



## **Board of Professional Conduct**

# **Panel Hearing about a Member of The Psychological Society of Ireland**

**THE PSYCHOLOGICAL SOCIETY OF IRELAND**  
**Cumann Síceolaithe Éireann**

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**The Psychological Society of Ireland (PSI)** is the professional body of psychologists in Ireland. It was established to advance psychology in Ireland and to maintain high professional standards in the psychological profession.

PSI takes very seriously any complaints about the professional conduct of its members and has procedures for investigating complaints. The procedures are designed to be fair to both the complainant and the psychologist about whom the complaint is made. PSI cannot investigate complaints about psychologists who are not members.

**PSI's Board of Professional Conduct** is responsible for investigating complaints. Some members of the Board are psychologists and others are non-psychologists who represent the public interest.

## **Procedure for dealing with complaints**

Initially, the written complaint is sent to the psychologist, who is asked to respond in writing within 21 days. Two members of the Board of Professional Conduct investigate the complaint (see separate leaflet called *Making a Formal Complaint about a Psychologist who is a member of The Psychological Society of Ireland*).

The investigators may decide that the complaint should be referred to a formal Panel Hearing. The procedure for Hearings is set out in detail in Article 36 of the PSI Articles of Association.

### **If a complaint is referred for Panel Hearing**

If the complaint is referred for a Panel Hearing the Board of Professional Conduct nominates a Panel of five persons and tells the complainant and the psychologist that a Panel Hearing will take place.

The Chair of the Panel is always a non-psychologist. The Chair is given all relevant information and documentation and has responsibility for setting up and conducting the hearing. The two members who carried out the initial investigation play no further role.

### **Before the Panel Hearing**

The Chair takes the following steps:

- 1 Arranges a date, time and place for the Panel Hearing, in consultation with the complainant and the psychologist. Formal confirmation of details is sent by registered post.
- 2 Invites the complainant and the psychologist to nominate, in writing, any witnesses or representatives whom they wish to attend the Panel Hearing. A list of all witnesses / representatives will be sent to the complainant and the psychologist. The Chair may, at his or her discretion, call expert witnesses to assist the work of the Panel.
- 3 Before the date set for the Hearing, sends all written evidence and submissions to the complainant, the psychologist and the members of the Panel. This material is sent by registered post.

## The Panel Hearing

The purpose of the Hearing is to examine the complaint in order to establish the facts of the case and decide whether the psychologist has behaved unprofessionally. The Panel makes its decision after examining all documents and listening carefully to both parties and to any witnesses, representatives or expert witnesses.

The Chair presides at the Hearing, which proceeds as follows:

- 1 The Chair outlines the procedure and asks the complainant or the complainant's representative to outline the complaint.
- 2 The psychologist or the psychologist's representative may question the complainant and any of the witnesses. Panel members may also ask questions.
- 3 The complainant or the complainant's representative may question the psychologist and any of the witnesses. Panel members may also ask questions.
- 4 The complainant, the psychologist and Panel members may question any expert witness who has been called by the Chair.
- 5 When the Hearing is over the Panel adjourns to make a decision.
- 6 The psychologist will be exonerated if the Panel decides that the complaint is not sustained.

If the psychologist is found guilty of professional misconduct the Panel recommends sanctions that are then implemented by the Council of the PSI. The psychologist, for example, may:

- be reprimanded
- be required to give undertakings about future conduct
- be suspended or expelled from PSI membership
- be suspended or expelled from PSI's Register of Psychologists.

If a psychologist is found guilty of serious professional misconduct the decision of the Board of Professional Conduct is published in the PSI's newsletter, *The Irish Psychologist*. PSI may also, if appropriate, inform bodies such as Health Boards in order to protect the public interest.

## **Other points**

### **Duty of PSI to investigate a complaint**

It is the duty of PSI to investigate any complaint once it has been received by PSI. A Panel Hearing will go ahead, even if one party or witness has decided not to participate any further, or does not turn up on the day.

The Panel Hearing could take one or several days. It is not possible to know in advance how long it will take.

### **Consent and confidentiality**

In order to be fair to all parties, complaints are accepted for investigation on the basis that the person who submits the complaint will give consent to the use of any relevant information, including confidential information that may arise out of the investigation of the complaint.

PSI makes every effort to ensure that, for its part, as few people as possible know about the subject of the complaint or the identity of the parties. The information is given only to the Chair of the Board of Professional Conduct, the two members of the Board who make the initial investigation and the members of the Panel. They will treat the information received with the utmost confidentiality

### **Representation**

Both complainant and psychologist are entitled to have representation, including legal representation. The costs of legal representation, and other costs, must be borne by the parties themselves.

### **Complaints to PSI and legal action**

An investigation into a complaint is separate from and does not substitute for legal action. Making a complaint to PSI does not affect the complainant's right to take legal action against the psychologist involved.

However, PSI is prohibited by law from investigating complaints related to cases that have come before the courts *in camera* under the Judicial Separation and Family Reform Act, 1989, or any other legal proceedings.

## **Communication and Correspondence**

All correspondence between the parties and the Panel Chair takes place through the office of PSI, which forwards correspondence unopened to the Chair.

Please note that administrative staff in the PSI office have no knowledge of, and cannot deal with, complaints. As stated previously, complaints are treated by PSI with the utmost confidentiality.