of up to three weeks from the date of this meeting to form the panel.
- 3.2.3 Once formed, the panel will set a date, no sooner than four weeks from the date the panel was formed, for the panel meeting. This period of a minimum of four weeks will allow ample time for both sides of a complaint to submit evidence in advance of the panel meeting.

- 3.2.4 The complainant and the party complained about will both be informed of the outcome of the complaint panel investigation meeting within two weeks of the conclusion of that meeting.
- 3.2.5 Upon receiving the notification of the outcome of the panel meeting, both the complainant and the party complained about will have a maximum of two weeks in which they may submit an appeal. (*see section 5 for further information on appeals procedure*)
- 3.2.6 Any sanctions applied by the Centre of Therapy will take effect only after the period for appeals has closed.
- 3.2.7 The maximum time for a complaint to be investigated without appeal, from receipt of the complaint to the closing of the appeal window, is sixteen weeks. Where an appeal is to be heard, that process will take an additional maximum of twelve weeks (see section 5.4).

3.3. Complaint investigation panel meeting

- 3.3.1 The complaint investigation panel will meet to hear and discuss evidence for and against the complaint.
- 3.3.2 Minutes will be taken during this panel meeting and distributed to both the complainant and the party complained about following the decision of the panel.
- 3.3.3 Any evidence to be considered at the panel should be sent to the Centre of Therapy Complaints Department at least a week prior to the date of the panel meeting.
- 3.3.4 The CEO of the Centre of Therapy will chair this meeting. It will be the responsibility of the CEO to ensure procedure is correctly followed and to break a tied decision.
- 3.3.5 It is recommended that both the complainant and party complained about attend this meeting. Where attendance would not be possible, a statement can be submitted for the panel's consideration.
- 3.3.6 The complainant and the party complained about will not be called into the meeting concurrently. Both parties should not come into contact with each other.

3.4. Outcomes

- 3.4.1 The decision about the complaint will be communicated to both the complainant and the party complained about at the earliest opportunity and no more than two weeks following the decision.
- 3.4.2 The complaint investigation panel may decide to uphold the complaint or dismiss the complaint.
- 3.4.3 If the complaint is upheld, the complaint investigation panel may offer recommendations for sanctions to be applied to the party complained about. These sanctions are detailed in section 4.
- 3.4.4 If dissatisfied with the outcome of this process, both the complainant and the party complained about have the right to appeal the decision. Information on appeals is detailed in section 5.

4. Sanctions

4.1. General information on sanctions

- 4.1.1 Where a complaint is upheld by the Centre of Therapy complaint investigation panel, various sanctions may be applied against the party complained about.

The application of a sanction will only ever be considered from a rationale of protecting the public.

- 4.1.2 Recommendations for appropriate sanctions will be accepted for consideration by the Centre of Therapy from the complaint investigation panel.
- 4.1.3 All relevant parties will be notified in writing of the duration and commencement date of any sanction at the earliest opportunity.
- 4.1.4 The earliest commencement date for a sanction will be following the conclusion of the appeals window, at which point all decisions on sanctions are final.
- 4.1.5 Where there are conditions to be fulfilled prior to the lifting of a temporary sanction, supporting evidence must be provided by the sanctioned party to demonstrate such fulfilment.
- 4.1.6 Where a sanction entails removal from a course or from the Centre of Therapy membership, no previously paid fees will be refunded.
- 4.1.7 The Centre of Therapy Complaints Department will be responsible for monitoring the status of ongoing sanctions through communication with the sanctioned party and any other relevant parties. A sanction database will be kept for this purpose. Supporting evidence of compliance with a sanction may be requested as part of this process.
- 4.1.8 The CEO of the Centre of Therapy will be responsible for notifying in writing the sanctioned party at such a time that a sanction is lifted.

4.2. Example sanctions

- 4.2.1 Depending on the nature and severity of the upheld complaint and the relationship to the Centre of Therapy the party complained about has, one or more of the following sanctions may be enforced:
 - suspension or termination of student position on course,
 - suspension or termination of student therapist placement,
 - suspension or termination of tutor/supervisor position on course,
 - suspension or termination of therapist membership with the Centre of Therapy,
 - the reporting of a sanctioned party to their accrediting body or professional membership provider,
 - other appropriate recommendations from the complaint investigation panel.
- 4.2.2 The above sanctions may be applied permanently or temporarily, subject to conditions being met prior to their lifting. Such conditions may include, for example, the undertaking of personal therapy, additional or remedial training, additional supervision or other appropriate requirements.
- 4.2.3 The complaint investigation panel may also make recommendations for alterations or amendments to Centre of Therapy policies, procedures, course content or organisational structure. Where appropriate, these will be implemented by the relevant department of the Centre of Therapy, e.g. Curriculum Team, Clinical Governance Board, etc.

5. Appeals

5.1. Information relating to appeals

- 5.1.1 This procedure allows for appeal against decisions made by the Centre of Therapy during the course of a complaint investigation.
- 5.1.2 Appeals may be brought by either the complainant or the party complained about, following the conclusion of the complaints procedure.

- 5.1.3 As with the complaints procedure, appeals will not be heard until the resolution of any associated legal action, should it become known at any stage that such an action is in progress, pending or intended.
- 5.1.4 Where the appellant is a group or organisation, one individual should be formally nominated to represent that group or organisation during this process.
- 5.1.5 It is the role of the appeals panel to either uphold or overturn the decision of the complaint investigation panel, not to undertake a further investigation into the original complaint.

