

## MAKING A COMPLAINT ABOUT A PSYCHOLOGIST

**PART A:** How to make a complaint about a psychologist.

**PART B:** How the Board manages complaints against psychologists.

**For information on making a complaint about a Family Court-appointed psychologist, please also refer to the information sheet regarding these types of complaints.**

**PLEASE NOTE:** If you have concerns about a psychologist you are welcome to discuss these informally with the Board in the first instance. You can do this by contacting the Board by phone. It may be possible for some concerns to be resolved without the need for a formal complaint. The following information is about how the Board deals with concerns and complaints it receives in writing.

### PART A: HOW TO MAKE A COMPLAINT ABOUT A PSYCHOLOGIST

1. The Psychologists Board (the **Board**) can only deal with complaints against practitioners who are (or were at the relevant time) on the Register of Psychologists. If you are unsure whether the person you wish to complaint about is, or was, a psychologist, you can check with the Board's Registration & Standards Coordinators on 0800 471 4580 or check the Board's online Register (see [www.psychologistsboard.org.nz](http://www.psychologistsboard.org.nz)).
2. All complaints must be in writing. Complaints can be sent by mail or email. The Board's "Raising a Concern about a Psychologist" form can be used to submit a complaint.
3. Please provide as much detail about your complaint as you can and ensure you outline all allegations you wish to make. You may find it helpful to refer to the *Code of Ethics for Psychologists Working in Aotearoa/New Zealand [2002]* to help you write your complaint. The Code is available on our website.
4. Complaints should be sent to:

New Zealand Psychologists Board  
PO Box 9644  
Marion Square  
Wellington 6141  
E: [complaints@nzpb.org.nz](mailto:complaints@nzpb.org.nz)

**and/or**

The Health and Disability  
Commissioner  
PO Box 1791  
Auckland 1140  
E: [hdc@hdc.org.nz](mailto:hdc@hdc.org.nz)

**If you would like help writing your complaint** the Health and Disability Commissioner (**HDC**) has an Advocacy service that can support people making a complaint. (Call 0800 555 050.)

5. When the Board receives a complaint, it must forward to the HDC all those that allege that the practice or conduct of a psychologist has affected a health consumer<sup>1</sup>. This is a legal

<sup>1</sup> "Health Consumer" includes any person on or in respect of whom any health care procedure is carried out.

requirement under the Health Practitioners Competence Assurance Act 2003 (HPCAA) and the HDC Act.

6. The Board then responds to the complainant<sup>2</sup> acknowledging receipt of the complaint and sends a copy of the complaint to the psychologist. Please note that Part 4 of the HPCA Act<sup>3</sup> sets out that the Board cannot take any action to assess or investigate any complaint while it is being considered by the HDC. However, if the Board believes that the psychologist's practice poses a risk of harm to the public, it may order that the psychologist practise under conditions, or that the psychologist's practising certificate be suspended pending further investigation.
7. The HDC will consider the complaint under the provisions of the HDC Act. This stage can take some time. The Commissioner may decide that it is more appropriate for the Board to deal with the matter. If that is the case, the Commissioner's office will write to the complainant setting out the reasons for the decision and will refer the complaint to the Board. To check progress by the HDC's office, call their free-phone number (0800 11 22 33).

## **PART B: HOW THE BOARD MANAGES COMPLAINTS ABOUT PSYCHOLOGISTS**

8. When the HDC has either formally referred the complaint back to the Board or has advised that it will take no further action, the complaint will be prepared for referral to the Board's Conduct, Competence & Fitness (CCF) Committee<sup>4</sup> (the **Committee**).
9. The Registration & Standards Coordinator (the **Coordinator**) will inform the complainant and psychologist of the next steps to be taken which will involve inviting a response to the complaint from the psychologist. The Board generally allows 10 working days for a response, but reasonable requests for extensions may also be granted.
10. Once all relevant information has been received the Committee will assess the complaint. The Committee will then make one of the following decisions:
  - to refer the complaint to a Professional Conduct Committee (**PCC**) for a full investigation; or
  - to close the complaint and refer the psychologist to a competence review, if the Committee has reason to believe that the psychologist's competence may be deficient; (the complainant will no longer be involved in the process) or
  - to close the complaint and refer the psychologist to a fitness review, if there is reason to believe that a health condition may be affecting the psychologist to the extent that they are unable to perform the functions required to practice; (the complainant will no longer be involved in the process) or
  - to issue an "advisory letter" to the psychologist and close the complaint; or
  - to refer the complaint to another agency (e.g., Privacy Commissioner, Police); or
  - to request further information from one or both parties; or
  - to take no further action.

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<sup>2</sup> "Complainant" means any person(s) who submit a complaint against a psychologist.

<sup>4</sup> The committee delegated by the Board to deal with complaints, competence, and fitness issues and named after the relevant parts of the HPCA Act.

11. Reasons for taking no further action on a complaint may include:
  - the Committee is satisfied that there is no reason to take further action;
  - There is not enough information or evidence to believe that one of the other outcomes outlined above would be more appropriate;
  - the complaint does not fall within the Board's jurisdiction.
  
12. The Committee will normally give reasons for its decision.

Information about Professional Conduct Committees can be found on our website, or by contacting the Coordinator.

**How long does it take to get an outcome on a complaint?**

Time frames for a complaint process can vary greatly and will depend on the type and circumstances of the complaint and whether it is referred for further investigation or to the Health Practitioners Disciplinary Tribunal. The Board endeavours to complete the process as quickly as possible and to keep parties fully informed throughout the process. We do however welcome your enquiry at any time.

For further information about making a complaint or for progress updates on a current complaint being managed please contact the Coordinator.

**New Zealand Psychologists Board**

Telephone: 0800 471 4580, Email: [complaints@nzpb.org.nz](mailto:complaints@nzpb.org.nz)

**New Zealand Psychologist Board, PO Box 9644, Marion Square, Wellington 6141**