

Complaints and appeals procedure Polish Association for Gestalt Therapy (PTPG)

Lodging complaints and appeals procedure

D.1. Lodging complaints procedure

D.1.1 Ethics Committee of the Polish Association for Gestalt Therapy deals with lodging complaints procedure.

D. 1.2 There are three stages of this procedure:

a. preparation stage

b. handling the complaint by the Ethics Committee

c. implementing appeal procedure

D.1.3. Handling complaints concerning financial, legal and statutory issues is not the responsibility of the Ethics Committee.

D.1.4. Complaints should be lodged in the shortest possible time since the occurrence of the event which is the cause of the complaint. Complaints about the events which took place more than seven years ago before the first contact with the Chairperson of the Ethics Committee will not be considered. Particularly difficult cases as, for instance, dependence relationships, sexual abuse and other will be handled within ten years from the event.

D.1.5. A Defendant in the moment of the alleged infringement of the Ethics Code must be a member of the Polish Association for Gestalt Therapy. A member of the Polish Association for Gestalt Therapy cannot give up the membership during the process of examination of the complaint or appeal.

D .1.6. In the event of examination of the complaint, a special care should be taken to ensure neutrality of the members of the Ethics Committee in relation to the Claimant and Defendant. When there is any kind of professional dependence or personal relationship between the Claimant or Defendant and any Committee member, the Chairperson of the Committee should change the composition of the Ethics Committee by appointing a new member from the list of the Polish Association for Gestalt Therapy.

D.2. The preparation procedure includes:

D.2.1. An introductory meeting of the Claimant with a member of the Ethics Committee.

D.2.2. If a Claimant is not sure if his complaint is justified or he has not decided about its formal solutions, he can turn to the Chairperson of the Ethics Committee in order to discuss his doubts.

D.2.3. The Chairperson of the Ethics Committee presents the case to Members of the Committee and gets in touch with the Claimant within twenty-one working days in order to discuss possible solutions

and methods of proceeding. The Chairperson of the Ethics Committee and its Members in the first place encourage the Claimant to enter negotiations to find a solution that would be satisfactory for both parties.

D.2.4. During this stage it is possible to conduct mediations between the Claimant and the Defendant, look for mutually satisfactory solutions and make adequate arrangements concerning continuation or termination of the therapy.

D.2.5. In the event when mediations are rejected or they do not lead to the solution, the Claimant may present a formal written complaint addressed to the Chairperson of the Ethics Committee.

D.2.6. The Ethics Committee will determine as soon as possible if the complaint meets formal requirements. If it meets the requirements, the Chairperson records the complaint, informs the Board of Executives of PTPG of reception of the complaint and confirms its reception to the Claimant.

D.3. The stage of examination of the complaint includes:

D.3.1. If a complaint is accepted, its copy is sent to the Defendant. The member of the PTPG against whom the complaint has been lodged sends a written reply within twenty-one working days to the Chairperson of the Ethics Committee.

D.3.2. The Chairperson calls a meeting of the Ethics Committee during which the complaint is examined together with the Defendant's reply and the date of an arbitration meeting is scheduled, not later than within twenty-one working days from the date of the meeting.

D.3.3. The Ethics Committee informs both parties about the details of the arbitration meeting. It usually means a meeting of the Committee with both parties present. If this is impossible, the Ethics Committee shall determine an alternative form of communication.

D.3.4. The Ethics Committee asks both parties for presentation of the whole documentation of the case within fourteen days before the arbitration meeting at the latest.

D.3.5. The arbitration meeting takes place on the agreed date, place and has the form which is most convenient for the Claimant and Defendant.

D.3.6. Minutes are taken from the arbitration meeting.

D.3.7. The Ethics Committee shall make a binding decision not later than after twenty-one working days from the meeting and informs the Board of Executives of the PTPG and the parties.

D.3.8. The Ethics Committee shall send a written report from the proceedings to the Board of Executives and the parties.

D.3.9. The report explains the nature of the complaint, procedures applied and their result for both parties. The activities of the Ethics Committee may end in the following way: the case has been

settled in the way that is satisfactory to both parties; the complaint has been withdrawn; the complaint has been upheld in whole or in part.

If the case has been upheld, the report will contain a detailed judgment on which infringements of the Ethics Code took place. The Ethics Committee may recommend an imposition of one or several of the following sanctions: additional supervision, auditing the practice of the PTPG Member, an official warning and order to commit oneself to cease the specified behaviour in therapeutic work, suspension or withdrawal of membership in the Association.

The Ethics Committee should determine a time frame in which the determined sanctions are to be imposed. It is also responsible for monitoring this process.

D.3.10. Examination of a complaint is subject to a fee. The fee and other related costs will be paid in advance by the Claimant and reimbursed by the Defendant if the case is decided in favor of the Claimant. The fee is 500 PLN.

D.4. Appeal procedures

D.4.1. A Claimant and Defendant may appeal against the decision of the Ethics Committee. The decision about lodging the appeal should be sent to the Chairperson of the Appeal Committee, appointed by the Board of Executives of the PTPG within twenty- one working days from receipt of the decision.

D.4.2. The appellant must present clear and convincing justification of his opinion that meets one or both of the following conditions:

- a. the result of the proceedings is inadequate to a given situation;
- b. there have been some deviations from the applicable procedures of dealing with complaints to the extent demonstrating prejudice against the party.

D.4.3. The request to appeal against the decision shall be examined by the Appeal Committee, whose task is to determine whether the appeal is justified.

D.4.4. The Appeal Committee consists of three members: Appeal Coordinator, Member of the Appeal Committee and Chairperson who is an independent, best-recognized and experienced individual from outside the Association.

D.4.5. In the case of examination of the appeal against the decisions of the Ethics Committee, a special care should be taken as well to ensure neutrality of members of the Appeal Committee towards the Claimant and Defendant. When there is any kind of professional dependence or personal relationship between the Claimant or Defendant and any Committee member, the Chairperson of the Committee should change the composition of the Appeal Committee by appointing a new member from the list of the Polish Association for Gestalt Therapy.

D.4.6. If the appeal is accepted by the appeal Coordinator, he shall inform both parties of this fact. If the Appeal Committee so decides, the presence of both parties is necessary.

D.4.7. The whole documentation available during the examination process of the complaint will be made available to the Appeal Committee. The Committee takes into account only the existing documents; no additional material can be presented by any of the parties.

D.4.8. The decision of the Appeal Committee shall be presented in writing within thirty working days to the Board of Executives of the PTPG, Ethics Committee and the parties. This decision on the level of the PTPG shall be final and binding for all the parties. It is possible to appeal against this decision to the Complaints Committee in EAGT. The procedure for lodging complaints and appeals of EAGT is available on the website of the organization.

D.4.9. All the evidence and paper documentation is held in accordance with applicable regulations.

D.4.10. The Appeal Procedure has the same fee structure as the Complaints Procedure.