

Creative Kinesiology

Complaints Procedure Summary

A Complaint is any communication of dissatisfaction from:

- A client - about a Creative Kinesiology practitioner (a CK practitioner is one recognised by the CK School, appearing on the website and subject to the annual checks made by the CK School)
- A student on a Creative Kinesiology training course: whether this is a Foundation course, a Professional training course, a Core subject course or a Continuing Professional Development course
- Anyone with a grievance about the CK School itself

A complaint can only be investigated if made within a period of three months of the incident or three months after the end date of any training course that is the subject of the complaint.

After a complaint is received:

The School Office writes to or phones the complainant to say that the complaint is being looked at. This is done as soon as is reasonable after the complaint is received.

Members from the CK Management Team will establish a CK Investigating Committee, which will ascertain the seriousness of the complaint and how to respond - the members of this committee will be members of the Management Team.

All complaints will initially pass through a **Stage 1 Mediation Phase**. The CK Investigating Committee will undertake some initial investigations and in the first instance attempt to mediate a solution. The Committee may appoint a mediator from the Management Team to do this.

If mediation fails or if the nature of the complaint is deemed too serious in nature for mediation, the complaint will immediately become formalised into a Stage 2 Grievance Process, and a Hearing will be convened.

If two Stage 1 complaints are received concerning the same practitioner or teacher within a two year period, the second complaint will pass to a formal Stage 2 Grievance Process. See below: "Internal CK School Complaints Procedure" for more information on Stage 1 and Stage 2.

If the complaint is very serious, with the need for lawyers and insurance company support, the teacher's or practitioner's professional status with the CK School may be suspended whilst the matter is being investigated.

At any point the CK School may ask for help and guidance from the BCMA and / or the Kinesiology Federation. NB. Not all Creative Kinesiology practitioners belong to the Kinesiology Federation (in which case they will be unable to investigate). The BCMA will give help and advice to us as an Independent School.

--- The School of --- Creative Kinesiology ---

Internal CK School Complaints Procedure

The following steps are to be followed by the CK School Admin Office and CK Management Team.

1. A complaint is received in to the Admin Office of the CK School. The complainant is informed that a representative from the CK Management Team will contact them within 10 working days.
2. The CK Office immediately informs the CK Management Team so that 3 members may be chosen to form an Investigating Committee to deal with the complaint. The Investigating Committee will at this point appoint a Representative to be a Mediator and wherever possible, complaints will be mediated without continuing to a formalised Grievance Process.
3. The Mediator, from the CK Investigating Committee, will initiate the Stage 1 Mediation Phase and contact the client / student in the first instance in order to establish what attempts have been already made to resolve the situation, and to discuss the nature of the complaint. If appropriate the Mediator will attempt to mediate a solution without having to proceed with the Stage 2 Grievance Process.
4. If the Mediation Phase is refused, does not result in satisfaction or the nature of the complaint is considered too serious for mediation, then the complaint will pass to a formal Stage 2 Grievance Process, which includes a Stage 2 Mediation Process and may include a Grievance Hearing.
5. The CK Administrative Office will then advise the student / client to put their complaint in writing to the School, in the form of a letter, posted by recorded delivery, and which should be submitted to the Admin Office within the next 3 weeks. This letter **MUST** include permission to inform the Practitioner / Teacher involved of the complaint situation, otherwise the complaint cannot be taken any further. It should also include the following: name of Practitioner / Teacher about whom the complaint is being made, the dates and times of interactions e.g. sessions/groups/meetings that have occurred and the specifics of the complaint itself and attempts already made to resolve the issue. It should also include how the complainant would have liked the situation to have been resolved and what resolution they are looking for.
6. Once the complaint letter **including permission** (as in 5 above) is received back from the student /client, the CK Admin Office will inform the Practitioner / Teacher involved that a formal complaint against them has been made and send a copy of the complaint and the standard letter.

The Practitioner / Teacher is also to be told that they have access to a Mentor to help them through this period, and they can either choose their own mentor or be assigned a mentor from the Management Team. The Practitioner / Teacher should also be told to inform their own insurance company of the complaint, and to do this immediately.

