



ARBPA ETHICS - PART 2 of 3

ARBPA Professional Conduct and Complaints Procedures

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Contents

1. Introduction
2. Aim of the Professional Conduct and Complaints Procedures
3. Definitions
4. ARBPA Complaint Procedure
5. ARBPA Appeal Procedure
6. Review of the Professional Conduct and Complaints Procedure

1. Introduction

The Australian Radix Body Centered Psychotherapy Association (ARBPA) is an association for Radix trained psychotherapists and associates.

This document 'ARBPA Professional Conduct and Complaints Procedures' sets out ARBPA's framework for the management of complaints and appeals regarding professional conduct breaches by ARBPA Members.

The ARBPA Complaints process is not a legal procedure and does not address legal matters. Practitioners and Complainants are required to view these guidelines in light of relevant state and federal legislation, and to seek competent, qualified advice as to which provisions may prevail in any given instance.

It is the responsibility of all ARBPA Members to familiarise themselves with the ARBPA Professional Conduct and Complaints Procedures. Complainants should contact ARBPA if clarification of the procedures is required. These procedures form an essential part of ARBPA's commitment to the protection of the public. Members are required to inform clients or members, who indicate they have a complaint or grievance about a service they have received, of the existence of these Complaints procedures.

Notes:

* This document should be read in conjunction with the ARBPA Code of Ethics (July 2016) and the ARBPA Code of Good Governance (July 2016), as appropriate.

2. Aim of the ARBPA Professional Conduct and Complaints Procedures

The aim of the ARBPA Professional Conduct and Complaints Procedures is to provide Complainants with a transparent process for making complaints against ARBPA members. In processing Complaints and Appeals, ARBPA aims to protect members of the public, members of ARBPA, the name and reputation of ARBPA and the profession of Body Psychotherapy.

The Procedures also provide a mechanism for the ARBPA Ethics Committee to investigate alleged ethical misconduct in the absence of a formal complaint where a Reportable Breach (as defined in the ARBPA Code of Ethics) is reported to ARBPA or where a Member is subject to criminal investigation.

3. Definitions

For the purpose of this statement:

- a)** 'Member' is a counsellor or psychotherapist who is currently listed on the ARBPA register of counsellors and psychotherapists.
- b)** The 'Complainant' is any person who initiates a complaint against a Member.
- c)** The 'Respondent' is the person against whom a complaint is made. This may be a Full Member or Associate of ARBPA.
- d)** The ARBPA Ethics Committee comprises suitable Radix Psychotherapists appointed by the ARBPA Members to provide ethical perspectives on complaints, advice and documentation as required by ARBPA.
- e)** The 'Independent Person' is someone who is not a member of ARBPA.
- f)** The 'ARBPA Professional Conduct and Complaints Procedures' are the formal and informal processes used to address a Complaint or an Appeal where the complaint has been deemed valid according to the Ethics Code by the ARBPA Ethics Committee.
- g)** The 'Formal ARBPA Complaint Procedures' are the procedures undertaken to generate a resolution and report to a formally submitted complaint using the 'ARBPA Complaint' form.
- h)** The 'Formal ARBPA Appeal Procedures' are the procedures undertaken to generate a resolution and report to an Appeal against the outcome of a complaint heard via the 'ARBPA Complaint Procedures'.
- i)** The ARBPA Code of Good Governance (April 2016) sets out the ethical framework for the clinical and management governance of ARBPA.

4. ARBPA COMPLAINT PROCEDURE

Each Complaint or Appeal about an ARBPA Member must be made in written form.

4. 1 Investigations and other actions that can be initiated by the ARBPA Ethics Committee

An investigation may be initiated by the ARBPA Ethics Committee in the absence of a complaint in the following circumstances:

- A report is received by ARBPA of a Reportable Breach by a Member.
- The Ethics Committee forms a reasonable belief that the ARBPA Member has behaved in a way that constitutes a Reportable Breach.

