BACP Professional Conduct Procedure

MODEL PRESENTATION OF A COMPLAINT

The mock complaint presented below is intended as guidance on how to present a complaint and is for illustration purposes only. It should be borne in mind that complaints submitted to BACP are governed by the BACP Professional Conduct Procedure.

The Ethical Framework for Good Practice in Counselling and Psychotherapy (EFGPCP) outlines the standard of good practice to which a member is expected to adhere, effective from 1 April 2002. In making your complaint about the professional conduct of the member, you should describe the conduct and behaviour which you believe contravened the EFGPCP. If your complaint or a portion of your complaint pre-dates 1 April 2002, the standards of practice are contained within the Codes of Ethics and Practice effective at that time.

EXAMPLE

I wish to make a complaint against John Counsellor of 82 Any Road, Any Town, Anyshire JC1 T77, who is a current member of BACP. I believe that John Counsellor has acted unprofessionally and breached the Ethical Framework for Good Practice in Counselling and Psychotherapy (EFGPCP), as demonstrated by his actions and contravened the Code of Ethics and Practice for Counsellors 1998.

I began to receive counselling from Mr Counsellor in April 2001. I thought the counselling was going well until I saw an article about me in a local newspaper in August 2001, which I felt betrayed my trust with the counsellor. Following this there was a lot of hurt but we managed to work through it and I continued to see the counsellor. I felt progress was being made in the following year and I was also thinking of becoming a counsellor, which John encouraged. Upon the recommendation of my counsellor I enrolled as a student counsellor with Any College for Counselling Studies based in Any City, in September 2002. John Counsellor was a tutor on my course. I had been on the course until January 2004 when in a training session he used an episode from his work with me as a client, to illustrate a point to the students. He did not respect my confidentiality. This led to problems as I was still seeing John as a private client. I raised the issue of what happened in class with him in my private session. He got angry and said I was oversensitive and that he was finished with counselling me. I have tried to contact him by phone to discuss my concerns but he would not talk to me. I thought of trying to sort the problem at the college but they have no complaints procedure.

Signature:

Date:

This complaint is fictitious. However, if it were a real complaint, it would be useful if it were supported by evidence; for example, if the newspaper article published on 17 August was attached to the complaint as an Appendix. Similarly, witness statements

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from classmates and a copy of the counselling contract could provide evidence in support of the complaint. Other evidence could consist of some form of written confirmation that he was also a tutor on the course.

Tips on How to Present your Complaint

1. The information submitted should be numbered at the bottom of the page
2. Information should be on one side of the page only
3. The complaint submission should not be submitted on coloured paper.
4. Colour should not be used either for highlighting or referencing.
5. Preferably the submission should be type written
6. If hand written notes are to be submitted, ideally they should be accompanied by a type written copy
7. If audio material is being submitted, a written transcript should be supplied
8. If published material is being submitted as an appendix, ideally six copies should be provided.

Note

Up until 1 April 2002, the behaviour of the practitioner would be expected to meet the standard set by the Code of Ethics and Practice for Counsellors 1998 and from 1 April 2002 onwards it would be expected to meet the standards set by the EFGPCP.

While it would not be necessary for you to identify the clauses allegedly breached under the Code of Ethics and Practice for Counsellors, you may cite the clause if you wish. The following are examples of the clauses breached in the above scenario.

Clause B.3.4.2
Any disclosure of confidential information should be restricted to relevant information, conveyed only to appropriate people and for appropriate reasons likely to alleviate the exceptional circumstances. The ethical considerations include achieving a balance between acting in the best interests of the client and the counsellor's responsibilities to the wider community.

I believe that this clause was breached when an article was published about me in the Anytown paper on 17 August 2001. This is the local paper for a fairly small community and I am well known in that community. While my name was not published there was sufficient detail of my personal circumstances for friends and neighbours to identify me. Neither did John Counsellor ask for my permission to write about me.

Clause B.3.2
The counselling contract will include an agreement about the level and limits of confidentiality offered. This agreement can be reviewed and changed by negotiation between counsellor and client. Agreements about confidentiality continue after the client's death unless there are overriding legal or ethical considerations.

I believe that this clause was breached because John Counsellor never told me how confidentiality would be respected when we first met in April 2001.

Amended April 2007

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