**CHARTERED SOCIETY OF PHYSIOTHERAPY**

**COMPLAINTS PROCESS: STAGE-BY-STAGE STRUCTURE**

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| **Role of staff and CSP Council and other members in the complaints process** |
| CSP staff administer the complaints process including making an initial assessment about whether the complaint is for the CSP or needs to be signposted to another body in line with the Council agreed process. The CSP Council owns the member-led process to protect the reputation of its society. It is CSP Council and other CSP members who make decisions affecting a member’s access to CSP services or continued membership of the society. |
| **Stage 1 – initial work and response (within 7 days)** |
| Written complaint received by complaints coordinator. |
| Anonymous complaints are not normally be considered. |
| Complaints coordinator will assess if complaints fall into CSP policy criteria  *Does the complaint potentially damage the reputation of the CSP?* |
| Complaint either signposted to more appropriate body to investigate or CSP complaints process instigated.  If complaint valid, letter to complainant (template letter available) will explain process. This will include:   * statement that complaint and contact details will be shared with the complaint subject; * summary of possible sanctions; * details of Panel’s decision and any actions or recommendations will reported in summary only and; * appeal process open to complaint subject only. |
| **Stage 2a – gathering information** |
| Complaint (incl complainant details) shared with member subject to complaint for formal response.  Letter to member subject to complaint (template available) to include explanation that members are not represented by CSP in complaints process, CSP role in working in best interests of the profession as a whole, protecting the reputation of the Society takes precedence. |
| **Stage 2b – establishing a panel** |
| Panel established – membership agreed in consultation with Chair of Council, considering the expertise and skills appropriate for the issues raised by the complainant. Members can come from Council or the wider CSP membership. Panels will usually consist of three members. Conflicts of interests expressed and addressed as necessary.  Papers circulated to panel ahead of meeting include:   * Conflicts of Interest Policy; * Complaints Policy and related paperwork; * CSP’s Code of Members’ Professional Values and Behaviour (basis for panel to assess complaint against) ; * Complainant’s letter and any connected paperwork; * Response from member. |
| **Stage 3 – panel considers complaint** |
| Panel meets to consider case (face to face or virtually)  Agenda includes:   * conflict of interest; * confirmation of the structure of meeting; and * process to be followed and sanctions available to panel.   Panel to assess the complaint using the Code of Members’ Professional Values and Behaviours. Meeting minuted (by Complaints coordinator) and minutes form the basis for response to subject and complainant. The complained about member is not called to attend this meeting, their contribution is via their written response to the complaint letter.  Sanctions available for the panel include:   1. Recommendations – the panel may have suggestions for development, training or awareness to address concerns. These may be appropriate even where the case is not upheld but the panel has some lower level concerns. 2. Withdrawal of specific CSP resources or support for a set period – for example, suspending a member’s access to iCSP where they have made inappropriate posts. 3. Removal of membership – the most severe sanction for very serious or repeated behaviour that damages the reputation of the CSP. This removal could be for a set time period or permanent. This sanction would remove the risk of further reputational risk caused by a particular member. |
| **Stage 4 – panel outcomes** |
| Panel decision communicated (usually letter sent via email) – complaint subject receives detailed findings and any sanctions and recommendations to member alone. Complainant will receive overview of Panel’s decision only.  The panel may expect a response from the member. If they have been given recommendations, a member will be expected to confirm their understanding and commitment to the panel’s letter, In the case of suspension of a CSP service, the member will be invited to write to confirm their understanding and commitment to behaving within the CSP Code of Members’ Professional Values and Behaviour ahead of reinstatement. |
| **Stage 5 - possible appeal** |
| The member subject to the complaint has 28 days to appeal a panel’s decision from the date of receiving the outcome of the panel. Such an appeal must be on the basis of a possible flaw in the established process rather than a rehearing of the same evidence and arguments.  The panel will consist of the Chair of Council and two other Council members with relevant experience who have not been involved in any earlier consideration of the case. If the Chair of Council sat on the initial panel, the Vice-Chair of Council will be asked to serve on the appeal panel or confirm its membership. Conflicts of interests will be expressed and addressed as necessary.  The appeal will meet (face to face or virtually) to determine if the matter raised by the member constitutes a legitimate issue for appeal and, if so, will consider the matter. The outcome will be reported to both the member and complainant. |

*Approved by Council: 26 September 2018*