

Anonymous complaints

Introduction

This fact sheet is a supplement to our leaflet *Making a Complaint* which explains how our complaints process works. If you are considering making a complaint, you will find it useful to read that leaflet first.

We understand that some people may want to raise a complaint about a therapist anonymously. This information sheet explains the circumstances under which we can consider anonymous complaints, and what we can do to protect your identity.

When can I make an anonymous complaint?

We can consider anonymous complaints if your concerns are independently verifiable.

Examples include reporting:

- criminal convictions and cautions
- information already in the public domain such as in newspapers or on social media
- decisions reached by other health or social care regulators.

In these circumstances we can take steps to verify this information independently and the identity of the complainant is not a relevant factor.

If the Case Manager decides that there is sufficient information to proceed and it is reasonable and in the public interest to do so, the complaint can proceed without a complainant.

What if my complaint that is not independently verifiable?

We are unlikely to be able to consider a complaint about your therapist or former therapist on an anonymous basis if it is connected to your, or someone else's, therapy with them. The reason for this is that a therapist must be able to identify the client/complainant to allow them to respond to the complaint.

If we do decide to consider an anonymous complaint, we will not disclose your identity to the therapist however we will ask you to confirm in writing that you understand that you may be identified or become identifiable during any action we take in dealing with your complaint. This is because any information provided about the complaint will most likely result in the therapist identifying the client or complainant and hence it will not be anonymous information.

Can I withdraw my complaint if I change my mind?

There are some circumstances where, even if you withdraw your consent or do not wish to provide it, we may still proceed with the complaint if it is in the public interest.

Although our complaint form asks you for your consent to proceed with your case, UKCP does not process data solely on the basis of consent. Article 6(1)(f) of the General Data Protection Regulations allows us to process a complaint for the purpose of a legitimate interest even where we do not have consent. If this happens, we will let you know.

Who is my identity shared with?

Even though we might not be able to consider your complaint on an anonymous basis our complaints process is still confidential. We will remove your contact details from any information we share with third parties and will not discuss your complaint with anyone outside the complaints process.

However, we must share your identity with certain people within the complaints process to make conflict of interests checks. These checks are to ensure you are not known to any of the people in the process and therefore that any decisions made are not biased. This means that we will share your identity with:

- our Complaints Team
- the therapist and their representatives
- the Professional Conduct Committee
- the Independent Adjudication Panel and Legal Assessor
- our barrister.

After the complaints process has concluded, we will keep some details of your complaint on record so we can carry out our regulatory function. You can find our full data retention policy on our website.

Will I need to give evidence at a hearing?

If your complaint is sent to an Adjudication Panel hearing, we may ask you to give evidence.

The majority of our hearings are open to the public. This is to ensure that our processes are transparent. Members of the public who wish to attend the hearing are required to notify us at least 24 hours in advance.

During the hearing, we will not refer to you by your name (you will be called the client or complainant) but we cannot guarantee that your identity or identifying details will be kept confidential and anonymous in any public proceedings.

Can special measures be put in place?

We have provisions that we can put in place at hearings for vulnerable witnesses. This includes giving evidence behind a screen, giving pre-recorded evidence, using a video link or holding some, or all, of the hearing in private.

Once we have accepted a complaint, and all the relevant information has been obtained and served on the therapist, we can consider an application for special measures.

The decision on whether special measures would be appropriate is based on whether the quality of your evidence would be adversely affected if they were not put in place.

Find out more

If you are concerned about making a complaint, please get in touch with one of our Case Managers who will be able to talk it through with you. Email complaints@ukcp.org.uk or call 020 7014 9955.

To find out more about our complaints process, visit our website: www.psychotherapy.org.uk/complaints.