Association of Christians in Counselling and Linked Professions

Complaints Process for Coaching and Mentoring

Introduction

As a membership body for Christians who are coaches/mentors, ACC is committed to ensuring the safety of clients who engage the services of one of our members. We exist in part to support and promote good practice within the profession, through having conditions of memberships. These include:

- training standards (people have to be trained to work safely and competently).
- an accepted scope of practice (what a client can expect of a coach/mentor).
- practice standards (for example the need for supervision and ongoing training).
- compliance with the law (for example data protection).
- acceptance of the importance of shared professional values (a code of ethics).

These standards of good practice have emerged from the profession itself, and one of the purposes of membership of ACC is to demonstrate to prospective clients that an individual has met the standards for membership and are committed to best practice.

However, sometimes things can go wrong, and this document sets out how to raise a concern or complaint against a coaching and/or mentoring member of ACC, and the processes that will follow.

What is a fitness to practice complaint process?

The main aims of a fitness to practice complaint process are to protect the public; uphold standards and maintain trust in the profession. The goal of such a process is to determine whether a professional is fit to continue practising due to concerns about their conduct, health or competence.

This is different from the legal framework of civil law cases which are about applying justice through resolving legal disputes, or criminal law case which apply justice by punishing criminal wrongdoing. It is important to note therefore that a professional membership fitness to practice/complaint process is focused on investigating events, and where necessary applying sanctions (restrictions in practice) to prevent future harm.

ACC encourage clients to give feedback directly to their coach/mentor on aspects of the work that have proved helpful, and those that have been less so.

What counts as a complaint?

A client can raise a complaint, when they are **concerned** about an ACC coach/mentor because they are exhibiting behaviours which indicate they are unfit to practice. This could be when a coach/mentor appears unwell in a way that impacts on the quality of the coaching/mentoring (for example a cognitive impairment).

A client can raise a complaint when an ACC member behaves in a way which is contrary to our code of ethics. This may include for example a coach saying or acting in a way that is obviously unprofessional and/or unethical and/or appears to not be competent or is acting beyond the scope of practice. A client may also want to raise a complaint if they want to give considered and respectful feedback to a coach/mentor for the benefit of future clients and have been unable to do so directly for whatever reason.

A fellow professional should, under a duty of candour, contact ACC if they have concerns about professional or other relevant behaviour of an ACC member.

How to raise a complaint?

Clients are encouraged to raise their concerns firstly with the member concerned, or where appropriate with their employer. Some issues may be able to be resolved through communication and discussion. However, where this route has not brought satisfaction or when it is simply not appropriate, clients can contact ACC by emailing complaints@acc-uk.org.

There is also a complaint form available here.

ACC will be happy to discuss the complaint and give assistance in completing the complaint form as required.

Please be aware that ACC will not accept a complaint where the identity of the complainant is withheld. The exception is if someone wants to alert ACC to information about a member that is already in the public domain.

How long will it take?

There are a number of factors which influence how long a complaint process will take the most significant of which is availability of those involved in the process. Our expectation is that issues which are straightforward should be completed within three months, with more complex situations taking up to 12 months.

ACC coaching and mentoring memberships and complaints

ACC have three levels of membership for Christians in coaching and mentoring and for each of these there is a different way of dealing with complaints that are notified to us.

1. Associate member - process one.
2. ACC verified member – process two.
3. Accredited member – process three.

Process one summary - associate members

Associate members do not advertise their services on ACC's website. They could be working in a church or other setting, offering informal coaching or mentoring, or advertising their services outside of ACC. In this way they are not offering their services to the general public through ACC.

On receipt of a complaint or concern, ACC may direct the client to approach the member's employer and wait for the outcome of any disciplinary process that follows.

Otherwise, ACC will examine the evidence and reserve the right to remove an associate from membership for a significant breach of ACC's code of ethics and/or for bringing ACC or the profession into disrepute. Where appropriate ACC will raise any associated safeguarding concerns with the relevant authority. These decisions are solely at ACC's discretion where we will apply professional and ethical judgement.

Process two summary - ACC verified members

ACC verified members are members who have evidenced training and experience sufficient to be able to practise with competence, and who are committed to ACC's standards of practice and ethics. ACC verified members advertise their services on our website.

On receipt of a concern of complaint, ACC will undertake a risk assessment related to a member's fitness to practice.

