



The National Registers of Communication Professionals
working with Deaf and Deafblind People

Making a complaint

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1. What is this handbook for?

This handbook provides you with information on the process if you make a complaint about a communication and language professional who is registered with NRCPD. Substantive guidance is contained within our Complaints Process, and this handbook should be read in conjunction with that document.

2. What are the main things I need to know?

Anyone can make a complaint.

Complaints can only be made to NRCPD about communication and language professionals who are registered with NRCPD. We cannot investigate communication professionals who are not registered with us.

A person can only make a complaint if they think the professional did not act how the [Code of Conduct](#) says they should act. We would always support people to tell us if they have a concern even if they do not think, or are unsure, if the Code of Conduct has been breached.

We usually only consider complaints about things that happened less than six months ago, but we will consider all complaints. This is because sometimes the problem might not become apparent until much later, or the delay might be due to something out of your control.

A person making a complaint (Complainant) must tell us their name and contact details. That is because we want the process to be fair and transparent for everyone involved.

We will ask Complainants to provide evidence and examples to support the complaint.

3. Introduction to NRCPD

NRCPD regulates communication and language professionals who work with deaf and deafblind people. We call these professionals: -

- 'Registrants' if they are fully qualified, and
- 'Regulated Trainees' if they are still training.

Communication and language professionals are sign language interpreters, sign language translators, speech to text reporters, lipspeakers, interpreters for deafblind people and notetakers.

We believe the job they do is complicated and important. They make sure people understand what happens in a Doctor's appointment, Courtroom, Police Station, classroom, working environment and elsewhere.

If a communication and language professional do their job badly, the consequences can be serious. It can threaten the life or freedom of a deaf or deafblind person.

We make sure the people who use communication and language professionals are kept safe and receive a high quality service. We do that by checking our Registrants and Trainees are properly trained to do their job safely and consistently.

We expect everyone who is registered with NRCPD to have certain knowledge and skills. We call these '[professional standards](#)'. Only professionals who meet these standards can carry an NRCPD photo ID card.

The [Code of Conduct](#) says how our Registrants and Trainees should act. Everyone who is registered with NRCPD has agreed they will do what the Code says.

4. Why are complaints important?

It is important that someone can make a complaint if they think one of our Registrant/Trainees did not act how the [Code of Conduct](#) says they should act.

This is important because it helps us to protect the public and uphold professional standards. If someone has a bad experience and does not tell us, we cannot make sure it does not happen to anyone else.

Sometimes the professional will have just made a mistake. But it is still important we know about it so we can make sure other communication and language professionals do not

make the same mistake. Learning from mistakes is a powerful way of helping to improve services.

At other times it might not have been a mistake and if this is the case, we will then need to decide what to do.

5. Who can make a complaint?

Anyone can make a complaint about a Registrant or Regulated Trainee, but a Complainant must give us evidence in support of the complaint, and their name and contact details.

If a complaint is made anonymously, we usually will not do anything about it. This is because we want the complaints process to be fair and transparent for everybody.

If someone submits a complaint anonymously, we cannot ask them for more information, and the Registrant/Trainee will find it difficult to defend themselves.

But, if the complaint is very serious, we might have to do something about it even if it is made anonymously.

6. Who can a complaint be made about?

A complaint can be made about any Registrant or Regulated Trainee.

A complaint cannot be made about a communication and language professional who is not registered with NRCPD. That is because NRCPD is a Voluntary Regulator. That means communication and language professionals do not have to be registered with us.

But, because we think all communication and language professionals should be registered, we do want to know about concerns with unregistered communication and language professionals.

7. What can a complaint be made about?

A complaint can be made if someone thinks a Registrant/Trainee did not act how the [Code of Conduct](#) says they should act. That might include

- being dishonest, committing fraud or abusing someone's trust;
- taking advantage of a vulnerable person;
- not respecting someone's right to make their own decisions;
- not keeping information confidential;
- discriminating against someone; or
- not having the skills they say they do.

8. How does someone make a complaint?

The first thing someone should do if something goes wrong, is try and talk to the Registrant/Trainee about it. It might have been a simple misunderstanding.

But if an informal approach does not work, or if the problem was so serious the Complainant does not want to talk to the Registrant/Trainee directly about it, a formal complaint can be made. The complaint should be made as soon as possible after the event.

We usually only consider complaints about things that happened within 6 months, but sometimes a problem might not become apparent until much later. That's because the impact of a mistake might not be immediate, or the delay might be due to something out of the person making the complaint's control.