The Investigation will be conducted in the same way as if a complaint had been made about the alleged misconduct with the Ethics Committee Panel being formed to consider the allegations. Sanctions may be applied in the same way that sanctions can be applied in response to complaints.

If a full investigation by an Ethics Committee Panel is not appropriate or possible, an informal investigation may be undertaken (see section 4.5):

- An Informal investigation is undertaken by two members of the Ethics Committee.
- The investigating Committee Members gather and consider all available evidence and make a determination.
- Sanctions may be applied in the same way that sanctions can be applied in response to a formal complaint procedure.

4.2 ARBPA will hear Complaints where:

- a) The individual has sought or received a service provided by a current Member of the ARBPA
- b) A legal guardian or other appropriately authorised adult initiates a complaint on behalf of a minor and/or a vulnerable adult who has sought or received a service provided by a current Member of ARBPA and lacks the legal capacity to make a complaint regarding the services sought or received.
- c) A third party, who speaks on behalf of another vulnerable person or people directly affected by the actions of a practitioner, and has documented evidence of unethical conduct as described under the ARBPA Code of Ethics;

4.2.1 Complaints against non-Members

- a) ARBPA will consider complaints against practitioners who were not ARBPA Members at the time of the alleged professional misconduct but who are current ARBPA Members.

- b)** ARBPA will not consider complaints against practitioners who are not current ARBPA Members unless the Member resigned their ARBPA registration in response to the complaint being submitted to ARBPA.

4.3 ARBPA Complaint Procedure

1. The Ethics Committee receives a Complaint, either verbally, by email or via the ARBPA Complaints form.
2. ARBPA acknowledges receipt of the complaint within five working days and informs the Complainant that the complaint and any accompanying documentation will be looked at by the ARBPA Ethics Committee for a decision on whether or not ARBPA will proceed with hearing the complaint
3. Then by email or phone the following questions are asked:
 - a) Is the practitioner who is the subject of the complaint an ARBPA Member?
 - b) Has there been any attempt to resolve the matter with the Member informally? If not,
 - c) Has the complaint been lodged anywhere else (PACFA or legally or other.)?
 - d) If so, what was the outcome? Why is the complainant also approaching ARBPA?
 - e) Is there any legal proceeding underway regarding this matter? If so, what is the intention in lodging an ethical complaint with ARBPA? In the case of there being a legal proceeding underway, this will need to be completed before any investigation by ARBPA takes place. The Ethics Committee with the support of the ARBPA Executive Committee may suspend the Member pending the outcome of a criminal investigation. Where formal legal proceedings are brought, the investigation will take into consideration any directions or orders of the courts or relevant authority.
4. The ARBPA Ethics Committee determines the validity of the complaint within fourteen working days of receiving the complaint. In determining whether a complaint should be heard the Ethics Committee will consider the matters detailed below.

4.4 Satisfying Complaint Conditions

The complaint must satisfy the following conditions:

- a) The complaint must be in writing and be made on the official ARBPA Complaint Form. The Complainant must provide a detailed account of the practice giving rise to the complaint, together with details of dates when the event(s) occurred and all other supporting evidence. The standards of practice are outlined in either the ARBPA Code of Ethics or the ARBPA Code of Good Governance for Member Associations. Please use the Code that is relevant to the complaint.
- b) The ARBPA Member is listed on the ARBPA Register at the time the complaint is lodged.
- c) The Association is a current Member Association of ARBPA at the time the complaint is lodged.

- d) The complaint is dated, signed when it is received by the ARBPA Ethics Committee.
- e) If there is sufficient information for the Ethics Committee to reasonably conclude that the matter requires investigation by an Ethics Committee Panel.
- f) The complaint contain sufficient information to determine whether it should be heard by an Ethics Committee Panel; or
- g) The complaint is not trivial or vexatious,
- h) There is no question as to whether the Complainant has been unduly influenced by a third party.

