



**UK Society for
Behaviour Analysis**

UK-SBA COMPLAINTS PROCEDURE

Committee responsible: Public Protection & Benefit
Approved by: UK-SBA Board
Date approved: Dec 2023

Date of last review: Jan 2024 (interim)
Date of next review: Dec 2024
Version number: 7

UK UK-SBA for Behaviour Analysis (UK-SBA) Complaints Procedures

Complaints about someone on the Register

1 General

The UK-SBA expect our Registrants to act ethically and deliver high quality services. The UK-SBA is committed to protecting the public in the first instance. It is also the aim of the UK-SBA to ensure fair assessment of any Complaints affecting the professional reputation of members.

2 Introduction

- 2.1 The UK-SBA aim to provide a clear, open and transparent complaints procedure for all involved. Registrants should understand and follow the UK-SBA Code of Ethical and Professional Conduct and the UK-SBA Complaints Procedure that they signed up to when they were accepted on to the register.
- 2.2 A complaint to the UK-SBA is a comprehensive and lengthy process taking on average 4 months from reporting to completion.
- 2.3 Our purpose is to assess whether or not there has been a breach of the UK-SBA Code of Ethical and Professional Conduct in a professional and respectful manner for all parties involved, and if so, what the appropriate sanction/recommendation should be. We use an Independent Complaints Panel who will make decisions based upon a comprehensive review of the evidence provided (or not provided) by all parties throughout.

3 Before Making a Complaint

- 3.1 If a member of the public, another professional, another organisation or body or another registrant considers that a UK-SBA Registrant has breached the UK-SBA Code of Ethical and Professional Conduct, they can raise their concern or complaint with the UK-SBA (the 'Complaint').
- 3.2 Complainants must attempt to address concerns with the Registrant or Registrant's employer if they have one. This will include a written complaint (it can be by electronic means). The Registrant will have 2 weeks to reply to that complaint/concern raised.
- 3.3 If the Complainant is not satisfied with the response or the Registrant or registrant's employer does not respond then a complaint can be made to the Complaints Secretary (the 'Secretary') of the UK-SBA at complaintssecretary@uk-sba.org.

- 3.4 If the Complainant is unable to navigate the process independently due to having additional needs, they can request an Independent Person to increase access and help them through the process. The Independent Person will be a member of the Independent Expert Advisory Group (IEAG). Help could include help drafting the Complaint, overseeing or dealing with any subsequent correspondence, raising issues with the process, attending any meeting with or on behalf of the service user, or any other support requested. In order to access the services of the Independent Person the Complainant must first provide initial details to the UK-SBA, including the name of the Registrant to ensure that they are active on the register and there are no conflicts of interest between any parties and the Independent Person.
- 3.5 If the Complainant perceives there is a conflict of interest, this can be raised with the Complaints Secretary via email at complaintssecretary@uk-sba.org or with the Chair of the Public Protection and Benefit Committee via email at admin@uk-sba.org at any point throughout the process.
- 3.6 If it is declared or found that the Secretary, and/or the Chair of Consumer Advisory Board (who are key to leading the process) have a conflict of interest, a new Board member will substitute for the Secretary, and a new member of the Advisory Board will substitute for the Chair of the Advisory Board.

4 The Complaint

- 4.1 The Complaint must relate to the ethical and professional practice of the Registrant, as described in the [UK-SBA Code of Ethical and Professional Conduct](#).

For example, this would include any safeguarding concerns but would not include non-practice related issues. For more information on these issues please visit our page [Information for Parents/Carers and Service Users](#) which you will find on our [website](#) under the “For the Public” Tab.

Please note, any urgent and or/serious concerns regarding safety should also be reported to the Police and/or local safeguarding teams. Please visit our page [Raising a Concern/Complaint](#) under the “Complaints and Concerns” Tab on our [website](#) for suggested contacts.

