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# Information paper

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## **The Chartered Society of Physiotherapy Complaints Procedure**

issuing function Chief Executives Office  
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# The Chartered Society of Physiotherapy Complaints Procedure

## **Overview**

This procedure is to enable members of The Chartered Society of Physiotherapy, or those for whom The Chartered Society of Physiotherapy have provided a service, to complain about the activities on behalf of The Chartered Society of Physiotherapy of employees, representatives, or voluntary officials.

Whenever possible we will attempt to resolve complaints through informal discussions.

A formal complaint must be made within two calendar months of the incident complained about. We will acknowledge it in writing within seven working days.

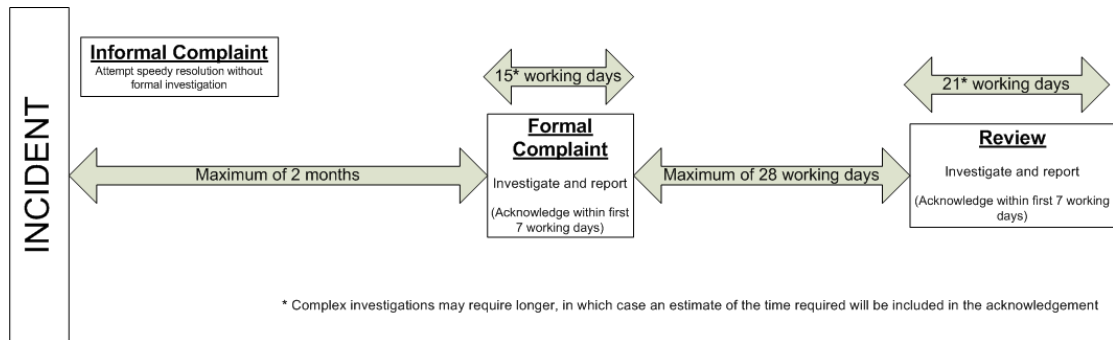
The manager responsible for the service, facility or activity complained about will investigate a formal complaint.

We will investigate and respond to straightforward formal complaints within fifteen working days.

A complainant can apply for a review of the result of the investigation of a formal complaint. The application must be made within 28 days of notification of the result and we will acknowledge it in writing within seven working days.

We will appoint a Review Officer and, allowing for the complexities of each case, we aim to complete and communicate the result of the review within 21 working days of receipt.

We will report to our Senior Management Team about complaints in order to learn from them.



## Scope

This procedure is for handling complaints made by members of The Chartered Society of Physiotherapy or those for whom The Chartered Society of Physiotherapy have provided a service. Such a complaint can be about:

- a failure in a Chartered Society of Physiotherapy service or facility
- any action on behalf of The Chartered Society of Physiotherapy by a member of staff, official or representative of the Society that has directly adversely affected the complainant.

The procedure is **not** for:

- making complaints about the professional conduct of Chartered Physiotherapists, Physiotherapy Associates/Assistants or Student Physiotherapists
- contesting decisions on admission to membership of The Chartered Society of Physiotherapy
- making claims for damages arising out of policy decisions by The Chartered Society of Physiotherapy or contesting those policy decisions
- investigating grievances raised by Chartered Society of Physiotherapy employees
- investigating complaints about The Chartered Society of Physiotherapy made by Chartered Society of Physiotherapy staff, whether members or not
- complaints about applications for subject access under the Data Protection Act 1998
- the activities of organisations affiliated to The Chartered Society of Physiotherapy, e.g. clinical interest and occupational groups
- rehearing matters of complaint previously dealt with by The Chartered Society of Physiotherapy under former procedures.

This procedure can be applied as described above to the activities on behalf of The Chartered Society of Physiotherapy of any of the following:

- employees
- representatives
- voluntary officials and representatives (including elected and committee representatives)

## **Principles**

This procedure is governed by the following principles:

- anyone wishing to make a complaint should know how to do so
- The Chartered Society of Physiotherapy acknowledges and responds to complaints quickly, courteously and efficiently
- The Chartered Society of Physiotherapy investigates complaints thoroughly and takes appropriate measures where they are found to be justified
- The Chartered Society of Physiotherapy is open to constructive criticism and learns from complaints
- The Chartered Society of Physiotherapy equips and trains staff to handle complaints professionally.