Low impact/risk to the public

1. If the concern or complaint is assessed as being of low impact/risk to clients/members of the public, ACC will notify the member that a complaint has been made and share the details on the complaint form.
2. ACC will meet with the member, discuss the complaint and mutually agree whether there are any actions that arise from learning from the complaint. This could be for example having further training or supervision.
3. If in discussion with the member there are indications of behaviours or attitudes which indicate a high or medium risk to the public, ACC reserves the right to escalate the management of the complaint to the medium/high risk to the public.

Medium/high impact/risk to the public

4. If the concern or complaint is assessed as being medium/high impact/risk to the public, ACC reserves the right to suspend the member from our public 'find a coach/mentor' directory pending an investigation.

5. The complaint will be managed under ACC's complaint management process, adapted as appropriate for coaches and mentors, and as set out below. In summary this means that the complaint will be investigated by an independent investigator who can recommend remedial actions for the member to take. Where the investigator finds evidence of a serious behavioural breach of ACC code of ethics and/or marked incompetence, they can recommend that ACC remove the coach/mentor from membership.
6. If the member disagrees with the independent investigator's recommendations, they can submit an appeal.

Process three summary - accredited members

ACC accredited members maintain membership of one or more of the recognised coaching and mentoring accrediting bodies, for example, the International Coaching Federation. It is therefore the member's accrediting body that is best placed to hear the complaint. ACC will re-direct any complaints we receive about accredited members to their accrediting body.

ACC reserves the right to suspend an accredited members 'find a coach/mentor' public directory entry whilst the complaint is being investigated.

In the case of an accredited member being removed from membership of their accrediting body, ACC will also remove them from our membership.

Publication of removals

When members are removed from membership, ACC will publish the name of the person being removed, and a summary of the reason on our website. This is in the interests of public safety.

Experience of bringing a complaint

Undergoing or participating in a complaints process can be very stressful experience. It is advisable for members who are subject to a complaint to access appropriate professional and personal support from their supervisor and others within the bounds of confidentiality. Similarly, those bringing a complaint against a coach/mentor are advised to seek support as is appropriate for them.

In all cases ACC can provide impartial support about the process and procedures for the parties involved in the complaints process.

Processes in detail

Process one – associate members

1.1 On receipt of a complaint against an associate member, ACC will notify the member and share details of the complaint with them.

1.2 ACC will raise any safeguarding concerns with the appropriate authorities.

1.3 Where there is evidence of the member having breached the terms and conditions of ACC membership, ACC reserves the right to remove them from membership of ACC. The member has a right to respond to the complaint (via ACC) and this response will be shared with the complainant.

1.4 If, as a result of the complaint being made, the member is suspended or removed from employment as a coach/mentor, ACC reserves the right to remove the person from associate membership of ACC.

1.5 Otherwise, ACC reserves the right to remove any person from associate membership who has evidently:

- breached the coaching and mentoring code of ethics.
- brought the reputation of ACC and/or the profession of coaching and mentoring into disrepute.

1.6 Any associate member who has been removed from membership in accordance with 1.4 or 1.5 above, can apply to be re-admitted into membership provided that they present no ongoing risk to members of the public. See re-admission process below.

Process two – ACC verified members

2.1 On receipt of a complaint against a verified member, ACC will notify the member and share details of the complaint with them.

2.2 ACC will raise any safeguarding concerns with the appropriate authorities.

2.3 ACC will conduct a risk assessment based on the details submitted by the complainant and/or information in the public domain.

2.4 Where there is evidence of the member having breached the terms and conditions of ACC membership, ACC reserves the right to remove them from membership of ACC.

2.5 For complaints that present low or no risk to the member's ongoing practice, the complaint will be acknowledged and passed to the member as 'feedback'. ACC may request a meeting with the member to discuss the complaint, and to explore whether and how they might adapt their practice to prevent other clients having cause to complain. The member is welcome to bring a colleague or supervisor to this meeting for support, and to aid reflection.

2.6 A note will be made on the member's record of the complaint, and any agreed follow up actions.

2.7 The complainant will be informed of any agreed actions arising from their complaint.

2.8 ACC reserves the right to re-assess the risk at any point as medium or high risk.

2.9 For complaints that are assessed as medium to high risk, ACC will appoint an independent complaint investigator who will meet with the parties, gather evidence, and consult as appropriate more widely, for example, with the member's supervisor.

2.10 The independent investigator will prepare a report for ACC which sets out the evidence and makes recommendations as to what actions could be taken in what timeframe by the member to ensure ongoing fitness to practice. The independent investigator may also make recommendations as to any recompense, such as a proportionate refund of fees to the client.

