

## Guidance for complainants

### Making a complaint about a CIPD member

#### Introduction

The CIPD is committed to upholding high standards of professional conduct among its members. All members must uphold the principles and obligations outlined in the [Code of Conduct and Ethics](#). If you believe a CIPD member has breached the Code of Conduct and Ethics, this guidance will help you understand how to raise a concern.

The CIPD is a professional body, not a statutory regulator. This means we don't have legal or regulatory authority to take action against individuals or organisations in the way that a regulatory body might. Our remit is limited to matters concerning our members and their adherence to our Code of Conduct and Ethics. If a member breaches our Code, we may remove them from membership. However, we don't have the power to take any further action against individuals or organisations.

We're not responsible for referring any allegations raised to employers, external organisations or other parties, including the police and/or another regulator or membership association. However, we may escalate concerns to external authorities where the concerns involve serious matters or fall under the jurisdiction of the organisation or authority.

Not every complaint means the member has broken the rules. Sometimes, it could be a mistake or a misunderstanding between people.

A member isn't automatically responsible if their workplace doesn't follow expected standards or common practices, such as Acas guidelines, as these guidelines aren't legal requirements.

If you need any reasonable adjustments to engage with the complaints process, please let us know.

#### Who can make a complaint?

Anyone can submit a complaint about a CIPD member, including the CIPD itself. We're committed to ensuring the Code complaints process is fair and reasonable for all parties involved. In most cases, complainants can't remain anonymous, as members are generally entitled to know who has made a complaint against them. However, we recognise that there may be circumstances where anonymity is required. If you prefer not to have your identity shared with the member, please tell us when you submit your complaint. We'll consider such requests on a case-by-case basis.

Please note that even if your name is withheld, the member may still be able to identify you based on the context of the complaint. If you choose to stay anonymous, you won't be treated as a formal complainant. This means you won't be able to challenge decisions or get updates about how the investigation is going. In some cases, this may also limit our ability to proceed with or fully investigate the complaint.

## What can I complain about?

We investigate complaints specifically related to a member's professional conduct or behaviour in a professional context.

Our process is evidence-based and relies on clear, objective documentation to determine whether a breach of the Code has taken place. We don't have statutory powers and can't compel witnesses, access confidential employment records, or intervene in personal disputes.

We can't investigate complaints in the following situations:

- The individual isn't a CIPD member and wasn't in membership at the time of the incident.
- The complaint doesn't include supporting evidence or documentation.
- The complaint is about an organisation, not an individual member.
- The incident took place more than 12 months ago, unless exceptional circumstances apply.
- The complaint relates to company policies or their application.
- The issue concerns CIPD products or services.
- The behaviour falls outside the scope of our Code of Conduct and Ethics.
- The matter is a personal grievance.
- The complaint involves an employment dispute that should be handled by the employer or through legal or dispute resolution channels. (If this has already been pursued, please include the outcome in your submission.)
- The concern relates to whistleblowing within an organisation.
- The complaint is attempting to appeal or challenge decisions made in other proceedings (e.g. legal, recruitment or disciplinary).
- The complaint seeks financial compensation. We can't award or enforce compensation.
- The complaint is subject to a parallel investigation or legal process. In such cases, we may place the complaint on hold and reconsider it once those proceedings are complete.

- The complaint is anonymous. While anonymity may be requested, it limits our ability to investigate and may affect your rights under our process. If you have concerns about sharing your identity, please let us know.

Note that members aren't automatically responsible for their organisations' actions. There must be clear evidence of misconduct on the part of the member.

## How do I raise a complaint?

Before submitting your complaint, please contact our Membership Team by email at [cscomplaints@cipd.co.uk](mailto:cscomplaints@cipd.co.uk) or by phone on +44 (0)20 8612 6208 to check whether the individual you wish to complain about is a CIPD member, and whether they were a member at the time of the alleged incident.

To help the Membership Team identify the individual, please share as much of the following information as you can:

- Full name
- Current or previous place of work
- Email address(es)
- Membership level or number (if known)
- Date(s) of the alleged incident(s)
- Any other relevant details

Please note that we rely on members to keep their details up to date. If the information you provide doesn't match our records, we may not be able to confirm the individual's membership status.

If the person is confirmed as a member at the relevant time, you'll be sent a complaint form to complete. You'll also be asked to send any supporting documents to the Code Complaints team.

Before submitting your complaint, please follow these steps:

- Complete the complaint form in full. If you're unsure how to answer any section, please contact the Code Complaints Team.
- Submit all supporting evidence at the same time as your complaint form. Evidence must relate directly to the member and the matter raised. To ensure a fair and accurate

assessment, all relevant documentation must be submitted in full at the time the complaint is made. Submissions should not be made in a piecemeal or ad hoc manner.

- Provide copies of original, complete documents. This includes full email chains. We don't accept content that has been copied and pasted.
- Submit only documentary evidence. We don't accept audio or video recordings.
- Clearly link each document to the relevant part of your complaint. Unreferenced or unexplained documents may not be considered.
- Include outcomes of any internal or external processes. If you've raised the matter with your employer, an employment tribunal, or equivalent, please make sure the process is complete and include the outcome in your submission.
- Don't include complaint details in your email. All information related to the complaint should be contained within the complaint form.