7. The CK Admin Office will send a “standard” CK School letter to both complainant and respondent, informing them that a formal complaint has been received a Grievance Process has been initiated, the Practitioner / Teacher involved has been informed of the complaint, and there is now to be a policy of no contact between Client / Student and Practitioner / Teacher for the duration of the complaints procedure, and if any contact is initiated from either side, neither is to respond. All communications from either the CK School or the complainant from this point on must now be in writing and posted in letter form. Both parties are also to be informed that a CK Investigating Committee will hold a meeting to consider the complaint, investigate further and respond in a given time period, normally 15 working days.
8. The next phase is the Stage 2 Mediation Phase. Members of the The Investigating Committee will investigate the complaint further, ask for and assess any evidence, may make attempts to mediate a solution with the complainant, and if applicable may decide to set up a Grievance Hearing with the Practitioner / Teacher and Client / Student involved in attendance and giving evidence. If this happens the Investigating Committee will then make a ruling based on the testimonies and evidence given at the Grievance Hearing.
9. If the client is not satisfied with the outcome of the Grievance Process they then are directed to take up the matter for themselves with the Regulating Bodies of the BCMA or KF, as appropriate.

How an internal CK School Grievance Hearing works:

1. Both Complainant and Respondent are invited to attend the Grievance Hearing, and are advised as to the members on the CK Investigating Committee, the time and location. Both may bring witnesses or supporters with them. The Hearing may still go ahead in the absence of either, as long as they have been properly notified.
2. The CK Investigating Committee will decide whether or not a complaint is upheld after hearing all the evidence from both parties. Decisions are made by majority/unanimous voting. No abstentions are permitted.
3. At any stage during the hearing and before making a final decision, the CK School may seek professional advice and/or refer to the BCMA or KF.
4. In the event that the CK Investigating Committee finds against the CK Practitioner or Teacher, there are certain courses of action that may be taken:

For minor breaches: the Practitioner / Teacher will get a written warning for a set period, e.g. lasting for 6 months or one year.

For more serious breaches: that Practitioner / Teacher will receive a written warning for a set period, and also will have to fulfill certain mentoring requirements decided by the CK Investigating Committee, such as weekly mentoring sessions for a set period and with a specific Mentor.

For most serious breaches: the Practitioner / Teacher may be expelled as a member and Practitioner / Teacher from the CK School through notification in writing. After confirming that they understand and will abide by the ruling, the practitioner will have to return all certificates of qualification and will be taken off CK websites and practitioner lists and any relevant Governing Bodies informed. In the event of expulsion, the person may no longer practice as a CK registered Practitioner or Teacher and the CK School will revoke their backing and validation of that Practitioner or Teacher. A record of these proceedings and the decision of expulsion made will be kept on file and maintained by the CK School with no limit of time.

5. Any appeal against the decision made by the CK Investigating Committee, may only be made to the BCMA or KF and not directly to the CK Investigating Committee.
6. All proceedings of the CK Investigating Committee are conducted in private in an appropriately confidential manner. All paperwork and related decisions are filed in a secure place and retained with no time limit.
7. The CK Investigating Committee has no powers to make any orders relating to compensation of financial costs during the Hearing and the Grievance Process.

Draft Standard Letter to Client / Student

Dear....Client

We would like you to know that the School of Creative kinesiology's Administration Office has received your letter of complaint, on ...date....concerning CK practitioner / teacher.....X..... . We cannot take the matter further unless you give your written permission for the School to inform her/him of the complaint you have made.

In order to protect everyone concerned, it is important that from this point on we follow the protocol of the CK School Complaints Procedure. This means that all communication between you and X must cease completely and the CK School will act as your point of contact in relation to this complaint. If any contact is initiated from X, then we would ask that you please do not respond and inform the CK Admin Office. All official communications from either the CK School or yourself from this point on must now be in writing and posted in letter form. However, you are free to contact the Admin Office if you have questions or need clarification.

The CK Investigating Committee will now convene a meeting in order to consider your complaint and will advise you by letter as to the outcome of that meeting within 10 working days of receipt of your letter of complaint by the CK Admin Office.

