



## How the HGI deals with complaints

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### **The Registration and Professional Standards Committee (RPSC) is the HGI body that:**

- deals with complaints made against HGI registered therapists and trainee status therapists
- sets the standards of conduct and ethics for practitioners of human givens therapists
- maintains a register of therapists who meet the standards set out in the HGI Code of Ethics and Conduct:  
<http://www.hgi.org.uk/about-hgi/ethics-and-conduct>
- oversees the standards of education and training required to gain entry onto the HGI Register of practitioners.

### **What complaints can the RPSC can deal with?**

#### **We can deal with complaints or concerns about:**

- the treatment provided by HGI registrants (MHGI or FHGI) or trainee status therapists (HG Dip. P. (Trainee))\*
- the business practices of HGI registrants or trainee status therapists
- the physical or mental health of HGI registrants or trainee status therapists
- the professional or personal behaviour of HGI registrants or trainee status therapists that is relevant to their fitness to practise.

\*Trainee therapists are working towards full qualification and registration with the Human Givens Institute. A trainee therapist has successfully completed the Human Givens College Diploma course, demonstrating good theoretical understanding of the human givens approach. In addition, they are practising under supervision in accordance with the Institute's supervision policy and are subject to the HGI's ethics code and complaints procedure.

## **Complaints by third parties**

The HGI RPSC will accept complaints from concerned third parties, where for example, a client is unable to complain directly for reasons of age or infirmity, or where the third party is aware of a situation that gives cause for concern. Wherever possible, though, it is preferable that clients communicate directly with the HGI. In addition, the RPSC will consider any concerns raised by third parties such as the Press or insurance companies in relation to HGI Registrants or Trainee Status therapists.

## **Time limit for complaints**

The RPSC will not normally consider complaints about incidents that occurred more than two years ago, or about an event that came to light more than two years ago.

## **The RPSC cannot:**

- fine a registrant or trainee status therapist or recover any monies paid for services
- deal with claims for compensation\*\*
- deal with complaints against other organisations, other than complaints against individual HGI registrants or trainee status therapists
- deal with complaints against the HGI itself, rather than registrants or trainee status therapists. Complaints against the HGI are dealt with by the External Oversight Committee for Human Givens Therapy (EOC). The [EOC complaints procedure](http://www.hgi.org.uk/about-hgi/ethics-and-conduct/complaints) can be viewed at:  
<http://www.hgi.org.uk/about-hgi/ethics-and-conduct/complaints>

\*\*All HGI registrants and trainee status therapists are required to have insurance to cover any claims made against them.

## **What to do if you have a complaint**

The HGI recommends that members of the public should, wherever possible, try to resolve their complaint with the individual therapist concerned. If you have tried this without success, or if you prefer to contact us from the outset, please follow the process as set out below.

## **How to make a complaint**

Please make your complaint in writing, using our [downloadable complaint form](http://www.hgi.org.uk/sites/default/files/hgi/HGI-Complaints-Form.pdf). (<http://www.hgi.org.uk/sites/default/files/hgi/HGI-Complaints-Form.pdf>)

You can either:

- e-mail your completed complaint form as an attachment to [complaints@humangivens.com](mailto:complaints@humangivens.com)

or

- send a printed copy of your completed complaint form to the HGI Membership Secretary, Human Givens Institute, Chalvington, East Sussex, BN27 3TD, marking the envelope 'Private and Confidential'

If putting your concerns in writing presents a difficulty, the HGI office staff will be pleased to assist you. They can be contacted on 01323 811662.

**Notes:**

- a) If you have complained to another organisation about the incident in question, please note that it will be necessary to establish whether the other organisation or the HGI is best placed to deal with the matter in the first instance. (Please see our [downloadable complaint form](#))
- b) If you have started legal proceedings in relation to your complaint, the HGI can take no action until the outcome of the proceedings is known. (Please see our [downloadable complaint form](#))

## **The next stage**

Once we receive details of your complaint, we will decide whether to deal with it through our formal procedures, or informally. If an informal approach appears possible, we will ask what you want the therapist to do, after which we will ask whether they agree to do it. For example, you may want the therapist to apologise to you. If the therapist does not agree to your request, the case will be dealt with through our formal procedures.

