

**Clinical Hypnotherapy and Psychotherapy Association Ltd  
Disciplinary and Complaints Procedures**

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## Introduction

Complaints may concern all the activities of The CHPA including:

- The conduct of a Member ;
- The conduct of the National Executive Committee or its individual members;
- The conduct of the National Council or its individual members;
- The conduct of a Regional Council or its individual members;
- The conduct of an administrative staff member

Complaints may be made by members of the public, clients of individual Members, the family of clients of individual Members, or from a Member regarding the activities of another Member.

All complaints will be considered with due diligence by the National Executive Committee and any Panels set up to investigate and address the complaint. Details of decisions taken will be made available to relevant parties.

For a complaint to be upheld against a Member his or her actions must have been in breach of the Code of Practice and Ethics to which each Member will have given a written commitment to abide by.

The Code of Practice and Ethics is available from The CHPA website [www.chpa.ie](http://www.chpa.ie)

Failure to uphold or adhere to the Code of Practice and Ethics may bring disciplinary proceedings against the Member by the National Executive Committee even if a complaint from a third party has not been received.

## **2.0 Complaints against Members**

### **2.1 Complaints Process**

**2.1.1.** Complaints against Members of The CHPA must be made in writing to the National Executive Committee of The CHPA. Upon receipt of a written complaint concerning a Member of The CHPA, the National Executive Committee shall appoint a complaints investigation Committee to investigate the complaint. This committee shall consist of one to three members of The CHPA. This committee shall:

- Within 10 days confirm receipt of the complaint to the complainant, advise of the process that will be adopted and seek permission to send any documentation indicating the nature of the complaint to the Member concerned;
- Within 14 working days, notify the Member concerned that a complaint has been received and request a response to the complaint from the Member within 28 working days of the date the Member receives details of the complaint;

*Note: It may be possible for straightforward complaints or those that are not disputed to be settled at this point. A decision on whether the complaint may be settled at this point will be made by the appointed investigation committee within 14 working days of receipt of the initial response from the Member .*

This committee will within 14 days of concluding their investigation submit details of their findings and any resolution reached to the Executive Committee Member responsible for handling complaints.

**2.1.2** If the complaint cannot be settled at this stage, a Complaints and Disciplinary Panel will be formed to investigate the matter further. The Panel shall comprise one member of the National Executive Committee and two other members from either a Regional Council or the National Council, and shall be chaired by the National Executive Committee Member. The Membership Register Secretary will support and assist the Complaints and Disciplinary Panel in the administration and running of the disciplinary process but will not contribute to any decisions made by the Panel. The Member concerned may be required to attend a disciplinary hearing.

**Note: The Code of Practice and Ethics for Members requires them to fully comply with any reasonable requests from the National Executive Committee or those acting on its behalf for information and/or attendance at any hearings necessary in pursuance of any complaint or action against the Member .**

## **2.2 Reporting of Decisions**

Decisions made by the Complaints and Disciplinary Panel shall be formally confirmed in an appropriate format to all relevant parties within 14 working days of the Panel meeting. Should a decision not be possible within this time frame, perhaps because of a need for the Panel to gather further information or evidence or arrange additional meetings, all relevant parties will be informed accordingly and a new deadline for a decision will be set.

## **3.0 Complaints against the National Executive Committee**

### **3.1 Complaint Process**

**3.1.1** For complaints against the National Executive Committee or its members, the complainant should notify the Chairman of National Executive Committee in writing of the nature of the complaint. Complaints may be in relation to any administrative or procedural roles or activities undertaken by the National Executive Committee in pursuance of the business and affairs of the The CHPA, or related to the professional conduct of any or all members of the National Executive Committee.

*Note: It may be possible for straightforward complaints or those that are not disputed to be settled at this point. A decision on whether the complaint may be settled at this point will be made by the National Executive Committee within 14 working days of receipt of the initial response from the National Executive Committee Member or the Committee as a whole.*

**3.1.2.** If the complaint cannot be settled at this stage The National Executive Committee shall inform The Chair of the Independent Review Panel (See Section 7.4) of the complaint within 14 working days of receipt of the complaint and the National Executive Committee shall respond to the complaint within 28 working days of the complaint being forwarded to the Review Panel.