So, we will consider all complaints, however long ago the assignment was. When we have reviewed the complaint, we will tell the Complainant if we will take the complaint further, or if additional information or evidence is required.

A complaint can be made by: -

- filling out the online form;
- downloading the form, filling it out and emailing it to complaints@nrcpd.org.uk;

- downloading the form, filling it out and sending it to Registration Service Manager, NRCPD, Suite D, Second Floor, Richard Annand House, Unit 18, Mandale Park, Belmont Industrial Estate, Durham, DH1 1TH; or
- answering the form in a video and sending it to complaints@nrcpd.org.uk.

A Complainant will need to tell us: -

- their name;
- their contact details;
- The Registrant/Trainee's name;
- if they tried to resolve the problem informally with the Registrant/Trainee;
- what part or parts of the Code of Conduct they think the Registrant/Trainee didn't follow;
- what happened;
- when and where it happened;
- if there were any witnesses; and
- who arranged for the Registrant/Trainee to be there.

9. What happens after a complaint has been made?

Initial investigation

1. If we accept the complaint, depending on the circumstances, we may tell the Registrant/Trainee immediately that a complaint has been made or;
2. We will investigate the complaint and gather additional evidence/statements prior to notifying the Registrant/Trainee. How long the process takes depends on the situation. We will keep the Complainant updated at various stages during the process.
3. Once we send the complaint to the Registrant/Trainee, we will send them a copy of everything we have collected, including the initial complaint and all other evidence/statements provided to us. We recommend that Registrants/Trainees do not try and contact the person who has made the complaint, or any witnesses involved, at any time during the complaints process.

4. The content and nature of the complaint should be treated as confidential, and not discussed with anyone outside of the Complaints Process.
5. The evidence we send the Registrant/Trainee is to give them a full understanding of what the complaint is about. They will be invited to tell us their side of the story.
6. The Registrant/Trainee will usually have **20 working days** to tell us their side of the story by submitting their first statement. Sometimes we might give them more time, however this is unusual and will usually be limited to a maximum extension of 10 days unless the circumstances requiring the extension are exceptional (medical treatment, grievance, investigation by a statutory agency for example). Office closures, over the Christmas or bank holiday periods for example, may also mean amendments to deadlines may have to be considered. If additional relevant evidence comes to light at a later stage, this may also mean an extension to any deadline may need to be considered.
7. The Registrant/Trainee does not have to tell us their side of the story if they do not wish.
8. After the Registrant/Trainee has given us their first statement, we will usually send this on to the Complainant and ask the Complainant to respond and provide a second statement. We will usually give the Complainant **20 working days** to submit their additional statement.
9. If the Complainant submits a second statement, we will then send that to the Registrant/Trainee too. They will then have another **20 working days** to respond for a final time, by submitting a final second statement. As above, extensions to these deadlines may be granted to both parties in certain circumstances, however this is unusual.
10. We might ask other witnesses to provide statements if we feel this is necessary.
11. After we have received all of the above information, the complaint will be collated and sent on to a panel of independent Case Examiners. It is the Case Examiners job to decide, based on the evidence, whether: -
 - a. There is a realistic prospect of a finding of impairment of fitness to practise; and

- b. It is in the public interest to refer the case to the Complaints Committee.

The Case Examiners usually have **20 working days** to review the evidence and make a decision, however this deadline may be extended in certain circumstances, e.g. complex cases, if additional evidence or statements are requested by the Case Examiners or due to seasonal office closures/bank holidays.

12. The Case Examiners have a number of options available to them, which may include:

- giving advice or a formal written warning on how the Registrant/Trainee should act in future;
- make a recommendation for some remedial action to be undertaken e.g. an apology letter to the Complainant, some training or supervision be undertaken by the Registrant/Trainee;
- agree an Undertaking with the Registrant/Trainee;
please note if the Undertaking is not adhered to, the Registration Service Manager will notify the original Case Examiners of this. The Registrant/Trainee will be invited to provide written submissions outlining their reasons for not complying with the Undertaking if they so wish.
- suggest mediation;
- dismiss the complaint with no further action;
- refer the case to a Committee (more serious allegations) see below for information on Committee Hearings.

Suspension of registration

Sometimes the nature of the complaint might be very serious. If it is, we might decide that until the complaints process has finished: -

- a. the registration of the Registrant/Trainee should be suspended; or
- b. conditions should be attached to the Registrant/Trainees registration.