Complaints about conduct that falls significantly below the standards set out in the [HGI Code of Ethics and Conduct](#) cannot be dealt with informally. These include complaints about:

- abuse of trust, for example, breach of professional boundaries, manipulative or predatory behaviour, financial exploitation (See [Section A](#) of the HGI Code of Ethics and Conduct)
- dishonest business practice (See [Section A14](#) of the HGI Code of Ethics and Conduct)
- professional incompetence (See [Section B](#) of the HGI Code of Ethics and Conduct)
- incapacity of a therapist resulting from mental or physical illness, including alcohol or substance misuse (See [Section A](#) of the HGI Code of Ethics and Conduct)
- criminal acts and/or convictions
- findings by a statutory regulator or an accredited voluntary register.

Where a therapist has been the subject of more than two similar complaints that were dealt with informally, the informal approach will not be followed.

## **How we deal with informal complaints**

Where a complaint does not fall into any of the above categories, and if there is nothing to indicate that a client might have been at risk of harm, an informal approach may well be appropriate. In such cases we will seek the agreement of the complainant before giving the therapist the opportunity to deal with the complaint informally.

If the complainant or the therapist is not happy to proceed informally, or if additional information comes to light that changes the nature of the complaint, we will start our formal procedures.

Where it is agreed that the complaint will be dealt with informally, we usually expect it to be resolved within four weeks. A member of the RPSC will be available to offer support at this stage. (This individual will not take part in any subsequent formal proceedings.)

If the complaint is not resolved within four weeks and there appears to be no prospect of an imminent settlement, we will start our formal procedures. Please note that where a complaint has been resolved through the informal route, the HGI will re-open the case if the complainant later brings new evidence suggesting that the practitioner concerned was in breach of the Code of Ethics and Conduct.

## **Our formal process**

Two or more members of the HGI RPSC will investigate the complaint and compile a report.

This process will normally involve seeking further information from both you and the therapist concerned. Those members of the RPSC whose role it is to adjudicate on the complaint will not be involved in the process at this stage and will not be informed of the details of the investigation until it has been completed.

Therapists who are the subject of complaints will be instructed that on no account must they attempt to make contact with complainants. Where it appears there could be an immediate risk to the public, the RPSC has the power to suspend a registrant from the register for an appropriate duration, thus preventing their practising. In the case of Trainee Status Members, suspension will similarly prevent their practising if appropriate. Such interim suspension orders will remain in place for whatever length of time is needed to deal with the complaint. Details of suspension orders are set out in the *HGI Indicative Sanctions Guidance*, which can be viewed at: [http://www.hgi.org.uk/sites/default/files/hgi/Indicative\\_Sanctions\\_Guidance.pdf](http://www.hgi.org.uk/sites/default/files/hgi/Indicative_Sanctions_Guidance.pdf)

On receipt of the investigation report, a panel of two or more RPSC members will consider the evidence and decide, on the balance of probabilities, whether to uphold or dismiss the complaint.

Within 20 working days of being told of your complaint, the RPSC will inform you in writing of its decision. The letter will include the reasoning behind the RPSC's decision. If it is not possible to complete the investigation and/or the decision stages within 20 working days, you will be informed of progress.

## **Sanctions**

Where a complaint is upheld, the panel has the power to impose one or more sanctions on the therapist concerned. For example, the panel can admonish the therapist, place restrictions on their practice, suspend or remove their HGI registration or trainee status, and terminate their membership of the HGI. Full details of the available sanctions are set out in the *HGI Indicative Sanctions Guidance*, which can be viewed at:

[http://www.hgi.org.uk/sites/default/files/hgi/Indicative\\_Sanctions\\_Guidance.pdf](http://www.hgi.org.uk/sites/default/files/hgi/Indicative_Sanctions_Guidance.pdf)

To view the HGI's policy on the publication of sanctions against therapists, go to: <http://www.hgi.org.uk/therapist-register/raising-concerns/upheld-complaints>

## **Complaint hearings**

If it is clear from the receipt of the initial complaint that the matter involves allegations of serious misconduct (abuse of trust, breach of professional boundaries or manipulative or predatory behaviour), or professional incompetence, the Chair or Deputy Chair of the committee will require the adjudication panel to hold a hearing in addition to collecting written evidence.

