



ENQUIRY AND COMPLAINT PROCESS

The Association of Cooperative Counselling Therapist of Canada (ACCT) has been incorporated since August 14, 2013, under the British Columbia Cooperative Association Act, 1999. ACCT is dedicated to protecting the public through regulating and establishing the ACCT Code of Ethics and ACCT Standards of Practice. The Association grants the use of the designations “Registered Therapeutic Counsellor” (RTC) or “Accredited Counsellor” (AC), “Master Therapeutic Counsellor” (MTC) and "Registered Counselling Supervisor" (RCS) to counsellors who are voluntarily registered with the Association. RTC (AC), MTC and RCSs have satisfied rigorous standards and successfully completed comprehensive supervision.

Counsellors registered with ACCT are accountable to the Association and to the public through the ACCT Code of Ethics and ACCT Standards of Practice, as well as through its complaint, investigation and discipline procedures. Protecting the public is initially satisfied through a rigorous registration process, and when a complaint is lodged, through an inquiry process. The ACCT Ethics Committee receives and investigates complaints against members.

Each inquiry or complaint is responded to in accordance with the ACCT rules, and in keeping with the rules of administrative fairness and natural justice. In particular, confidentiality is maintained throughout the investigative process, except where disclosure may be required by law. To the extent that resources permit, complaints are investigated in a timely fashion.

The Complaint Process

During the complaint process, ACCT works with the counsellor to ensure accountability to the ACCT Code of Ethics and ACCT Standards of Practice.

ACCT will address complaints when:

- The complaint involves concerns about a current member of ACCT;
- The events that gave rise to the complaint occurred at a time when the counsellor was a member of ACCT;

- The concern is about a potential breach of the Code of Ethics and Practice Standards for ACCT; and
- The concern(s) are expressed on behalf of the complainant or a minor for whom you are guardian, and either you or that minor were clients of the ACCT member and/or received counselling services from him or her.

Please review the Code of Ethics and ACCT Standards of Practice before placing your complaint, to determine if your concern is one that ACCT can address.

ACCT is not able to deal with the Complaint if:

- there are current legal proceedings involved;
- the complaint concerns a health care facility, institution or agency; and
- the complaint is about business practices outside the ACCT Code of Ethics and ACCT Standards of Practice.

The types of concerns ACCT can address:

- Disrespectful behavior towards clients
- Poor professional boundaries
- Client exploitation
- Confidentiality / disclosure and informed consent issues
- Incompetence
- Improper termination of therapy
- Privacy/Confidentiality
- Failure to address informed consent
- Excessive self-disclosure from counsellor
- Disrespect for others
- Undeclared conflicts of interest
- Client exploitation for personal or professional gain
- Failure to provide information about training and background
- Demonstrated Bias
- Failure to release records at client request
- Child custody and access issues
- Inadequate risk management

Starting the complaint process

The ACCT Ethics Committee receives and investigates complaints against members. If you have a potential complaint:

1. Please email info@acctcounsellor.com with a request to speak to someone regarding your complaint.
2. Upon receiving a callback, provide the counsellor's name to determine if the counsellor is currently a registered ACCT member. If the counsellor is not registered, ACCT will not be able to address the complaint.
3. If the counsellor is registered with ACCT, a phone interview with an ACCT representative will determine if your complaint falls within ACCT jurisdiction and what information is required to proceed.
4. If these criteria are met, you will be emailed a formal complaint package.

Formal complaint package

The formal complaint package consists of two forms:

- The ACCT Complaint Form
- An Authorization for Release of Complainant Information

Once we receive your completed complaint package, Membership Services conducts a preliminary review and the complaint is forwarded to the Ethics Committee.

The Investigation Process

The Ethics Committee will:

1. Determine and/or identify the potential violation(s)
2. Send a copy of the complaint to the counsellor involved. This will include the request for a written response within 30 days;

3. Review the initial response provided from the counsellor;
4. Propose a resolution to the complaint to the parties involved OR dismiss the complaint;
5. Determine if further information is required and if so, launch an investigation. When a formal investigation is indicated, it is conducted by a certified investigator under the direction of the Ethics Committee.
6. Make a careful review of the Investigator's Report;
7. Propose a resolution of the complaint by either negotiating a Consent Agreement with both parties or dismiss the case;
8. Refer the complaint to the ACCT Membership Team in circumstances where a Sanction Agreement is required;
9. Refer the complaint to the ACCT Discipline Team in extraordinary circumstances where a suspension or deregistration is recommended; and
10. Provide follow-up letters to the parties at the conclusion of step 3 and 6.

The member being investigated MUST participate in the investigations and cooperate with the Ethics Committee. Failure to do so will not negate the Ethics Committee's findings or decisions.

The Ethics Committee cannot:

- Suspend or deregister a member. This is under the jurisdiction the ACCT Board of Directors;
- Negotiate any financial restitution;
- Investigate allegations of criminal behaviour; and
- Make rulings on legal matters.

Sanction Agreement

If the Ethics Committee deems it necessary, a Sanction Agreement will be created. Typically a Sanction Agreement contains:

- specific remedial activities that the counsellor agrees to undertake, at their own expense, in order to address the area(s) of concern identified by the complaint process, for example: coursework, clinical supervision, rewriting reports etc;
- responsibilities of the counsellor to comply with and complete the Sanction Agreement; and
- a timeline for completion of the remedial activities. A letter will be sent to the complainant when all the items in a Sanction Agreement are completed and the complaint process is closed. If the Sanction Agreement is not completed as set out, then further action may be taken.

Suspension or Deregistration

If the ACCT Board of Directors deems it necessary, it may impose a suspension or deregister a member based on the recommendation of the Discipline Team.

If a member is deregistered from ACCT, due to a disciplinary action, then the Board will inform the member involved, the professional insurance provider of such and may inform the ACCT membership and any other person or party it deems necessary for the purpose of protecting the public.

Timeliness

Every effort is made to resolve complaints in a timely manner; in rare instances, it may take up to a year. The complainant will receive a summary of the case outcome in writing. In situations where the complainant deems the Ethics Committee's decision as unsatisfactory, the complainant has the right to appeal the decisions of the Ethics Committee to the ACCT Board of Directors within 30 days of the decision.