



## Disciplinary Process

### What happens when members do not comply with the Standards?

---

#### TCUGB receives complaint:

- Complaint is recorded in the complaints register Initial investigation by a TCUGB officer who will:
- Inform member of the complaint and seek their views
- Establish facts of the situation and recommend to the Professional Conduct Committee (PCC) that the complaint is:
  - dismissed
  - mediated if possible
  - formally referred to the PCC.

#### If a complaint is referred to the PCC, the committee will:

- Write to the member advising that the investigation is now being carried out on a formal basis and setting out the nature of the allegation or breach with a request for his or her observations
- Give the member a period of two weeks to provide their observations
- In certain circumstances, the member may be invited to attend the meeting at which she or he maybe accompanied or represented by a person of his/her choice
- If required, invite the complainant (person making the complaint) or other persons to discuss the matter.

#### The possible outcomes from an investigation by the PCC are:

- A breach of the Standards has been demonstrated
- No breach of the code has occurred
- The member's conduct does not breach the Standards; however, it falls short of the accepted standards of professional practice.

In the event of finding that there has been a breach of the Standards, TCUGB reserves the right to give publicity to the breach and to subsequent disciplinary action taken in the interests of TCUGB and the public.

#### The maximum sanction for a breach of the code is to be removed from the membership.

#### The PCC can terminate an investigation:

- if the complainant withdraws the complaint in writing or at a meeting of the PCC; or
- if, after a period of two weeks, the complainant has not provided evidence or information that the PCC has requested; or
- if in the opinion of the PCC the alleged breach, even if proved, would be so trivial as not to justify further action.

#### Appeals process

All members who have been found to have breached the Professional Standards and Ethics have the right to lodge an appeal against the decision of the PCC.

An appeal can only be made on administrative grounds, such as, the PCC did not consider information provided by the member or there was a misinterpretation of facts. The appeal must be lodged in writing within 14 days of receiving notification of the outcome of the complaint. Appeals will be considered by the full Board.