If a complaint does not satisfy the above conditions it will not be accepted or processed under these procedures.

If further information/clarification is requested, the Complaint will be re-submitted to the Ethics Committee which will determine whether or not it is appropriate for the Complaint to be heard.

Once it is determined that the Complaint should proceed:

Submission of a formal ARBPA Complaint form is requested if that hasn't already occurred.

4.5 Local/Informal Resolution

Before formal Complaint proceedings begin, the complainant and the member are encouraged to attempt to resolve the issue. If local resolution is not possible/feasible or is considered inappropriate in the particular circumstances of the case, the complainant should not hesitate to contact the ARBPA Ethics Committee.

Before submitting a Formal Complaint to ARBPA

the complainant and the member are encouraged to attempt to resolve the issue. If local resolution is not possible/feasible or is considered inappropriate in the particular circumstances of the case, the complainant should not hesitate to recontact the ARBPA Ethics Committee.

The Informal Complaint by a member of ARBPA

In the event of a complaint by a member of ARBPA, if the nature of the complaint can be resolved informally at first, proceed below to 4.5.A – Discuss Directly.

A. Discuss Directly

The member who is concerned with a breach of ethical practice (the complainant) is required to discuss and attempt to resolve the issue directly with the practitioner concerned informally at first (steps 4.5.B to 4.5.C) If the issue is of major significance (go to step 4.5.E)

B. Reasonable Steps

If required, the Ethics Committee can support the complainant to take reasonable steps to make contact with the member. Some of the reasonable steps might include:

- a) Encourage a telephone call or email that the committee can assist the complainant to formulate.
- b) If required the Ethics Committee can make suggestions as to an appropriate response.

C. Request Ethics Committee

If there are good reasons for the complainant not to contact the practitioner directly, then they can request the Ethics Committee to do this on their behalf. The Committee would

then can make an initial contact with the practitioner via phone or email to inform them of the complaint. Often this contact is enough to resolve the complaint without any further formal procedure or documentation.

D. Unable to be resolved informally

If the situation is unable to be resolved at this informal level, the complainant is required to bring this to the attention of the Ethics Committee.

E. Verbal Statements Request

If the issue is of major significance, the Ethics Committee will initially ask for verbal statements from both parties.

F. Recommendations

Once received, the Ethics Committee will make recommendations as to what they believe is a fair and just resolution of the dispute.

G. Formal Letter

If the Ethics Committee's verbal recommendations are not accepted by the person(s) concerned, the Ethics Committee or responsible person(s) will then decide what action they believe is required to resolve the dispute. A formal letter detailing the required action will be sent to the practitioner against whom the complaint has been made, along with details of rights of appeal and the procedure to follow.

For issues of major significance that may require suspension or removal of licence, the Ethics Committee will consult with the ARBPA Executive Board and an outside consultant with appropriate expertise to decide and take further action. This would initially and normally be PACFA.

In the case of an alleged breach of Ethics by either a member of the Ethics Committee or the ARBPA Executive board, that member will stand down and be replaced by another member of the ARBPA until resolution of the case.

4.6 Informal Complaints Procedure (from a person outside of ARBPA)

In the event of a complaint by a non-member of ARBPA, the complainant is encouraged to resolve the complaint informally as follows:

1. An ARBPA Complaint Form (with the Informal section completed – Pages 1-3) must be sent to the Ethics committee by the complainant clearly and specifically describing the incident(s) and the issues of concern. In some cases it may be appropriate for the Ethics Committee to offer support and strategies for a local solution as described in Section 4.5 for a complainant who is a member of ARBPA
2. The Ethics committee acknowledges, in writing, the receipt of the complaint form.
3. The practitioner is then informed, in writing via email or phone informally, that a complaint has been received and the nature of the complaint.
4. An interview, either by phone or in person then takes place with at least one member of the Ethics Committee and the practitioner. This interview will occur within 30 days of the practitioner receiving notification of the complaint or as soon as is deemed possible and will be comprehensively documented. Following this, the Ethics Committee may decide a written response from the Member would be more appropriate and request that the Member provide this as soon as possible but in not more than a further 30 days.
5. Following the above interview, the Ethics committee meets to determine and facilitate actions towards resolution of the complaint. This may be achieved through any of the following:
 - a) A letter is sent from the practitioner or the Ethics Committee (whichever is

most appropriate) to the complainant.

