

How to make a complaint about a Herbalist



URHP

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How to make a complaint about a Registrant

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1. About this booklet

This booklet tells you what to do if you are not happy with the care provided by a URHP Registered Herbalist. We are responsible for safeguarding and protecting members of the public who use the services of URHP Registered Herbal Practitioners.

If you are not happy with treatment you receive, or if you have a concern about the conduct or health of a Registrant which brings into question their fitness to practice, you can always contact us.

2. What is URHP?

The URHP is a Professional Association which, uniquely and in a spirit of inclusion and common purpose, registers and represents Western herbal medicine practitioners and also traditional medicine practitioners. e.g. Chinese medicine, Ayurveda, Unani Tibb, in the UK. We only register people who meet certain standards of professional skills, behaviour and health. In this booklet, we call herbalists who are registered with us 'Registrants'.

To learn more about the role of a *herbal practitioner*, you can find information on our website at <http://www.urhp.com>

3. What is fitness to practise?

When a Registrant is described as 'fit to practise', this means you can be confident that they have the competence and attributes as described in URHP's Code of Ethics and Professional Conduct.

4. Oversight of complaints process

Complaints are received and managed by the Complaints Liaison Officer.

5. What if you are not happy with a Registrant?

If you have concerns about the conduct or health of a Registrant, or if you are not happy with the treatment you have received, you may want to complain to us about it.

6. Who can complain?

Anyone can make a complaint to us about a Registrant. This includes members of the public, employers, the police and other Registrants or healthcare professionals.

In certain circumstances a Professional Association might have cause to complain about another Professional Association within the EHTPA. In such cases the complaint must be made by the Council of the Association that is the complainant and a Council member nominated from the Council of the complainant and the Association against which the complaint has been made who will act as representatives throughout the process.

6. What types of complaints can we consider?

We consider complaints about fitness to practise and complaints where overall fitness to practise is not in question, but on a particular occasion a Registrant has fallen short of the standards expected. The types of complaints we can consider include:

1. Fitness to practise

Matters that bring into question whether a Registrant's fitness to practise is impaired (negatively affected) by:

- i. misconduct;
- ii. a lack of competence (not having the necessary skills and knowledge);
- iii. a caution or conviction for an offence in the United Kingdom (or somewhere else for any caution or conviction wherever committed or an offence that would be a crime if it was committed in England and Wales);
- iv. their physical or mental health;

2. Other misconduct

Complaints about a Registrants conduct where overall fitness to practice is not in question but on a particular occasion there has been a lapse or incident which does not reflect the standard of conduct expected of a registrant

3. Fraudulent Registration

We can also consider complaints about whether an entry to the URHP Register has been made fraudulently or incorrectly.

This is not an exhaustive list and we consider each case individually.

7. Complaints Jurisdiction

We are a UK-wide body. This means that any action we take will affect a person's Registration throughout the UK. Whether you need to tell us about a matter will depend on the circumstances and how serious it is. If you are not sure about this, please contact the Complaints Liaison Officer for advice. (see the end of this booklet for our contact details).

8. How to make a complaint

If you want to make a complaint about a Registrant you can do this in one of the following ways:

i) In writing by letter

Send your complaint to the following address:

Complaints Liaison Officer,
c/o Unified Register Of Herbal Practitioners,
22 Pendre Avenue,
PRESTATYN,
Denbighshire LL19 9SL

You will need to include:

- your full name and address;
- as much information about the Registrant as you can give, such as their name and place of work;
- as much information about the complaint as you can provide, such as names, dates and places.

ii) In writing using our complaints form

Complete our on line complaints form which is available at <https://www.urhp.com> You can find this form on the complaints section of our website. If you have any problems using this form please phone the office on the number at the end of this booklet and we will send you a copy in the post.

Please note in either case that the initial written submission which you make will be the substance of your complaint and will determine whether we are able to proceed with your complaint.

iii) By telephone

You can also make your initial contact by phone. We cannot take your complaint over the phone. However, if you require assistance, please contact the office on the number at the end of this booklet and an arrangement will be made for the Complaints Liaison Officer to speak to you.

We cannot accept complaints about anyone who is not a member of URHP. There may be exceptional circumstances where the Professional Association will consider a complaint about someone who is no longer registered with them, but has been previously. If in any doubt about whether you can make a complaint, please contact our complaints liaison officer for advice.

9. What happens next?

If your complaint is about one of our Registrants, we will do the following.

The complaints liaison officer will receive and manage your complaint. They will keep you fully informed and be your point of contact throughout the process. We will give you their details.

