

AAPA



Disciplinary & Complaints Procedures

*Adopted by the AAPA
November 2001*

Disciplinary Procedures

1. GENERAL GUIDANCE

The scope of the following Disciplinary Procedures relates to all Members of the Aromatherapy & Allied Practitioners' Association (MAAPA).

The Procedure takes account of the AAPA Code of Ethics and the expectation that all F/MAAPA adhere fully to the Code of Ethics and professional standards embraced therein.

Where the standard of practice of F/MAAPA is below the standards set within the Code of Ethics then this will normally be dealt with as a case of professional misconduct and become subject to the AAPA Disciplinary Procedure.

The AAPA is concerned that all of its F/MAAPA should be aware of their obligations with regard to conduct including standards of professional practice and of the likely consequences of the failure to meet these obligations as indicated by this Disciplinary Procedure.

The AAPA accepts that it has an obligation to ensure, as far as is reasonably practical, that all MAAPA are appropriately qualified to practice their particular specialism/s prior to Registration.

The AAPA assumes responsibility for ensuring that the Code of Ethics is made available to all F/MAAPA

The AAPA also assumes that all F/MAAPA have the responsibility to familiarise themselves with the Code of Ethics and such amendments as may be made and drawn to their attention from time to time.

The AAPA will maintain and make available on request to any member of the public a list of F/MAAPA, the Code of Ethics, and Disciplinary Procedures.

2. THE INVESTIGATION

Where a F/MAAPA conduct or standard of performance is called into question in writing, a member of the Board shall conduct, or cause to be conducted, such investigation as he/she may consider necessary including, where appropriate, giving the Member ample opportunity to state his/her case. If, in consequence, the member of the Board considers formal disciplinary action on the matter needs to follow, he/she shall arrange for a disciplinary hearing accordingly.

When determining disciplinary action to be taken, the need must be born in mind of satisfying the test of reasonableness in all circumstances. Account should be taken of the F/MAAPA record and any other relevant factors.

Formal Disciplinary Action will not be taken against an F/MAAPA without prior investigation.

Where the member of the Board forms the view that in a case which is apparently of gross or serious misconduct, the circumstances require the suspension of the F/MAAPA pending the

Disciplinary Hearing, he/she shall advise the Chairman of the AAPA, who may suspend the F/MAAPA and shall inform the Board of the action taken.

Alleged gross misconduct will normally lead to immediate suspension of an F/MAAPA pending a Disciplinary Hearing and if confirmed at the Disciplinary Hearing, will result in summary removal from the AAPA Register.

If at the Disciplinary Hearing the allegations are not confirmed then the F/MAAPA will be reinstated and suspension cease.

NOTE

The following list provides examples which will be considered as gross or serious misconduct:

- The deliberate falsification of qualifications
- The deliberate falsification of information or deliberate omissions on insurance application forms.
- Assault on another person
- Serious incapability through alcohol or being under the influence of illegal drugs.

3. DISCIPLINARY HEARING: PRINCIPLES

No disciplinary action will be taken against a F/MAAPA until the case has been fully investigated by a member of the Board

At every stage of the Procedure the F/MAAPA will be advised of the nature of the complaint against him or her and will be given the opportunity to state his/her case before any decision is made.

At all stages the F/MAAPA will have the right to be accompanied by a representative or colleague during the Disciplinary Hearing.

No F/MAAPA will be deregistered for a first breach of discipline, except in the case of gross misconduct.

An F/MAAPA will have no right of appeal against any decision reached at the hearing

4. THE PROCEDURE

The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.

At every stage the F/MAAPA will have the opportunity to state their case and be represented, if they wish, at the Disciplinary Hearing.

An F/MAAPA has no right to appeal against any disciplinary penalty.

The F/MAAPA will be given notice in writing at least 15 days in advance of the hearing.

The disciplinary Panel hearing the disciplinary matter will consist of a minimum of two members of the AAPA Board and will be chaired by an independent person drawn from the AAPA membership.

The AAPA representative, the member of the Board who conducted the investigation, will put the case in the presence of the F/MAAPA and his/her representative and may call witnesses.

The F/MAAPA and/or his/her representative will have the opportunity to ask questions of the AAPA representative on the evidence given by him and any witnesses whom he may call and on any relevant aspect of the case.

The F/MAAPA will put his case in the presence of the AAPA representative.

The AAPA Disciplinary Panel will deliberate in private and may recall the F/MAAPA and/or his/her representative to clear points of uncertainty on evidence already given.

The AAPA Disciplinary Panel will announce the decision to the F/MAAPA or his/her representative personally or in writing as they may determine.

5. DISCIPLINARY RECORDS

Any records relating to disciplinary proceedings will be carefully safeguarded and kept strictly confidential. Should any disciplinary action in the event to be found unwarranted, any written reference thereto will be removed from the AAPA records.

