

IRISH ASSOCIATION OF HUMANISTIC AND INTEGRATIVE PSYCHOTHERAPY

BYE LAW 8

**THE COMPLAINTS COMMITTEE AND
FORMAL BOARDS**

1. The Complaints Committee shall be responsible for dealing with any complaint about an infringement by any member or pre-accredited associate of the Association of any of the Codes of Ethics and Practice of the Association.
- 1.1 A secondary function of the Complaints Committee shall be to offer advice to the Governing Body¹ on matters² relating to the Complaints Committee and also, in conjunction with the Ethics Committee, on the Complaints Procedure. Such advice may be offered in response to a request from the Governing Body, or at the initiative of the Complaints Committee itself. The advice of the Committee shall be considered by the Governing Body but shall not be binding on it, though in the case of the Complaints Procedure in particular, disagreements may be brought to General Meetings for decision by the membership."
2. In fulfilling their responsibilities, the Complaints Committee shall follow such procedures for the handling of Complaints (Complaints Procedures) as are established by the Association in accordance with the terms of Bye Law 2.
- 3.1 The Complaints Committee shall consist of
 - (a) nine members appointed for renewable periods of four years by the Governing Body, each with a minimum of 5 years' accredited membership of the Association, ³*and none of whom is a member of the Ethics Committee or shall so become while serving on the Complaints Committee; and*
 - (b) one member appointed by the Ethics Committee from among its own membership,⁴*who will act as the primary means of liaison between the two committees.*
- 3.2 A member of the Complaints Committee shall cease to be a member:
 - (1) on completion of four years' service as a member of the Committee, unless re-appointed by the Governing Body in accordance with 3.1 above; or
 - (2) if such member resigns from the Committee; or
 - (3) if, for inability to attend Committee meetings on a regular basis or for other good reason, such member is requested to resign by the Governing Body.
4. Subject to and in accordance with such procedures, the Complaints Committee shall seek to ensure, after a complaint is first received, that every reasonable effort is made to bring about a resolution of the complaint through meetings, jointly or severally, with the complainant and the person complained against.

¹ Amended 31st March 2012

² Amended 31st March 2012

³ As adopted by the Governing Body 15th September 2006

⁴ ditto

5. If a complaint, despite such efforts, remains unresolved and the Complaints Committee consider it to be sufficiently serious, or if, in the first instance a complaint involves gross professional misconduct, then that complaint shall be referred to a Formal Board consisting of
 - (a) two members selected by the Complaints Committee from an existing panel of suitable members appointed by the Governing Body, and
 - (b) one extern person appointed by the Governing Body, who is not a member of the Association.
- 6.1 It is the duty of the Governing Body to ensure that a panel of suitable members, up to ten in number, is appointed and maintained in place for the purpose of serving, as the need arises, on Formal Boards as constituted in accordance with the provisions of section 5 above.
- 6.2 When evaluating suitability for inclusion on such a panel, the Governing Body shall consider members who are willing, if available, to serve on a Formal Board when invited to do so, and who are known to have maturity and objectivity in their judgement-making, normally to be indicated by the length of time they have been members of the Association and the breadth and depth of their experiences within the Association, but not to the exclusion of newer members whose special expertise or experience outside the Association or the psychotherapy profession could be a special resource in the work of a Formal Board.
- 6.3 In general, appointments to the Formal Board shall be for a period of three years, renewable at the discretion of the Governing Body for further three-year periods.⁵*Such appointments should not include persons who are currently members of either the Ethics Committee or the Complaints Committee.*
7. A Formal Board constituted in accordance with the provisions of section 5 above shall investigate fully any complaint passed to it and shall do so in accordance with the relevant sections of the Association's Memorandum and Articles of Association, the Bye-Laws and, in particular, such Complaints Procedures as have been established by the Association, always mindful of the statutory/legal rights of the persons concerned.
- 8.⁶ *On the conclusion of the investigation of a complaint, it is the responsibility of the Formal Board to convey its findings to the parties involved in the complaint and both its findings and recommendations regarding sanctions to the Ethics Committee. When sanctions, if any, have been decided upon by the Ethics Committee, the Complaints Committee shall receive from the Ethics Committee a copy of the Formal Board's findings and of whatever sanctions have been decided upon.*
9. Any member involved in the hearing of a current complaint, whether as a member of the Complaints Committee or of a Formal Board, is required to remain in office for the duration of the process unless there are exceptional circumstances.
10. Each member of the Complaints Committee and each member of any Formal Board shall sign a declaration of confidentiality.
11. This Bye-Law replaces and supersedes those provisions within Bye-Law 2 which govern the responsibilities formerly carried by the Ethics Committee for dealing with complaints against members of the Association for infringements of the Association's Codes of Ethics and Practice.

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⁵ As adopted by the Governing Body September 15th 2006

⁶ ditto