

# HOW TO RAISE A FITNESS TO PRACTICE COMPLAINT

A guide for the Public, Employers, and Other Professionals

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## *About this brochure*

This brochure gives an outline of the IAPT Fitness to Practice process, including how to raise a complaint and the next steps after a complaint is raised.

## *About us*

The Irish Association of Physical Therapists (IAPT) is an organisation dedicated to the promotion of the discipline and practice of Physical Therapy in Ireland. The Association ensures standards of professional excellence are upheld by its members, while driving recognition of the discipline of Physical Therapy as a means of enhancing musculoskeletal health and well-being among the Irish population.

The Irish Association of Physical Therapists was established in 1991. The constitution adopted by the Association, sets out its aims and objectives.

These include:

- Establishing and maintaining the highest standards of professional practice.
- Informing and protecting members of the public seeking treatment.
- Enforcement of a code of professional conduct for its members.
- Regulation and validation of
  - The qualifications of therapists applying for membership of the association.
  - Courses of studies which lead to qualification.
- Promotion of on-going education for the members of the association

We regulate Physical Therapists who have graduated from the Institute of Physical Therapy in Ireland and who are registered with the IAPT. We do not regulate Physical Therapists who are not members of the IAPT.

## *What is fitness to practise?*

Fitness to practice is a label used to describe the process where we ensure that a member of the IAPT is fit to practice, and should a therapist's fitness to practice be questioned, the process in which this is investigated and dealt with.

When a therapist is fit to practice we expect that they have the skills, knowledge and character to perform their role as a Physical Therapist and we expect that they maintain the highest standard of professional practice. However fitness to practice also includes acts that may affect the public's safety or confidence in Physical Therapy but may be not directly linked to directly their profession.

If one of our members falls below the standards set out in our code of conduct we will investigate the matter.

## *Raising a fitness to practise complaint*

Fitness to practice complaints can be raised by any member of the public, employers, Gardaí and other professionals.

If you raise a fitness to practice complaint to us it will be dealt with in a fair and professional manner. You will be provided with the contact details of a member from our fitness to practice committee who will provide you with updates on the case, and whom you can contact with additional queries.

Complaints we can consider under our Fitness to Practice process

- Professional misconduct i.e. any act, omission or pattern of conduct that is a breach of the IAPT code of conduct & ethics
- Poor professional performance i.e. failure to meet standards of competence
- Impairment to practice due to a physical or mental ailment, emotional disturbance or an addition to alcohol or drugs
- Failure to comply with a term or condition of registration
- Failure to comply with an undertaking or take any action specified given in response to a request by the IAPT Committee after a Fitness to Practice hearing (not to repeat conduct, take training, undergo medical treatment, consent to be admonished or censured)
- Serious convictions e.g. sexual assault, murder, etc.

Complaints we cannot help with include items such as:

- Physical Therapists or other professionals who are not registered with the IAPT
- Complaints regarding organisations – we can only deal with individuals
- Arranging refunds or compensation
- Providing legal advice

## *How do I raise a complaint with you?*

Complaints must be received in writing and with as much of the required information completed as possible to enable us to initiate the Fitness to Practice process. The Fitness to Practice process will not be invoked if a complaint is received anonymously as we wish to have the process as fair and clear as possible and we will need to contact you to gather additional information as part of the process. However if the complaint received anonymously is very serious and gives credible reason to believe that there is a serious problem we may investigate the complaint. Members will be informed of all complaints raised against them.

A complaints form can be downloaded from the IAPT website. Complete this form and sign it. Please return it for attention of the Fitness to Practice, IAPT, PO Box 112, Navan, Co Meath.

If you cannot download the form please contact the IAPT on 01-231 3033 and we can post or email a form to you.

### *Information to provide:*

- Your name and contact details so we can contact you for more detailed information at a later stage and to update you on the status of the case
- The identity and clinic address of the accused
- As much information as possible about the complaint(s), names, dates, location, complaint details

