



DISCIPLINARY & COMPLAINTS PROCEDURE

This procedure is set in place to protect the public, ensure continuous high standards and uphold the reputation of the Veterinary Hydrotherapy industry.

Compliance with the CHA Code of Conduct and Quality Standards is mandatory for all CHA members. Failure to comply with the Code of Conduct and Quality Standards may result in an immediate suspension prior to any investigation taking place. Please refer to The Canine Hydrotherapy Association (CHA) Membership Suspension Policy.

In the event of a possible Disciplinary Action, the Complaints Secretary will complete an enquiry into the complaint or disciplinary matter. The Complaints Secretary's recommendations will then be passed on to, and agreed by the Company Secretary. If any disputes between the board members arise, the recommendations must be agreed by the whole CHA board.

Causes for Disciplinary Action and/or Membership Suspension may include breach of the CHA Code of Conduct, any conduct by a CHA member which could bring CHA into disrepute, dishonest or fraudulent practices and conviction for criminal offence.

CHA reserves the right to amend the document as necessary to meet any changes in requirements.

1. MAKING A COMPLAINT ABOUT A CHA MEMBER.

All complaints must be made using the **Complaints email address**. When submitting a complaint you must include a contact telephone number, and as much information regarding the complaint as possible, including any possible witnesses contact details.

Complaints that the CHA will not deal with.

1. 1 Complaints which have been made anonymously and which cannot be otherwise verified.
- 1.2. Complaints in which the complainant refuses to provide the necessary relevant information or evidence and in which the complaint cannot otherwise be verified or proved.
- 1.3. Complaints which
 - (i) seek to reopen matters which have already been the subject of an employment tribunal process or Civil proceedings. However, the CHA reserves the right to act on the outcomes of employment tribunals or Civil proceedings.

(ii) seek to pre-empt or influence the outcome of other regulatory or Criminal proceedings. However, the CHA reserves the right to act on the outcomes of regulatory or Criminal proceedings.

(iii) lie more properly within the jurisdiction of another regulator and which should have been made to that regulator.

1.4. Complaints which relate to employment disputes between practitioners unless there is evidence of dishonesty or intent to deceive.

1.5. Complaints which relate to contractual disputes between practitioners, including arrangements for use of premises and facilities.

1.6. Complaints relating to business disputes between practitioners including:

(i) passing off/similar sounding web domain names or trading names;

(ii) 'patient poaching';

(iii) matters arising from the breakup of a professional relationship unless there is evidence of a breach of patient confidentiality or any Data Protection issues.

1.7. Complaints about a member's personal life (including matters arising out of divorce proceedings) unless the complaint relates to abusive behaviour or violence, or could bring the profession into disrepute.

1.8. Complaints which have no public protection or patient safety implications but which are made simply on the basis that the complainant is aware that the other party to a dispute is a registrant (e.g. boundary disputes between neighbours).

1.9. Motoring offences punishable only by a fine unless drugs or alcohol are involved

1.10. Unless there are exceptional circumstances, the CHA will not consider complaints about something that happened more than a year previously.

1.12. The CHA cannot deal with complaints against individuals who were not members of CHA at the time of the alleged misconduct.

1.13. The Committee cannot deal with claims for compensation. (All CHA members are required to have Professional Indemnity Insurance to cover claims made against them.)

2. RECEIVING COMPLAINTS

Upon receiving a complaint with evidence of a possible reason for disciplinary a procedure, the Complaints Secretary will send an acknowledgment of receipt within 7 working days.

2.1 Upon receipt of written evidence of a possible reason for disciplinary procedure, the CHA board will send an acknowledgment of receipt of the complaint to the complainant within 7 working days of receiving it.

2.2 In the event of a CHA member receiving a complaint relating to their practice of Veterinary Hydrotherapy the member must inform the Complaints Secretary within 7 working days of receipt of the complaint, providing the name and contact details of the complainant.

2.3 In the event of the CHA receiving a complaint against one of the members, details of the complaint shall be communicated to the member within 14 working days of receipt of the complaint.

2.4 The CHA member concerned will be asked to comment in writing on the allegations.

2.5 After consideration of the member's comments the Complaints Secretary may either dismiss or proceed with the complaint as follows:

(i) Delegate to an appointed CHA board member the task of making further enquiries which may include an informal interview with the complainant and the member concerned at separate times and/or locations.

(ii) From the information obtained, a written report will be submitted to the CHA board

(iii) If further investigation is obviated the complainant and CHA member will be subject to further investigation, either individually or together.