If the complaint is initially thought to involve a more minor matter but on adjudication the adjudication panel judge that the complaint could involve serious professional misconduct or incompetence as above, they will elect to hold a hearing, notifying the Chair and Deputy Chair of the committee, and confirming reclassification of the complaint to one of professional misconduct or incompetence.

The conduct of the hearing will be as follows:

The panel, composed of two professional members of the committee and one lay member, will invite the Complainant and the therapist concerned (the 'Respondent') to give evidence to the hearing. The Complainant and Respondent will each be invited to bring one other person as a representative or supporter, and will be asked to clarify whether they are happy for the person accompanying them to speak on their behalf during the hearing. They will also be asked for consent for the hearings to be recorded for the panel's benefit in order to allow clarifications after the hearing.

The panel will hear evidence first from the Complainant (without the Respondent present). They will then decide the case to answer against the Respondent, and notify the Respondent of the questions that their evidence

should address. A second hearing with the Respondent will then be held (without the Complainant present) and the panel will ensure that all of the questions identified by the case to answer are addressed.

Following these hearings the panel may request further clarification from Complainant or Respondent, and subject to these will make a decision on the case and sanctions as appropriate. The decision of the panel can be appealed according to the appeals procedure (see below). The appeal would not normally retake evidence, but would review the notes of panel hearings and if necessary listen to the recorded material.

Where possible for the convenience of Complainant and Respondent the hearing would be via video conferencing, but this is at the discretion of the panel who may decide that the seriousness of the case means a face to face hearing is required.

### **Appeals against decisions of the RPSC**

If you are not satisfied with the RPSC's decision you can appeal to a specially convened independent panel.

An appeal will be considered on any of the following grounds:

- a) the decision of the complaint panel is not supported by the available evidence
- b) where misconduct has been established, the level of sanction applied to the therapist concerned does not adequately reflect the level of the misconduct
- c) it appears that a procedural error may have had a material impact on the findings and decision of the complaint panel
- d) there is new evidence which was not available to the complaint panel during its deliberations. Note: If an appellant asks for new evidence (that is, information not provided to the adjudication panel at the time of application) to be considered, the appeal panel will use the following procedure to determine whether or not this can be allowed:
  - New evidence may be contained in documents submitted to the appeal panel and/or collected from an investigation and/or hearing.
  - When new evidence is presented, through either method, the appeal panel will decide whether the appellant's reasons for not presenting the evidence in the first place were compelling and therefore admissible.
  - Only if those reasons are judged to be admissible will the appeal panel then consider the new evidence and decide whether, in its opinion, it is such that, if the adjudication panel had been aware of it, its decision might have been different.

The outcome of the above procedure will be either that the appeal panel:

- rejects the new evidence, and bases its decision about the appeal purely on the evidence submitted at the time of the application, and how this was dealt with by the adjudication panel; or
- formally decides that the new evidence is both admissible and so significant that the adjudication should be invited to review its decision.

Appeals must be submitted in full within 30 working days of receipt of the letter outlining the RPSC adjudication panel's decision. Appeals should be marked 'Private and Confidential' and sent to the HGI Membership Secretary via this e-mail address: [complaints@humangivens.com](mailto:complaints@humangivens.com) Alternatively, you can post details of your appeal to the Membership Secretary, Human Givens Institute, Chalvington, East Sussex, BN27 3TD, marking the envelope 'Private and Confidential'.

If the appeal panel concludes that the grounds for appeal meet the relevant criteria (see above), it will consider your appeal and inform you in writing of its decision within 30 working days of receipt of your written notification of appeal. If it is not possible to reach a decision within 30 working days, you will be informed in writing of the progress of your appeal.

HGI appeal panels consist of HGI members and a lay member who have volunteered to consider appeals when they arise. Appeal panel members are not members of the HGI Registration and Professional Standards Committee (RPSC).

The HGI appeals procedure can be viewed at:

<https://www.hgi.org.uk/sites/default/files/hgi/Appeal-Panel-Guidelines.pdf>