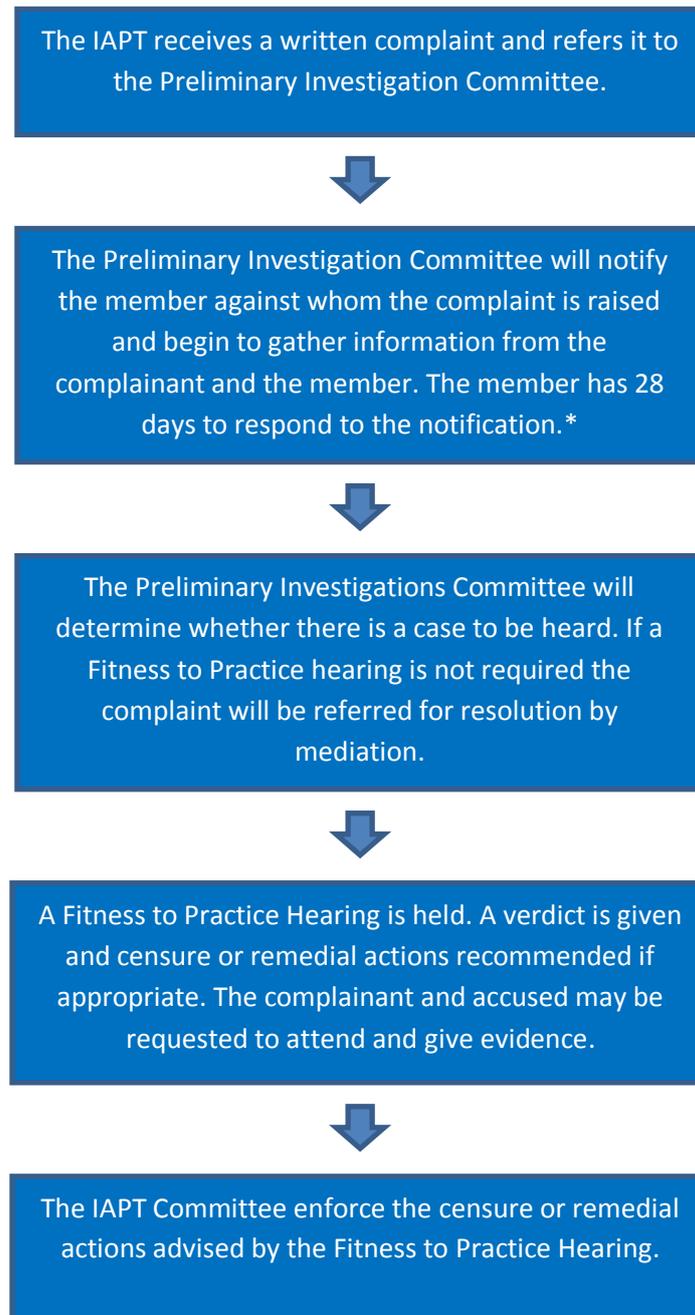
We will contact you to let you know that the complaint has been received, and let you know the next steps.

### *Your further involvement in this process*

You may be asked to provide additional information about the incident by the investigating committee. You will be informed of this in advance. Should a hearing be required you may be requested to attend the hearing and make a statement. You will be kept informed of the status of the case throughout the fitness to practice process.

## *The Investigations process*

Due to the variance in the nature of the Fitness to Practice cases it is not possible to put a timeline on how long the process will take from start to finish. This depends on the time taken to gather the required evidence, the co-operation of those involved, and the involvement of outside or third parties if appropriate to the case. However we will keep you informed of the case status as it progresses through the process.



\*Should the Preliminary Investigations Committee believe that the case should be referred to the An Garda Síochána this will only be done with your permission.

## *What happens if the case is referred to a hearing?*

If the case is referred to a Fitness to Practice hearing the details of the case will put forward to a Fitness to Practice Committee who will review the evidence and will come to a verdict regarding the case. You may be called to provide evidence at the hearing. If this is the case you will be briefed on the process beforehand. This hearing will be held in private.

The Fitness to Practice Committee can advise censure or remedial actions that must be taken by the member should a case be found against the member. The Fitness to Practice Committee is composed of a Solicitor, a member of the public (not a physical therapist), an experienced Physical Therapist and an IAPT committee member.

The IAPT committee will ensure that these censures/remedial actions are enforced.

The censures that can be recommended include:

- An advice or admonishment or a censure in writing
- Attachments of condition to the practitioners registration including restrictions on practice
- Suspension of the practitioners registration for a specified period
- Cancellation of the practitioner from the register or division of the register

Because we are not a statutory regulated profession we cannot prevent a Physical Therapist from practising in Ireland. We can only remove them from our register and prohibit them from using the IAPT logo on the marketing or clinic material.

## **CONTACT DETAILS**

Fitness to Practice,

IAPT,

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Navan,

Co Meath

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