



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

## When someone makes a complaint about you

### Contents

1. What is this handbook for? .....	2
2. What are the main things I need to know? .....	2
3. Introduction to NRCPD .....	2
4. Why are complaints important? .....	3
5. Who can make a complaint? .....	4
6. Who can a complaint be made about? .....	4
7. What can a complaint be made about? .....	4
8. How does someone make a complaint? .....	5
9. What happens after a complaint has been made? .....	6
10. What is mediation and why should I agree to it? .....	16
11. What support is available? .....	18
12. Contact details.....	19

## 1. What is this handbook for?

This handbook provides you with information on the process if someone makes a complaint about you. 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 investigated about communication and language professionals who are registered with NRCPD. We cannot investigate complaints made against communication professionals who are not registered with us.

Complaints can only be made if someone thinks you did not act how the [Code of Conduct](#) says you should act.

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

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

The Complainant must provide evidence and examples to support the complaint.

## 3. Introduction to NRCPD

As you know, NRCPD regulates communication and language professionals who work with deaf and deafblind people. We call you: -

- 'Registrants' if you are fully qualified, and
- 'Regulated Trainees' if you 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 you do is complicated and important. You 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 you are properly trained to do your 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 you 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 you did not act how the Code of Conduct says you 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 someone 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 their complaint, and tell us 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 you will find it difficult to defend yourself.

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

## 6. Who can a complaint be made about?

A complaint can be made about any NRCPD 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 about you if someone thinks you did not act how the [Code of Conduct](#) says you 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 you say you do.

## 8. How does someone make a complaint?

The first thing someone should do if something goes wrong, is try and talk to you 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 person does not feel able to talk to you, a formal complaint can be made. A complaint should be made as soon as possible after the event.

We usually only consider complaints about things that happened within six 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 Complainants control.

So, we will consider all complaints, however long ago the assignment was. When we have reviewed a 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](mailto: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](mailto:complaints@nrcpd.org.uk).

Complainants will need to tell us: -

- their name;
- their contact details;
- your name;
- if they tried to resolve the problem informally with you;
- what part or parts of the [Code of Conduct](#) they think you didn't follow;
- what happened;
- when and where it happened;
- if there were any witnesses; and
- who arranged for you 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 you immediately that a complaint has been made or;
2. We will investigate the complaint further and gather additional evidence and/or statements before notifying you. How long the process takes depends on the situation.
3. Once we send the complaint to you, we will give you a copy of everything we have collected, including the initial complaint and all other evidence the person who made the complaint gave to us, or that we have gathered. We recommend that you do not try and contact the Complainant, or any witnesses involved, at any time during the complaints process.
4. The evidence we send you is to give you a full understanding of what the complaint is about. You will be invited to tell us your side of the story.
5. The content and nature if the complaint should be treated as confidential, and not discussed with anyone outside of the Complaints Process.
6. You will usually have **20 working days** to tell us your side of the story by submitting your first statement. Sometimes we might give you 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 period or public bank holidays may also mean amendments to deadlines may have to be considered. If additional evidence comes to light at a later stage, this may also mean we consider extending deadlines.

7. You do not have to tell us your side of the story if you do not wish.
8. After you have sent us your first statement, we will usually send this to the Complainant and might ask them for more information and to provide a second statement. They will be given **20 working days** to submit this. If additional information is sent, we will send that to you too. You will then have another **20 working days** to respond for a final time, by submitting a second statement. As above, extensions to these deadlines may be granted to both parties in certain circumstances however this is unusual.
9. We might ask other witnesses to provide statements if we feel this is necessary, if we do, we will send you these.
10. 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 office closures as mentioned above.

11. The Case Examiners have a number of options available to them, which may include: -
  - giving advice or a formal written warning on how you 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 you;

- agree an Undertaking (formal promise) with you; please note if the Undertaking is not adhered to, the Registration Service Manager will notify the original Case Examiners of this. You will be invited to provide written submissions outlining your reasons for not complying with the Undertaking if you 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. your registration should be suspended; or
- b. conditions should be attached to your registration.

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

If we do decide to suspend your registration or add conditions to it, we will ask a professional adviser who is not a communication professional to review the decision.

You can appeal against the decision to suspend your 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. You will not be allowed to submit a new appeal 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. We will contact you to ask about dates you are able to attend.

You will be invited to submit evidence to us, inform us of any witnesses you would like to attend, and will be asked to attend and give any evidence you wish in person. **Please note it is not NRCPD's responsibility to gather or collate the evidence upon which you intend to rely on for the hearing. It will not be assumed that evidence submitted as part of the investigation into the complaint is your evidence for the hearing, and it is suggested consideration is given to "NRCPD's Complaints Process", specifically Section 4 when Registrants/Trainees are preparing for a Committee Hearing and that independent legal advice and support is sought around the Committee Hearing.**

The Complainant will also be invited to attend, and we 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. You will be provided with a copy of any report(s).

How long it takes to arrange a Committee depends on the complaint. We will keep you updated with what is happening. You will have **at least 40 working days** notice of the date of the Committee.

