



The Society for Existential Analysis

Society for Existential Analysis

COMPLAINTS PROCEDURE

1. GENERAL INFORMATION

a. Purpose

The purpose of this procedure is to provide a means of examining a complaint about the SEA. UKCP Registered Members fall under the UKCP Central Complaints Process (CCP). ADEP students are covered by Regent's University.

b. Procedure

The procedure is investigative. It begins by seeking clarification and grounds for resolution, and may be followed by adjudication and the use of sanctions.

c. Timescale

A formal complaint must be lodged within two years of the event which forms the substance of the complaint. It is intended that the procedures should be concluded within nine months of the receipt of the formal complaint.

d. Administration

The administration of the Complaints Procedure will follow protocols laid down from time to time by the Ethics Committee of SEA and these will be administered by the Chair of the Ethics Committee, to whom all complaints should be addressed (chair@existentialanalysis.org.uk).

e. Preparatory Consultations

Before opening the formal complaint, the complainant is encouraged to resolve the issue with the person complained against. Any person considering making a formal complaint may make preliminary, informal and confidential contact with the Chair of the Ethics Committee.

2. MAKING A COMPLAINT

- a.** Formal complaints procedure will be opened when the following conditions are satisfied:

1. The allegation is about a breach of specific section(s) of any of the Codes of Ethics & Practice of the Society

A written and signed complaint is received by the Chair of the Committee and accepted by the Ethics Committee as a whole.

- b. Notification of start of formal complaint**

Copies of the formal complaint will be forwarded to:

- i. the person complained against;
- ii. all members of the Ethics Committee.

- c. Further Correspondence**

All further correspondence will be copied and sent to all relevant parties.

- d. Conduct**

Those persons taking part in the Complaints Procedure are required to act in a manner that does not in any way breach confidentiality via the involvement of external parties. Any breach of this may result in the procedure being halted by the Chair of the Ethics Committee.

- e. Procedure for making a complaint**

- a) Following an informal, confidential meeting with the Chair of the Ethics Committee, the complainant will be recommended to meet with the person against whom they are complaining to see if some resolution can be made at an informal level. The Chair of the Ethics Committee will also contact the person to inform them that a preliminary, informal complaint has been made.
- b) If after such a meeting, the complainant wishes to pursue the complaint in a formal way, the Chair of the Ethics Committee would report this to the Ethics Committee.
- c) The Ethics Committee is convened to meet and investigate to see if there are grounds for the complaint involving a specific breach of the ethical guidelines. A sub-committee would be formed to investigate the complaint further in order to decide whether the complaint should be dismissed or taken to an adjudication. They will arrange to meet individually with both parties to consider either the possibilities of resolution, whether there exists any basis for the complaint to proceed, or whether the complaint should progress to adjudication.
- d) Once the date and venue for the meetings are arranged, the Chair of the Ethics Committee will send written details of arrangements for the meeting to the complainant and the person complained about.
- e) Following the meetings, the Chair of the Ethics Committee will inform both parties of the sub-committee's decision on whether or not to proceed to adjudication or terminate the procedure.
- f) If the complaint can be found to have breached specific ethical guidelines, an adjudication panel is appointed of three disinterested parties to investigate and adjudicate the complaint according to the procedures set out below.

- g) The Chair of the Ethics Committee meets with the individual against whom the complaint has been made and fully informs them of the procedures which will be involved.

3. INVESTIGATION AND CONCILIATION

a. Aim

The aim of the investigation and conciliation stage is to clarify the explicit areas of agreement and disagreement between the parties involved in the complaint and for the Ethics Committee to consider either the possibilities of resolution, on the need to progress to adjudication or whether there exists any basis for the complaint to proceed.

b. Investigation

The Chair of the Ethics Committee will appoint one or more members of the Ethics committee who are able to act impartially, to investigate the complaint. They will initially arrange to meet with the complainant on his/her own at first. If necessary, they will then meet separately with the person or organization complained against, as soon as practicable.

