CNHC

Complementary & Natural Healthcare Council

How CNHC deals with complaints

Information leaflet

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About CNHC

The Complementary and Natural Healthcare Council (CNHC) is the UK independent voluntary regulator for complementary therapists, set up with government support to protect the public. Our main duties are

- to set the standards of education and training for the therapies we regulate
- to set the standards of conduct, performance and ethics for practitioners of these therapies
- to keep a register of practitioners who meet our standards
- to deal with complaints about registered practitioners (registrants)

The therapies we regulate are

- Alexander Technique Teaching
- Aromatherapy
- Bowen Therapy
- Colon Hydrotherapy
- Craniosacral Therapy
- Healing
- Hypnotherapy
- Kinesiology
- Massage Therapy
- Microsystems Acupuncture
- Naturopathy
- Nutritional Therapy
- Reflexology
- Reiki
- Shiatsu
- Sports Massage
- Sports Therapy
- Yoga Therapy

What complaints can we deal with?

We can deal with complaints or concerns about

> care or advice you have received from one of our registrants

> business practices that could disadvantage or exploit clients

> the physical or mental health of one of our registrants

> any aspect of a registrant's professional or personal behaviour that is relevant to their fitness to practise.

We are required by the Professional Standards Authority for Health and Social Care (PSA) to accept and investigate complaints about adjunctive therapies practised by our registrants.

This means:

> therapies that are not included in those we register, or

> in the case of multi-disciplinary registrants, one for which they are not CNHC registered.

For example, a registrant who practises Aromatherapy and Reflexology, but is CNHC registered for Aromatherapy only.

Unless there are exceptional circumstances, we will not consider complaints about something that happened more than two years ago, or about something you became aware of more than two years ago.

We cannot deal with

> complaints about companies or clinics (rather than individual registrants)

> claims for compensation*

* All CNHC registrants must have insurance to cover claims made against them and will give you details if you ask them

What to do first

Some complaints or concerns can be sorted out at once by discussing them with the therapist. So we ask that you do this, although we realise that in some circumstances you might prefer to contact us straight away.

Making your complaint

You have to complain in writing, using our complaint form. If this is likely to be a problem, you can ask someone to fill the form in for you.

Or you can contact us by phoning **020 3327 2720** and we will do our best to arrange for someone to help you.

What happens next

We have to decide whether to deal with the complaint informally, or by following our formal procedures. Dealing with the complaint informally means that one of our staff will ask you what you want the registrant to do, and then ask the registrant to agree to do it. For example, you may just want the registrant to apologise to you. There are some types of complaint that we cannot deal with informally. These include (among other things) complaints about:

1 conduct that falls well below the standard expected of a registrant
2 abuse of trust (including financial exploitation), stepping outside 'professional boundaries', and predatory or manipulative behaviour
3 lapses in professional competence
4 dishonesty
5 fraud or other criminal acts
6 findings by a statutory regulator
7 serious problems caused by the health of the registrant
8 alcohol or substance abuse
9 a registrant who has been the subject of more than two complaints, of a similar kind, that were dealt with informally at the time they were made.

Dealing with complaints informally

If a complaint is not one of the 9 types listed above, and it does not include any suggestion that a client might have been at risk of harm, it will probably be suitable to be dealt with informally.

When a complaint made by a client of a CNHC registrant (or someone acting on behalf of a client) is suitable to be dealt with informally, we will ask them to agree before we offer the registrant the opportunity to deal with the complaint in this way. If the complaint is made by another therapist, or a member of the public who has no personal experience of the registrant, we will not ask for their agreement.

If the client or the registrant does not agree that the complaint should be dealt with informally, or if we get other information that changes the nature of the complaint, we will start our formal procedures.

When the client and the registrant do agree that the complaint should be dealt with informally, we usually expect the matter to be settled within four weeks. If not we will start our formal procedures.

Formal procedures

There are four key stages in our formal procedures.

1 In very serious cases, when it appears there could be an immediate risk to the public, the CNHC Registrar has the power to suspend the registrant from the register for 56 days. This is called an 'Interim Order'. It allows time for the CNHC Investigating Committee to meet and consider whether it will issue a further Interim Order to cover whatever length of time is needed for your complaint to be dealt with.

2 As part of the investigation, we will send the registrant a copy of your complaint and invite them to send us a reply in writing. We will send you a copy of their reply so that you can comment on it if you want. The registrant will be given a copy of your comments. We will also ask you to agree to our having a copy of your health records, if they are relevant to your complaint.

3 Two independent Case Examiners will meet in private to consider all the information they have about your complaint. They will decide whether or not they need to send your complaint for a hearing by either our Conduct and Competence Panel or our Health Panel. We will write to you to let you know what the Case Examiners decide to do and the reasons for the decision.

4 If the Case Examiners decide not to send your complaint for a hearing we will write to you and the registrant saying that no further action is being taken

or

If the Case Examiners do decide to send your complaint to a hearing, we will write to you and to the registrant with details of what happens next.

Conduct and Competence Panel hearing

Hearings of the Conduct and Competence Panel take place in private, in central London.

Before the hearing takes place, we will invite you to make a 'statement of evidence'. We will ask you if you are willing for a solicitor to

> phone you to go over the details of your complaint

> draft the statement of evidence

> send it to you for your comments

> send you the final version for you to take to a local solicitor for that solicitor to witness your signature on the statement – this usually costs £7 to £10. We will pay the solicitor's fees and the cost of witnessing your statement.

We will ask you to give evidence at the hearing and will arrange overnight accommodation for you if you need it. We will pay for that and your agreed travel costs. A member of CNHC staff will be at the hearing to answer any questions you have, though they will not be able to discuss the case with you.

During the hearing the panel listens to all the evidence and decides whether CNHC has proved its case against the registrant. If the case is proved, the panel can either decide to take no further action or to impose one of the following 'sanctions'

> caution the registrant – this is a formal warning

> place 'restrictions' on the registrant's practice – for example, that the registrant must have further training

> suspend their CNHC registration for up to two years

> remove ('strike off') their name from the CNHC register

The purpose of sanctions is not to punish the registrant but to protect the public.

Before the hearing takes place, the registrant can choose to admit all the details of the complaint and suggest a suitable sanction. This is known as consensual disposal. If the CNHC accepts the suggestion, you will not be required to attend the hearing.

Whatever the outcome of the case we will send you and the registrant a copy of the decision and the reasons for it.

Health Panel meetings and hearings

The Health Panel meets in private.

The arrangements for your evidence are the same as those for Conduct and Competence Panel hearings.

If the CNHC case is proved, the panel can either decide to take no further action or to impose one of the following sanctions

- caution the registrant
- place restrictions on the registrant's practice
- suspend their CNHC registration for up to two years or
- refer the case to the Conduct and Competence Panel, which has the power to remove the registrant from the register

Again, the purpose of these sanctions is not to punish the registrant but to protect the public.

Email us: info@cnhc.org.uk
Phone us: 020 3327 2720

www.cnhc.org.uk

CNHC
Complementary & Natural Healthcare Council

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