- 4.2 A Complaint under this procedure can be made by anyone who considers that they have received or witnessed poor practice. This includes:
- (a) A member of the public who has received or commissioned a service from a Registrant;
 - (b) A current Registrant who has come into contact with a Registrant;
 - (c) Another professional who has come into contact with a Registrant;
 - (d) A member of the public who has come into contact with a Registrant.
- 4.3 The Complaint should be sent to complaintssecretary@uk-sba.org and should also have all supporting evidence attached as follows:

- (a) Steps taken to resolve the complaint before reporting to the UK-SBA
- (b) Supporting Documents (e.g. Statements);
- (c) File Notes;
- (d) Risk Assessments;
- (e) Correspondence; and
- (f) Other supporting evidence.

It is essential that evidence is provided to support each potential breach, if evidence is not shared then it is unlikely that your claim will progress.

- 4.4 The UK-SBA can only deal with a Complaint against named current Registrant/s.
- 4.5 The UK-SBA can only deal with a Complaint against an individual practitioner and not against an organisation, who should have their own processes in place.
- 4.6 Any documentation shared as part of the complaints process remains strictly confidential and should not be shared during or after a complaint by any party without the written permission from the author of the document.

5 Process

- 5.1 The Complaint must be submitted to complaintssecretary@uk-sba.org. You must include details of each alleged breach of the UK-SBA Code of Ethical and Professional Conduct with supporting documentation in respect of each and every allegation. Verbal conversations will not be viewed as a Complaint – the Complaint must be reported as outlined in 4.1. The Complainant should provide details about steps taken to remedy the complaint so far.
- 5.2 In the first instance the Secretary will do an initial assessment regarding any potential safeguarding risk, and if concerned will raise this with the Chair of the Public Protection and Benefit Committee, who will seek advice from a trained Safeguarding Lead as appropriate. Any advice given will be actioned, including temporarily suspending the Registrant from the Register pending investigation, and alerting other relevant bodies including the police, if necessary.
- 5.3 Assuming no safeguarding concerns on receipt, the Secretary will check that the Complaint is reported in line with the Complaints Procedure (section 3.3 above) and contains relevant supporting documentation with reference to the alleged breach of the UK-SBA Code of Ethical and Professional Conduct in respect of each and every allegation.
- 5.4 The Secretary will inform the Registrant that a Complaint has been reported and share the details of the complaint received from the Complainant. The Registrant will be asked to initially respond in writing to the Complaint within 14 days and should also attach any supporting documentation as set out in 3.3 above.

- 5.5 The Chair of the Advisory Board will liaise and respond to any questions about the procedure with the Complainant. The Complaints Secretary will liaise and respond to any questions about the procedure with the registrant.

6 Independent Complaints Panel

- 6.1 The UK Society for Behaviour Analysis will hold a list, of people with appropriate skills and experience (e.g. solicitors, head teachers, HR professionals and so on) to advise. This list of people is the Independent Complaints Panel member list. The list will be held by the Public Protection and Benefit Committee and the Complaints Secretary will be responsible for maintaining this list.
- 6.2 The Secretary will put together a panel of three, to include an independent expert in a related area to the complaint, a Consumer of services with relevant skills/experience to the complaint and a qualified Behaviour Analyst who is a full member of the organisation. A chair of the Complaints Panel will also be appointed (and could be a lay member or a Behaviour Analyst).
- 6.3 The Secretary will be responsible for ensuring that the Complaints Panel Members chosen to have the appropriate knowledge to deal with the Complaint and in ensuring they have no conflict of interest in relation to the Complainant or the Registrant who is subject to the Complaint.
- 6.4 Each Complaints Panel Member will be provided with a complete set of papers relating to the Complaint as received by the Secretary.
- 6.5 Each Complaints Panel Member will confirm in writing that all information will be strictly confidential unless necessary to disclose, and that any conflict of interest with the parties will be declared.

