

AGIP Complaints Procedure

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 an AGIP Member 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 Professional Ethics Committee 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 an AGIP Member 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, AGIP 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 Member and their representatives
- the Professional Ethics Committee
- the Hearing Panel and in the event of an appeal hearing, the Appeal Panel, and any 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. This will normally be for a period of seven years.

Will I need to give evidence at a hearing?

If your complaint is sent to a Hearing Panel, we may ask you to give evidence. The majority of our hearings are held in private.

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 Member, 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 a member of our Professional Ethics Committee who will be able to talk it through with you. Email office@agip.org.uk or call 020 7272 7013. This telephone is normally only answered in person in the mornings but do leave a message on the answer machine if necessary.

Equality and diversity statement

AGIP is committed to promoting equality, inclusion and diversity, and works to ensure that its processes are fair, transparent, objective and free from discrimination. AGIP expects that everyone who is acting for the AGIP uphold these values.

Association for Group and Individual Psychotherapy
1 Fairbridge Road
London N19 3EW
Registered Charity 1083030
Company number 03863068

February 2022 v1