## **Stage 1 - Informal Complaint**

Unless there are exceptional circumstances there should be full discussions at the informal stage in an attempt to resolve the complaint.

Informal complaints will usually be dealt with by the member of staff, official or representative to whom the complaint is made. The person receiving such a complaint may seek guidance from the Complaints Co-ordinator and/or their line manager or the officer or chair to whom they report before responding. If the person receiving such a complaint judges that they are not the appropriate person to deal with it they may pass it on to their line manager or the officer or chair to whom they report, or the Complaints Co-ordinator.

The emphasis in relation to an informal complaint is to respond quickly and openly with the aim of resolving it without the necessity of a formal complaint. Timeliness in resolving the informal complaint helps avoid the necessity of a formal complaint.

The person who deals with an informal complaint is required to keep a record of the complaint received and the response made. Each Function or Group within The Chartered Society of Physiotherapy is required to apply the learning from informal complaints through its quality improvement procedure. Accordingly all such informal complaints will be reported to the Complaints Co-ordinator.

## **Stage 2 - Formal Complaint**

A formal complaint is a complaint that:

- is made in writing, which includes email (a complaint form can be downloaded from the website or sent to the complainant on request)
- a member of The Chartered Society of Physiotherapy or a consumer of Chartered Society of Physiotherapy services chooses to address through the formal Chartered Society of Physiotherapy Complaints Procedure
- contains an allegation that the member or consumer has been directly adversely affected by a failure in a service or facility provided by The Chartered Society of Physiotherapy, or by an action of The Chartered Society of Physiotherapy, its staff, officials or representatives
- has not been successfully resolved at the informal stage.

A formal complaint must be made within two calendar months of the act, omission or incident complained about unless the Chief Executive, whose decision shall be final, decides this time limit may be extended in circumstances of the individual case.

The Enquiry Handling Unit can provide an assisted form-completion service for complainants with a disability.

The recipient of the complaint will record and date it then pass it to the relevant Investigating Officer. The Investigating Officer will be the person with management responsibility for the service, facility or activity complained about. Typically this will be a line manager or officer. If the person who receives the complaint is unsure who is the relevant Investigating Officer they will consult the Complaints Co-ordinator.

Where a member of staff of The Chartered Society of Physiotherapy is the subject of a complaint they shall be made aware of their right to be accompanied by a representative of ACTS or a colleague, and must be given a reasonable amount of time to consider the evidence, consult their

representative and prepare a response to the complaint. The investigation and any action against the member of staff may fall within the bounds of the disciplinary procedure and so will be subject to The Chartered Society of Physiotherapy's internal disciplinary procedures. These comply with applicable statutory disciplinary requirements. The outcome of the complaint, but not any action taken against a member of staff will be communicated as part of the result of the investigation.

A complaint about the Chief Executive will be passed to the Chair of Council,, who will investigate it together with one Member of Council. Their decision about the complaint will be final.

The person receiving the complaint will log it and the name of the Investigating Officer, then notify the Complaints Co-ordinator.

The Investigating Officer will, within seven working days, send an acknowledgement in writing to the complainant. This will:

- tell the complainant who is investigating the complaint
- indicate the time it will take to investigate and respond to the complaint.

The Chartered Society of Physiotherapy's intention is to investigate and respond to straightforward complaints within fifteen working days of receipt. It is expected that most complaints will be of this kind. A small number of complaints may take substantially longer because of their complexity or the logistics of the investigation. In these cases the Investigating Officer will indicate in the initial acknowledgement the estimated time that it will take, and will keep the complainant informed of the progress of the investigation and any reasons for delay.

The Investigating Officer will take the necessary steps to investigate the complaint.

Where the Investigating Officer is satisfied that the complaint, or any aspect of it, is justified, they will decide on an appropriate remedy. If the Investigating Officer is unsure what constitutes an appropriate remedy they will consult the person to whom they report, or the Complaints Co-ordinator, before reaching a final decision.

