

Information for Complainants

The British Acupuncture Council (BAcC) is the UK's largest professional/self-regulatory body for the practice of traditional acupuncture.

The BAcC was formed both to support its members and to supervise its members for the benefit and protection of the public.

The BAcC's procedures are designed to protect patients and be fair to the people involved. All of its Codes and Procedures can be found on the BAcC website www.acupuncture.org.uk.

In 2013 the BAcC was accredited by the Professional Standards Authority for Health and Social Care under its Accredited Registers programme.

All professional conduct matters and complaints are dealt with by the BAcC's Professional Standards Department which can be contacted by e-mail at ethics@acupuncture.org.uk or by telephone on **020 8735 1213**.

Types of concerns we can deal with

The BAcC can only deal with matters which relate to:

- Treatment, care or advice given by a BAcC member
- Any aspect of the professional or personal behaviour of a BAcC member
- The physical or mental health of a BAcC member

Types of concerns we can't deal with

Non-members

- Usually, the BAcC cannot deal with complaints against non-members.
- However, there are some exceptions such as where the complaint is based on an allegation of a criminal offence before the practitioner became a BAcC member. Please contact the Professional Standards Department if you have a complaint against a non-member which you think may be an exception.

If you are unsure whether the acupuncturist about whom you wish to complain is a BAcC member, you can telephone us on **020 8735 0400** or check the register online at www.acupuncture.org.uk.

Compensation

The BAcC cannot grant compensation. However, all members are covered by comprehensive professional indemnity insurance, details of which can be obtained from the BAcC or from the member who treated you.

Making a complaint

- If you want to make a complaint, you should let us have your name, address and contact details.
- You will be sent this information sheet and copies of the Code of Safe Practice and Code of Professional Conduct. Alternatively, you can download them from the BAcC website.
- You will need to send us a full written statement of the complaint explaining what happened and the date it happened, together with the full name and address of the member who treated you. Please try to include as much information as possible. This is an important document which forms the basis of the complaint. You may be asked questions about it at the hearing, if one takes place in this particular matter.
- If you have any further information in support of your complaint you should send it with your complaint. This might include, for example, the names and addresses of any witnesses (together with accompanying statements), any medical reports, photographs, CCTV footage etc.
- It is important that you sign the form which we will send you headed 'Form to be completed by complainants'. We cannot progress your complaint without it.

Please note that the whole complaint form and all information you send to accompany it will be sent to the practitioner about whom you are complaining.

Do you need help with the form?

If you need any help in making your statement or filling in the Form to be completed by complainants, please contact the Professional Conduct Officer. If you do not understand anything about the BAcC's procedures, we will be happy to explain them to you.

What happens next?

If we decide that we can take your complaint forward, a copy of your full statement and any enclosures is sent to the practitioner about whom you have complained.

The practitioner then has 14 days in which to provide a Response.

A date will then be fixed for the Investigating Panel to meet.

(This is the usual procedure. However, if the case is one in which it is necessary to ensure the protection of the public as a matter of urgency, an Interim Orders Panel will be convened at short notice. More information about the Interim Orders Panel and the orders it can make can be found in the Code of Disciplinary Procedures.)

The Investigating Panel

The Investigating Panel meet in private. You will be informed of the date and time of the meeting, but neither you nor the practitioner about whom you have complained will be present. You will also be informed of the names of the members of the Investigating

Panel in case you wish to object to any of them hearing the matter due to a conflict of interest.

The Investigating Panel is a filtering panel and its role is to determine whether the allegation(s) should be considered by the Professional Conduct and Competence Panel. Having considered all the evidence before it, the Investigating Panel will decide whether there is a realistic prospect of a finding of impairment in relation to any allegation.

We use the term "impairment" to mean any circumstance which impacts or may impact upon the ability and capability of an individual to undertake safe and effective practice.

If the Investigating Panel decides that there is a realistic prospect of a finding of impairment, a date will be fixed for a hearing by the Professional Conduct and Competence Panel.

If the Investigating Panel decides that there is not a realistic prospect of a finding of impairment, they may

- Request further evidence
- Refer the matter to the Interim Orders Panel
- Instruct a Technical Advisor
- Take no further action
- Ratify an Action Plan
- Issue a Letter of Advice

You will be informed of the outcome within 14 days.

The Professional Conduct and Competence Panel

The Professional Conduct and Competence Panel (PCCP) hearings are in public. You are likely to be at witness at the hearing. Information for witnesses can be downloaded from the website.

Please note that under the Consensual Disposal provisions, the practitioner can admit all or the majority of the allegations and there would not then be a hearing. Instead, the PCCP will meet in private to decide what sanction(s) to impose on him/her.

The following sanctions are available to the Professional Conduct and Competence Panel:

- Caution; and/or
- an Order imposing conditions with which the practitioner must comply while practising as an acupuncturist (a Conditions of Practice Order); and/or
- order the Registrar to suspend the practitioner's registration for the period specified in the Order (a Suspension Order); or
- order the Registrar to terminate the practitioner's registration for a minimum of two years (a Removal Order);
- and/or make a Costs Order.

It is also open to the Professional Conduct and Competence Panel to take no further action, even if a finding of impairment is made.

Appeals

It is not possible to apply for a review of a decision made by the Professional Conduct Officer or the Investigating Panel not to refer the case to a Professional Conduct and Competence Panel.

It is possible for the practitioner to appeal against a decision of the Interim Orders Panel and the Professional Conduct and Competence Panel. The appeal must be made within 28 days from the day on which the order or sanction was made. Appeals must be made in writing.

General information

In the event of delays caused by slow responses to information requested we will regularly update you on the progress of your case. Please note that it can take time to gather information and that it is not possible for us to give a time estimate as to how long it would take for a particular complaint to reach its final stage.

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