

COMPLAINTS PROCEDURE OF THE ASSOCIATION FOR CLINICAL BIOCHEMISTRY AND LABORATORY MEDICINE

This procedure should be used to investigate complaints from within or out-with the Association, against any Member for breach of the Code of Conduct of the Association only.

The full procedure is available from the Administrative Office of the Association.

A complaint must be in writing to the President of the Association. All proceedings will be undertaken in confidence and any external reports will be made by Council.

The President will nominate an Initial Assessment Panel of 3 including a senior Member of the Association. They will evaluate the initial evidence provided against the Code of Conduct and advise the President:

- The evidence is not substantial and recommends dismissing the complaint.
- The complaint should be referred directly to the appropriate Registration Council or Employer and the Complainant so advised.
- The complaint should be fully investigated by the Association.

If the complaint is to be investigated by the Association, the President will nominate a Panel of Enquiry of 3, chaired by a National or Executive Member of Council. This will operate within the boundaries of natural justice, namely:

- Adequate time will be allowed to prepare a response and enrol witnesses.
- The Respondent will have the right of representation (not legal) at all stages.
- Accusation does not constitute guilt.
- The Respondent has the right to question the Complainant and any witnesses called.
- No evidence may be presented without notice.
- There will be a right to appeal the decision to full Council.

A detailed description of the complaint, prepared by the Complainant will be provided to the Respondent and both will receive a copy of the full procedure with clear timescales.

Once all written evidence and witness statements have been received from both parties a hearing will be convened. This will follow the timetable and order of proceedings laid out in the full procedure.

The Panel of Enquiry will present its findings to the President and recommend a sanction if appropriate. This, subject to any appeal as described in the full procedure, is taken to full Council. A two thirds majority of a quorate meeting of voting Members of Council only is required to uphold a complaint and impose a sanction (these are listed in the full procedure).

The decision of Council cannot be appealed. Depending upon the sanction applied the Respondent may after a specified time request that it be lifted. This would only be by full agreement of all voting Members of Council.