

1. Introduction

SPTI recognises that the professions of counselling and psychotherapy require a high degree of ethical responsibility. It is our expectation that both trainers and trainees will adhere to the SPTI Code of Ethics and Professional Practice.

There are various means through which a concern or complaint relating to the conduct of a member of SPTI may be raised:

- Complaints about a trainee's conduct should be raised using the Student Disciplinary Procedure
- Complaints by trainees about the delivery of their training at SPTI may be raised through the Student Complaints Procedure
- Complaints about the professional practice of graduate members should be raised through the professional body through which they are accredited (usually BACP, UKCP or UKATA)
- Complaints from members of the public should be made through the External Complaints Procedure

However, where there is a concern about the ethical conduct of either a trainee or a trainer which is not appropriately dealt with through any of the above processes, the grievance procedure outlined in this document should be used. This includes complaints against SPTI Approved Supervisors and Recognised Training Supervisors.

The purpose of this grievance procedure is to provide a means by which a member of SPTI can bring a grievance against another member of SPTI. A grievance may be brought to SPTI by any of the following:

- Graduates (within 5 years of graduating)
- Graduate members of SPTI
- Facilitators, supervisors or consultants who are also members of SPTI
- Staff of SPTI
- Trainee members of SPTI
- Grievance procedures may also be invoked by SPTI or by a group within SPTI against an individual member of SPTI

1.1 Grievances will normally be dealt with through the SPTI Ethics & Professional Practice Committee and addressed to the Chair who is a senior member of SPTI. Advisors external to SPTI may be co-opted to the Ethics & Professional Practice Committee from time to time.

1.2 The Ethics & Professional Practice Committee may decide that a matter may be more appropriately dealt with by a senior member of another UKCP member organisation.

1.2.1 If the matter is referred to a senior member of another UKCP organisation, then the Chair of the SPTI Ethics & Professional Practice Committee will approach a suitable person. The selected person must have no connection with the aggrieved person. The Chair of the Ethics & Professional Practice Committee will inform the aggrieved person of this decision at the earliest opportunity and will advise them of the name of the senior person who will manage the grievance procedure.

1.2.2 In all cases, if the grievance is brought against the chair, then an external chair will be appointed. The position of chair for the process of managing such a grievance would be addressed and agreed by the panel.

1.3 All individuals involved in the grievance procedures must act in a manner that does not breach confidentiality. Written material relevant to the grievance should be dated, and all verbal communications relevantly recorded and dated.

SPTI Grievance Procedure

- 1.4 The grievance procedure is investigative and with the guiding principle of establishing truth, justice and fairness. Section 3.1 below sets out the informal procedures which may be followed initially to see if there are grounds for resolution. Formal procedures are set out in 3.2 below and may be followed by adjudication and the use of disciplinary procedures.
- 1.5 A formal grievance must be lodged within one year of the alleged event(s) which form the substance of the grievance. Normally procedures are completed within six months of the receipt of the formal grievance. Time boundaries must be clearly established at the outset and strictly adhered to throughout. Where time boundaries cannot reasonably be maintained then all parties involved in the grievance should be informed and provided with a clear written explanation.

2. Initiating a Grievance

- 2.1 A person wishing to raise a grievance may have initial and confidential discussions on matters of procedure with the Chair of the Ethics & Professional Practice Committee. If the grievance concerns an SPTI Facilitator, the aggrieved person is recommended to first speak with the relevant Programme Leader.
- 2.2 The purpose of the initial discussion is to inform the aggrieved person of the procedures. A copy of the relevant Code of Ethics & Professional Practice and Grievance Procedure will be made available to the aggrieved person.
- 2.3 After this initial meeting, the aggrieved person may wish to pursue the grievance through the informal or formal procedure. In either case the aggrieved person will make a written statement of their grievance and send it to the Chair of the Ethics & Professional Practice Committee. This written statement from the aggrieved person will be acknowledged in writing by the Chair of the Ethics & Professional Practice Committee within 10 working days.
- 2.4 All written communications between the aggrieved person and the Chair of the Ethics & Professional Practice Committee will be copied and shared with the person against whom the grievance is expressed.

