ICPHAA

Irish Counselling, Psychotherapy & Allied Healthcare Professionals Association

COMPLAINTS, FITNESS TO PRACTISE & DISCIPLINE

Complaints Procedures

How to make a complaint about an ICPHAA member, and how ICPHAA assesses, investigates and decides complaints fairly, confidentially and with a right of appeal.

REFERENCE	ICPHAA-POL-17	VERSION	1.0
EFFECTIVE	9 November 2026	NEXT REVIEW	9 November 2027
POLICY OWNER	ICPHAA Board of Directors		

Complaints Procedures

APPLIES TO	Complaints about the professional conduct or practice of any ICPHAA member, in any membership category, made by clients, colleagues, members of the public or other bodies.
VERSION	1.0 · effective 9 November 2026 · next review 9 November 2027
POLICY OWNER	ICPHAA Board of Directors
CONTACT	ICPHAA Registry · admin@icphaa.ie

AT A GLANCE

- Complaints are made in writing to the ICPHAA Registry at admin@icphaa.ie, with support available for anyone who needs it.
- Both parties are told what is alleged, see the evidence, and can respond before any decision is made.
- Complaints are decided by an impartial Complaints Panel on the balance of probabilities, with written reasons.
- Outcomes range from no further action or advice to conditions, suspension or removal from membership.
- ICPHAA can act only on membership; it cannot award compensation or stop anyone practising in law.

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1. Purpose and commitment

The Irish Counselling, Psychotherapy & Allied Healthcare Professionals Association (ICPHAA) is committed to high standards of professional conduct among its members and to an accessible, fair, timely and effective way of dealing with concerns about them. A credible complaints procedure is central to public protection and professional accountability. It shows clients, practitioners and the public that ICPHAA takes its standards seriously and that they are enforced.

These procedures explain who can complain, how to do so, and how ICPHAA assesses, investigates and decides complaints. They are designed to be fair to everyone involved: the person who complains (the complainant) and the member complained about (the respondent).

2. Scope and limits

These procedures apply to complaints about the professional conduct or practice of any ICPHAA member, in any membership category, including student, pre-accredited, accredited and allied healthcare members. Complaints about ICPHAA's own administration or services are handled separately by the Registry and, where needed, the Board of Directors.

> **WHAT ICPHAA CAN AND CANNOT DO**
>
> ICPHAA is a voluntary professional membership association, not a statutory regulator. It can act only in relation to a person's membership of the Association. It cannot award compensation, order a refund, impose a fine, or prevent anyone from practising in law. The complaints procedure is not a substitute for legal proceedings. Complainants are free to take independent legal advice, and serious matters, including possible crimes, should be reported to An Garda Síochána. Concerns about a child's safety should be reported to Tusla.

CORU is Ireland's regulator for health and social care professionals, and statutory registration of counsellors and psychotherapists is being introduced by CORU. Where a member is also registered with CORU or another statutory body, the complainant may also be able to complain to that body, following its own published procedures.

3. Who can complain and about what

Any person with a legitimate concern about the professional conduct or practice of an ICPHAA member may make a complaint. This includes:

- a current or former client;
- a parent, guardian or next of kin acting for a client who cannot bring a complaint themselves;
- a colleague or other professional with direct and relevant knowledge of the conduct;
- a member of the public who has been directly and materially affected by the member's professional conduct; and

- another professional or statutory body.

Complaints may concern, for example: breach of confidentiality; exploitation of a client; failure to obtain or maintain informed consent; inappropriate boundaries; inadequate clinical practice; failure to refer appropriately; misrepresentation of qualifications or membership status; failure to maintain supervision; breach of the ICPHAA Code of Conduct for Members; or conduct that brings the profession into disrepute.

Time limits

Complaints should generally be made within two years of the conduct complained about. ICPHAA may accept a complaint outside this period in exceptional circumstances, for example where the complainant was unable to complain sooner or where there is a continuing risk to the public.

Anonymous complaints

Anonymous complaints are not ordinarily taken to formal investigation, because they prevent ICPHAA from gathering a full account and limit the respondent's ability to know and answer the case against them. ICPHAA may, however, act on anonymous information that is credible and specific where it raises a significant concern for public protection.

4. How to make a complaint

Complaints must be made in writing to the ICPHAA Registry, which acts as Complaints Administrator, at **admin@icphaa.ie**. A complaint form is available from the Registry on request, but a letter or email containing the information below is equally acceptable. Anyone who needs help to put their complaint in writing, or who would like to understand the process first, can contact the Registry, and ICPHAA will make reasonable adjustments, for example for people with disabilities or limited English.

A complaint should include, as far as possible:

- the complainant's name and contact details;
- the name of the member complained about;
- a clear account of what happened, in date order, with dates;
- copies of any relevant documents or correspondence;
- the names of any witnesses; and
- what outcome the complainant is hoping for.

Not every complaint will include all of these, but the more information provided, the more effectively the complaint can be considered. Members of the public can check a practitioner's current ICPHAA status at www.icphaa.ie/verify-certificate.

5. Acknowledgement and preliminary assessment

1. **Acknowledgement.** The Registry acknowledges every complaint in writing within five working days of receipt.

2. **Notifying the member.** The respondent is told about the complaint and given a copy within ten working days of receipt, unless immediate notification could compromise anyone's safety or the integrity of the process.
3. **Preliminary assessment.** The Complaints Administrator assesses whether the complaint falls within these procedures; whether, if proven, it could amount to a breach of the ICPHAA Code of Conduct for Members or other ICPHAA standards; whether there is enough information to investigate; and whether it was made within the time limit or should be accepted outside it. ICPHAA aims to complete this assessment within twenty working days of receipt.
4. **Immediate risk.** If a complaint suggests a serious and immediate risk to clients or the public, it is referred without delay for consideration of interim measures under the Fitness to Practise Policy and the Disciplinary Procedures.
5. **Decision on next steps.** The complaint is either closed, offered informal resolution, or taken to formal investigation. Both parties are told the decision in writing.