### **3.2 Reporting of Decisions**

The Independent Review Panel will investigate the complaint and make the necessary binding recommendations should the complaint be upheld. The Panel shall inform the complainant in an appropriate format of the outcome within 21 working days of reaching their decision.

Should a decision not be possible within this time frame, perhaps because of a need for the Panel to gather further information or evidence or arrange additional meetings, all relevant parties will be informed in an appropriate format and a new deadline for a decision will be set.

#### **4.0 Complaints against The National Council or a Regional Council**

##### **4.1 Complaint Process**

For complaints against the National Council or a Regional Council, the complainant should notify the Chairman of the National Executive Committee in writing of the nature of the complaint. Complaints may be in relation to any administrative or procedural roles or activities undertaken by the National or Regional Council in pursuance of the business and affairs of The CHPA or related to the professional conduct of the members of the National Council or Regional Council. The Chairman of the National Executive Committee shall appoint a complaints investigation Committee to investigate the complaint. This committee shall consist of one to three members of The CHPA. This committee shall:

- Within 10 days confirm receipt of the complaint to the complainant, advise of the process that will be adopted and seek permission to send any documentation indicating the nature of the complaint to the Member concerned;
- Within 14 working days, notify the National Council or Regional Council concerned that a complaint has been received and request a response to the complaint from the National or Regional Council within 28 working days of the date the National or Regional Council receives details of the complaint;

*Note: It may be possible for straightforward complaints or those that are not disputed to be settled at this point. A decision on whether the complaint may be settled at this point will be made by the appointed investigation committee within 14 working days of receipt of the initial response from the Member .*

This committee will within 14 days of concluding their investigation submit details of their findings and any resolution reached to the Executive Committee Member responsible for handling complaints.

If the complaint cannot be settled at this stage the National Executive Committee will appoint a Complaints and Disciplinary Panel to investigate the complaint. The Panel shall comprise two members of the National Executive Committee who are not members of the National Council, and one other member, and shall be chaired by one of the National Executive Committee Members. The Membership Register Secretary will support and assist the Complaints and Disciplinary Panel in the administration and running of the disciplinary process but will not contribute to any decisions made by the Panel.

The Members concerned may be required to attend a disciplinary hearing, which shall take appropriate action should the complaint be upheld.

##### **4.2 Reporting of Decisions**

The decision made by the Complaints and Disciplinary Panel will be confirmed in writing to the National Council or the Regional Council and the complainant within 28 working days of the complaint being received by the National Executive Committee. Should a decision not be possible within this time frame, perhaps because of a need for the Panel to gather further information or evidence or

arrange additional meetings, all relevant parties will be informed in an appropriate format and a new deadline for a decision will be set.

## **5.0 Complaints against an administrative employee.**

For complaints against a member of the administrative staff of the organisation the complainant should notify the staff manager who will investigate the matter according to the complaints and disciplinary procedure contained in the contract of employment under which the staff member is engaged and which is governed by employment law.

## **6.0 Complaints against the National Executive Committee or its individual members in respect of a decision concerning membership of The CHPA.**

**An applicant wishing to challenge the decision of the National Executive Committee in respect of admission to membership, as opposed to how the admissions process was administered and executed, should follow the Appeals procedure described in Section 8.2 later.**

## **7.0 Outcomes of the Disciplinary Process**

If the Complaints and Disciplinary process undertaken identifies that a Member has breached the content and intent of the Code of Practice and Ethics, appropriate action will be taken. Whilst punitive actions will vary according to the circumstances of each individual case, serious and deliberate breaches of the Code of Practice and Ethics may result in suspension or expulsion of a Member from The CHPA.

Details of all complaints received together with any information gathered in investigating the claims and the decisions arrived at will be held on record by The CHPA.