7 First Stage Complaints Panel Meeting

- 7.1 The first stage panel meeting can be carried out remotely. The meeting will take place as soon as is practically possible, in line with the panel members availability.
- 7.2 The Complaints Panel will again review whether it considers that there is any potential safeguarding risk, and if so, will act to inform the relevant external bodies and may temporarily suspend the Registrant from the Register pending investigation.
- 7.3 The Complaints Panel will review the information before them and decide whether:
- (a) There is no case to answer in relation to the Complaint and therefore determines that it should not be progressed any further; or
 - (b) There are some low-level concerns with advisories that could be determined by papers and during the panel at this meeting; or
 - (c) There is a potential **more serious** case to answer, and the Complaint should progress to a Formal Complaints Panel Hearing.

- 7.4 In order to decide whether or not there is a case to answer, the Complaints Panel must decide if:
- (a) From the information before them, they consider that the Registrant has potentially breached the UK-SBA Code of Ethical and Professional Conduct (e.g. including but not limited to: inadequate services; taking on work not qualified to undertake; breaching confidentiality of service users or related documentation; plagiarism; malpractice - see UK Society for Behaviour Analysis Code of Ethical and Professional Conduct); and/or
 - (b) The Registrant has potentially brought the profession into disrepute and undermined public confidence or public safety (e.g. including but not limited to: inappropriate use of social media; failure to monitor risk; deception or exaggeration of credentials; lack of transparency in financial affairs - see UK-SBA Code of Ethical and Professional Conduct).
- 7.5 The Complainant and the Registrant will be updated as to the decision of the Initial Complaints Panel Meeting within 7 days of the meeting and will be advised of next steps.
- 7.6 In considering the matter, the Complaints Panel may adjourn and seek additional information from either the Complainant, or Registrant, or both. They will then arrange a further meeting, with this new information and consider 6.3 again.
- 7.7 If it has been decided to progress the case to a Complaints Panel Hearing both parties will be requested to assist the Complaints Panel by way of providing all necessary information, to the extent not already provided, within 30 days, ahead of the Formal Complaints Panel Hearing to take place which may include but is not limited to:
- (a) Witness statements;
 - (b) Policies;
 - (c) Photographs;
 - (d) Emails;
 - (e) Correspondence;
 - (f) Voice Recordings.

8 Formal Complaints Panel Hearing

- 8.1 The Registrant and the Complainant will be informed of the Formal Complaints Panel Hearing and given 30 calendar days to provide any additional written evidence that may assist the Formal Complaints Panel.
- 8.2 After 30 days, all evidence received by both parties will be copied to each party and panel member by the Secretary.

- 8.3 The Secretary will arrange for the Formal Complaints Panel Hearing to take place remotely (unless adjustments required). Each party will be given 30 days to submit additional paperwork, this will be circulated to all parties and the panel who will be given 14 days for all to consider the paperwork. The hearing date will take place as soon as possible after this timeframe, dependent on panel and party availability. They will also arrange for:
- (a) All correspondence to be copied to the meeting members;
 - (b) A note taker (who could be the Secretary);
- 8.4 The Registrant and the person or body who raised the Complaint may choose to be accompanied by a supporter. This person can support them but may not speak on their behalf. If needed, the UK-SBA can also arrange an Independent Person from the IEAG in assisting with access for the Complainant. If either the Registrant or the Complainant wishes to be accompanied, they should indicate this to the Secretary at least 7 days before the meeting, confirming the name of their supporter, this must not be someone potentially involved in the Complaint.
- 8.5 The Formal Complaints Panel will invite relevant parties to attend a Formal Complaints Panel Hearing on a set date and time. Each party will attend at a different time so will not be present within the same meeting.
- 8.6 The Complaints Panel may decide to carry out further investigations prior to reaching a decision.
- 8.7 Late evidence will not be permitted. The Complaints Secretary will check that full and final cases have been submitted when arranging the hearing.
- 8.8 It will be the responsibility of the Secretary to convene the Formal Complaints Panel Hearing on a date that relevant parties can attend. If either party does not attend without notice or good reason, the Panel Chair may decide to go ahead with the Formal Complaints Panel Hearing in the absence of that party and any decision made on the evidence before them, will be communicated to the absent party in writing.
- 8.9 The Formal Complaints Panel Hearing will be chaired by a member of the Complaints Panel. A notetaker will also be present. The Chair will ask each party if they consent to the audio of the meeting being recorded in order for an accurate transcript of the meeting to be created to assist the Complaints Panel and note taker with accurate note taking. The transcript can be available to each party if requested in writing within 14 days of the hearing. The audio file will be deleted once this has been checked against the written transcript by the Complaints Secretary.
- 8.10 At the Formal Complaints Panel Hearing, the Complaints Panel will go through the allegations against the Registrant and the evidence that has been gathered. The Registrant/Complainant will be able to respond, ask questions and present any evidence of their own. The supporter may make representations to the Complaints Panel and ask questions but should not answer questions on the Registrant's behalf.

