



COSCA (Counselling & Psychotherapy in Scotland)
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OUTCOME REPORT TO COSCA AT THE CONCLUSION OF COMPLAINTS PROCEEDINGS

- **Within one month of the conclusion of your Complaints Process, this form requires to be submitted direct to the Chief Executive of COSCA (Counselling & Psychotherapy in Scotland).**
- **This form should only be submitted following the exhaustion of the member's complaints procedure, including an investigation of appeal, where applicable.**
- **The above applies to both upheld and not upheld complaints.**
- **Please refer to the Guidance Notes attached to this Report form: Appendix 1**
- **Please also refer to www.cosca.org.uk – Complaints – COSCA Complaints Procedure Section 1.27—1.35.**

All members of COSCA who have their own complaints procedure are required to submit to COSCA Outcome Reports at the conclusion of their complaints proceedings which are related to counselling and psychotherapy, and notify COSCA of any sanctions applied. Outcome Reports are required for complaints that are upheld and those that are not upheld.

This will reduce the potential conflict of interest in either an organisational member or an individual member with their own complaints procedure being unwilling to criticise and recommend a sanction against themselves.

Please complete the relevant parts of the following Sections of the form:

Section 1: COSCA Member Organisation: Complaint Upheld and Not Upheld

Section 2: COSCA Individual Member who has their own Complaints Procedure: Complaint Upheld or Not Upheld

Section 3: Mandatory - this Section requires to be completed in all cases.

SECTION 1: COSCA MEMBER ORGANISATION

CONTACT DETAILS OF MEMBER ORGANISATION

Name of member organization:	
Address:	
Name of contact person:	
Designation of contact person:	
Telephone No:	
Email of Contact Person:	

COMPLAINT UPHELD AGAINST INDIVIDUAL IN ORGANISATION

Name of any individual working in the member organization who is complained against:	
Address of individual:	
Telephone No. of individual:	
Email of individual:	
Membership of COSCA of person complained against:	Yes <input type="checkbox"/> Membership No.: <input type="text"/> No <input type="checkbox"/>

COMPLAINT UPHELD AGAINST MEMBER ORGANISATION

Please state whether the complaint was against the whole or part of the member organisation (if part, please give details):	
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COMPLAINT NOT UPHELD AGAINST INDIVIDUAL IN ORGANISATION

Reference number of individual complained against who is working within the member organization: (Identification to be anonymised, except if specifically requested later by COSCA.)	
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COMPLAINT NOT UPHELD AGAINST MEMBER ORGANISATION

Please state whether the complaint not upheld was against the whole or part of the member organisation (if part, please give details):	
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**SECTION 2: COSCA INDIVIDUAL MEMBER WITH OWN COMPLAINTS PROCEDURE:
COMPLAINT UPHELD OR NOT UPHELD**

Name of COSCA individual member	
Address:	
Telephone No:	
Email:	
COSCA membership number and category of membership	

SECTION 3: MANDATORY – THIS SECTION REQUIRES TO BE COMPLETED IN ALL CASES

Date(s) of the alleged breach(es) of the COSCA Statement of Ethics and Code of Practice:	
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Date that the complaint was submitted to member organisation or individual member with own complaints procedure:	
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Date(s) of the complaint investigation meeting:	
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a) The allegation(s) of breach(es) made by the complainant: b) the paragraph numbers in the COSCA Statement of Ethics and Code of Practice allegedly breached:	
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Reference number of complainant: (Identification to be anonymized unless specifically requested later by COSCA.)	
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Nature of the relationship between complainant and the member e.g. client, course participant etc.:	
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The outcome of deliberations of the complaints investigation meeting(s), including whether the complaint was upheld or not upheld: If the complaint has multiple parts, please give the above information for each part. Please clearly number the parts and show whether each part was upheld or not upheld:	
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Appeal

A statement about:

- whether an appeal was submitted by the complainant, and the date it was submitted:
- date of the appeal, if submitted:
- whether the submitted appeal was accepted under the terms of the complaints procedure, and if not the reason(s) for non-acceptance:
- the outcome of the appeals procedure if implemented, including any recommendations made:
- date outcome of appeal was sent to appellant:

<p>Evidence that the actions and decision(s) of the complaints investigation and appeals meeting(s) were taken:</p> <ul style="list-style-type: none"> • to protect service users and the public rather than the interests of the organisation or individual member • impartially, fairly and on merit, using the best evidence and without discrimination or bias 	
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<p>Details of other professional and statutory bodies notified about the outcome of the complaint</p>	
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<p>Details of the reasons for a delay where an investigation took longer than the time allocated in the member's complaints procedure:</p> <p>Adjournment: A statement about whether the complaint and/or appeals procedures were adjourned and, if so, the reasons for doing so e.g. pandemic, legal proceedings etc.:</p>	
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<p>The date(s) that the report of the outcome of the investigation was sent to the complainant and other relevant parties:</p>	
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<p>Procedural Review by COSCA</p> <p>A statement about your view of the possibility of the complainant requesting a procedural review of the handling of this complaint once it has been exhausted:</p>	
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<p>A summary of any matters of importance to the member complained against in the complaint investigated or in the way that the complaint was handled:</p>	
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<p>A summary of any matters where action or development has been, or is to be taken, to improve services as a consequence of the complaint, whether it is upheld or not upheld:</p>	
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<p>You are required to enclose a copy of the COSCA member's complaints procedure that was used to investigate this complaint.</p>	<p><i>Please tick:</i></p> <p>Enclosed: <input data-bbox="876 1877 987 1933" type="checkbox"/></p>
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Disclosure	
The complainant is aware that information about the outcome of their complaint will be passed to COSCA in this Outcome Report, and that they have consented to this happening.	Yes No

COSCA Individual Members	Yes
If the person complained about is an individual member, have they been reminded that they need to report upheld complaints against them to COSCA?	No

Signed:

Name in Block Capitals:

Date:

You are required to submit this completed form to the Chief Executive, COSCA (Counselling & Psychotherapy in Scotland) at the above address immediately following the conclusion of any complaints proceedings relating to complaints that were upheld and those that were not upheld. If you are unable to sign this document using an electronic signature, please send the form from the same email address as you provided at the top of this form.

Appendix 1: Guidance Note

Submission of Outcome Report to COSCA at the Conclusion of Complaints Proceedings

1. Introduction

When members of COSCA who have their own complaints procedures deal with complaints, COSCA aims to ensure that they focus on protecting service users and the public, and avoid perceived and actual conflicts of interest.

To ensure this happens, COSCA has developed the procedures below for the submission of outcome reports to COSCA by the above members at the conclusion of their complaints proceedings.

2. Submission of Outcome Reports to COSCA at the Conclusion of Complaints Proceedings

For those members who have their own complaints procedures, COSCA aims to ensure that complaints are handled as laid down in those procedures (which need to meet COSCA's standards for complaints) and that any sanctions are applied consistently, effectively and in the interests of public protection. It also aims to verify that the decisions made are in accordance with the member's own complaints procedure and that any sanctions imposed are appropriate, fair, transparent, consistent and explained clearly.

The above members are therefore required to submit immediately or within one month to COSCA reports at the conclusion of their complaints proceedings related to counselling and psychotherapy, and notify COSCA of any sanctions applied.

The above members are required to submit reports on the outcome of all complaints proceedings including those in which the complaint was upheld and also those in which the complaint was not upheld. This will reduce the potential conflict of interest in either an organisational member or an individual member being willing to criticise and recommend a sanction against themselves. See paragraph 1.27 of COSCA's Complaints Procedure that covers this point.

2.1 Upheld Complaints

Member Organisations and Individuals with Own Complaints Procedures

When the complaint has been upheld by the above members, the outcome report to COSCA must include the name and address of the organisation/person complained against.

This information is required in order that COSCA can independently check whether the organisation and/or individual is a member and/or a registrant of COSCA. If a sanction is applied by the member to a registrant, COSCA will make the appropriate annotations on the COSCA Register of Counsellors and Psychotherapists and the appropriate internal databases.

It should be noted that not all individual members are on the COSCA Register of Counsellors and Psychotherapists. Individual members not on the above Register include Student, Counselling Skills and Associate members and their names are included on COSCA's internal database that is not accessible by the public in the same way that the COSCA Register is. Hence, COSCA itself needs to be informed about the name of the person complained about in order that it can verify membership.

2.2 Complaints Not Upheld

Outcome reports for complaints not upheld are required to be submitted to COSCA. If a complaint is not upheld by a member's internal complaints proceedings, it means that any member organization or individual cited in the complaint was not found to be in breach of the COSCA Statement of Ethics and Code of Practice. In this event, no action is normally required to be taken by COSCA against the individual member cited in the complaint.

