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Physis Scotland Complaints, Academic Appeals and Grievance Procedures

Physis Scotland aims to provide a quality service to all our students and participants attending any of our courses. Physis Scotland recognises however, that there may be occasions where issues arise, and in such cases will endeavour to address and resolve the situation as quickly as possible. All complaints will always be treated seriously, respectfully and confidentially.

Aims of the Complaints Procedure:

Physis Scotland invites all our students and course participants to feedback regularly regarding their training experience. As an organisation, Physis Scotland values the feedback of our students, colleagues, course participants and customers, as it helps us learn and grow. Physis Scotland recognises that our Complaints Procedure provides our students, course participants and customers with another vehicle for offering feedback on the quality of our training provision, which will undoubtedly provide us with the opportunity to learn, grow and improve our service.

Physis Scotland Complaints Procedure is in place to ensure:

- All complaints are investigated in a fair, respectful and confidential manner
- All complaints are resolved as quickly as possible
- All consequences of mistakes are addressed without unnecessary conflict
- Complainants are given the opportunity to appeal if they remain dissatisfied with the initial outcome
- All complaints are seen as an opportunity to learn, grow and improve the quality of our training provision

Access to Physis Scotland Complaints Procedure:

Physis Scotland Complaints Procedure can be accessed in the following ways:

- It can be downloaded from the 'Complaints Procedure' section of the Physis Scotland website www.physisscotland.co.uk
- A copy is included in the Physis Scotland Training Manual, which is shared electronically with all students registered on our Diploma in Counselling using TA and our Diploma in Counselling Supervision programme
- A hard copy of the Physis Scotland Training Manual is available in the library of the Physis Scotland premises

- A hard copy can be requested by phone, email or in person from the Physis Scotland premises
- Whilst Physis Scotland do not have the resources to produce our Complaints Procedure in multiple languages and formats, it can be translated, read out loud and viewed in larger text using standard online tools

Who Can Complain:

- Anyone who is training at Physis Scotland. This includes students on the Physis Scotland Diploma in Counselling using TA, Diploma in Counselling Supervision course, and participants attending short courses such as TA 101 courses and CPD courses
- Anyone who has enquired about Physis Scotland courses
- Anyone from another/third party organisation who has enquired about Physis Scotland courses, or who is working with or representing someone who is using or has used our service. For example, a charitable organisation who regularly sends staff members to train with Physis Scotland
- Physis Scotland will not accept a third party complaint from a family member or friend of someone accessing the services of Physis Scotland

Anonymous Complaints:

Physis Scotland strives to create an environment where issues can be raised without fear or retribution. However there may be occasions where a complainant feels unable to personally raise the issue and may submit their complaint anonymously.

Anonymous complaints will be investigated by the Directors of Training, who will use discretion in ascertaining what action should be taken. The level of action taken investigating an anonymous complaint may be limited dependant on the level of information given. By their very nature, it can be complicated to inform the complainant of the process and outcome of the investigation. However, the complaint will be logged on Physis Scotland's Complaint Handling Record and appropriate professional organisations informed.

Vexatious or Malicious Complaints:

Vexatious or malicious complaints which have an intention to harm may be received from time to time. As lack of proof does not necessarily mean the complaint is malicious, it is a difficult task to establish whether a certain complaint is filled with malice or not for a genuine reason. Normal protocol with regard to investigation will be followed, until there is enough evidence to establish if the complaint is of a malicious nature or not. If we establish that the complaint is of a malicious nature, we will stop investigating and inform the complainant and the complained against of our decision. The complaint will be logged on Physis Scotland's Complaint Handling Record and appropriate professional organisations informed. Should subsequent similar complaints be received from the same complainant against Physis Scotland, we will not investigate and not enter into correspondence with the complainant.

Length of Time to Make a Complaint:

Complainants have up to three years for their complaint to be accepted for investigation. Any complaint received after the alleged breach will not be accepted after three years.

How to Make a Complaint:

Physis Scotland works with the general principle that most complaints occur through miscommunication or misunderstanding and that issues can be resolved by discussion between the parties with appropriate support where necessary. This approach should be sought in the first instance.