- b)** A meeting is facilitated by the Ethics Committee with the Member and the complainant.
- c)** The Ethics Committee interviews the complainant and the Member separately.
- d)** Other actions as deemed appropriate by the Ethics committee to achieve resolution.

6. In the case of the non-resolution of the complaint following the above process, the Mediation Option will be considered.

4.7 Mediation Option

The Complainant and the Member can also be encouraged to resolve the issue through a Mediation Process.

Parties to a complaint may be invited to seek mediation by the Ethics Committee to resolve the complaint rather than proceeding to a formal investigation.

Where a request is received from a party to a complaint to seek mediation, the Ethics Committee will determine whether mediation is appropriate given the nature of the complaint. If either party opposes the mediation option, the complaint will be formally investigated via ARBPA's Professional Conduct and Complaints Procedure.

If both parties agree to proceed to mediation:

- a mediator and one other person is appointed by the Ethics Committee from current Members and outside independent parties as deemed appropriate by the Ethics Committee;
- a mediation meeting is set up either in person or by simultaneous electronic communication;
- The agreed outcomes of the mediation meeting, if any, are documented by the mediator; and
- Implementation of the agreed outcomes is monitored by ARBPA.

If there are no agreed outcomes from the mediation meeting, the complaint will proceed to a formal investigation.

4.8 Commencing the Formal Investigation

If informal resolution and Mediation is ineffective, or is considered inappropriate in the particular circumstances of the case, the Complainant will be required to complete the Formal section of the Complaint Form if it has not been done already.

The Complainant and the Member against whom the Complaint is made, will be formally notified in writing that the Complaint is proceeding formally. The Ethics Committee will then commence the Formal section of the Professional Conduct and Complaints Procedure.

The Complainant must have at this stage completed and submitted the Formal section of the Complaint form (Sections 5 to 8).

The Respondent is then advised of the Complaint and is sent Section 5 of the ARBPA Complaints Form (Details of the Complaint). A response from the Respondent to the complaint is to be provided within twenty working days.

If the Ethics Committee determines that the Complaint should not be heard by ARBPA, the Complainant will be formally notified of this outcome in writing, including the reasons for the Ethics Committee's determination. This decision may be appealed.

4.9 Formation of the Ethics Committee Panel

The first part of this procedure is the formation of the Ethics Committee Panel. The Ethics Committee Panel is a volunteer committee appointed solely for the purpose of hearing a specific complaint. It generally consists of the Ethics Chair and a second Ethics Member.

Ethics members are required to declare any conflicts of interest they may recognise once they have been issued with the names of the Complainant and Respondent. Panel members are required to consider any factors that may influence their ability, or be seen to influence their ability, to be impartial.

1. Once the Respondent's response has been received, they and the Complainant are informed that an Ethics Committee Panel will be formed by the ARBPA Ethics Committee within fifteen working days. Where an extension of time is required to form the Panel, the Ethics Committee must identify valid reasons for the extension of time and communicate these reasons to the Complainant and the Respondent.
2. The Ethics Committee Panel Chair and one other Ethics Committee Panel member will be determined by the ARBPA Ethics Committee. If required, an Independent member of the Ethics Committee Panel is determined by the Ethics Committee Panel Chair and the ARBPA Ethics Committee.
3. Details of the final Ethics Committee Panel members are communicated to the Complainant and Respondent with a request for email confirmation within fourteen working days that they have read and understood the contents of the email.
4. If no reply is forthcoming from one or both parties, the Ethics Committee Panel will contact the non-relying party or parties by phone to establish confirmation of the email as described in paragraph 7 above.
5. The Ethics Committee Panel Chair informs the ARBPA Board Executive of the progress of the complaint process.