If we do that it does not mean that we have decided that the Registrant/Trainee did what the Complainant said they did, but our primary duty is to protect the public.

If we do decide to suspend registration or add conditions to it, we will ask a professional adviser who is not a communication professional to review the decision. When considering any suspension, we will consider factors including the nature of the allegations made, the risks to the public associated with the behaviour alleged, and also the potential views of the public around the alleged behaviour and impact and consequences of it.

The Registrant/Trainee can appeal against the decision to suspend registration or add conditions to it by writing to us. The appeal will be considered by a panel of a mix of three appropriately qualified NRCPD retained lay and standards professionals, who have had no prior knowledge of the complaint. No new appeal can be submitted within **30 working days** of any previous appeal.

If the complaint will be considered by a Complaints Committee Hearing

If the complaint is to be considered by a Complaints Committee, we will arrange for the hearing to take place as soon as is reasonably possible. The hearing will usually take place in London and NRCPD will cover all reasonable travel and costs associated with the day.

We will contact the Complainant to ask about dates they are able to attend, as they will be invited to give any evidence they wish in person. The Registrant will also be invited to attend, and they, and NRCPD may also invite other witnesses who have provided evidence or statements. NRCPD may also request that Independent Expert Witnesses prepare a report for the hearing, this will depend on the specific circumstances and issues surrounding the case.

We can make arrangements for a Complainant or witness to give evidence via Skype or video link, or for statements to be read out at the hearing, but our preference is always for Complainants and witnesses to attend in person if possible.

How long it takes to arrange a hearing depends on the complaint. We will keep all parties updated with what is happening. Everyone involved will have **at least 40 working days'** notice of the date of the hearing.

The complaint may be presented by a member of NRCPD staff, a solicitor, a barrister or another suitable person.

The Registrant can either: -

- a. represent themselves;
- b. be represented by a solicitor, barrister, friend or other appropriate person; or
- c. make a written submission without attending.

At the committee hearing

The hearings are usually held in public, which means that generally speaking, the public and the press can attend, as anything said at a public hearing can be reported in newspapers, on web forums and blogs, or on television, although this is rare. However, in certain circumstances, we can ask that the hearing is held in private.

Complainant and witness identities are protected during the process. Any names, or contact information identifying any party personally will be removed and they will be referred to as “Complainant” or “Witness”. This is to ensure confidentiality during the hearing process, but also ensures the complete impartiality of the Panel at the Committee Hearing. *It is worth noting, that although names and personal details of Complainants and witnesses’ details are removed, the Registrant/Trainee will know who these people are, as they will have been made aware of their names at the very initial stages of NRCPD’s investigation.*

Although the Registrant/Trainees’ personal contact information is removed for the hearing (address, email, telephone number etc.), their name remains, and they will be referenced by name throughout the hearing.

The Committee Panel members will be: -

- someone who is not registered with NRCPD, who will be the Chair of the Committee; and
- two of our professional standards advisers:
 - one from the same profession as the Registrant/Trainee; and

- one from a different profession to the Registrant/Trainee.

An independent Legal Assessor will give the Committee Panel, and other people involved, advice about matters of law and procedure. A speech to text reporter will usually record what is said exactly as it is said, or it will be recorded using a recording device and transcribed at a later stage.

The Registrant/Trainee will have the opportunity to admit whether the complaint is factually correct. If they do make an admission, the Committee Panel will consider the complaint to be proved and there will be no need for the hearing to go ahead.

If they do not admit that the complaint is factually correct, the hearing will go ahead and the Complainant, witnesses', Registrant/Trainee and NRCPD representative will be asked to give evidence and information to the Committee Panel relating to the complaint.

The Registrant/Trainee, or their representative, may question the Complainant and any witnesses and give evidence of their own. The Committee Panel and NRCPD representative can then also questions of Complainants, witnesses' and the Registrant/Trainee. There are rules around what and how questioning can be conducted within the Committee Hearing, which protects Complainants and witnesses during this process. The Chair of the Committee Panel will be considerate and ensure treatment of everyone in attendance is fair. Once the Complainant/Witness has given their evidence, they will be free to leave, or they can stay and watch the remainder of the Committee.

Once all the evidence has been given, the Committee Panel will retire in private to consider the evidence and reach a conclusion. There are no limits on how long the Committee Panel can take to make a decision, however this should be reasonable. Occasionally, the Committee Panel may not reach a decision by the end of the Committee Hearing, in this instance, the Hearing will be adjourned for the Panel to reconvene to conclude their deliberations.