- i. We will write to tell you that we have received your complaint.
- ii. We will write to the Registrant to tell them that a complaint has been made against them.
- iii. We will carry out an initial investigation into your complaint

10. How Long will it Take?

We will always look into complaints as quickly as we possibly can, and will write to you at every stage to keep you informed about the proposed timetable.

11. Complaint Investigation

The information will be passed to our Investigating Committee. They will meet in private and consider your complaint to see whether we need to take any action. Each committee is made up of three people, including as a minimum someone from URHP and a collegiate professional and may include a lay member. More details can be found about how the Committees involved in this process are constituted at the end of this booklet. This Investigating Committee decides whether your complaint meets the criteria to be taken forward. If the committee decides that the complaint cannot be taken forward we will write to you and to the Registrant explaining the reason or reasons. If you do not agree with this decision you may, ask for a review by a senior official. Unless new evidence comes to light a specific complaint cannot go through the complaints process more than once.

If the complaint is to go forward it will be passed to a Complaints Committee. We will write to inform you of this and indicate the likely timescale for the next stage of the process. The Complaints Committee will convene a hearing.

12. What happens at the hearing?

Hearings are not public. However, a secretary will be there to record what happens and anyone with a legitimate interest in the complaint may request details. Any information released to third parties may be anonymous and otherwise redacted to protect patient confidentiality, or to protect the Registrant in certain circumstances.

13. Support and giving evidence

You may be asked to give evidence in person to the Committee at the hearing. Your Complaints Liaison Officer will provide any information that you need and

we will keep the process straightforward. This is a formal process but we will always try to help complainants feel as comfortable as possible.

Each committee is made up of three people, including as a minimum someone from URHP and a collegiate professional and may include a lay member. More details can be found about how the Committees involved in this process are constituted at the end of this booklet.

The Chair will open the hearing by presenting the case and calling any witnesses. The Registrant or their representative may cross examine (question) the witnesses. The Committee can then ask some questions. After the case has been presented, the Registrant may call further witnesses or make statements to the Committee. The committee will reconvene after the hearing has ended and decide whether the complaint is upheld. We will write to you within fourteen working days to inform you of the outcome.

14. What powers does the committee have?

Our role is to protect the public, uphold standards and improve practice. If the committee upholds the complaint they will decide on the appropriate action. The committee has the following options available.

- ▶ They can decide to take **no further action**.
- ▶ They can issue a written warning which will remain on the Registrants file for a specified period.
- ▶ They can suggest restrictions or conditions on the Registrant's registration. (This might include demanding that the Registrant seeks additional specified training or undertakes private study/personal development under the supervision of an agreed peer mentor).
- ▶ They can **suspend registration for a period of up to twelve months subject to meeting certain conditions**
- ▶ They can decide to remove the Registrant's name from the Register.

15. What can we not do?

We can not provide legal advice or representation or help you make a claim for compensation.

We can not consider complaints about professionals who are not on our Register.

16. Keeping your information confidential

When we are investigating a complaint, we will need to tell the Registrant who made the complaint against them. If an anonymous complaint raises serious and credible doubts about whether a Registrant is fit to practise, we will still consider

whether we should take further action. But it can be very hard to do so if we can not contact the person who made the complaint for more information. If you wish to make a serious complaint and have your anonymity protected you should in the first instance contact us to discuss your concerns, prior to submitting a formal complaint, and we will advise as to whether we might be able to offer you anonymity in exceptional circumstances.

17. Appeal

You can appeal against the committee's decision at any stage if you think that process has not been followed or new evidence is available for consideration. Appeals are made to an appeals committee.

18. Contact details

Unified Register Of Herbal Practitioners,
22 Pendre Avenue,
PRESTATYN,
Denbighshire LL19 9SL

