



Professional Hypnotherapists of Australia (Inc.)

POLICY - NON-MEMBER COMPLAINT RECEIPT

Background

PHA maintains an approved and promulgated Code of Ethical Conduct for members. All members agree to abide by the Code. Integral within the Code of Ethical Conduct expectations and within PHA Constitution is the provision for and rules governing the establishment of a Disciplinary Committee to investigate complaints received from members of the public, other hypnotherapists or current/ex-clients of existing PHA members. The Disciplinary Committee is empowered to take disciplinary action against members if they are found to have conducted themselves in a manner inconsistent with the Code of Ethical Conduct.

PHA has no authority or mandate to interact with complaints made in respect of hypnotherapists that are not members of PHA. However, from time to time, the PHA does receive complaints in regards to hypnotherapists that are not members.

Purpose

The Purpose of this Policy Statement is to provide PHA's position regarding these complaints and actions that may/will be taken when these types of complaints are received.

The Impact of Complaints

Simply by virtue of the fact that a member of the general public or the hypnotherapy profession considers a matter is significant enough to register a complaint regarding a hypnotherapist elevates this matter to the level of being a concern for the Profession. In the case of a complaint being received regarding a PHA member, the Association can engage, investigate and protect both the member and the complainant's interests. This is not the case with non-PHA members.

Complaints Received Process

Irrespective of the nature or type of complaint received, or whether that complaint relates to a PHA member or not, the individual receiving the complaint should refer the matter to an existing Committee Member in the first instance. It is not necessary or expected that the individual receiving the complaint will conduct any investigation or research to assess the validity of the complaint.

Upon receipt of a complaint, the Committee member should:

1. Refer the matter to the Membership Secretary in the first instance. The Membership Secretary will determine the status of the hypnotherapist (member/non-member).
2. Once status is determined, the Membership Secretary will pass the relevant details onto the Chairperson/President.

3. The Chairperson/President will, at his/her discretion:
 - Provide a summary of the nature of the complaint/issue to the Committee,
 - Contact the complainant to offer advice, support or assistance (see below),
 - Advise the Hypnotherapy Council of Australia of the details,
 - Liaise with other Association Presidents,
 - In conjunction with the Committee, decide if the complaint warrants further action,
 - Provide feedback to the individual lodging the complaint.
4. Once PHA action is completed, the Secretary will maintain details regarding the issue for statistical purposes.

Action to Support Complainants

Depending on the nature, type and potential impact of the complaint on the individual, PHA can:

- Advise the complainant that, as the hypnotherapist is a non-member, no action or intervention can be taken;
- Recommend that the complainant lodge a complaint with WA Police/relevant police service, Department of Health (Health and Disability Services Complaints Office) or Department of Commerce (Consumer Protection) as appropriate;
- Offer to facilitate consultation with an appropriately qualified PHA Member.

Investigation of Complaint Regarding Non-Member/Legal Aspects

Beside conducting research into the membership status of the hypnotherapist concerned, no investigation into the issue, the conduct, the treatment or the qualifications of the hypnotherapist concerned is to be undertaken. If, during discussion/correspondence with the complainant, the person makes statements relating to these aspects, those statements should be noted but not commented upon or investigated further. To do so would place PHA into the role of Inquisitor and may allude to or imply further legal obligations.

Similarly, the identity of the hypnotherapist is to be protected and not to be communicated outside of the Committee forum or to the Hypnotherapy Council of Australia/other Hypnotherapy Association Presidents. Communication of the identity of the hypnotherapist concerned is the at the sole discretion of the Chairperson/President.

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