## **8.0 Appeals**

### **8.1 Against a Decision of the Complaints and Disciplinary Panel**

Appeals against decisions of a Complaints and Disciplinary Panel may be made to the National Executive Committee. The National Executive Committee Member responsible for Complaints shall inform the National Executive Committee of the appeal within 14 working days of receiving an appeal or notice of an appeal from the Appellant. Upon receipt of such an appeal the National Executive Committee will convene a Tribunal of three National Executive Committee members. This Panel will usually be chaired by either the Chair or Vice Chair of the National Executive Committee. The Tribunal of Appeal will consider the decision made by the Complaints and Disciplinary Committee. The Tribunal may re-interview the applicant if they feel it would assist the process.

**Note: The Tribunal of Appeal will not comprise any members of the original Complaints and Disciplinary Committee although the Chair of the Tribunal of Appeals will be made aware of any documentation relating to the original interview.**

**This will assist in ensuring the Tribunal of Appeal are able to focus on those issues for which the applicant failed to demonstrate an appropriate level of competence and experience during the original interview process.**

### **8.1.1 Reporting of Decisions**

The decision made by the Tribunal of Appeal will be confirmed in an appropriate format to the Appellant and the National Executive Committee Member Responsible for Complaints within 28 working days of the full documentation for the appeal being received by the Tribunal from the Appellant.

Should a decision not be possible within this time frame, perhaps because of a need for the Tribunal to gather further information or evidence or arrange additional meetings, all relevant parties will be informed in an appropriate format and a new deadline for a decision will be set.

## **8.2 Against the Decisions of the National Executive Committee regarding Admission to membership**

Appeals against the decisions of The National Executive Committee as shall be made in writing to the Membership Register secretary. Upon receiving the Appeal, the Register Secretary will inform the Chairman of the Independent Review (See section 7.3 below). The appellant will usually be required to attend an Appeal interview.

**Any costs reasonably incurred in completing the Review process will be borne by the losing party and the decision of the Independent Review Panel will be final and binding.**

### **8.2.1 Reporting of Decisions**

The decision of the Independent Review will be confirmed in an appropriate format to the Applicant within 28 working days of the appeal interview.

Should a decision not be possible within this time frame, perhaps because of a need for the Panel to gather further information or evidence or arrange additional meetings, all relevant parties will be informed in an appropriate format and a new deadline for a decision will be set.

## **8.3 Appeals against an Appeal Decision**

An appeal made against the decision of the Tribunal of Appeal shall be in writing and directed to the Membership Secretary. Upon receipt of such an appeal the the Membership Secretary will refer the complaint to the chairman of the Independent Review Panel (see 7.4 below). **Any costs reasonably incurred in completing the Review process will be borne by the losing party and the decision of the Independent Review Panel will be final and binding.**

### **8.3.1 Reporting of Decisions**

Any decision made by the Independent Review Panel will be conveyed to the Appellant within 28 working days of the appeal being lodged in writing with the Membership Secretary.

Should a decision not be possible within this time frame, perhaps because of a need for the Panel to gather further information or evidence or arrange additional meetings, all relevant parties will be informed in an appropriate format and a new deadline for a decision will be set.

#### **8.4 Independent Review Panel**

Complaints against the National Executive Committee or the decisions regarding Membership made by the National Executive Committee, and decisions made by the Tribunal of Appeals will be considered by an Independent Review Panel.

The Independent Review Panel will comprise one to three people who are not Members of The CHPA and are not associated with the management of the CHPA or its operations. Panel Members will be selected given the circumstances of the complaint and according to the expertise and experience they can bring to the Review process. Panel Members may or may not be associated with the fields of hypnotherapy, psychotherapy or any other therapy.. Members of the Independent Review Panel will be selected by The Chairman of The Chartered Institute of Arbitrators.

**Any costs reasonably incurred in completing the Review process will be borne by the losing party and the decision of the Independent Review Panel will be final and binding.**