3. Informal Procedures

- 3.1 SPTI is not responsible for travel or any other expenses incurred either by the aggrieved person or by the person against whom the grievance is expressed in connection with any stage of the grievance procedure.
- 3.2 When a grievance is received by the Chair of the Ethics & Professional Practice Committee, informal procedures may be suggested in the first instance. A grievance may be brought on the following grounds:
 - 3.1.1 Offensive or destructive behaviour.
 - 3.1.2 Behaviour which goes against natural justice.
 - 3.1.3 Unfairness.
 - 3.1.4 Discrimination.
- 3.2 Informal procedures are not normally considered appropriate when a grievance alleges:
 - 3.2.1 Professional misconduct.
 - 3.2.2 Failure to comply with the Codes of Ethics & Professional Practice.
 - 3.2.3 A breach of criminal law.
 - 3.2.4 Behaviour which might bring SPTI, UKCP, BACP, UKATA and the professions of counselling and psychotherapy into disrepute.
- 3.3 The Chair of the Ethics & Professional Practice Committee will appoint a mediator, who should have no connection with the aggrieved person, or with the person against whom the grievance has been expressed. The mediator will normally be a senior member of SPTI. In the interests of natural justice, the person against whom the grievance is expressed will be informed of the grievance. They will also be offered the opportunity to provide an initial response at this stage.

The mediator may arrange either separate or joint meetings with the aggrieved person and the person against whom the grievance is expressed. The mediator will report the outcome to the Chair of the Ethics & Professional Practice Committee in writing. Having completed their report to the Chair of the Ethics & Professional Practice Committee the mediator will take no further part in any subsequent procedures.

- 3.4 This informal procedure should normally take place within 28 working days of the receipt of the written grievance.

4. Formal Procedure

- 4.1 If an aggrieved person wishes to pursue a formal grievance, then they must write to the Chair of the Ethics & Professional Practice Committee. The Chair of the Ethics & Professional Practice Committee must acknowledge receipt of the formal grievance within 10 working days and invite the aggrieved person to submit any documentary evidence in support of the grievance. The Chair of the Ethics & Professional Practice Committee will appoint an Adjudication Panel consisting of three people, at least one of whom will not be a member of SPTI. One of the three people will be appointed Chair of the Adjudication Panel. All members of the SPTI Panel should be impartial to either party in the grievance, and one of them should practise a similar therapeutic modality to the person against whom the grievance has been expressed, as far as is possible. Members of the Adjudication Panel must declare any interest which may cast doubt on their impartiality in the operation of the formal grievance procedures.
- 4.2 The Adjudication Panel will be provided with the written formal grievance, and all documentary evidence supplied by the aggrieved person and any written responses or documentation supplied by the person against whom the grievance is being expressed.
- 4.3 The Chair of the Ethics & Professional Practice Committee will ensure that the aggrieved person has received a copy of the Grievance Procedure.
- 4.4 The Chair of the Ethics & Professional Practice Committee will ensure that the person against whom the grievance is expressed is notified of the formal grievance, and that the grievance procedure has been invoked. At the same time, a copy of the Grievance Procedure should be sent to the person against whom the grievance has been expressed.
- 4.5 The Adjudication Panel will scrutinise all the evidence and will then arrange to meet the aggrieved person and the person against whom the grievance has been expressed. Written notice of the meeting of the Adjudication Panel will be sent to the parties concerned within 14 days of the Panel being appointed.

5. Adjudication Panel Procedure

- 5.1 The Adjudication Panel will examine the grievance(s) in a formal manner to decide on its validity.
- 5.2 Both the aggrieved person and the person against whom the grievance is expressed may be accompanied by a colleague or friend who may speak on their behalf.
- 5.3 *Conduct of Adjudication Panel:*
- 5.3.1 A summary of the grievance is put forward by the aggrieved person or their colleague/friend.
- 5.3.2 A summary of the case of the person against whom the grievance is expressed is put by themselves or their colleague or friend.
- 5.3.3 The aggrieved person puts questions through the Chair of the Adjudication Panel to the person against whom the grievance is expressed.
- 5.3.4 The person against whom the grievance is expressed puts questions through the Chair of the Adjudication Panel to the aggrieved person.
- 5.3.5 Adjudication Panel members may seek clarification from either or both parties.