19. EHTPA

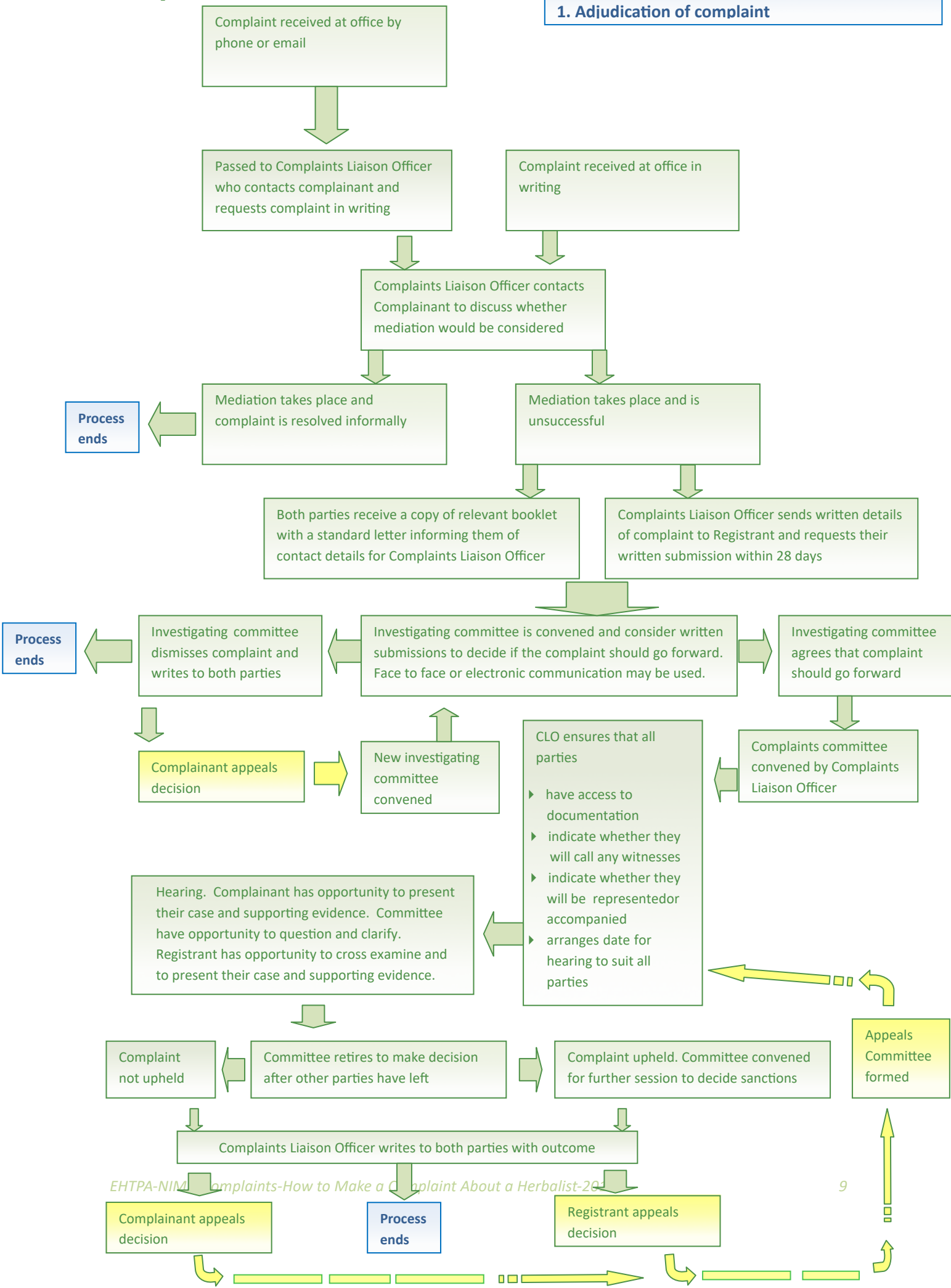
The EHTPA represents herbal & traditional medicine practitioners across Europe as an umbrella body for Professional Associations which Register Herbalists in the UK and Europe. This Procedure is used by all UK bodies which are members of the EHTPA.