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

You can: -

- a. represent yourself;
- 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 meeting can be reported in newspapers, on web forums and blogs, or on television, although this is rare. Under certain circumstances, we can ask that the hearing is private.

Complainant and witness' identities are protected during the process. Any names, or contact information (address, email, telephone number etc.) 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, you will know who these people are, as you will have been made aware of their names at the very initial stages or NRCPD's investigation.*

Although your personal contact information is removed, your name remains, and you 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 you; and
  - one from a different profession to you.

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.

You will have the opportunity to admit whether the complaint is factually correct. If you 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 you do not admit that the complaint is factually correct, the hearing will go ahead and everyone in attendance will be asked to give evidence.

NRCPD will firstly present their case and ask the Complainant and any witnesses questions and for evidence. You or your representative and the Committee Panel may then question the Complainant and any witnesses. There are rules around what and how questioning can be conducted within the hearing, which protects the Complainant and witnesses' during this process. The Chair of the Committee Panel will be considerate and ensure treatment of any parties is fair.

When the NRCPD representative has finished presenting their case you may call any witnesses you have previously notified as being in attendance and make final submissions to the Committee Panel about the case.

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 hearing, in this instance, the hearing will be adjourned for the Committee 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 you did not act how the Code of Conduct says you should have; and
- if that means you are fit to practise.

When they are deciding if you are fit to practise or not, the Committee will also consider if you: -

- have done anything to improve your behaviour or know what action to take to practise safely;
- understand the harm you caused;

- ignored previous warnings or carried on doing what caused the harm;
- have undermined the public's confidence in the profession through your actions; and
- have not acted how the Code of Conduct says you 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 you (or your representative) what you think should happen;
- ask the NRCPD representative what they think should happen; and
- be told about any other complaints that were upheld against you.

The Committee can: -

- give you a formal written warning explaining how you should act;
- require you to do something, such as training;
- suspend you from the Register for a specific amount of time; or
- remove you 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 you and the Complainant. We will tell you 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 your online registry entry. Details about the Complainant and other witnesses will not be published.

### **If you don't do what the Committee said you must do**

If you do not do what the Committee said you must do, we will tell the Committee.

We will ask you to explain why you have not done what the Committee said you 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**

You or the Complainant can appeal the decision of the Committee if: -

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

You must appeal in writing, to the Registration Service Manager within **20 working days** of receiving our letter telling you what the Committee decided. We will tell you we have received your appeal within **5 working days**.

If you appeal 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 you appeal on the basis that there is substantial and relevant new evidence that was not available or considered at the hearing, you must provide evidence of this substantial and

relevant new evidence, along with an explanation as to why this was not available for the previous hearing and its relevance to the case and your appeal.

If the Complainant appeals the decision, we will tell you within **5 working days** of receiving their appeal.

## Appeal Committee

If either you, or the Complainant lodge an appeal, we will arrange an Appeal Committee. We will organise the Appeal Committee as soon as possible.

### 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 you; and
  - one from a different profession to you.

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 (there were errors in the way the Committee heard the case or you or the Complainant have 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. 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 you and the Complainant. We will tell you what the Appeal Committee decided.

Where necessary, we will make changes to your 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 you and the Complainant 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. The Complainant might know you did not mean to make a mistake but wants to make sure it does not happen again.

A mediator is trained to help you think creatively. They will help you 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 you attending a Hearing to give evidence relating to the Complaint.

Everything is kept confidential unless you and the person who made a complaint about you agree to make it public.

Mediation means you 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 you both agree to mediation, you, the Complainant, and the mediator will sign an Agreement to Mediate. It confirms you understand the process and are committed to it, including: -

- a. you agree to co-operate with the mediator;



- b. you agree to provide reasonable responses to queries or requests for additional information;
- c. you enter into mediation with the aim of reaching agreement;
- d. you accept the need to compromise;
- e. you will make 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 you and the Complainant separately. You then meet together. The mediator describes the process. They explain that there is a fixed time allowed and it is your responsibility to make best use of it. Each person gives their opening statement.
2. Exploration stage. Both of you, supported by the mediator, discuss the issues in detail.
3. Negotiation stage. You talk about what should happen.
4. Resolution stage. You agree what will happen.

Examples of what might happen as a result of mediation include

- an apology;
- agreeing to change how you do something; or
- a promise to do something to remedy the current position.

The mediator will write down what you have agreed. It will be signed by you, the Complainant and the mediator.

What you have agreed will be kept confidential unless you both agree to make it public.

If you do not do what you 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 you don't enter mediation or mediation 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 you may wish to seek independent advice outside of the support available from NRCPD.

If the complaint is considered by a Complaints Committee, you can be represented at the hearing by a Solicitor or Barrister, a Trade Union Representative, or by a friend or other appropriate person.

#### 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](mailto:enquiries@nrcpd.org.uk)

Telephone: 0191 323 3376

Text: 07526 173329

Suite D, 2nd Floor

Richard Annand House

Unit 18, Mandale Park

Belmont Industrial Estate

Durham

DH1 1TH