The Investigating Officer will send a written reply to the complainant to communicate the result of the investigation. This will also tell the complainant that they can apply for a review of the decision within 28 days, and to whom they should apply. If the complainant does not apply for a review, the Investigating Officer should prepare a report on the complaint in accordance with section 4 below.

### **Stage 3 - Review**

A request for a review of the Investigating Officer's decision should be made in writing to the Complaints Co-ordinator within 28 days of the notice of the decision. The Complaints Co-ordinator will consult the Director or Official responsible for the matter complained about in order to identify an appropriate Review Officer to conduct the review. Where the Chief Executive has investigated and adjudicated upon the formal complaint, the Complaints Co-ordinator will consult the Chair of Council in order to identify an appropriate Review Officer.

The complainant will receive an acknowledgement within seven working days. Regard will be given to the complexities of the case concerned, but it is The Chartered Society of Physiotherapy's aim to complete and communicate the result of the review within 21 working days of receipt. Where this does not prove possible the complainant will be informed and notified of the date on which the review will be completed.

### **Stage 4 - Learning**

A report on the handling of the complaint, the outcome of the investigation and the review of the decision (if any) will be sent to the Complaints Co-ordinator. A template is provided for this purpose. Where there has been no application for review, the Investigating Officer will prepare the report. If there is a subsequent review, the Reviewing Officer will prepare a report of the review.

### **Complaints Co-ordinator**

The responsibilities of the Complaints Co-ordinator are:

- to provide guidance and advice to members of staff, officials and representatives concerning complaints handling

- to assign an Investigating Officer to conduct an investigation where necessary
- to monitor the progress of investigations
- to receive reports on the handling of investigations, outcome of investigations and reviews
- to annually prepare reports about formal complaints for the Senior Management Team.

### **Assistance**

The Enquiry Handling Unit can provide help with using this procedure to make a complaint. They can be contacted at:

Enquiry Handling Unit  
The Chartered Society of Physiotherapy  
14 Bedford Row  
London  
WC1R 4ED  
Tel: 020-7306 6666  
Fax: 020-7306 6611  
Textphone: 020-7314 7890  
Email: [enquiries@csp.org.uk](mailto:enquiries@csp.org.uk)

**Date of implementation: 1<sup>st</sup> May 2009**



## Appendix

# The Compensation Act 2006 and the Trade Union Code of Practice

### Scope

This Appendix applies to advice and assistance provided to members by CSP trade union paid officers which relates to matters which go beyond their workplace. It applies where CSP officers handle the case, not where it instructs its solicitors to do so and applies to issues to do with the way in which a case or claim is pursued, not to a refusal to pursue a claim or case. Examples of such matters include cases involving the Health Professions Council and Employment Tribunals.

### Procedure

Concerns and complaints should be registered with the CSP in line with the rest of the Complaints Procedure and will be investigated in line with that.

In addition, in the special circumstances where the Compensation Act 2006 may be involved, if a complainant is not satisfied with the response they receive and wishes to request a review, the CSP will send the request to a third party, who will be a senior lay member of the organisation. The complainant will then be notified of the outcome of that review.

## The Chartered Society of Physiotherapy Complaints Procedure – Complaint Form

### Personal Details

The information you provide will be processed in accordance with the Data Protection Act 1998

Mr/Mrs/Ms/Miss

**Full Name** \_\_\_\_\_

**Current Address** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ **Postcode** \_\_\_\_\_

**Email Address** \_\_\_\_\_

**Telephone Number** \_\_\_\_\_

If there is anything which makes it difficult for you to pursue your complaint, for example if English is not your first language or you have a disability, please tell us how we might be able to help you.

**Please use this section to detail your complaint**

Date when incident occurred:

Incident details:

What outcome are you seeking from your complaint?

(If applicable) Persons involved:

Please send completed form to:

Complaints Co-ordinator  
The Chartered Society of Physiotherapy  
14 Bedford Row  
London  
WC1R 4ED

Office Use Only: Complaint dealt with by:

Date