6. GUIDANCE AS TO ACTION WHICH MAY BE TAKEN BY THE AAPA DISCIPLINARY PANEL

Minor faults will be dealt with informally, but where the matter is more serious the following guidance will be used:

Oral warning:-

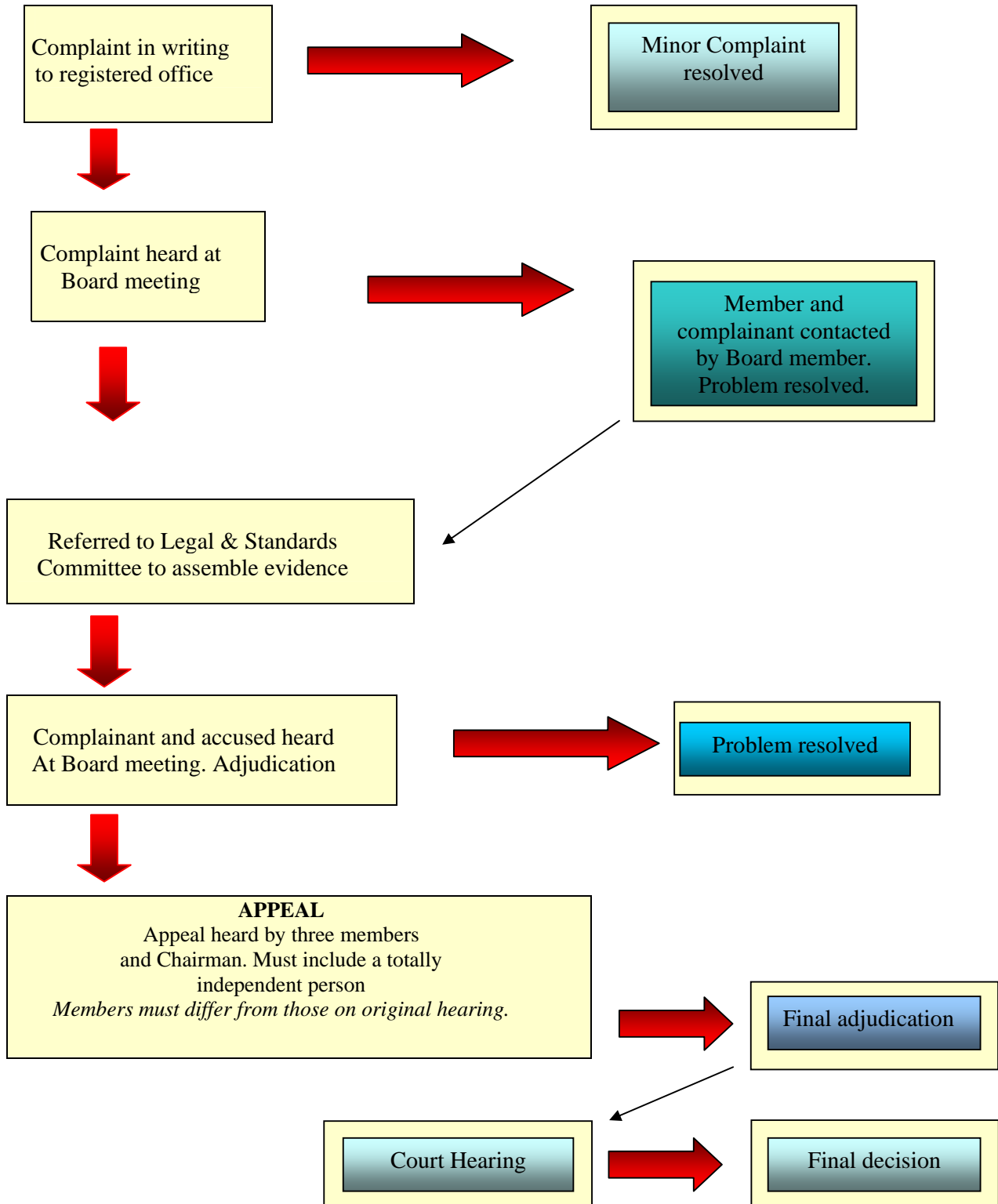
If conduct or performance does not meet acceptable standards the F/MAAPA will normally be given a formal oral warning. He/she will be advised of the reason for the warning. A brief note of the oral warning will be kept but it will be spent after 12 months subject to satisfactory conduct and performance.

Written warning:

If the offence is a serious one, or if a further offence occurs, a written warning will be given to the F/MAAPA by the Chairman of the AAPA. This will give details of the complainant, the improvement required and the time scale. It will warn that further action under this Disciplinary Procedure will be considered if there is no satisfactory improvement. A copy of this written warning will be kept by the AAPA and will be disregarded for disciplinary purposes after twelve months subject to satisfactory conduct and performance.

If there is still failure to improve, or conduct or performance and it remains unsatisfactory, or if the F/MAAPA fails to reach the prescribed standards, de-registration will normally result.

Complaints Procedure



Complaints Procedure

1. Any formal complaint pertaining to a practitioner, tutor, member or registered member must be submitted in writing to the Board care of the registered office: PO Box 36248, London SE19 3YD.
2. The Board will hear and discuss the complaint at the next convened meeting. They may request a sub-committee to investigate further at this stage.
3. The complainant and the defendant separately, may be requested to attend a further hearing in person with the Board, (Where necessary, or appropriate).
4. After all investigations have been completed, the Board will make their decision on the matter. The Board's decision is final.
5. The defendant and complainant will be advised in writing of the Board's decisions.

The defendant may later become subject to the disciplinary procedures.