The Registrant/Complainant may confer privately with their supporter at any time during the Formal Complaints Panel Hearing.

- 8.11 The Formal Complaints Panel Hearing may be adjourned if any further investigation is required. The hearing itself may also raise further issues of concern for the panel and they will be allowed to put any further issues to the Registrant for a response after the meeting takes place.
- 8.12 The Complaint Panel will make a decision based on the evidence before them (unless they adjourn) in accordance with the balance of probabilities.
- 8.13 To decide if the Complaint is proven, the Complaints Panel must decide if:
- (a) The Registrant has breached the UK-SBA Code of Ethical and Professional Conduct; or
 - (b) The Registrant has brought the profession into disrepute and undermined public confidence or public safety.
- 8.14 The Complaints Panel will either conclude that the Complaint against the Registrant is:
- (a) Proven in whole or in part; or
 - (b) Not proven in whole or in part.
- 8.15 If the Complaint is upheld the Complaints Panel will decide on the appropriate sanction as set out in paragraph 8.

The decision of the Complaints Panel will be communicated to all parties within 14 days of the complaint hearing. If this is not possible, for example in cases where further consideration/or investigations are required, the parties will be updated at regular intervals.

9 Outcomes of the Formal Complaints Panel Hearing

Details of any actions taken against Registrants will be published where applicable on the UK-SBA website and on the UK-SBA register against the name of the Registrant under the tab "sanctions". The amount of detail published will reflect the severity of the actions taken and the impact of the findings on public safety.

- 9.1 Based on the evidence presented, the findings of the hearing could result in one or more of the following outcomes.

Complaint not upheld

a) Complaint not upheld by the Panel with no further recommendations. UK-SBA will not publish details of the hearing.

b) The Panel find the complaint not upheld, however advice and/or recommendations may be made e.g. additional training required, Registrant asked to provide their reflections and learnings from the case.

Complaint partially upheld or upheld

- a) The Panel upholds the complaint and makes the Registrant aware of where their professional practice has fallen short of the standard required, the decision will be held on file for 12 months, should any further complaints come to the attention of UK-SBA within that timeframe further action may be taken. The Panel may impose outcomes proportionate to the seriousness of the breach as follows
- b) The Panel is satisfied the Registrant is normally competent, however, they may stipulate recommendations e.g. additional training required, Registrants to provide reflections and learnings from the case, supervision in specific areas.
- c) The Registrant is informed their professional practice has fallen significantly short of the standard required. The Panel may require the Registrant to complete training within a specified time frame and/or to provide their reflections and learnings from the case for the Panel to review and/or mandatory supervision from a suitably experienced professional. If the outcomes are not met to the Panel's satisfaction it may recommend further action/s.
- d) The Registrant's status is suspended and an action plan with timeframe for competence to be assessed, timeframe for the level of competence demonstrated, the UK-SBA register will be amended as appropriate.
- e) The Registrant is excluded from UK-SBA register for a specified period of time, not less than 3 months. Re-application for registration can be made after this period has elapsed and if applicable the UK-SBA register will be amended as appropriate.
- f) The Registrant is permanently excluded from the UK-SBA register.