A formal complaint should be made to the Directors of Training. This can be by telephone, by writing in email or letter, or in person by appointment. Please contact:

Directors of Training
Physis Scotland
22 Drumsheugh Gardens
Edinburgh
EH3 7RN

Tel: 07927 557217

Email: enquiries.physis@gmail.com

Website: www.physisscotland.co.uk

If you have any difficulty in making a complaint in writing or in person, please let the Directors of Training know and they will try to help you. This may involve face to face or online translation of the relevant documents describing the complaints process, making contact with an advocacy service for assistance or any other support required to proceed with a complaint. Advocard is Edinburgh's advocacy service and can be contacted on 0131 554 5307 or via www.advocard.org.uk

Scope of Complaints:

Complaints made under this procedure may cover any member of staff including primary course tutors, short course trainers, Academic Student Support, Directors of Training and other contractors acting for or on behalf of Physis Scotland.

If the complaint is against a former worker/colleague of Physis Scotland, an investigation will still be conducted for the learning of the organisation and to identify any systemic failures. Wherever possible the complained against will be offered the opportunity to represent their own interest at this investigation. The outcome report of the investigation will be sent to COSCA, but the normal sanction report will not be published. We understand that if the former worker/colleague is still a member of COSCA, COSCA may choose to investigate under their system for dealing with information about members.

Confidentiality and Communications:

Physis Scotland will endeavour to address all complaints in a respectful, confidential and timely manner. We will attempt to communicate clearly and directly with all complainants or their representatives.

For the purpose of this policy, Physis Scotland is required by UKATA and UKCP to differentiate between formal complaints, grievances and academic appeals in terms of procedures.

Definitions:

Complaint: This may relate to issues a student has about any aspect of their training apart from academic decisions.

Academic Appeal: This may relate to situations where a student is unhappy about an assessment result.

Grievance: This may relate to matters such as teaching, progress from year to year, an individual's conduct or actions and may also follow a perceived lack of resolution of a complaint.

Complaints Process:

Physis Scotland Complaints Process is divided into two parts, an Informal Procedure, which emphasises mediation and resolution at the point where the complaint arose, or establishing the grounds and evidence to take the complaint to a more Formal Procedure if necessary, both of which are detailed below.

Informal Procedure (Stage 1)

If a student has an issue concerning any aspect of their training, except for academic results which comes under a separate procedure, he/she should first seek resolution with his/her year trainer, academic student support adviser or Physis Scotland Directors of Training as appropriate.

Where required this will be mediated by a member of the Physis Scotland Team, or Student Adviser as appropriate. The person acting as mediator will be someone who is not involved in the issue raised.

Where resolution cannot be reached in this way, the following formal procedure will come into force.

Formal Complaints Procedure (Stage 2)

1. The complainant addresses his/her complaint to the Directors of Training. If submitting a complaint by email or letter, it should be marked 'Confidential'.
2. Within seven working days of receipt, Physis Scotland will arrange a meeting between the student and the Directors of Training and/or year trainer, and in circumstances involving an allegation of gross misconduct, an experienced colleague from another registered training institute to ensure impartiality.
3. The complainant will be informed of the date of the meeting. The purpose of this meeting is to discuss and resolve the issue. The complainant may bring someone with them to the meeting. If the complaint is made against a member of staff, at no time will the complainant meet the person he/she has complained about during the complaints process.

4. This meeting will ordinarily take place within fourteen working days of receipt of the complaint.
5. Physis Scotland will provide the complainant with a written outcome within seven working days of the meeting. This stage of the process will take no longer than 21 working days.

Appealing the Decision:

If the complainant considers the response to the complaint after completion of the formal complaints procedure to be unsatisfactory, he/she may appeal.

The appeal must be submitted in writing to the External Moderator within ten working days of the date of the notification of the outcome of the formal procedure.

The appeal will be considered by the External Moderator who on examining all the evidence from both parties will decide on a course of action within 21 days of receipt, either giving a decision in writing or specifying a date for the decision.

Academic Appeals Procedure:

A complainant has the right to appeal in certain circumstances if he or she is unhappy about an assessment result. The complainant should consider whether the situation may be resolved informally with the marker. A student considering an appeal is encouraged to contact the Academic Student Support Adviser for advice and assistance.

Those involved in the appeal will not re-assess the assignment or appraise the professional judgement of the marker(s), but will consider whether or not the decision was fair, and if all relevant factors were taken into account.

The appeal must be submitted in writing to the Directors of Training, within 21 days of receipt of the marked assignment. An extension will only be allowed in exceptional circumstances such as when a student, for reasons outwith his/her control did not receive timely notification of the result.