4.10 Forms of Misconduct to be considered in the Report

The Ethics Committee Panel is responsible for determining the type of misconduct that has occurred. These are:

- Professional Misconduct
- Professional Malpractice
- Bringing the Profession into Disrepute

a) Professional Misconduct

A finding of Professional Misconduct signifies that the Member has contravened the ethical and behavioural standards that should reasonably be expected of members of the psychotherapy profession. Misconduct is defined as acting in contravention of the written and unwritten guidance of the profession. A finding of misconduct may occur in the circumstances where the Ethics Committee Panel findings include a breach of the ARBPA Code of Ethics that did not cause serious harm.

A finding of serious Professional Misconduct is appropriate if the misconduct is of sufficient seriousness or caused such serious harm as to merit suspension of a Member for a period of time and/or the withdrawal of a Member's registration.

b) Professional Malpractice

A finding of Professional Malpractice signifies that the service(s) for which the Member is responsible has/have fallen below the standards that would reasonably be expected of a Member exercising reasonable care and skill. Examples of malpractice include, but are not restricted to:

- incompetence
- negligence
- recklessness
- the provision of inadequate professional services.

A finding of serious Professional Malpractice is appropriate if the malpractice is of sufficient seriousness to merit suspension of a Member for a period of time and/or the withdrawal of a Member's registration.

c) Bringing the Profession into Disrepute

A finding of Bringing the Profession into Disrepute signifies that the Member has acted in such a disreputable way that the public's trust in the profession might reasonably be undermined, or might reasonably be undermined if they were accurately informed about all the circumstances of the case.

A finding under this heading must amount to 'disgraceful conduct in a professional respect'. This involves consideration of three elements:

- a)** Conduct that is regarded as 'disgraceful' need not amount to or be restricted to, acts of serious immorality.
- b)** The conduct must have had some connection with a professional role in order to be considered as failing 'in a professional respect'. It ought not to be concerned with matters that can reasonably be viewed as solely personal and private.
- c)** Conduct 'in a professional respect' is not confined to the pursuit of the profession in question. What is not considered to be disgraceful to an ordinary person may be considered to be disgraceful to a professional person.

A finding of Bringing the Profession into Disrepute will result in withdrawal of the Member's registration or a recommendation to the ARBPA Executive that the Member be expelled from membership of ARBPA.

4.11 Final Report Submission

1. The Ethics Committee Panel Report, including recommendations, and the Findings Report are submitted by email to the ARBPA Ethics Committee. If security demands it, the reports can be submitted by post instead of email. The ARBPA Ethics Committee will review and approve/not approve the Report within ten working days.

If the ARBPA Ethics Committee does not approve the Report and recommendations, the reasons may be:

- a)** The language used may cause harm or distress to either the Respondent or the Complainant.
- b)** The report does not clearly outline the findings.
- c)** The report does not supply a timeline for recommendations.
- d)** The report is either deemed to be too brief, e.g. there is not enough detail in order for the recommendations to be followed, or too lengthy.

2. It may be required for the Panel to re-draft the report with input from the ARBPA Ethics Committee within a further ten working days.

3. Once the report is approved by the ARBPA Ethics Committee, the findings are sent by email and posted to the Complainant and Respondent.

4. The Complainant and Respondent have twenty working days to lodge an Appeal.

5. The ARBPA Executive sends the Ethics Committee Panel a letter on behalf of the Ethics Committee Chair, thanking members for their work.

6. In the case of a complaint against a Member, the ARBPA Executive will monitor the compliance of recommendations within the report and report all outcomes and processes to the ARBPA Ethics Committee, which will in turn report any concerns about implementation of Ethics Committee Panel's recommendations to the ARBPA Executive.

