

The Institute of Trichologists

## COMPLAINTS POLICY & PROCEDURE

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For Registered Trichologists

## DOCUMENTATION

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Policy Title	Complaints Policy & Procedure
Primary Intranet Location	Complaints
Version Number	V3
Policy Published Date	March 12, 2024
Policy Review Date	October 12, 2025

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## CONCERNS ABOUT A TRICHOLOGIST

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As a UK regulator of Trichology, the Registration Council (RC) investigates concerns and complaints about registrants of the Institute of Trichologists (IOT Trichologists) that are made by patients, their families, members of the public or other healthcare professionals, including fellow Trichologists.

The role of the Registration Council (RC) is to investigate potential breaches of the IOT Code of Professional Practice and Ethics and take action if a breach is established. We have robust processes to investigate allegations against IOT Trichologists that are specifically designed to protect the patients and the public, including those who are vulnerable to risks. All IOT Trichologists must be registered with the IOT and follow the standards within our [Code of Practice](#) before they can practise. The Code sets out clearly the expected professional and personal behaviour of Trichologists. If, after investigation, the RC establish that a registered IOT Trichologist's practice or conduct falls below the standards expected of them, this could prohibit or restrict their practice. In serious cases an IOT Trichologist may be removed from the register, and no longer able to practice as an IOT Trichologist.

The IOT recognises and regulates individuals, not companies. A registrant is not automatically accountable if their company departs from the expected standards or accepted practices. For there to be a breach of the Code, there should be a demonstrable element of discredit upon the Registrant's behaviour.

We can only deal with complaints about alleged breaches of the Code of Professional Practice and Ethics. If your dispute relates to a company or its policies, you should complain directly with the organisation and/or seek other legal remedies.

The Registration Council aims to ensure that the investigation and Conduct procedures are fair and reasonable to all the parties involved. It is not therefore possible for the complainant to remain anonymous.

If you wish to raise alleged breach(es) of the CIPD Code of Professional Practice and Ethics you must complete the online complaint form explaining how you believe the IOT registered Trichologist has breached the Code and provide evidence to support your allegations.

If you have read the information above and would like to make your complaint, please complete our [online form](#).

## HOW TO MAKE A COMPLAINT

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This section provides information on how to complain about an IOT registered Trichologist. Please note, we can only look into alleged breaches of the Code by registrants of the IOT who were in current registration at the time the breach occurred. If unsure of the registration status of the Trichologist you want to complain about, you can check on our search function on the "[find a trichologist page](#)" on our website.

If you are concerned that someone may be falsely calling themselves an IOT Trichologist or may be misrepresenting their membership or level of qualification, please contact us via email

at [admin@trichologists.org.uk](mailto:admin@trichologists.org.uk) or telephone 020 4532 6465, and a member of the team will be happy to assist you.

We advise you to read the following sections in full, before making a complaint, to help you determine whether the Registration Council can deal with your concern(s).

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#### WHAT COMPLAINTS CAN THE REGISTRATION COUNCIL DEAL WITH?

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- Treatment, care or advice given by an IOT Trichologist
- Any aspect of the professional or personal behaviour of an IOT Trichologist
- The physical or mental health of an IOT Trichologist

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#### COMPLAINTS THE REGISTRATION COUNCIL WILL CANNOT DEAL WITH

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- Complaints against clinics or companies - this is because the IOT regulate individual people, who are registered IOT Trichologists
- Refund of fees/payment matters
- Compensation requests

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#### WHO CAN COMPLAIN?

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Anyone can make a complaint or raise a concern about an IOT registered Trichologist. This includes patients, their families, members of the public and other healthcare professionals, including fellow Trichologists.

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#### RECORDING A CONSULTATION

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Patients don't necessarily need permission to record a consultation as the information is personal to them and therefore exempt from data protection laws. The content of the recording is confidential to the patient, not the Trichologist, and even a covert recording is not therefore a breach of confidentiality. Similarly, where a recording is made entirely for personal reasons it is unlikely to engage the UK GDPR or Data Protection Act 2018.

However, the Trichologist does have a reasonable expectation of privacy during a consultation. Patients should therefore seek and record (audibly or by written consent) the Trichologist's agreement to make a recording. In addition to legal questions, it is a matter of courtesy and respect, and is more likely to lead to a positive and trusting relationship. The Trichologist's common law privacy rights are likely to be engaged where patients make audio or visual recordings without obtaining the Trichologist's consent. Recordings of consultations without a recording (audibly or written) of the Trichologist consent may not be admissible if a concern is raised against them.

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## HOW SHOULD I COMPLAIN?

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All IOT registered Trichologist must have a Customer Complaints Procedure in their practice and should deal with complaints promptly and fairly. In the first instance, you should raise the issue with the Trichologist using their complaints procedure. If you are not satisfied with how your complaint was dealt you that you have the right to complain to the IOT.

We appreciate that you might prefer to contact us straight away. To do so, please continue reading this page to find out how.