2.11 The investigator's report will be shared in full with the member, and a summary of the findings with the complainant.

2.12 If the member accepts the recommendations of the report, a note will be made on their record, and ACC will monitor the completion of any actions.

2.13 If the member wants to appeal the report, they must write to the Chair of ACC within 15 days, setting out the grounds for appeal (see appeal process below).

2.14 In the event that the recommendation is that a member is removed from ACC, and when no appeal is submitted from the member within the 15-day timeframe, the member will be removed from membership of ACC and this will be published on ACC's website with a summary of the reason.

Process three – accredited members

3.1 On receipt of a complaint against an accredited member, ACC will notify the member and share details of the complaint with them.

3.2 ACC will raise any safeguarding concerns with the appropriate authorities.

3.3 ACC will conduct a risk assessment based on the details submitted by the complainant and/or information in the public domain.

3.4 Where there is evidence of the member having breached the terms and conditions of ACC membership, ACC reserves the right to remove them from membership of ACC and to notify their accrediting body.

3.5 For complaints that present low or no risk to the member's ongoing practice, the complaint will be acknowledged and passed to the member as 'feedback'. ACC may request a meeting with the member to discuss the complaint, and to explore whether and how they might adapt their practice to prevent other clients having cause to complain. The member is welcome to bring a colleague or supervisor to this meeting for support, and to aid reflection.

3.6 A note will be made on the member's record of the complaint, and any agreed follow up actions.

3.7 The complainant will be informed of any agreed actions arising from their complaint.

3.8 ACC reserves the right to re-assess the risk at any point as medium or high risk.

3.9 For complaints that are assessed as medium to high risk, ACC may notify the member's accrediting body and pass information about the complaint to them.

3.10 ACC reserves the right to remove the member from the 'find a coach/mentor' directory pending the investigation by their accrediting body.

3.11 ACC will accept the findings of the members accrediting body and will suspend or remove the person from membership accordingly. In these circumstances there is no right of appeal.

Right to appeal

The right to appeal applies only to verified and accredited members

4.1 ACC verified members can appeal the findings of the independent investigator's report.

4.2 To do so they must present any new evidence that was not available to the investigator and/or any mitigating factors that they believe were not fully taken into account within the 15-day timescale allowed. Where cases are complex, or where there are exceptional circumstances, the member can ask ACC for an extension on this timeframe, which will not unreasonably be refused.

4.3 Where there are grounds for appeal, ACC will appoint an appeals panel, which will be made up of:

- a trustee of ACC.
- an ACC verified or accredited coach/mentor.
- a lay person.

4.4 The appeals panel will meet together to consider the original complaint, the independent investigator's report and recommendations, and the appeal. The complainant and member will be invited to attend the meeting as required to clarify anything in their various submissions.

4.5 The appeal panel can revise the recommendations of the independent investigator's report in the light of new evidence or mitigating factors. Importantly, the appeal panel are able to add to as well as reduce the recommendations as to maintaining safe practice of the member.

4.6 There is no further right to appeal.

Re-instatement of membership

5.1 When a member has been removed from membership, they will be given an indication of when they can re-apply for membership.

5.2 When the allocated time has lapsed, a coach/mentor can apply to have their membership re-instated. To do so they must submit an application which clearly sets out:

- Personal and professional reflections following the complaint and the loss of ACC membership as a result.
- Activities they have undertaken to mitigate against the risk of the recurrence of the same problems/issues/failings.
- Professional referee who supports their return to ACC membership.
- Any other protective factors that they have implemented to ensure that they can demonstrate ethical practice.
- If applying for reinstatement for accredited membership, evidence is required that they are currently a member of an approved accrediting body.

5.3 On receipt of an application for re-instatement of membership, ACC will appoint a panel consisting of:

- a Trustee of ACC.
- an ACC verified or any accredited coach/mentor.
- a lay person.

5.4 The panel will consider the application for reinstatement, inviting the coach/mentor to present their case at a panel meeting. The panel will then make a recommendation to ACC as to their findings on the person's fitness to practice.

5.5 ACC will make a final decision as to reinstatement of membership, balancing the risk to members of the public and the rehabilitation of the coach/mentor's professional practice.

5.6. ACC will normally recover the administrative costs of the re-instatement process and hearing from the applicant. However, in cases of financial hardship these costs may be waivered.