

Association of Pet Behaviour Counsellors- Complaints Procedure

1. Aims of the APBC

1.1 The aims of the APBC are set out in our website here:
<https://www.apbc.org.uk/apbc/>

2. Aims of the APBC's complaints procedure

2.1 To ensure that all complaints are handled and investigated in a professional manner.

2.2. To treat all complainants and APBC members fairly within the principles of the APBC constitution, the APBC code of practice and the general law.

2.3 To seek resolution between the complainant and the APBC member.

2.4 To seriously investigate all complaints.

2.5 To apply the complaints procedure to all levels of APBC Membership.

3. What constitutes a valid complaint?

3.1 Any material breach of the Code of Conduct of the APBC.

Examples of complaints:

1. Misleading or unscientific information on members' marketing materials.
2. Failing to maintain adequate insurance.
3. Causing avoidable harm, contrary to the welfare interests of an animal.

4. When would a complaint be dismissed?

4.1 Complaints that do not relate to a breach of the code of conduct may be dismissed.

Examples of issues which will not be considered complaints:

1. Failure to satisfactorily resolve a client's problem insofar as reasonable.
2. Failure to keep an appointment.
3. Pointing out the failings or mistakes of others working within the field of animal behaviour and training to clients or veterinary personnel. Others may include non-APBC members or those who are working within or out with the regulatory body of the ABTC.

5. Who may make a complaint?

5.1 Anyone may make a complaint, including members of the public, other members, veterinary professionals, and other organisations. This list is not exhaustive.

6. When should a complaint be made to the APBC?

6.1 It is expected that the complainant first approaches the APBC member to raise the complaint and to give them an opportunity to respond. Complaints that have not



been addressed initially to the APBC member would not be subject to the full complaints' procedure. There should be the opportunity for the complaint to be resolved between the two parties in the first instance.

6.2 In this initial stage the complainant should state that they are making an official complaint. Thus, APBC members should respond within 28 days using their own complaints procedure.

6.3 If there is no response within this 28-day timeframe, or the complainant is not happy with the response, they can then bring this to the APBC complaints committee and a Complaints Manager will be assigned.

6.4 If there are reasons why the complainant feels they are unable to approach the member directly then they can approach the APBC in the first instance. In such cases, they must inform the APBC Complaints Manager of the situation. An example might be a complaint of bullying.

7. Contact methods

7.1 All emails sent from the APBC regarding the complaint must use the 'received receipt' function on sending.

7.2 Written information is required unless agreed otherwise, at the discretion of the Complaints Manager. If the Complaints Manager deems appropriate, recorded virtual meetings (can be audio only) may be used. If this option is utilised then the member or complainant will be contacted and agreement reached for a date and time. No one will be "cold called" and questioned.

7.3 Virtual calls between the Complaints Manager and the member or complainant will last no longer than 30 minutes - if this is not sufficient time then both parties should agree another date and time.

7.4 Discussion of the actual complaint between the Complaints Manager and member will only happen once the member has been informed in writing of the nature of the complaint and provided with copies of all documentation relating to it. Any calls will be recorded and kept in line with the complaints' procedure.

8. Time Frames

8.1 Any complaint must be brought to the APBC within 2 years of the issue that is being complained about. If a complaint is older than that time frame the complaint will be dismissed.

8.2 Time frames are set out in this document - these are superseded by any time frames which are given by the Complaints Manager.

8.3 Information sent outside of the time frames will not be assessed unless there are exceptional circumstances.

9. The complaints procedure - the Complainant

9.1 All complaints must be made in writing and submitted by either e-mail or post to the APBC office. The complainant will give their full name, contact telephone number, e-mail address (if available) and postal address. Full contact details will be requested by the office if not initially provided. They should also confirm whether they have already raised a complaint with the APBC member (as per section 6). Anonymous complaints will be disregarded.

9.2 The complaint will be logged at the administrative office. Membership status of the individual will be checked and if found not to be a current member the complainant will be informed that no action can be taken by the APBC.

9.3 The letter or email of the complaint and contact details of the member will be passed to the designated Complaints Manager within the APBC complaints committee.

9.4 The Complaints Manager will contact the complainant by e-mail or letter to ascertain the exact terms of the complaint ('Further Information Request').

9.5 The complainant will be given a time frame to send the Complaints Manager further information. This is normally 21 days but will be confirmed in the Further Information Request sent by email or letter. If no further information is brought by this time limit, the complaint is assessed on the information already provided. If the initial contact did not provide satisfactory information, it will render the complaint null and void, and the complaint will be dismissed. The complainant will be informed of this decision.

9.6 If the complainant refers to independent parties who may be able to support the complaint, the validity of this will be checked by the Complaints Manager.

9.7 If the complainant supplies names and contact details (telephone number, e-mail address and postal address) of those independent parties referred to above then they will be contacted in writing by the Complaints Manager. Failure to provide contact details will mean no contact will be made.

9.8 The precise details of the complaint will be ascertained and documented by the Complaints Manager and submitted to the complainant for agreement.

9.9 The complainant will be made aware of and agree that all documentation and direct copies of the complaint will be sent to the APBC member for their response.

10. The complaints procedure - the APBC Member

10.1 Once the Complaints Manager has ascertained that the complaint is one that needs investigation and they have all the information they require, they will contact the member in writing (by e-mail or post). The Complaints Manager will explain the terms of the complaint, including the name of the complainant and witnesses if appropriate. The Complaints Manager will forward copies of all relevant documentation to the member by either e-mail or recorded delivery.