Grounds for Appeal:

These are as follows:

- Additional information is now available that was not, and could not have been available to the marker at the time; where had it been available could have led the marker to making a different decision
- An irregularity in the conduct of the assessment.

A student may NOT appeal on grounds which:

- Could have been considered by the marker had information been given prior to submission date.

- The student has no valid reason for having failed to give such information in time.

Please note: disagreement with the academic judgement of the marker is not valid grounds for appeal.

Academic Appeal:

Students should submit their appeal in writing to Physis Scotland Directors of Training within the time limit stated above and include the following information:

- name and student number
- current contact address for correspondence, including email address
- year of programme
- result being appealed
- the grounds for appeal
- supporting evidence
- the resolution being sought

The Directors of Training will acknowledge the Appeal within 3 working days of receipt of the appeal, and pass the appeal to the External Moderator who shall attempt to resolve the matter, within 21 days of receipt either giving a decision in writing or specifying a date for the decision.

Grievance Procedure:

This relates to matters such as teaching on any Physis Scotland training programme including short courses, progression from year to year, an individual's conduct or actions and may also follow a perceived lack of resolution of a complaint.

Grounds for a Grievance:

A grievance can only be made on one of the following grounds:

1. Unsatisfactory delivery or administration of the training programme, including short courses. This includes:
 - inadequate teaching was provided for some or all parts of the programme
 - published information about the programme was substantively misleading
 - the training programme was not organised or delivered in accordance with the information and documentation provided to students and/or course participants on the programme.
2. A decision to terminate, defer or refuse admittance on to the next level of the training programme in line with Deferral, Termination and Refusal Policy and Procedures which can be found in the Physis Scotland Training Manual.

Time Limits:

There are certain time limits for the submission of a grievance and complainants must ensure that the grievance is taken as soon as possible after the relevant event and within 21 days. In

respect to the alleged unsatisfactory delivery or administration of a programme this must normally be before the end of the academic year in question.

Informal Procedure (Stage 1):

The complainant is advised to have an informal discussion before making the grievance. The complainant may wish to prepare a first draft of the grievance complaint prior to this to help focus on the core issues. The appropriate person to have the discussion with will vary depending on the circumstances of the grievance and may be one of the following: year trainer, academic student support adviser, short course trainer, Physis Scotland Directors of Training.

Guidelines for Preparing the Written Grievance:

First prepare a short summary of 50 words maximum considering the questions below:

1. Why do I need to take out a grievance?
2. What do I hope the result will be?

The full statement needs to be a clear explanation of what did or did not happen. Complainants should clearly demonstrate how their grievance meets the grounds for grievance outlined above.

Formal Procedure (Stage 2):

1. The statement should be sent to the Directors of Training. This will be acknowledged in writing within 7 working days of receipt.
2. One of the Directors of Training will be identified by name to manage the complaints procedure, whilst the other Director of Training will actively investigate and report back on the complaint.
3. A panel comprising the Directors of Training, the Academic Student Support Advisor and a member of the training team will be formed and chaired by the Director of Training managing the investigation process. Due diligence will be applied to ensure the integrity and impartiality of the complaints process, so that all parties are represented fairly. This may take the form of ethical considerations such as ‘Are we being fair?’ ‘Are we being discriminatory in any sense?’ ‘If a member of the public were on this panel, would they come to the same conclusion?’ The composition and chair of the panel may vary depending on the nature of the grievance. For example, if the complaint is being made against one of the Directors of Training, an experienced colleague from another training institute will investigate to ensure impartiality. The complainant and person complained against will be informed as to who the panel members will be. All parties involved will be given the opportunity to declare a conflict of interest with them.
4. The Panel Chair will contact the people involved in the grievance in writing with a copy of the complaint and an invitation to submit a written response within twenty-eight days.