- 5.3.6 When the Chair of the Adjudication Panel is satisfied that the Panel has gained all the clarification requested, the Chair informs all parties that the decision of the Adjudication Panel will be forwarded in writing to both parties within the next 10 working days. The Chair of the Adjudication Panel then asks all parties to withdraw.
- 5.4 Adjudication - When all parties have withdrawn under 5.3.6 above the Adjudication Panel continues to meet to determine whether a resolution of the grievance is possible and if so, to make recommendations as to how this might be brought about. The Adjudication Panel may determine that there is no basis for the grievance.
- 5.5 Following completion of the discussion the Chair of the Adjudication Panel will write a report, together with any recommendations, to be submitted to the Chair of the Ethics & Professional Practice Committee within 10 working days of the completion of the adjudication procedure. The Chair of the Ethics & Professional Practice Committee will then decide what action should be taken and will inform both parties of the outcome of the adjudication and the action to be taken.
- 5.6 If the investigation takes longer than originally expected then the Chair of the Ethics & Professional Practice Committee will write to the aggrieved person, and the person against whom the grievance is being expressed, explaining the delay and providing a new date by which the report will be completed.
- 5.7 Should the aggrieved person fail to attend the adjudication meeting without good reason or due notice, then the grievance will be dismissed, and the Chair of the Adjudication Panel will notify the Chair of the Ethics & Professional Practice Committee in writing.
- 5.8 If the person against whom the grievance is expressed fails to attend the adjudication meeting without good reason or due notice, the Chair of the Adjudication Panel will inform the Chair of the Ethics & Professional Practice Committee. A meeting of the Ethics & Professional Practice Committee will be convened as soon as is possible. This meeting will then act as a Disciplinary Committee and make a formal recommendation to the SPTI Board of Directors as to what action is to be taken and the form of appropriate sanctions.
- 5.9 *Sanctions* - If the grievance is upheld by the Adjudication Panel, then the person against whom the grievance has been expressed may be required to either:
- 5.9.1 Provide the Adjudication Panel with a written statement of acceptance to the adjudication and an apology to the aggrieved person.
 - 5.9.2 Provide the above together with a written undertaking that they will take issues arising from the grievance to their own personal therapy and fully inform their clinical supervisor of the grievance and outcome.
 - 5.9.3 Satisfy both 5.9.1 and 5.9.2 above and cease to practice as a counsellor/ psychotherapist for a specified period of time whilst working through the issue/s in therapy.
 - 5.9.4 Suspension of membership of the Institute with or without a requirement to comply with 5.9.1 and 5.9.2 above.
 - 5.9.5 Termination of membership of the Institute with or without a recommendation to comply with 5.9.1 and 5.9.2 above.
- 5.10 A member of the Adjudication Panel will be nominated to monitor any sanctions imposed. The consequence of non-compliance to 5.9.1, 5.9.2, 5.9.3, 5.9.4 above will be termination of membership of the Institute after a second written warning.

6. Appeals

- 6.1 Either party to the grievance may appeal against the decision of the Adjudication Panel by writing to the Chair of the Ethics & Professional Practice Committee within 21 days of notification of the decision either on grounds of procedural irregularity or because substantial new evidence has arisen which if available at the time of the adjudication, would have substantially influenced the decision of the Adjudication Panel.
- 6.2 In the event of an appeal the Chair of the Ethics & Professional Practice Committee will forward to the SPTI External Moderator all documentation concerning the grievance. The External Moderator will then review the case and will report to all parties concerned and to the SPTI Board of Directors.
- 6.3 The External Moderator will report their conclusions and recommendations to the SPTI Board of Directors.
- 6.4 The decision of the External Moderator will be final.