5.2. Grounds for appeal

- 5.2.1 An appeal can be made on the following grounds:
 - the Centre of Therapy and/or complaint investigation panel has failed to follow the procedure laid out in this document in such a way that has impacted the decision made,
 - the decision made is not in line with the evidence presented,
 - the sanction applied is disproportionate to the evidence presented.
- 5.2.2 Appeals on the first ground must explicitly detail which procedure(s) were not followed and evidence that this had influenced the decision.
- 5.2.3 Appeals on the second ground must demonstrate the way in which the decision was unwarranted in relation to the evidence heard by the complaint investigation panel.
- 5.2.4 Appeals on the third ground must demonstrate the way in which the sanction is disproportionate, either excessively punitive or lenient, based on the evidence heard by the complaint investigation panel.

5.3. Appeal process

- 5.3.1 All appeals should be submitted in writing to the Centre of Therapy Complaints Department. These will be accepted either as a posted hard copy or an emailed electronic copy.
- 5.3.2 An appellant must include in their written appeal, a statement showing which of the grounds the appeal is being made under, the reasons the appellant believes these grounds have been met (see 5.2.1 – 5.2.4 above) and any evidence that can be provided to support the appeal.
- 5.3.3 Contact information for submitting appeals can be found in Appendix: Contact information.
- 5.3.4 For those unable to make an appeal in writing, an appropriate alternative will be arranged with the Complaints Department.
- 5.3.5 Appeals which do not conform to one of the above grounds will be rejected.
- 5.3.6 Appellants will be notified of receipt of appeal and initiation of appeal procedure or rejection of appeal within one week of the Centre of Therapy receiving the appeal.
- 5.3.7 If an appeal is to be heard, an appeals panel will be convened by the Board of Directors consisting of at least three members who were not previously involved in the appealed decision. Any panel selected to hear an appeal will be chosen to ensure impartiality. This panel may, at the Board's discretion, be comprised partially by members of the Board of Directors if considered appropriate.
- 5.3.8 A period of time will be allocated to allow the Board to identify and recruit appropriate individuals to form the panel who are able and willing to act in this capacity.

- 5.3.9 All persons involved in the processing of an appeal are required to act confidentially during and after the appeals procedure. Any such individual found to be breaching confidentiality or acting in such a way that prejudices the appeals procedure will be removed from the process and may be subject to internal disciplinary procedure.
- 5.3.10 The appellant will be informed of the date of the appeal hearing at the earliest opportunity, though they will not be expected to attend.
- 5.3.11 The appeals panel may invite witnesses or experts to the hearing at its discretion in order to ensure a fair hearing. Additional evidence pertaining to the appeal should also be submitted for the panel at least a week prior to the hearing.
- 5.3.12 It is possible that an appeal hearing is held over multiple days to allow for witnesses or evidence to be made available. Decision to adjourn the hearing for this purpose will be at the discretion of the chair of the appeals panel.
- 5.3.13 The appeal, including evidence heard, will be considered only on the grounds for appeal submitted by the appellant.
- 5.3.14 The appeals panel may decide to:
- uphold the previous decision,
 - amend the previous decision,
 - overturn the previous decision.
- 5.3.15 Where a decision is amended or overturned, the appeals panel may adjust/remove previous sanctions or recommend additional sanctions be applied.
- 5.3.16 The appellant will be advised of the final decision of the appeals panel at the earliest opportunity and no more than two weeks following the decision.

5.4. Timeline for appeals

- 5.4.1 The Board of Directors will meet to make arrangements for an appeal hearing within three weeks of receipt of the appeal.
- 5.4.2 The Board will be allowed a period of up to three weeks from the date of this meeting to form the appeals panel.
- 5.4.3 A date will be set, no sooner than three weeks from the date the panel was formed, for the appeal hearing. This period of a minimum of three weeks will allow ample time for submission of evidence in support of the appeal in advance of the hearing.
- 5.4.4 The appellant will be informed of the outcome of the appeal hearing within two weeks of the conclusion of the hearing.
- 5.4.5 Any sanctions applied by the Centre of Therapy will take effect only after the period for appeals has closed.

- 5.4.6 The maximum time for an appeal to be heard, from receipt of the appeal to the notification of the outcome, is twelve weeks.

6. Additional notes

6.1. Submitting a complaint to COSCA

- 6.1.1 Where a complainant remains dissatisfied, complaints relating to counselling, including both the provision of therapy and the provision of counselling training, can be submitted to COSCA under its own complaints procedure within one month following the exhaustion of the Centre of Therapy complaints procedure.
- 6.1.2 COSCA will verify whether the Centre of Therapy's procedure has been followed and the outcome was lawful, reasonable and properly explained.
- 6.1.3 COSCA will not consider complaints until the full Centre of Therapy complaints procedure has been completed.
- 6.1.4 Details on submitting a complaint to COSCA can be found here:
www.cosca.org.uk/guidance-policies/complaints.

Appendix: COSCA standards for complaints

As a COSCA organisational member, the Centre of Therapy is required to submit to COSCA an Outcome Report at the conclusion of all complaints proceedings relating to counselling and psychotherapy. This report includes whether the complaint was upheld and any sanctions applied. Information identifying the complainant is anonymised for the purposes of this reporting. COSCA's full complaints procedure can be sourced electronically at www.cosca.org.uk/guidance-policies/complaints or requested as a hard copy from COSCA: COSCA (Counselling & Psychotherapy in Scotland), 16 Melville Terrace, Stirling FK8 2NE.

Appendix: Contact information

Postal address for complaints/appeals:

Complaints Department
Centre of Therapy & Counselling Studies
8 Newton Place
Glasgow G3 7PR

Email address for complaints/appeals:

admin@centreoftherapy.org.uk

Telephone number for enquiries:

0141 331 0750

Contact details for COSCA:

COSCA (Counselling & Psychotherapy in Scotland)
16 Melville Terrace, Stirling FK8 2NE
Telephone: 01786 475140
Fax: 01786 446207
Email: info@cosca.org.uk