



AUSTRALASIAN ASSOCIATION OF
YOGA THERAPISTS
Leadership • Education • Integrative Medicine

Australasian Association of Yoga Therapists

Policy and Procedures for Grievances

INTRODUCTION

The Australasian Association of Yoga Therapists (AAYT) was formed to be the governing body to ensure the appropriate training and professional support of yoga therapists. The AAYT is committed to establishing yoga as a recognised and respected therapy through the accrediting of yoga therapy training programs and activities which meet the AAYT's educational standards and guidelines. This training gives the certification of C-AAYT to assure the public and institutions that in depth study and observance of individuals to the code of ethical behaviour has been established.

To ensure that yoga therapy is both a service and benefit to the public, responsible and ethical behaviour on behalf of the therapist is of paramount importance. The AAYT is dedicated to the ongoing support of both yoga therapists and the ongoing support and wellbeing of the public. The AAYT has a set of grounds and procedures necessary to mitigate any negative behaviour which may impugn the standards of yoga therapists and the disciplinary actions which may follow proven allegations of a grievance.

Grievances

1. Unethical Behaviour

The following actions and circumstances may serve as a basis for grievances:

- a. Providing false, misleading, or deceptive information in connection with an application for AAYT membership and certification.
- b. Violating any AAYT policies or procedures pertaining to yoga therapist membership or certification.
- c. Misrepresenting professional credentials including certification, experience, training, level of competence and skills.
- d. False, misleading or deceptive advertising.
- e. Exceeding scope of practice or applicable law.
- f. Deceit or fraud.
- g. Fraudulent or negligent billing or recordkeeping.
- h. Performing services without consent.
- i. Failing to maintain professional boundaries by either exploitation or relationship.
- j. Engaging in sexual contact with a current **OR** former client/student where there is clear evidence of possible egregious harm or exploitation of established trust. AAYT counsels extreme caution in this regard.
- k. Knowingly violating the accepted standards of the yoga therapy profession relating to safe, ethical and/or competent practice.

I. Conviction of an offence.

2. Incompetence

The following may serve as a basis for AAYT disciplinary action:

Engaging in conduct that evidences a lack of sufficient knowledge and ability to practice yoga therapy safely, effectively and competently. This may include failure to apply the principles, knowledge and/or skills of the yoga therapy profession at the level required for certification.

3. Impairment

The following may serve as a basis for AAYT disciplinary action:

Not being able to safely and effectively engage in the practice of yoga therapy due to substance abuse, and/or physical or psychological impairment.

Procedures for Disciplinary Actions

To ensure that yoga therapy is both a service and benefit to the public, responsible and ethical behaviour of the therapist is of paramount importance. As an association dedicated to the ongoing support of both yoga therapists and the public, AAYT has a set of grounds and procedures necessary to mitigate any negative behaviour which may impugn the standards of yoga therapists and lead to disciplinary action against the AAYT Member.

1. Initiation of a Complaint

A complaint arises when the actions of a yoga therapist falls within the scope of Grievances and as such comes to the attention of AAYT in the following ways:

- a) A formal, **signed** complaint.
- b) A report from a governmental agency, educational institution, or other organisation.
- c) An application for certification/recertification.
- d) A notice from a yoga therapist or yoga therapist training program pursuant to reporting requirement.

Generally, AAYT will not process a complaint pertaining to actions or events more than two (2) years old when filed with AAYT.

2. Confidentiality

AAYT will withhold the name of the complainant where there is an ongoing relationship or some other problematic circumstance, and the likelihood of retribution or other adverse consequence is a possibility.

AAYT will not investigate anonymous complaints, however AAYT, in its efforts to balance fairness for both the complainant and the AAYT member, may choose to only investigate an anonymous complaint if it is corroborated by a subsequent complaint or other information.

Please note that while AAYT is committed to keeping the names of complainants confidential where there is a possibility of retribution or other adverse consequences if names are revealed. AAYT cannot guarantee confidentiality where the complainant may indicate to another party the identity of the person who lodged the complaint. Additionally, confidentiality is paramount unless applicable law or regulation requires otherwise.

3. Preliminary Review

When a formal complaint is received by the AAYT, the Committee of Management will conduct a preliminary review of the matter.

If it is deemed:

- a) The matter is frivolous or inconsequential.
- b) The complaint contains unreliable or insufficient information, or
- c) The matter is not within the scope of the Grounds for Disciplinary Action or AAYT's jurisdiction

then no further action will be taken, and the Complaint will be dismissed. The Committee of Management will formally inform the complainant.

If, however the Complaint appears to fall within the scope of the grounds for disciplinary action, then the Committee of Management will proceed with further investigation of the Complaint.

4. Notice to and Response from the Person who is the AAYT Member

The AAYT Member who is the subject of complaint is formally notified in writing of the nature of the complaint. The AAYT Member will have thirty (30) days from receipt of the notice to submit a written response to the Complaint and/or present any additional evidence and information which supports his/her position. Failure to respond to the Complaint within thirty (30) days will be sufficient grounds to impose sanctions. However, this time limit may be extended by the Committee of Management upon receipt of a formal written request containing a reasonable explanation of the need for such extension.

5. Investigation

Any relevant aspect of the investigation of the Complaint may be sought by the Committee of Management to clarify, expand and/or corroborate the Complaint. During this time assistance may be sought from other appropriate individuals or organisations and any investigations are to be conducted objectively and without prejudice with confidentiality maintained to the extent possible.

6. Disciplinary Action

The AAYT may impose any disciplinary action it deems appropriate with respect to AAYT Certificated yoga therapists, including:

- a) Refusal to grant C-AAYT status.
- b) Suspension of C-AAYT for a specific period of time.
- c) Revocation of C-AAYT status.
- d) Remedial education or service relevant to the nature of the complaint.

- e) A written, but not public, reprimand.
- f) Censure – a formal expression of disapproval that is publicly announced.
- g) Probation period for specified conditions i.e. monitoring, counselling and/or remedial education.
- h) Any other conditions or disciplinary action at the discretion of the Committee of Management.

In the event of suspension or revocation of C-AAYT status, the AAYT Member must return his/her certificate to AAYT within thirty (30) days of notice of the disciplinary action. If the Certificate is lost or misplaced, the AAYT Member must submit signed and sworn statement to that effect.

7. Voluntary Surrender of AAYT Certification

Voluntary surrender of certification or withdrawal of an application for certification in response to a Complaint, renders an AAYT Member ineligible for certification for at least two (2) years and ineligible for an appeal of the matter.

8. Appeal Process

An AAYT Member may appeal a final decision of the Committee of Management in writing within thirty (30) days of receipt of the decision. If not, the action of the Committee is final.

If appealed the Committee of Management will determine whether the decision was inappropriate due to:

- a) Material errors of fact that provided the basis for the decision.
- b) Failure of the Committee of Management to follow procedures listed herein.

No further correspondence will be entered into once the final decision is made.

9. Notice to Complainant

The Committee of Management will notify the Complainant of the final determination regarding the Complaint.