7. Handling costs incurred by parties to Complaints - ARBPA is not responsible for travel or any other expenses incurred either by the Complainant, or any support person/representative in connection with any stage of the Complaint. The Ethics Committee cannot order one party in a complaint to pay another party's costs.

8. ARBPA reserves the right to notify other professional bodies and/or agencies about complaints and to distribute any findings upheld against an ARBPA Member, where it considers it right and just to do so.

When a member is suspended by ARBPA or expelled from ARBPA by the Ethics Committee, a notification of this decision will be placed on the ARBPA website for the duration of the sanction. ARBPA will display the former Member as *suspended* or *deregistered*.

4.12 Imposition of Sanctions

1. The Ethics Committee Panel, after determining the findings, may impose or recommend one or more sanctions. These sanctions may include:

- undertaking specified supervision
- directed communication by the respondent to the complainant
- temporary suspension from practice
- any other action deemed suitable by the Ethics Committee Panel. This may occur in consultation with the ARBPA Ethics Committee.

Additionally, the ARBPA Ethics Committee will implement sanctions against a Member as outlined in the Report to the Complainant/Respondent.

2. Lifting of Sanctions

The ARBPA Executive will monitor implementation of sanctions against Members and inform the Ethics Committee of the outcome of monitoring findings.

The Member subject to the sanctions will be notified in writing of when the sanctions have been fulfilled, either because specific actions required have been completed, or because the specified timeline of the sanctions has expired.

3. Failure or Refusal to Comply with Sanction

Failure or refusal to comply with a finding or sanction may result in the Member's immediate removal from the ARBPA Register. The Member subject to the sanctions will be notified of any such decision in writing.

4. Publication

The withdrawal of a Member's registration of ARBPA following an adverse finding in a Professional Conduct and Complaints Procedure will be published on the ARBPA website and elsewhere as the ARBPA Ethics Committee and ARBPA Executive considers appropriate and just to do so, and in the interests of public protection.

5. ARBPA APPEAL PROCEDURE

1. Initial queries regarding the submission of an Appeal by a Complainant or Respondent is via the ARBPA Ethics Committee.
 - a. The ARBPA Ethics Committee will assist the person to determine if an Appeal is an appropriate option for them in terms of the requirements set out in clause 6 of these Procedures.
 - b. The ARBPA Ethics Committee will enquire whether a further complaint has been lodged elsewhere as it may not be appropriate for ARBPA to consider an Appeal if the has already been taken to another body.
 - c. The ARBPA Ethics Committee will provide the person with the latest date by which this Appeal must be submitted and supply the ARBPA Appeal Form if the Complainant/Respondent has not already obtained this form from the ARBPA website.
 2. The ARBPA Appeal Form and accompanying documentation is then sent to the Complainant/Respondent. Alternatively, these can be obtained from the ARBPA website.
 3. The ARBPA Ethics Committee receives the completed Appeal Form. Any Appeal must be submitted within twenty working days of receipt of the report (findings) from the original complaint. The Appeal must be dated and signed.
 4. The ARBPA Ethics Committee will acknowledge receipt of an Appeal from an individual Complainant or Respondent within five working days.
 5. The ARBPA Ethics Committee will determine, within ten working days, whether it is appropriate for the Appeal to proceed, and inform the ARBPA Executive of its decision.
 6. This decision is made in accordance with the following grounds under which an Appeal will be considered:
 - a) There is evidence to suggest that a procedural impropriety may have had a material effect on the findings and decision of the Ethics Committee Panel
 - b) There is new evidence which was not available at the time of the Panel, subject to the conditions.
 - c) The evidence warrants consideration of an appeal.An Appeal not satisfying the above conditions will not be accepted or addressed.
 7. If the ARBPA Ethics Committee determines that it is not appropriate for ARBPA to hear the Appeal, this decision and accompanying rationale will be communicated to the Complainant/Respondent.
 8. If the ARBPA Ethics Committee determines that the Appeal should be heard by ARBPA, then:
 - a) The Complainant/Respondent will be informed of the decision of the ARBPA Ethics Committee.

