



the british
psychological society
promoting excellence in psychology

WIDER PSYCHOLOGICAL WORKFORCE (WPW) REGISTER

Complaints procedure: Guidance for employers

We have a complaints procedure to ensure we respond to complaints about people on the WPW Register swiftly and professionally, and that we protect the public who are using the psychological services of the people on the WPW Register.

This document sets out:

1. Expectations of registrants
2. Working with employers
3. How people raise a concern with us
4. What we do, and don't, investigate
5. What we do with the information given to us
6. How we investigate
7. Possible outcomes
8. How to contact us

1. EXPECTATIONS OF REGISTRANTS

We expect all registrants to uphold the standards of the profession. As a member of the WPW register, registrants have agreed to abide by our Fitness to Practise Framework, as well as our *Member Conduct Rules*. Most registrants will also be subject to their employer's rules and codes.

Registrants are required to provide details of their employment on application for inclusion onto the register, and conditions of remaining registered include a duty to inform the Society when employment status, or employer, changes.

We expect all registrants to work within these professional guides, and we expect them to engage constructively with any concern raised, and to refer themselves for investigation if they are aware that they may not be fit to practise.

2. WORKING WITH EMPLOYERS

It is important the Society has effective communication with employers of registrants, to enable both parties to take swift and appropriate action should there be a concern for public safety.

WPW REGISTER

As set out in this brief guide, our complaints process identifies points where we contact employers about concerns we have received, and we seek cooperation from employers in alerting us to relevant concerns about employees who are on the register.

We will contact you when:

a concern is raised with us about a registrant that meets our criteria for investigation.

We ask that you contact us when:

a concern is raised with you about a registrant that meets our criteria for investigation.

you initiate an investigation into a registrant's fitness to practise.

you downgrade, suspend or dismiss a registrant for reasons relating to fitness to practise.

3. HOW PEOPLE RAISE A CONCERN WITH US

We advise that if a member of the public has any concerns about the care or service they have received from one of our registrants, then it is important to tell the registrant directly or other management staff at the employer, if possible. We advise that this gives the registrant the opportunity to put things right and is generally the most effective method of resolving a complaint.

If they choose to submit their complaint to us directly, we will always contact the registrant's employer, and we will ask you to investigate the matter first as you are best placed to do so.

Anybody can raise a concern with us by filling out our WPW Register Concerns form. We ask them to tell us about:

the registrant they are raising a concern about;

what their concern is (what happened and when, if anyone else was involved etc.); and

how we can get in touch with them.

In cases where they believe public safety is at risk we advise them to make a referral to us immediately, even if not all the information is available.

People can make a referral as a group when they all have the same concern, but we ask them to choose someone from the group to act as a representative for the group, so that we have one consistent person to communicate with during the process. They are asked to tell us that they are acting on behalf of a group.

We advise that if they think someone is in immediate danger, then they should call the police.

We advise registrants that if they are aware of an incident or event where they think their practice may have fallen below the standards expected, they should report this to their employer, and they should refer themselves to us. They are advised that they should also refer themselves if their activities include any of the issues listed below as issues we are likely to investigate.

We emphasise that the reason for this is to ensure public safety and not to seek to punish.

We ask registrants to refer themselves using our WPW Register Concerns form. We ask them to tell us their name and register number, and to tell us about their concern and who else they have already discussed it with.

For each case we will investigate whether the registrant has complied with the relevant rules and codes.

4. WHAT WE DO, AND DON'T, INVESTIGATE

We investigate concerns about the safety or effectiveness of registrants' work (their fitness to practise). We will investigate when there is, or may be, a risk to people who are receiving psychological treatment or services provided by the registrant.

We look at every case individually.

These are some of the issues that are likely to be investigated:

dishonesty, fraud or abuse of trust or position, including not maintaining professional boundaries with a service user;

exploitation of a vulnerable person;

failure to act in the best interests of service users;

serious breaches of a service user's confidentiality or data protection requirements;

committing reckless or deliberately harmful acts;

serious or repeated mistakes in service user care;

where a registrant's performance in their role has harmed service users or put them at risk of harm;

violence, sexual misconduct or indecent behaviour;

a caution or conviction for a criminal offence.

health conditions that are not being managed and affect the delivery of treatment and care and safety of service users;

an adverse finding by another regulatory body;

fraudulent or incorrect entry onto the BPS Register, or

other equally serious activities which affect public confidence in the profession.

However, there are other issues that we do not investigate. For example, we cannot:

get involved in a client's clinical care or social care arrangements;

deal with complaints about the level of service provided by an organisation;

reverse the decision of another organisation or body;

make a registrant or organisation change the content of a report;

get involved in matters which should be decided by a court, including disagreement with a professional report or other expert evidence presented in court;

arrange refunds or compensation, or get involved in the fees charged for private treatment;

make a registrant apologise; or

provide legal advice.