10.2 The member will be asked to confirm receipt of the complaint via email to the APBC office. The office will log that the complaint has been received.

10.3 If a response hasn't been received within 14 days, the APBC Office will contact the member again via email or telephone to determine whether the complaint has been received. If there is no response 14 days after this, the Complaints Manager will assess the complaint on the information they have.

10.4 The member will be asked to submit a written response to the allegations within 21 days of confirmed receipt. Extensions to this may be granted at the discretion of the Complaints Manager, but requests must be received within the 21 days.

10.5 If any further information is required, it will be requested at the discretion of the Complaints Manager and time frames for this will be communicated to the member.

10.6 The Complaints Manager will confirm with both parties that all information has been received, and the time frame in which a decision will be reached. This is normally 4 weeks after confirmation, but a clear timeframe will be provided in the written communication.

10.7 The Complaints Manager will assess the information they have from both parties to decide the outcome of the complaint.

11. Complaints Manager Assessment

11.1 If the Complaints Manager deems the written response from the APBC member reasonable and satisfactory, then the complaint will **not be upheld**. No further action will be necessary and both parties will be informed in writing.

11.2 In the eventuality that Complaints Manager does not consider that the member's written response is reasonable then the member will be informed in writing and the complaint will be **upheld**.

12. Outcome of the complaint assessment

12.1 If the complaint is **not upheld**, then no record will be kept, and it will not be used in any future proceedings. The process is entirely confidential. Only the complainant(s), the APBC member, independent parties (9.6) and the APBC complaints committee will have access to the relevant information relating to the complaint.

12.2 The complaint may be **not upheld, but the Complaints Manager provides recommendations** to the member, with no liabilities. Recommendations are only recommendations and thus the APBC member is not under any obligation to follow this recommendation.

12.3 If the complaint is **upheld** then a record will be kept on file for five years, and knowledge of this complaint may be taken into account if other complaints of a similar nature are received in the future. A sanction is likely in this case.

12.4 Details of an upheld complaint will not be passed on to any other organisation either formally or informally, apart from the regulator (the ABTC) if appropriate, or law enforcement agencies (if a legal requirement exists to do so).

13. Sanctions.

13.1 Sanctions will reflect the gravity of the offence; for example, they may include offering an apology to the complainant, completing CPD within a specified timeframe, or expulsion for serious or continuing failures. Sanctions will be given a time limit in which the APBC member is expected to comply. Failure to comply with recommendations may result in further disciplinary actions by the Complaints Manager.

13.2 Sanctions when a complaint is upheld may include:

- Removal from register
- Suspension from register
- Reprimand

13.3 The APBC has no authority to order payment of a fine or compensation of any kind. If a complainant seeks compensation or refund of monies the complainant may wish to pursue this through the courts.

14. Appeals against the Complaints Manager's decision

14.1 The complainant or the APBC member can appeal against the Complaints Manager's decision. This must be received no later than 8 weeks of the Decision Letter.

14.2 Appeals will be assessed if there are exceptional circumstances (i.e., one of the parties was incapacitated at the time of requesting information) or if one of the parties has further evidence they wish to be considered.

14.3 The Appeal will be assessed by another Complaints Manager (appointed as the Appeals CM), who will be another member of the APBC Committee, and all information will be passed on. The same procedure as set out in the earlier sections will apply. It is very likely that, in the absence of further evidence, the assessment outcome will be the same. The Appeals CM would also need to know why the further evidence was not presented when requested for the initial assessment.

14.4 If the Appeals CM agrees with the findings of the initial decision, both parties will be informed in writing. This will form our Final Decision (see Section 16).

14.5 If the Appeals CM finds a different outcome depending on the information provided, then both parties will be informed in writing. This will form our Final Decision. (See Section 16).

15. Negotiations of the complaints

15.1 In rare circumstances, if the Appeals CM deems it appropriate, then negotiation with the complainant and member may be appropriate to reach a satisfactory resolution of the complaint.

15.2 In this case, the complainant and member will be asked to attend a specially chaired meeting of the APBC.

15.3 This meeting should take place at a convenient location for both parties, at a time and date that is suitable. This may also take place online when all parties can

be present. The member will be given 28 days written notice to attend a meeting of the Committee and written details of the complaint made against them.

15.4 The complaints panel will consist of a new Complaints Manager (different to the initial Complaints Manager), and any other members of the APBC complaints committee as agreed upon by the Committee. The member and complainant will be allowed the opportunity to be accompanied by another. In addition, the member and complainant will be given the opportunity to present their case or ask another (e.g., solicitor) to do so for them.

15.5 It shall be for the complaints panel to determine the nature of the meeting and whether cross examination is appropriate. If either the member or complainant declines or refuses to attend such a meeting, it may proceed in their absence. Within 21 days of the meeting, a decision will be made by the Appeals CM and other committee members. No member may be expelled unless at least two thirds of the committee then present votes in favour of the member's expulsion. The member and complainant will be informed of this decision in writing.

16. Final Decision

16.1 The Final Decision signals the end of our complaints procedure. This will be issued once both parties have been through the Assessment (section 12), and/or Appeal (section 14), and/or Negotiations (section 15) stage. If any party is unhappy with the Final Decision, the next stage is to approach the Animal Behaviour and Training Council Disciplinary Procedure.