- b)** The Respondent to the Appeal is sent Section 5 of the ARBPA Appeal Application form (concerning the details of the Appeal.) They then have 20 working days to provide a response.
- 9.** Once the Respondent's response has been received, the Complainant and Respondent will be informed that an Ethics Committee Appeal Panel (ECAP) will be formed by the ARBPA Ethics Committee within the following 15 working days.
- Where an extension of time is required to form the Ethics Committee Appeal Panel, the Ethics Committee must identify valid reasons for the extension of time and communicate these reasons to the Complainant and the Respondent.
- 10.** The ECAP Chair and second member of the ECAP are determined by the ARBPA Ethics Committee. A third Independent member, a community representative where possible (external to the counselling and psychotherapy profession) of the ECAP is determined by the ECAP chair and the ARBPA Ethics Committee.
- 11.** Details of the final ECAP members are communicated to the Complainant and Respondent by the ARBPA Ethics Committee with a request for email confirmation within five working days that they have read and understood the contents of the email.
- 12.** If no reply is forthcoming from either party, the ARBPA Ethics Committee will contact the non-relying party or parties by phone to establish confirmation of the email described in paragraph 10 above.
- 13.** All Appeal documentation is supplied to the ECAP via email with instructions to produce a Report within 20 working days.
- 14.** The ECAP Chair will keep the ARBPA Ethics Committee informed of progress with the Appeal process as it proceeds.
- 15.** The completed ECAP Report with recommendations and the Findings Report are submitted via email to the ARBPA Ethics Committee.
- 16.** The ARBPA Ethics Committee is responsible for determining whether to accept ECAP's Report and recommendations and the Findings Report. Within 10 working days, the Committee will either:
- a)** approve the report and recommendations
 - b)** not approve the reports and recommendations and provide reasons. The Committee may request the ECAP to re-draft the report with input from the ARBPA Ethics Committee within ten working days.
- 17.** Once the Reports are approved by the ARBPA Ethics Committee, the Appeal is finalised.
- 18.** The findings as detailed in the Findings Report are sent via email and post to the Complainant and Respondent by the ARBPA Ethics Committee.
- 19.** The ARBPA Ethics Committees sends the ECAP a letter on behalf of the ARBPA Ethics Committee Chair, thanking them for their work.
- 20.** If the appeal is upheld, the ARBPA Executive will monitor the compliance of recommendations within the report.

21. Records of Complaints and Appeals will be kept indefinitely.

When considering a Complaint, ARBPA reserves the right to take into account previously submitted Complaints when a subsequent Complaint is submitted, about the same Member.

Where the outcome of a complaint has resulted in the termination of ARBPA membership, this outcome will be considered in any re-application for ARBPA membership.

22. Costs incurred by parties to Appeals

ARBPA is not responsible for travel or any other expenses incurred either by the Complainant, or any support person/representative in connection with any stage of the Appeal.

The Ethics Committee cannot order one party in a complaint to pay another party's costs.

23. Notification of findings of Appeals

ARBPA reserves the right to notify other professional bodies and/or agencies about complaints and to distribute any findings upheld against an ARBPA Member, where it considers it right and just to do so.

When a member is suspended by ARBPA or expelled from ARBPA by the Ethics Committee, a notification of this decision will be placed on the ARBPA website for the duration of the sanction. ARBPA will display the former Member as *suspended* or *deregistered*.

6. Review of the Professional Conduct and Complaints Procedure

These procedures will be reviewed at least every five years by the ARBPA Ethics Committee to ensure they reflect current complaints handling processes within ARBPA and that they accord with current best practice.

Where changes to the procedures are required, these are to be approved by ARBPA Members at the AGM.