Information about EHTPA can be found at <http://ehtpa.eu/>

20. Summary Flow Chart of Complaint Procedure

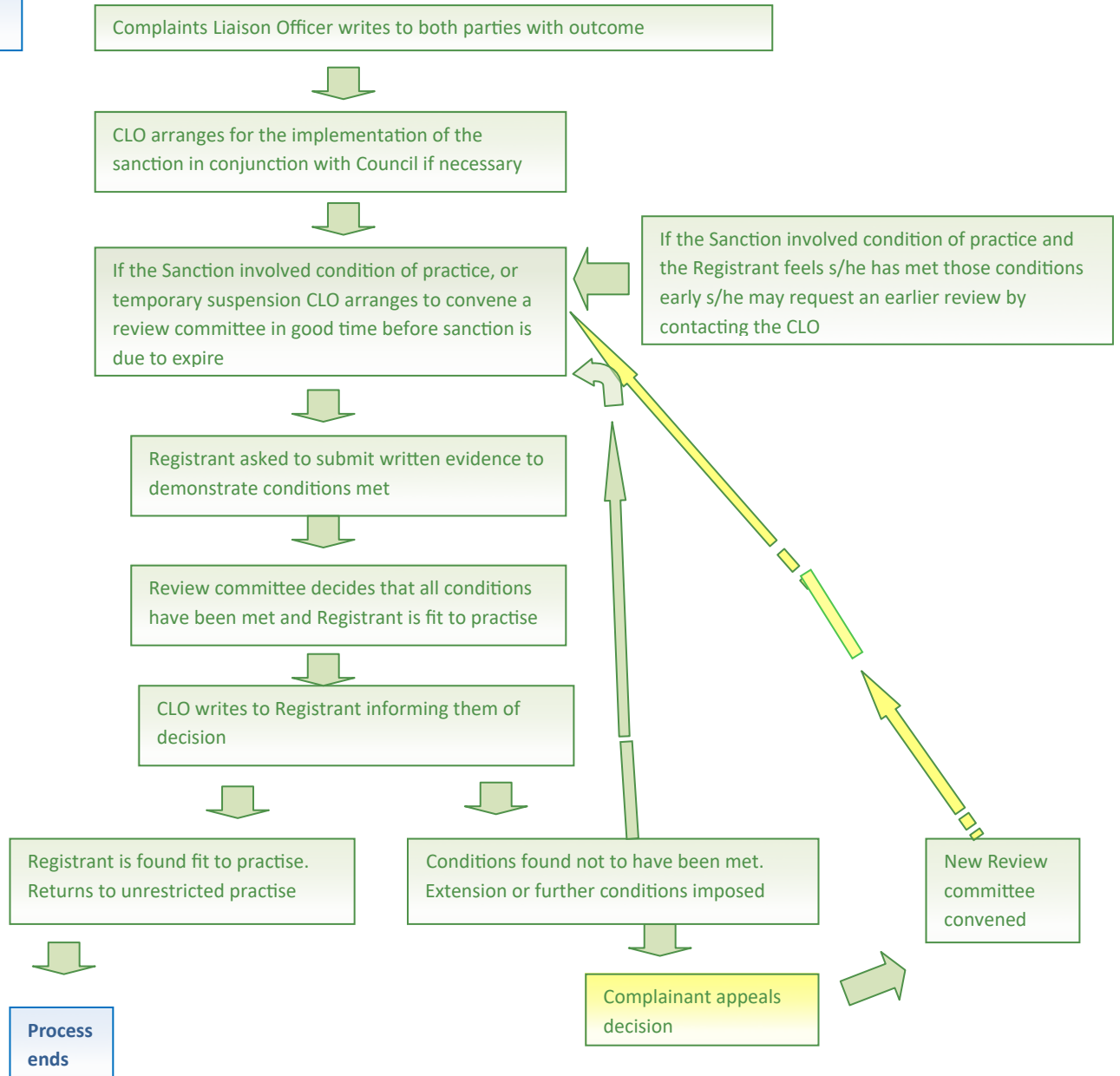
21. Summary Flow Chart

Complaints Procedure – summary chart 1. Adjudication of complaint



Complaints Procedure – summary chart
1. Sanction and Review

**Complaint
Process ends**



Full details of the complaints procedure can be found in the three booklets ‘How do I complain about a Herbalist’ ‘What do I do if a complaint is made against me’ and ‘Guidance for Complaint Committees Indicative Sanctions Policy’

21. Glossary of terms used

Registrant

A Registrant is a medical herbalist who is registered with URHP

Fitness to Practice

Before Registrants start practising they must consider whether they have the character skills and training they need to practice safely. We also expect Registrants at any time to restrict or adapt their practice if any temporary or permanent condition (including their health, a disability, their skills, or anything else) may affect their fitness to practice.

Committees

For the purpose of this procedure, the various stages are considered by specific committees for each stage of a complaint. Member organisations have adopted a cross-organisational approach to dealing with complaints. This enables us to ensure greater accountability and maintain a pool of trained practitioners from which committees can be drawn. By drawing on a larger pool of practitioners trained in the handling of complaints we can maintain a more effective and efficient response to concerns raised by members of the public. Each committee will be made up of three people, one of whom will be from the organisation that has received the complaint. A second committee member will be from the same, or a collegiate organisation and the third member will be a lay member from the same, or a collegiate organisation. There will always be one person on the committee who is not from the organisation receiving the complaint and the committee chair will be selected from the three nominated representatives.

There are five possible committee stages, the investigating committee, the complaints committee, the review committee and the appeals committee. Each of these committees is constituted according to the outline above, and at each stage it is the responsibility of the Complaints Liaison Officer to assemble the committees from the pool of trained members.

This booklet has been produced by EHTPA in conjunction with URHP. The URHP is a professional association for herbal practitioners.