We advise that where people are concerned that others might be at risk of harm, we would prefer that they contact us, rather than do nothing.

5. WHAT WE DO WITH THE INFORMATION GIVEN TO US

We will only use the information that people give us to investigate the concerns raised. The exception is if there is a risk of immediate harm, in which case we may inform the police.

6. HOW WE INVESTIGATE

The case manager will start by considering if the concern raised should be considered high-risk. We will consider a concern to be high-risk if there is an immediate concern for those involved or the public, if the matter is serious or involves the police (for example, it involves dishonesty or harm to service users), or if there are relevant disciplinary matters in the registrant's employment.

If the concern is considered high-risk, we will immediately refer the concern to the Chair of the Investigatory Panel for investigation and to decide whether we should suspend the registrant temporarily from the register to protect the public. The registrant and their employer will be informed at this stage that a concern has been raised, that it is considered high-risk, and that there is an investigation underway.

If the concern is not high-risk, the case manager will begin to gather relevant information about the concern. The registrant and their employer will be informed that a concern has been raised.

For any investigation, high-risk or not, the case manager will gather information to support the investigation and this may include contacting the registrant for information. The case manager will contact the employer to find out whether any investigation is already underway and to seek access to any relevant documents.

The case manager will compile a report that includes a recommendation on whether, based on the evidence gathered, it is reasonable to consider there may be, or have been, an impairment. This report will be submitted to the Chair of the Investigation Panel for a decision on whether to proceed further or dismiss the case. The registrant and their employer will be informed of the Chair's decision.

Where an investigation is carried out, we ask our Investigatory Panel to consider the evidence and to talk to people involved, including the registrant's employer. The Panel is made up of between three and six experienced psychology professionals who are familiar with the work that registrants do, and who are able to make a decision on whether a registrant may not be 'fit to practise'.

The Panel will decide:

1. If it agrees that it is reasonable to consider there is or was an impairment, and if so;
2. The degree of severity of the impairment; and
3. Whether any aggravating or mitigating factors are present.

The Investigatory Panel will invite the registrant's employer to a case conference to discuss the outcomes of any investigatory procedures carried out by the employer. Following this case conference the Investigatory Panel will review all of the evidence and decide on any sanction to be applied.

At this point, the case manager will check for any previously upheld complaints, and their existence will be taken into account in deciding an appropriate sanction.

7. POSSIBLE OUTCOMES

If a complaint is upheld, the Investigatory Panel may apply one of the following sanctions:

Removing the registrant from the register;

Suspending the registrant from the register for a period of time;

Issuing a formal written warning to the registrant;

Imposing conditions of continued registration (for example training).

Which sanction they apply will depend on the severity of the case, the existence of any previously upheld complaints, and the need to protect the public.

If a complaint is upheld the registrant, employer, complainant and any other relevant parties will be informed of the outcome of the decision.

If the registrant, the employer, or the person raising the concern are not satisfied with the outcome of the case, they may request a review of the case under certain conditions.

8. HOW TO CONTACT US

You can email us using: complaints@bps.org.uk

You can write to us at:

The British Psychological Society
St Andrews House
48 Princess Road East
Leicester, LE1 7DR

Or if these methods don't suit you, you can call us on our dedicated complaints line:
0116 252 9919.

SUMMARY OF THE COMPLAINTS PROCEDURE

ACKNOWLEDGE RECEIPT

The Complaints Team will receive a complaint or self-referral, check that it is an issue we can investigate, record it, and let you know we have received it, within five working days.



INITIAL ASSESSMENT

The Complaints Manager will consider which rules and codes are relevant, and whether the case is high-risk. For high-risk cases we may impose an interim suspension on the registrant if it is needed to protect the public.



INFORM RELEVANT PARTIES

The Complaints Manager will inform the registrant, their employer and any other relevant parties (for example the police) that the complaint has been received.



PREPARE FOR INVESTIGATION

The Complaints Manager will gather information about the case and present an initial summary for the Chair of our Investigatory Panel to decide if the case is worthy of investigation. High-risk cases will always be investigated.



INVESTIGATE THE CASE

The Investigatory Panel will consider the evidence, request interviews with those involved, as they see fit, and will decide on whether the case is upheld, and how severe the case is.



OUTCOMES

If the case is upheld, the Panel will decide on a sanction and explain its reasons.

If the case is not upheld, the Panel will explain its reasons.

Either way, the relevant parties, including the registrant, will be informed.



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