



UKCP[®]

UK COUNCIL FOR PSYCHOTHERAPY

*...putting the pieces together
with knowledge, compassion and understanding*

UK Council for Psychotherapy
2nd Floor Edward House
2 Wakley Street
London
EC1V 7LT

UKCP COMPLAINTS AND CONDUCT PROCESS

Frequently Asked Questions for Respondents

1. Do I have to attend the hearing?

As the Respondent, it is important that you are available to act as a witness at the hearing and provide a verbal testimony to support your case. If for any reason you anticipate that you cannot attend the hearing, please advise UKCP as soon as possible.

2. Can I bring a friend for support?

You can bring a friend to the hearing for support, however they will not be able to speak on your behalf or play an active role in the hearing, unless you plan on calling them as a witness.

3. Can I use my own legal representative?

You are entitled to be legally represented at your own cost, however if you choose not to do so you can present your case to the panel yourself.

4. Will I see all the documents before the hearing date?

You will receive a full copy of all documents that will be referenced in the hearing at least two weeks prior to the date.

5. Other than me, who else will be in attendance?

The following people will be present on the day:

- *UKCP Complaints and Conduct Officer: The role of the CCO is to ensure that the day runs smoothly. They are there to answer any questions you may have and to assist with the administrative side of the hearing. They will not play an active role in proceedings.*
- *Presenting Officer: The Presenting Officer will present the case on behalf of the UKCP.*
- *Stenographer: The stenographer is there to transcribe the hearing so that an accurate record of the hearing is maintained.*
- *Legal Assessor: The Legal Assessor sits with the panel. Their job is to help the panel with any procedural questions they might have and to ensure that the hearing is held in line with current UK law. They will not have any say in the deliberation of the panel and cannot play an active role in the hearing.*
- *Panel Members: There are two professional panel members, both of whom are psychotherapists who are chosen at random from a pool of volunteers. One of the panel members will practice the same kind of psychotherapy as the respondent; however no panel member can be involved in any way with the complaint or the participants before the hearing.*
- *Lay Chair: The chair of the panel is a lay person, meaning they do not practice psychotherapy. The chair is chosen at random from a pool of volunteers, and their job is to guide the hearing and ensure that the case is heard fairly and in-line with UKCP procedures. The Lay Chair and the panel members are responsible for deciding the outcome of the hearing.*



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- Complainant: The complainant will not present their own case, but will act as a witness.
- Witnesses: Sometimes it is necessary for a witness to make a verbal statement to support the case of either the complainant or the respondent. Witnesses are not allowed to play a role in the hearing unless they are called to provide a testimony.

6. Do I get a say in who makes up the panel?

A panel is made up of three members, two of whom are psychotherapists and one who is lay. If you feel that any member of the panel may be biased, you can advise the Complaints and Conduct Officer of your reasons, and if they are satisfied that there is a possibility of bias a new panel member will be selected. You cannot suggest or recommend someone to sit on the panel.

7. Will the type of psychotherapy I practice be taken into account?

One member of the panel must normally be of the same modality or belong to the same college as you to ensure a holistic understanding of the case.

8. What should I expect on the day?

When you arrive at the hearing, the UKCP Complaints and Conduct Officer will be there to meet you and to advise you where you need to go. Once the hearing starts, the Lay Chair will introduce everybody in the room and explain the structure of the day.

The Presenting Officer will then read out the allegations and will present evidence in support of UKCP's case, and any witnesses we have will present their testimony, including the complainant. You (or your legal representative) will be given a chance to cross-examine the witnesses if you wish, and you are then offered the opportunity to respond to the allegations and present any evidence to support your case. Any witnesses for you will then provide their testimony, and the Presenting Officer may cross-examine the witnesses if they wish. Each party will be given a chance to present their final statements, and then the panel will withdraw to deliberate on the case. Upon their return the panel will read out their decision, and the case will be finalised. Once this has been done, you are free to leave.

9. Will I get an opportunity to question the complainant?

After the complainant has given their statement, you will be given the opportunity to question them. If you choose to instruct a legal representative, then they will need to question the complainant on your behalf.

10. What happens if the hearing is postponed or needs to carry over to a second day?

UKCP will always try to ensure the hearings run to schedule, however on some occasions delays or extensions cannot be avoided. In these instances we will try to organise a new hearing on the earliest possible date that is convenient for everyone involved.

11. What is required of me on the day?

If you choose to instruct a legal representative, you will not be required to present your case to the panel. However, it is likely that you will be required to act as a witness and give testimony to support your case. It is likely that the Presenting Officer will choose to cross-examine you, so you will also need to answer any questions they, or the panel, may have about your statement. If you choose to present your own case, then you will need to be



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prepared to question any witnesses that the Presenting Officer may call, as well as presenting your own case to the panel and answering any questions raised during your testimony.

12. Will I receive written confirmation of the outcome of the hearing?

UKCP will send you a letter within fourteen days of the hearing to confirm the outcome and provide information on your options should you disagree with the decision of the panel.

13. What should I do if I disagree with the outcome of the hearing?

If you believe that there has been an error in the decision-making process during the hearing, or if you believe a sanction that has been ordered is inappropriate, then you can submit an application to appeal to UKCP within 28 days. The appeal form is located on our website, www.ukcp.org.uk