c. Notice of meeting

Once the date and venue for the meeting(s) are agreed, the Chair of the Ethics Committee will send written details of arrangements for the meeting to the complainant and the member complained about.

d. Outcome

Following the meeting(s), The Chair of the Ethics Committee will notify both parties of the Ethics Committee's decision on whether or not to proceed to adjudication or terminate the procedure.

e. Refusal or failure to attend: Complainant

The refusal or failure of the complainant to attend the meeting with the sub-committee of Ethics Committee without good reason or due notice, will mean the complaint is regarded as withdrawn. The Chair of the Ethics Committee will write to both parties to this effect and the person complained against is exonerated.

f. Refusal or failure to attend: Party Complained against

The refusal or failure of the person complained against to attend the meeting with the Ethic Committee without good reason or due notice will mean that the Chair of the Ethics Committee.

4. ADJUDICATION

a. Purpose

Adjudication exists to examine complaints in a formal manner, decide on their validity, and determine sanctions as appropriate. Where there are several complaints against the same person they may be heard at the same adjudication meeting.

b. Formal meeting

The formal meeting will consist of a minimum of three people, one of whom will be the Chair of the Ethics Committee and at least one other member will have the specialist theoretical expertise available concerning the substance of the complaint.

c. Declaration of Interest

Members of the Adjudication Panel have a duty to declare any interest which may cast doubt on their impartiality.

d. Venue

The venue selected for an Adjudication Panel will be provided by the SEA in a secure and confidential environment.

e. Presence of a colleague

When appearing before the Adjudication Panel, both the complainant and the person complained against may be accompanied by a colleague or a peer who may assist in the presentation of their argument.

f. Conduct of meeting

The Chair of the Committee will be responsible for ensuring that the meeting is conducted in a manner which shows due regard to the gravity of the situation and to considerations of confidentiality.

g. Written Evidence

Written evidence or submissions must be submitted by the complainant and the person complained against along with any relevant submissions from witnesses. Submissions must be received by the Chair to the Ethics Committee not less than fifteen working days prior to the date fixed for the meeting. Such papers will be circulated to Committee members, the complainant and the person complained against, not less than ten working days prior to the meeting.

h. New Evidence or Information

The only new evidence or information to be admitted on the day will be short oral or written submissions at the discretion of the panel.

i. Failure to attend

The failure of either the complainant, or the person complained against, to attend without good reason or due notice will result in the actions described in **3.E** and **3.F** of this document.

j. Meeting Protocols

On the day the following protocols will normally be observed. Both parties will be present while:

- a) A summary of the complainant's case is put.
- b) A summary of the case of the person complained against is put.
- c) The complainant puts questions, through the Chair, to the person complained against.
- d) The person complained against puts questions, through the Chair, to the complainant.
- e) Committee members may then seek clarification from the complainant and the person complained against.
- f) When the Chair is satisfied that the panel has gained all the clarification required, the Chair summarizes the case and the Committee asks all parties to withdraw.

k. The Adjudication

The Ethics Committee will decide for or against the complainant.

l. Notification of Findings

The Chair of the Ethics Committee will notify the decision in writing to the parties involved within fifteen working days.

5. APPEALS

- a. The person complained against may appeal against the sanction and/or decision by writing to the Chair of the Ethics Committee within six weeks of notification of findings.

b. The Chair of the Ethics Committee shall nominate up to three SEA registered members not previously involved in the case, to consider the appeal. If necessary or desirable, they will meet with the person complained against and consider the appeal on the evidence presented.

c. The Appeals Panel will report its conclusions and recommendations to the Chair of the Ethics Committee who will implement their decision, which will be final.

N.B. Expenses

SEA is not responsible for travel or any other expenses incurred either by the complainant or the person complained against in connection with any stage of the complaint.

Complaints should be addressed to :

chair@existentialanalysis.org.uk

ETHICS COMMITTEE:

PAOLA POMPONI (SEA CHAIR)

ANDREW MILLER

DEREK BEAN

PAUL MCGINLEY (CEC CHAIR)

London, November 2019