What the committee has to decide

The Committee has to decide: -

- if what the Complainant said happened did happen;
- if that means the Registrant/Trainee did not act how the Code of Conduct says they should have; and
- if that means the Registrant/Trainee is fit to practise.

When they are deciding if the Registrant/Trainee is fit to practise or not, the Committee will also consider if the Registrant/Trainee: -

- has done anything to improve their behaviour or know what action to take to practise safely;
- understand the harm caused;
- ignored previous warnings or carried on doing what caused the harm;
- has undermined the public's confidence in the profession through their actions; and
- has not acted how the Code of Conduct says they should have.

The Committee can:-

- reject the complaint because the evidence does not support it;
- uphold the complaint without taking disciplinary action because it wasn't serious enough; or
- uphold the complaint and take disciplinary action.

If the Committee decides to take disciplinary action

Before they decide what disciplinary action to take the Committee will: -

- ask the Registrant/Trainee (or their representative) what they think should happen;
- ask the NRCPD representative what they think should happen; and
- be told about any other complaints that were upheld against the Registrant/Trainee.

The Committee can: -

- give the Registrant/Trainee a formal written warning explaining how they should act;

- require the Registrant/Trainee to do something, such as training;
- suspend the Registrant/Trainee from the Register for a specific amount of time; or
- remove the Registrant/Trainee from the Register.

After the Committee has made its decision

The Committee will send us a report within **10 working days** of making its decision. The report will: -

- summarise the case;
- tell us what the Committee's decision was;
- tell us what disciplinary action needs to be taken, if any.

Within **10 working days** of getting the report we will write to the Complainant and the Registrant/Trainee, explaining what the Committee decided. We will send it by registered, recorded or special delivery mail.

The Committee's decision and reasons will be published on our website after **20 working days**, subject to any appeal. They will be added to the Registrant/Trainees online registry entry. Details about the Complainant and other witnesses will not be published.

If the Registrant/Trainee does not do what the Committee said they must do

If the Registrant/Trainee does not do what the Committee said they must do, we will tell the Committee.

We will ask the Registrant/Trainee to explain why they have not done what the Committee said they must do.

The Chair of the Committee or the Committee member who is not a member of the same profession will decide if another Committee has to consider the case.

If you do not agree with the Committee's decision

The Registrant/Trainee or the Complainant can appeal the decision of the Committee if: -

- there were errors in the way the Committee heard the case; or
- The Registrant/Trainee, or the Complainant, have substantial and relevant **new** evidence that was not available or considered at the hearing.

Any appeal must be made in writing, to the Registration Service Manager within **20 working days** of receiving our letter explaining what the Committee decided. We will acknowledge any appeal made within **5 working days** and notify the other party within **5 working days** of receiving it.

If an appeal is made on the basis that there were errors in the way the Committee heard the case, examples of these errors with supporting evidence must be provided.

If an appeal is made on the basis that there is substantial and relevant new evidence that was not available or considered at the hearing, evidence of this substantial and relevant new evidence must be provided, along with an explanation as to why this was not available for the previous hearing and its relevance to the case and your appeal.

Appeal Committee

If either the Registrant/Trainee, or the Complainant lodge an appeal, we will arrange an Appeal Committee. We will organise the Appeal Committee.

At the Appeal Committee meeting

The Appeal Committee members will have no prior knowledge of the case.

They will be

- someone who is not registered with NRCPD, who will be the Chair of the Committee; and

- two of our professional standards advisers:
 - one from the same profession as the Registrant/Trainee; and
 - one from a different profession to the Registrant/Trainee.

The Appeal Committee will firstly be approached by the person who made the appeal. The Appeal Committee's first job is to decide whether they believe there are grounds to allow the appeal (if there were errors in the way the Committee heard the case or the person who made the appeal has substantial and relevant evidence that was not considered at the first hearing).

If either of the above grounds are satisfied by the person making the appeal, the Appeal Hearing will then take place. If neither (one or both) of the grounds are satisfied, the Appeal will be dismissed, and the original Committee decision will stand.

The Appeal Committee does not have to consider everything that was considered by the original Committee hearing when hearing the appeal. It is up to the Appeal Committee to decide which elements of the evidence to review or which witnesses it wants to hear from.

What the Appeal Committee has to decide

After hearing the evidence, the Appeal Committee can: -

- find in favour of the person who appealed and change the original Committee's decision;
- agree with the original Committee's decision but, where relevant, change the disciplinary action; or
- agree with the original Committee's decision and the disciplinary action.