If you can't submit the complaint online, you can send a copy to:

Code Complaints Team  
Chartered Institute of Personnel and  
Development  
151 The Broadway  
London  
SW19 1JQ

It may take longer for us to process complaints sent by post as our team is not always on site to collect and handle mail.

## **What happens next?**

Once your complaint has been submitted to the Code Complaints Team, we'll send an email confirming receipt. We'll then review the complaint to determine whether it falls within our remit and meets the criteria for an investigation, in line with our regulatory framework.

After this review, we'll contact you to explain one of the following:

- We need further information or evidence to clarify or support your complaint.
- Your complaint has been progressed for investigation, in which case we'll contact the member and invite them to engage with the process. We may contact you during the investigation if we need more information. Otherwise, we'll tell you the outcome. Please note that we don't provide periodic updates during the investigation. See below for more information about investigations.
- We'll proceed as the complainant. Scenarios where we may do this include, but are not limited to: if the complainant wasn't directly involved in the complaint; if a member of the public raises concerns about a CIPD member and chooses not to be involved in the process; if we've granted anonymity.
- We've placed your complaint on hold due to parallel investigations or legal proceedings. In such cases, we'll reconsider the complaint once those processes are complete.

We may reject your complaint if we deem it to be vexatious, an abuse of process, lacking sufficient evidence, or if the complaint could be adequately resolved without further CIPD investigations.

This applies to situations listed above where we cannot investigate complaints. Our decision not to investigate is final and not subject to appeal. If we decide not to progress, we may still notify the member of the complaint; however, we'll consider this on a case-by-case basis.

If new and relevant information becomes available within three months of a decision not to investigate, we may review the material to determine whether it alters the original assessment. If it meets the threshold, the complaint may proceed to investigation.

## **Complaint review timeframes**

Once the Code Complaints Team receives your complaint, they aim to complete the initial review within two to three weeks. However, they may extend this timeframe depending on the complexity of the complaint and the volume of supporting documentation provided.

## Investigation process

If a complaint proceeds to the investigation stage, we'll assign a panel of three trained volunteers to examine the matter. Their role is to assess whether there's sufficient evidence that the member has breached the Code of Conduct and Ethics.

During the investigation, we'll collect relevant evidence from you, the member and other appropriate sources.

Both you and the member have the right to be accompanied by a supporter during any meetings related to the investigation.

Please note that we don't provide periodic updates while the investigation is ongoing.

We oversee the process to ensure it's conducted fairly, consistently and in accordance with our rules. We act as the intermediary between the investigation panel and all parties involved, including you, the member and any third parties. We also manage all requests for further information and arrangements for interviews.

Interviews may be recorded and we'll take notes to document the discussion. These notes aren't a full word-for-word record, but they'll be shared with the person interviewed to check them and fix any inaccuracies.

## Investigation outcomes

Following the investigation, the panel will reach one of the following conclusions:

- **Complaint upheld:** There's sufficient evidence to indicate a breach of our Code of Conduct and Ethics.
- **Complaint dismissed:** There's insufficient evidence to support a breach of the Code.

If a breach is identified, the panel will determine an appropriate sanction based on the severity of the conduct. Sanctions are applied in accordance with our regulatory framework and may include:

We'll confirm the outcome of the investigation to you and the member in writing.

Scale of sanction	Type of sanction
Category 1	Advice given to the member
Category 2	Formal warning
Category 3	Imposition of conditions on membership
Category 4	Downgrading of membership
Category 5	Temporary exclusion from membership
Category 6	Permanent exclusion from membership

## Investigation timeframes

Investigation timeframes depend on the complexity of the complaint and can range from two weeks to six months. However, particularly complex matters can take considerably longer.

We recognise that delays may occur due to requests for extensions or the need to make reasonable adjustments for those involved in the process. Where such adjustments have been made and sufficient time has been allowed, we may proceed within our standard timescales, even if you, the member, or any third party hasn't responded to correspondence. This ensures the process remains fair and timely for all parties.

## Appeals

If you or the member are unhappy with the outcome of the investigation, you or they can submit an 'outcome appeal' in writing within seven days of receiving the outcome on the basis of:

- a. procedural error that may have affected the outcome; and/or
- b. new evidence that was not reasonably available during the investigation and which may materially alter the outcome.

Appeal hearings are conducted by an appeal panel of three new volunteers who have not had any involvement in considering the complaint in question. The appeal panel will hear the appeal and may:

- a. uphold the original outcome (outcome appeal);
- b. overturn the original outcome (outcome appeal);
- c. modify the sanction (sanction appeal).

We'll tell those involved about the appeal hearing at least 21 days before the date of the hearing, which will take place online. At an appeal hearing, those involved have the right to be accompanied by a supporter.

We'll communicate the decision of the appeal panel to you and the member (outcome appeal) or only to the member (sanction appeal) within seven days of the appeal hearing. The appeal panel's decision is final and there is no further right of appeal.

## Conduct towards CIPD employees

We recognise that raising a complaint can be a stressful experience. However, we won't tolerate rude, abusive, discriminatory, threatening or otherwise inappropriate behaviour towards our colleagues. To protect our employees and maintain a safe and respectful working environment, we will remove anyone who behaves inappropriately towards our colleagues from the complaints process.

If you're removed from the process, you'll lose the right to challenge decisions or receive updates on the progress of the investigation.

# CIPD

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