5. A date will be set for a Panel Hearing. The Panel Chair will communicate in writing to the complainant and any others involved including the panel, the Panel Hearing date.
6. The complainant will be required to give permission for confidential information pertinent to the complaint to be shared with all those cited and involved in handling the complaint.
7. The complainant and any others involved will be invited to attend a hearing and the panel may put questions to each person. Any person invited to attend the hearing may be accompanied by a friend or colleague. Physis Scotland will ensure that the complainant and the complained against and/or their representative will not come into contact at any time as a result of the investigation or hearing process.
8. The sole purpose of the panel hearing is to investigate the grounds of the grievance made by the complainant and seek resolution; the hearing shall not in any way constitute or be seen to constitute a disciplinary hearing against any member(s) of staff or the training team.
9. Where necessary, Physis Scotland will seek independent advice from professional bodies and/or legal counsel.
10. The Panel shall inform the complainant of the outcome in writing within twenty-eight days. A copy will also be sent to Physis Scotland and the person complained against, giving detailed reasons for the decision. If it is not possible to respond within twenty-eight days, the complainant and person complained against will be informed of any reasons for the delay. All investigations will be completed and responded to within six months. It may not be possible to notify all parties involved in the complaint for example: anonymous complaints, third parties and representatives, but where possible, every endeavour will be made to do so. An outcome report stating all actions will be submitted to COSCA.
11. The Panel will make recommendations regarding the action required to bring about resolution of the complaint and what compensating action they may consider appropriate to apply to either party. In such circumstances, the Panel will also provide instructions as to how the fulfilment of the compensating action(s) will be monitored, which will be communicated in writing to both the complainant and the complained against. In addition, the Panel will agree how, and by whom, any sanctions imposed will be removed when they have been fulfilled. Examples of possible sanctions:
 - A formal apology to the complainant
 - A requirement to undertake further training and/or supervision
 - A requirement to undertake further therapy

Any sanctions imposed will be monitored by The Director of Training leading the Complaints process at Physis Scotland.

12. There may be occasions at the discretion of the Director of Physis Scotland managing the Complaints process, with due regard to time constraints and confidentiality, the

process may be adjourned or put into recess. Dependant on the nature of why the process might be adjourned, the process will be restarted at the point at which it was stopped within a reasonable time scale agreed by all parties. The Panel Chair who is managing the complaint, may call a halt to the procedure at any time if it emerges that legal action is under way, pending or intended, until such time as any legal process is complete.

13. A complaint received by Physis Scotland will be discontinued if the complainant refuses or fails to participate at any stage of the Complaints Procedure without good reason, or the complainant formally withdraws the complaint. If a decision to discontinue a complaint is made for either of the previous reasons, all parties will be informed in writing as soon after the decision has been taken.

Appealing the Decision:

1. Where the complainant or person complained against wishes to appeal the decision of the Panel, this should be made in writing to the External Moderator who has not been involved in the complaint thus far, together with all the supporting documentation, within ten working days of the date of the notification of the outcome of the formal procedure.
2. The External Moderator will investigate and make a decision based on all the evidence. The External Moderator shall attempt to resolve the matter, within twenty-one days of receipt either giving a decision in writing or specifying a date for the decision.
3. If the complainant remains dissatisfied after the decision of the External Moderator, he/she will be advised that they can submit a complaint to COSCA under their Complaints Procedure.

Monitoring of Complaints:

Physis Scotland will keep a record of all complaints received. Anonymous and vexatious complaints will also be recorded, including the reasons for the decision to pursue or not to pursue the complaint. Complaints will be monitored regularly by the Directors of Training. Once a complaint has been concluded, an 'Outcome Report to COSCA at the Conclusion of Complaints Proceedings' will be submitted to COSCA within one month. Records of complaints will be kept for a period of five years.

Complaints to COSCA:

COSCA is the professional body for counselling and psychotherapy in Scotland. It provides formal professional validation for Physis Scotland Diploma in Counselling using TA and Diploma in Counselling Supervision programme and we are therefore also covered by the COSCA Complaints Procedure.

In the event that a complaint is not resolved satisfactorily by Physis Scotland Complaints, Appeals and Grievances Procedures, it is possible to make a complaint to COSCA under their Complaints Procedure. This must be submitted to COSCA within one month of the ending of the Physis Scotland Complaints process. On receipt of the complaint, COSCA will verify that

Physis Scotland's Complaints Procedure has been followed and that the outcome was lawful, reasonable and properly explained. Their contact details are below:

COSCA
16 Melville Terrace
Stirling
FK8 2NE

Tel: 01786 475140

Email: info@cosca.org.uk

Website: www.cosca.org.uk

COSCA will publish upheld complaints and their sanctions regarding COSCA individual members or member organisations such as Physis Scotland.

Complaints Procedure updated 2nd May 2020