The Investigating Committee may need to ask you for further evidence, clarification or information. Whenever a request is made for you to provide some information or reply to a query, you will be made aware of a set time period within which you will need to respond. Failure to respond within the set time period, will be understood as you not wanting to continue with the complaint. If you do not respond, the Investigating Committee set up will be dissolved and the complaint process will be closed. The process will not re-opened again concerning this particular issue.

In the event that a Grievance Hearing is considered necessary in order to resolve this matter, the Investigating Committee will inform you in writing and request both you and X attend. The Hearing will still continue if you decline to participate and you can be informed of the outcome in writing.

The process of making a complaint can be a stressful time for those involved, and you may wish to choose a supportive friend, relative or mentor to assist you through this process and so that you have someone to talk to.

Please be aware that you can stop the Grievance Process at any time if you do not wish to continue with your complaint.

If the CK Disciplinary Committee cannot achieve a satisfactory conclusion with you, over this complaint, then they will refer your case to the most appropriate UK Regulating Body, the BCMA or the Kinesiology Federation, who may then take over your complaint if you wish.

Draft Standard Letter to Practitioner / Teacher

Dear....Practitioner / Teacher

Further to our recent conversation, we are very sorry to advise you that a formal complaint concerning you has been received by the School of Creative Kinesiology Admin Office ondate.....

In order to protect everyone concerned, it is important that from this point on we follow the protocol of the CK School Complaints Procedure. Firstly, this means that all communication between you and X must cease completely and the CK School Admin Office will now act as your point of contact in mediating this complaint. If X does initiate contact with you, we recommend that you do not respond and pass the message/s on to the CK Investigating Team via the Admin Office.

We strongly suggest that you engage a Mentor during this period, so that you can get the support you need. The CK School can offer you a Mentor who is experienced in dealing with complaints, or you are welcome to choose your own.

You will need to put together a case in order to tell your side of the story, (For practitioners: and so if you have notes about the session/s with X, we suggest you locate them). (For teachers: and so get together a list of session / training course dates and any notes about what happened in the training sessions). It would also be helpful if you could locate e-mail or text communications that are applicable to this situation. It is likely that you will be asked to write an account of your interactions with X and your version of events. You can do all this in conjunction with your Mentor and when you receive notification of exactly what is required from the CK Investigating Committee.

The Investigating Committee will now convene a meeting to consider the complaint and assess current evidence. It may be that further evidence or information is required. Whenever a request is made for you to provide some information or reply to a query, you will be made aware of a set time period within which you will need to respond. It is in your best interests to respond within the given time period.

It may be that a Grievance Hearing is required to resolve this matter and if this is considered necessary, the Investigating Committee will request both you and X to attend. The Hearing will still continue if you decline to participate and you will be informed of the outcome in writing.

If the CK Disciplinary Committee cannot achieve a satisfactory conclusion with you and X, over this complaint, then they will refer the case to the appropriate UK Regulating Body, the BCMA or the Kinesiology Federation who may then take over the complaint.

Complaint Timescales

Stage 1 Mediation Phase Timescales

Complaint Received to CK Admin Office.

Admin Office responds within 3 working days, whenever possible, with a holding note/letter/phone call.

CK Investigating Committee set up from CK Management Team. Representative from the Investigating Committee makes contact with the complainant within 10 working days.

The Representative agrees a course of action to be implemented, within the timescale of 15 working days.

In the event of more investigation time being needed this will be discussed with the complainant within 15 working days.

Where a complaint is deemed to require a Stage 2 complaint, this may be requested by either party after 15 working days has elapsed, or sooner if it is a serious nature.

Stage 2 Grievance Process Timescales

Complaint received in writing by the CK Admin Office.

Admin Office sends complaint letter to Investigating Committee.

Admin Office sends standard letter to Complainant.

Admin Office sends a copy of complaint and standard letter to the Practitioner / Teacher

All within 3 working days of receipt, whenever possible.

Practitioner has 15 working days to respond in writing.

The Investigating Committee has a further 15 days upon receipt of written response to investigate further, gather information and prepare documentation for each member of the Grievance Hearing if this is required.

Date of the Grievance Hearing is to be no more than 42 working days after initial receipt of the complaint.