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## COMPENSATION OR REFUND OF FEES

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All IOT Trichologists must have insurance to cover claims made against them and will provide details if you ask them. For more information about compensation or a refund of costs you could contact a solicitor or [Citizens Advice](#).

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## COMPLAINTS THAT DO NOT RELATE TO FITNESS TO PRACTICE

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We will not usually investigate allegations of the following matters. This is because legally they are not complaints of unprofessional conduct or professional incompetence. Please note that this is not an exhaustive list.

- Complaints about a Trichologist who is not a registrant of the IOT at the time of the alleged breach,
- Events that took place more than twelve months ago, unless in exceptional circumstances
- Complaints about products or services
- Complaints about a Registrant who has committed a criminal offence, such complaints should be made to the Police. The IOT make take forward an allegation of misconduct based on the fact of conviction
- Allegations of professional negligence, contractual matters and matters that should be addressed through personal or commercial indemnity claims
- Complaints solely about a company or its policies or business operations
- Complaints solely about employment, contracts or business premises of a company,
- Complaints brought solely to remedy a private grievance which does not raise issues of public protection, patients' safety or the reputation of the profession.
- Vexatious complaints (a complaint that is entirely without merit and is made with the intention of causing inconvenience, harassment or expense to the IOT trichologist)
- Complaints which solely relate to a registrant's personal life unless the complaint: has the potential to bring the profession into disrepute; could potentially affect public confidence in the profession; relates to a conviction in the United Kingdom for a

criminal offence; relates to a physical or mental condition which seriously impairs a registrant's ability to practise as an IOT trichologists; or raises issues of public protection or patient safety

- Minor or single complaints about note taking or record keeping unless there is evidence of "incompetence or negligence to a high degree"
- Complaints which lie solely within the jurisdiction of another regulator and which should have been made to that regulator
- Complaints which amount to a difference of professional opinion and do not raise issues of public protection or patient safety.
- Behaviour that falls outside of the Code.

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## CONFIDENTIALITY

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Complaints will be dealt with in a confidential manner. Everyone involved in the procedures for investigating and managing the complaint through the IOT's processes has a duty to maintain confidentiality. For a complaint to be investigated fully and action taken it will be necessary to disclose the complainant's identity to the person or responsible party within the IOT's department/service which is the subject of the complaint and to others directly involved. Where something is disclosed that could have a safeguarding impact we reserve the right to liaise with appropriate professionals.

Any confidential third-party evidence submitted must be accompanied by written permission from the person named in the documentation. Examples of this might include medical documentation submitted on behalf of someone other than yourself.

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## HOW LONG WILL THE COMPLAINTS PROCESS TAKE?

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This will depend on the details of the complaint. We aim to investigate complaints in as short a time as possible. If you need more information about the complaint process or if you are unable to complete the complaints form, or require assistance to do so, please contact us via email at [admin@trichologists.org.uk](mailto:admin@trichologists.org.uk) or telephone 020 4532 6465 and a member of the team will be happy to assist you.

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## THE INVESTIGATION PROCESS

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This section explains what happens once a complaint has been made and describes the investigation process in more detail.

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## FOLLOWING RECEIPT OF YOUR COMPLAINT, THE REGISTRATION COUNCIL WILL:

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- Write to you within seven days to acknowledge receipt of your complaint,

- Tell you if we can deal with your complaint,
- Tell you who will be coordinating your complaint and how to contact them,
- Appoint a panel, of 3 independent members of the RC to investigate your complaint,
- Give you detailed information about what will happen next.

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#### AS PART OF THE PANEL INVESTIGATION, WE WILL:

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- Write to the Trichologist to tell them about the complaint. We must give them a copy of your complaint (and any other relevant documents) so that they know the full details. If you are worried about this, please tell us.
- If the Trichologist provides a response to your complaint, we will send you a copy, so that you can comment if you would like to. If you provide any comments, we will give a copy of your comments to the Trichologist.
- If relevant to your complaint, we may ask to see information about your health condition or copies of medical reports. ( We will seek your permission and agreement for this information. We will treat with the strictest confidentiality, in accordance with the IOT's GDPR policy. It will not be shared with the Trichologist or anyone outside of the RC Panel and will be destroyed immediately after the investigation.
- We may invite you to make a statement of evidence (statement). If you agree we will normally arrange for a member of our team to telephone you to go over the details of your complaint and draft the statement
- If you prefer not to make a statement, that will not be a problem. The Registration Council will rely on your complaint documentation and your complaint will be investigated in the normal way.

Sometimes, in serious cases where there appears to be an immediate risk to the public, the Registration Council may ask for a Trichologist to be temporarily suspended from seeing patients while a complaint is being considered. In these circumstances a special Registration Council meeting will held to decide whether to impose an interim suspension of the Trichologist's registration pending a full investigation.