After the Appeal Committee has made its decision

The chair of the Appeal Committee will send us a report within **10 working days** of making its decision. The report will: -

- summarise the appeal;
- tell us what the Appeal Committee's decision was; and
- tell us about any changes to the disciplinary action.

Within **5 working days** of receiving the report we will write to the parties explaining the decision.

Where necessary, we will make changes to any registry entry.

The decision of the Appeal Panel is final and cannot be appealed against.

10. What is mediation and why should I agree to it?

Mediation is a way of solving a problem between two or more people. It involves a trained person, called the mediator, helping you to talk it through together and reach a solution. Both the Complainant and the Registrant must agree to mediation in order for it to take place.

Mediation means you have more control over the process.

Why should you agree to mediation?

Mediation can be helpful because sometimes a problem is simply the result of a misunderstanding. When a person makes a complaint, they may have known the Registrant/Trainee did not mean to make a mistake, but the Complainant might want to make sure it does not happen again.

A mediator is trained to help you think creatively. They will help both parties consider all the options, including some you might not have thought of

Why should you agree to mediation?

Mediation can be helpful because sometimes a problem is simply the result of a misunderstanding. When a person makes a complaint, they may have known the Registrant/Trainee did not mean to make a mistake, but the Complainant might want to make sure it does not happen again.

A mediator is trained to help you think creatively. They will help both parties consider all the options, including some you might not have thought of.

Talking it through with the help of a mediator can lead to a solution quickly. A Committee approach can take much longer and may require attendance at a Hearing to give evidence relating to the Complaint.

Everything is kept confidential unless both the Complainant and the Registrant/Trainee agree to make it public.

Mediation means the parties have more control over the process. A Committee approach means it is up to the Committee alone to decide what happens after the evidence has been heard.

If you agree to mediation

If the Complainant and Registrant/Trainee both agree to mediation, the Complainant, Registrant/Trainee, and the mediator will sign an Agreement to Mediate. It confirms everyone understands the process and are committed to it, including: -

- a. agreeing to co-operate with the mediator;
- b. agreeing to provide reasonable responses to queries or requests for additional information;
- c. entering into mediation with the aim of reaching agreement;
- d. accepting the need to compromise;
- e. making an effort to cooperate with each other and with the mediator;

- f. other than things that raise concerns about public safety or have to be disclosed by law, everything that is said in the meetings is confidential;
- g. the mediator cannot be called as a witness in any later proceedings; and
- h. no formal notes will be kept.

The process then usually happens in four stages.

1. Opening stage. The mediator may meet the Complainant and the Registrant/Trainee separately. Then everyone meets together. The mediator describes the process. They explain that there is a fixed time allowed and it is the parties responsibility to make best use of it. Each person gives their opening statement.
2. Exploration stage. Both parties, supported by the mediator, discuss the issues in detail.
3. Negotiation stage. Discussions about what should happen.
4. Resolution stage. Agreement about what will happen.

Examples of what might happen as a result of mediation include

- an apology;
- the Registrant/Trainee agreeing to change how they do something; or
- a promise to do something to remedy the current position.

The mediator will write down what has been agreed. It will be signed by the Complainant, the Registrant/Trainee and the mediator.

What has been agreed will be kept confidential unless both parties agree to make it public.

If the Registrant/Trainee does not do what they agreed to do, we will ask a professional adviser who is not registered with NRCPD to ask why. The professional adviser will then decide if a Complaints Committee should consider the matter.

When mediation is not successful

If mediation is not entered into, or if it is unsuccessful, the case will be referred to Committee for a decision to be made. Please see above for a detailed summary of the Committee process.

11. What support is available?

NRCPD act impartially when dealing with complaints and will support both the Complainant and Registrant/Trainee procedurally during the process, but parties may wish to seek independent advice outside of the support available from NRCPD.

Professional associations

- [Association of Lipspeakers](#)
- [Association of Notetaking Professionals](#)
- [Association of Sign Language Interpreters](#)
- [Association of Verbatim Speech to Text Reporters](#)
- [Visual Language Professionals](#)
- [Association of Lipspeakers with Additional Sign](#)

Trade unions

- [National Union of British Sign Language Interpreters](#)

Other

- [Citizens Advice](#)
- [Law Centres Network](#)

12. Contact details

NRCPD

Email: enquiries@nrcpd.org.uk

Telephone: 0191 323 3376

Text: 07526 173329

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