A complaint may be closed at this stage if it falls outside these procedures, is vexatious or manifestly unfounded, or concerns matters that are the subject of current legal proceedings. The complainant is told in writing, with reasons, and given information about any other options. The complainant may ask for this decision to be reviewed by a Complaints Panel.

Informal resolution

Where a complaint might be resolved through mediation or facilitated dialogue, this may be suggested to both parties. Taking part is entirely voluntary and does not affect the complainant's right to a formal investigation. Informal resolution is not used where a complaint involves allegations of serious misconduct, exploitation or criminal behaviour.

6. Formal investigation and hearing

Where a complaint proceeds to formal investigation, a Complaints Panel is convened, as described in the Complaints Panel Information policy, and an investigating officer is appointed to carry out an impartial and thorough investigation.

1. The investigating officer gathers evidence from all relevant sources, including written statements from both parties, documents and witness accounts.
2. All evidence gathered is shared with both parties, who each have the opportunity to respond to the other's submissions before the investigation report is finalised.
3. The investigating officer prepares a written report setting out the allegations, summarising the evidence and identifying the key factual and ethical issues. The report does not recommend findings or outcomes.
4. The Complaints Panel considers the report and may invite the parties to a hearing, held in person or online. It may seek independent expert clinical advice where specialist knowledge is needed.
5. The Panel reaches its findings on the balance of probabilities and decides on any outcome.

Hearings follow the principles of natural justice. Both parties may present their case, call witnesses and respond to the other party's evidence, and both may be accompanied by a support person, colleague or legal representative. The Panel's deliberations are confidential.

7. Outcomes

If the complaint is not upheld, both parties are told and the matter is closed. If it is upheld, the Panel decides on an outcome that is proportionate to the seriousness of what has been established, taking into account any mitigating and aggravating factors, the member's previous record and the impact on the complainant. Outcomes are directed at protecting the public and upholding standards, not at punishing the member.

OUTCOME	TYPICAL USE
No further action	The complaint is not upheld, or the matter is minor and has already been addressed.
Advice or letter of concern	A shortfall that calls for reflection and learning rather than formal sanction.
Formal reprimand	A breach of standards that should be formally recorded.
Conditions	Requirements such as additional supervision or specified training, with evidence of compliance within a set period.
Suspension of membership	Serious misconduct, or a risk that requires the member to be removed from the directory for a period.
Removal from membership	Conduct that is incompatible with continued membership of ICPHAA.

Where the allegations, if established, could amount to serious misconduct, the Panel may instead refer the matter to the Disciplinary Committee under the Disciplinary Procedures.

The decision is sent to both parties in writing within five working days, with reasons and information about the right of appeal. Where membership status changes, the public directory is updated. Where it is necessary in the public interest or required by law, ICPHAA may inform other relevant bodies, such as statutory authorities, of the outcome.

8. Appeals

Both parties have a right of appeal. The respondent may appeal a finding against them or an outcome imposed. The complainant may appeal a decision not to uphold the complaint, or an outcome they consider manifestly inadequate.

1. An appeal is made in writing to admin@icphaa.ie within twenty-eight days of receiving the decision, setting out the grounds of appeal.

2. The appeal is decided by an Appeals Panel of three people who had no involvement in the original investigation or hearing.
3. The Appeals Panel may uphold, change or reverse the original decision, substitute a different outcome, or send the matter back to a Complaints Panel for reconsideration where this is needed in the interests of justice.
4. ICPHAA aims to complete appeals within sixty days of receiving the notice of appeal. If this is not possible, both parties are told and given an estimated timeframe.
5. The decision is sent to both parties in writing with reasons.

The decision of the Appeals Panel is final within ICPHAA's internal processes, without affecting any rights the parties may have under Irish law.

9. Fairness, confidentiality, support and records

- **Dignity and fairness.** Both parties are treated with dignity and respect throughout. Intimidation, harassment or reprisal against anyone involved in a complaint is not tolerated and will itself be treated as a serious matter.
- **Support.** Being involved in a complaint can be distressing. Complainants who are clients or former clients are given information about sources of support. Members who are complained about are encouraged to seek support from their clinical supervisor, personal therapist or professional network, and support information is included with the first notification.
- **Confidentiality.** Information about a complaint is shared only with those who need it to deal with the complaint, or where disclosure is required by law or necessary to protect the public. All information is handled in line with the Data Protection Acts 1988–2018 and the GDPR.
- **Records.** ICPHAA keeps a register of complaints received, their outcomes and any appeals. Records are kept securely and only for as long as necessary, in line with the Legal & Data Governance Policy, and anonymised information from the register is used to improve standards.

10. Monitoring and review

The operation of these procedures, including timeliness, fairness and consistency of outcomes, is monitored under the Quality Assurance Policy and reported to the Board. The ICPHAA Board of Directors owns these procedures. They are reviewed by the review date shown in the document control table, and sooner if law, statutory regulation or professional practice changes. Suggestions for improvement are welcome at admin@icphaa.ie.

READ ALONGSIDE

- Complaints Panel Information
- Fitness to Practise Policy
- Disciplinary Procedures
- Public Protection Policy
- ICPHAA Code of Conduct for Members
- Legal & Data Governance Policy

DOCUMENT CONTROL

VERSION	DATE	CHANGE	APPROVED BY
1.0	9 November 2026	Reissued in the ICPHAA policy framework (replaces the former ICPA version).	ICPHAA Board of Directors

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