The panel will carefully consider the complaint, all the statements and supporting documents and evidence before deciding whether a breach there has been a breach of the Code. In coming to a decision, the Panel may decide to meet with the complainant; this will be decided on a case-by-case basis. The meeting will allow you to explain the details of your complaint and to answer any questions it may have. You will be asked about any support or reasonable adjustment you might need to fully participate in the meeting.

The meeting will be held at your convenience and will either be in-person or virtually. You will be given the opportunity to present any information relevant to your case that you want the panel to consider. If you have a witness that can give evidence to support your allegation you should pass on the meeting invitation and arrange for them to attend.

Alternatively, you are allowed to bring a friend or family member with you. Your companion can support you in the meeting and help you to present your case, but they cannot answer

questions on your behalf or interfere with the course of the meeting or act in a legal capacity. Notes will be made of the meeting, and you will be given a copy of the notes along with a written outcome of the investigation.

If you do not wish to attend either a virtual or in-person meeting this will not affect the investigation; alternatively, we will offer you other options to collect the relevant information, such as a phone call to record your statement.

## WHAT DOES THE REGISTRATION PANEL DO?

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The Panel may also decide to meet separately with the Trichologist and ask them to attend an investigation meeting and provide any details they have in relation to the allegations. The Trichologist will be advised to treat the matter as confidential and should not discuss any aspect of the investigation outside of the RC.

When the Panel has gathered all the relevant information about the complaint, it will be considered in private by the Panel. The '[Registration Council Decision Making Guidance](#)' is for the RC Panel to take into account when considering the outcome of a case. If it is agreed that the Trichologist's fitness to practise (see below) may be in question, the complaint will be referred for a formal hearing. More information on the formal hearings process can be found [here](#).

## WHAT IS FITNESS TO PRACTICE?

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Being fit to practice means that an IOT Trichologist must have the skills, knowledge, health and character to do their job safely and effectively. The Code sets out the professional standards that Trichologists must uphold in order to be IOT registered to practise in the UK.

## GUIDANCE FOR REGISTRANTS

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**This section provides more information about formal hearings of the IOT Registration Council.**

Registrants may consult with the IOT policy and procedure documents to be informed about what will happen if a complaint is made against them. The RC will also write to the registrant to request information and keep them informed of the on-going developments. This is not a substitute for legal advice. The IOT cannot give legal advice or tell Registrants how to respond to a complaint, however, where necessary the RC may appoint a fellow IOT Registrant, who is unconnected to the case to provide support to you, they may also accompany you to any meetings.

Registrants should contact their professional indemnity insurer immediately if informed that a complaint has been made about their conduct or practice.

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## HOW WILL YOU BE INFORMED OF THE REGISTRATION COUNCIL PANEL'S DECISION?

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The Chair of the Panel will write to you to let you know the decision and its reasons. This will vary on the complexity of each case, but a decision should be made within one week of the meeting.

## CONDUCT HEARINGS

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### ABOUT HEARINGS

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As part of our duty to protect the public we hold hearings into cases about IOT Trichology professionals. A Conduct hearing is a formal proceeding where members of the Registration Council (RC) consider the allegations of a complaint referred by the Investigating Panel. There are usually three council members on the Conduct Hearing panel, one of whom may be a Trichologist. The Conduct Hearing Panel may consist of the same Committee members who were on the Investigating Panel. Where necessary, an independent legal representative will also sit with the Panel to offer legal advice.

In serious cases the Conduct Hearing is presented by two legal teams - the IOT is represented by a legal representative. Where this is the case, the Trichologist will also be expected and encouraged to have a legal representative to put their case in response to the allegations.

During a hearing, the RC Panel will listen to all the evidence to decide whether the trichologist is guilty or not guilty of unacceptable professional conduct. If the Panel is satisfied that the Trichologist has breached the Code, then the Panel will impose a sanction. The purpose of a sanction is not to punish the Trichologist but to correct unsatisfactory practice and/or to protect the public.

If a Trichologist is found to be of 'unacceptable professional conduct' or 'professional incompetence' the council can issue one or more sanctions:

- Letter of Disrepute - which acts as a caution to the Trichologist that their practice has fallen below the acceptable standards and sets remedial actions the Trichologist should undertake within a specified amount of time. Once the corrective action has been satisfactorily undertaken and evidenced, the Letter of Dispute will be removed from the Trichologist's record and will not appear in future reports or searches.
- Conditions of Practice Order - a Condition of Practice Order may also accompany a Letter of Disrepute. It places a restriction, or puts conditions, on the Trichologist's practice (for example, that the Trichologist works under supervision or has further training until such time as they have demonstrated they have reached safe levels of practice). There may also be a requirement to return to a RC panel for review.
- Suspension order - suspend the Trichologist's registration for a period of time, to be determined by the panel. This is normally while an investigation is being carried out.
- Removal from the Register - The Trichologist is permanently removed from the register, followed the outcome of an investigation.

If a Trichologist is currently subject to a sanction, it will appear on any search for their name on the IOT register.