(iv) The complainant, CHA member and the CHA board may call witnesses for relevant questioning or cross-questioning by either party. Full records of the proceedings will be kept. The CHA board may make relevant investigations and enquiries, call for production of relevant documents, obtain reports and ask for proposals and recommendations from any person(s) relevant to the case.

2.6 Dealing with the complaint informally means, in general, that the Complaints Secretary will ask the complainant what they want the CHA to do, and then ask the CHA Member to agree to do it. For example: the complainant may want the CHA member to apologise for something that occurred. Informal complaints will be handled according to the processes outlined in Section 4.

2.7 There are some types of complaints that cannot be dealt with informally see those outlined in Section 1. These include (among other things) complaints about:

2.7.1 conduct that falls well below the standard expected of a CHA member

2.7.2 abuse of trust including financial exploitation, breaking client confidentiality

2.7.3 giving advice to clients in areas outside of the member's professional qualifications

2.7.4 lapses in professional competence

2.7.5 dishonesty, fraud or other criminal acts

2.7.6 not working within current animal treatment laws or abiding by National Occupational Standards NOS. *Further details can be found at www.ukstandards.org.uk*

2.7.7 disrespectful, predatory or manipulative behaviour toward other CHA members

2.7.8 alcohol or substance abuse

2.7.9 a CHA member who has been the subject of more than two complaints of a similar nature, that were dealt with informally at the time they were made.

2.8 All records will be kept for a period of seven years. The CHA reserves the right to reconsider complaints previously submitted if a similar/other complaint is made against a CHA member at a later date.

3 INFORMAL COMPLAINTS PROCEDURE

3.1 If a complaint is not one of the types listed in paragraph 2.7 above, and it does not include any suggestion that a client or animal or other member of the public might have been at risk of harm, the complainant will first be asked if they agree with the complaint being informal and then the CHA member will be asked to agree to this process.

3.2 If the complainant or the CHA member does not agree that the complaint should be dealt with informally, or if other information comes to light that changes the nature of the complaint, then the CHA will start the formal procedures outlined in Section 2.

3.3 When the complainant and the CHA member do both agree that the complaint should be dealt with informally, the CHA board will expect the matter to be settled within four weeks. If not, the CHA board will start the formal procedures outlined in Section 2.

4. FORMAL COMPLAINTS PROCEDURE

4.1 The CHA board will request that the complainant put the complaint in writing giving adequate details of the complaint against the CHA member, together with such supporting evidence as may be available.

4.2 The CHA board will send the registrant member a copy of the complaint, seeking agreement or rebuttal, and invite the registrant member to reply in writing.

The CHA board will send the complainant a copy of the registrant members' reply so that they can both comment on it if they wish.

The CHA member will in turn be given a copy of the complainant's subsequent comments.

The CHA board will also ask the complainant to agree to the CHA board approaching the complainants' veterinary surgeon for a copy of the animals' health records, if they consider it to be relevant to the complaint.

4.3 The CHA board will decide whether to organise a meeting to discuss the complaint further. If such a meeting takes place, the CHA member against whom the complaint is brought shall be invited to present their case and to answer questions. Expenses to the complainant and member incurred for this, are not chargeable to the CHA

4.4 If the complainant or CHA member, without good reason or notice, fails to give their written evidence or reply when invited, or fails to attend the meeting with the CHA board when invited, then the CHA board has the power to decide either:

4.4.1 to proceed with the investigation in the absence of one of the parties, or

4.4.2 to terminate the proceedings

What constitutes good reason shall be solely at the discretion of the CHA board

4.5 The CHA board will investigate the complaint and write a full report.

4.6 The decision of the CHA board shall be communicated to the complainant and the member within 60 days of the initial acknowledgement of receipt.

4.7 In the event of an adverse decision the CHA board will consider applying sanctions against the CHA member. These sanctions may include:

4.7.1 Issuing a caution to the CHA member that their behaviour was deemed unacceptable and if repeated will invoke immediate expulsion from the CHA.

4.7.2 requiring the registrant member to undergo further training to correct errors of practise

4.7.3 in cases concerning severe professional misconduct or conduct detrimental to the interests of the CHA, or a failure to maintain the standards, ethics or codes of practice, the CHA member shall immediately cease to be a member of the CHA.

4.8 No liability for any loss suffered, or expenses incurred, will attach to the CHA for the termination of membership or for the processes of investigating a complaint, even if it is not upheld.

APPEALS

5.1 A CHA member who has been expelled from the CHA may appeal against this decision to the CHA board. The CHA board must be told of any intention to appeal within 7 working days after expulsion. The appeal will be dealt with by the Chairman and the Membership Secretary.