9.2 Sanctions that may be imposed include but are not limited to:

Possible Sanction	
Advisory	Registrant receives advice and guidance on best practice Not published on Register
Further Training	Registrant receives a period of training in a specified area guided by the specific ethical code breach Not published on Register
Further Supervision	Registrant receives a period of supervision in a specified area by a qualified and experienced practitioner in that area of expertise. Not published on Register

Probationary Supervision	Registrant works under mandatory supervision of a qualified and experienced UKBA (cert) for specified period of time. Published on Register
Temporary Suspension from Register (investigation stage)	Registrant is temporarily suspended from the register pending the result of the complaint. investigation/investigation from third party Not Published on the Register whilst suspension in place
Temporary Suspension from Register (outcome stage)	Registrant is suspended from the register pending the fulfilment of certain conditions. Published on the Register whilst suspension in place <i>NB: if conditions are fulfilled, the Registrant can apply to have their suspension reviewed, at which point it may be lifted.</i>
Removal from Register	Registrant is removed from the register <i>NB: we are not able to stop someone working who is not on our register. However those on our register are held to high standards and insurances may be affected</i>

All UK-SBA Registrants have signed up to the Code of Ethical and Professional Conduct, and any Registrants found to be using harmful, degrading, painful or dehumanising punishment procedures will be removed from our register. This is in line with the UK-SBA [position statement on punishment](#).

10 Appeals

- 10.1 The Complainant or Registrant may appeal against the decision within 14 days of the date of the correspondence informing them of the decision on the following grounds only:
- (a) There has been a procedural irregularity which may have affected the decision; and/or
 - (b) The action taken is disproportionate.
- 10.2 The appeal must be in writing setting out full details of all appeal ground/s and must be accompanied by all supporting information and submitted to the Complaints Secretary, who will take it before a newly drawn Appeal Panel for consideration. The Appeal Panel will comprise of an Independent Expert, a consumer and a Behaviour Analyst from the UK-SBA register, not previously involved with the complaint.
- 10.3 A First Stage Appeal Panel Meeting will be arranged as soon as reasonably practicable and fair process followed similar to that which is outlined above within Section 6.

- 10.4 The Appeal Panel will decide whether to:
- (a) Uphold the initial decision
 - (b) Modify the sanctions
 - (c) Quash the initial decision
 - (d) Quash the initial decision and start a new complaints process
- 10.5 The decision of the Appeal Panel will be notified to all parties within 14 days of the first stage appeals meeting. The Appeal Panel's decision will be final.
- 10.6 If the appeal is allowed, the new panel will consider the complaint again in line with this procedure. The Appeal Panel's decision will be final.

11 Complaints about the UK-SBA

- 11.1 If you wish to make a complaint about the UK-SBA, or any of its operations or personnel, please email full details and enclose any supporting documentation to complaintssecretary@uk-sba.org
- 11.2 Any such complaint will be discussed within the Public Protection and Benefit Committee, which will include oversight by an Independent Expert Advisory Group (IEAG), not consisting of any members of the UK-SBA, our Registrants or consumers of Behaviour Analysis. This group of independent experts will review your concern, and you will then be informed of any actions taken.

12 Complaints about Behaviour Analysis

- 12.1 If you have a question or concern about Behaviour Analysis (ABA/PBS) in the UK, please email complaintssecretary@uk-sba.org with your concerns.
- 12.2 Here at the UK-SBA we are particularly keen to reach out and hear from past and present service users from protected groups, to hear their views in order to inform the ongoing development of our field.

13 Complaints about Professionals who are not UK-SBA Registrants

- 13.1 The UK-SBA can only investigate complaints about current UK-SBA registered members or the UK-SBA itself. If you have a complaint about a practitioner who is not a UK-SBA member but is a member/employee of a different organisation, please consider contacting the organisation with whom they are affiliated. Other useful contacts can be found on our [Raising a Concern/Complaint](#) page under the "Complaints and Concerns" Tab on our [website](#).