COSCA has different requirements for member organisations and individual members regarding the submission of the name and address of individuals cited in complaints that were not upheld and these are given below.

➤ **Member Organisations**

Member organisations, when submitting outcome reports to COSCA of complaints that were not upheld, are required to provide the name and address of their organisation. They are not required to provide the name and address of any individual cited in the complaint. Instead, they can anonymise this information.

Following receipt of the above outcome report, and in exceptional circumstances, in the public interest COSCA reserves the right to request the name and contact details of the person complained against as part of its consideration of the submitted report.

The Chief Executive in consultation with an independent person or persons will determine whether COSCA needs to take any action on the above outcome reports. Only in exceptional circumstances will notification of complaints not upheld be submitted to the COSCA Ethics Committee for its consideration.

Outcome reports from member organisations requiring no further action will be safely destroyed within a period of six months of receipt and no record of the outcome report will be kept on file.

➤ **Individual Members with their own complaints procedures**

Individual members, when submitting outcome reports to COSCA of complaints against them that were not upheld, are required to provide their name and address in order that COSCA can identify from whom the outcome report was submitted.

The Chief Executive in consultation with an independent person or persons will determine whether COSCA needs to take any action on the outcome reports submitted by individual members. Only in exceptional circumstances will notification of complaints not upheld be submitted to the COSCA Ethics Committee for its consideration.

Outcome reports from individual members requiring no further action will be safely recorded and destroyed within a period of six months of receipt, and no record of the outcome report will be kept on file following this period.

3. Name and Address of complainant

Whether or not the complaint was upheld, the outcome report to COSCA may also anonymise the name and address of the complainant. This is because COSCA does not publish the names of complainants and therefore does not normally require their names and addresses.

It is expected that the above members will have their own reliable referencing system for complaints and that they will have their own complaints handling system in place. This reference system can be used to anonymise the name of the complainant.

Following receipt of the outcome report, and in exceptional circumstances, in the public interest COSCA reserves the right to request the name and contact details of the complainant as part of its consideration of the submitted report.

4. Checking and Consideration of Submitted Outcome Reports to COSCA

On receipt of outcome reports of upheld complaints, the Chief Executive will check whether any sanctions were applied to an individual member of COSCA. If so, the Chief Executive will:

- inform the **individual** member to whom the sanction is applied about the notification **of the sanction to COSCA**
- enter the sanction on COSCA's internal membership database and, if relevant, the COSCA Register under the **individual** member's name, stating which member applied the sanction
- inform the **individual** member complained against that they must comply with the sanction and provide evidence to the member that applied the sanction and to COSCA of having done so
- inform the member who applied the sanction to notify COSCA regarding compliance by the member complained against
- remove the sanction from COSCA's internal membership database and the COSCA Register if compliance is evidenced to COSCA

Notification of sanction(s) will be submitted to the COSCA Ethics Committee for consideration.

On receipt of notifications, the COSCA Ethics Committee checks the sanction(s) applied by organisational members and individual members who have used their own complaints procedures.

The COSCA Ethics Committee then determines the appropriateness of the sanction(s) applied and the time limits set for it to be fulfilled. In reaching its determination the COSCA Ethics Committee will review whether the public interest was protected.

If the COSCA Ethics Committee determines that the sanction imposed and/or recommended does not protect the public interest, then it has the powers to require the organisational member or the individual member to re-consider the sanction imposed and/or recommended.

Depending on the nature, seriousness, impact and implication of the complaint that led to the sanction, the COSCA Ethics Committee will also consider whether to:

- suspend membership of COSCA and make entries of this on the Register and/or internal membership database
- remove the member from COSCA membership and publish removal on the COSCA Register if a registrant, and in other places as laid down in COSCA's Complaints Procedure

With reference to COSCA's sanctions database that is used to monitor the time limits and fulfilment of sanctions applied by organisational members and individuals who have their own complaints procedure, the COSCA Ethics Committee checks whether sanctions have been fulfilled and arranges for the member's details to be updated on all relevant systems as required. This ensures that only organisations and individuals who are entitled to be members are appropriately listed.

Brian Magee
Chief Executive
COSCA (Counselling & Psychotherapy in Scotland)