

1. Mediation and Disciplinary Procedures

- 1.1. Failure by a Full Member to observe the provisions of the Articles of Memorandum and/or the guidelines of the Code of Ethics and Practice or any other standards or regulations made by the Irish Society of Homeopaths may render him/her subject to mediation and/or disciplinary procedures, upon receipt of a complaint against him/her
- 1.2. The Committee shall appoint a Professional Conduct Officer, who must be a Registered Member, and shall be responsible for the administration of complaints against members. The Committee may remove any Officer, so appointed
- 1.3. The Professional Conduct Officer may appoint up to three other Registered Members to assist in the mediation of complaints. This will be known as the Professional Conduct Panel
- 1.4. Complaints received by the Society concerning Full Members shall be referred to the Professional Conduct Officer and the member concerned. The Registrar shall be notified without delay of the fact that a complaint has been made against the member
- 1.5. However, where the Professional Conduct Officer, in consultation with another member of the Professional Conduct Panel, adjudges that the complaint is not in contravention of any Article of Association or of Code of Ethics, then this will be communicated in writing to the Complainant.
- 1.6. Where the complaint is in respect of any member of the Professional Conduct Panel, the Chairman/Chairwoman of the main Committee shall convene a special Professional Conduct Committee including at least one other member of the Executive Committee, who shall have the jurisdiction to investigate the complaint.
- 1.7. Enquiries into complaints must be made impartially by those involved and they shall conciliate, where possible, by frank discussion and exchange of letters. The Professional Conduct Officer shall endeavour to resolve the complaint, where necessary in consultation with one or more members of the Professional Conduct Panel and/or specialist advisers. The results of investigations and mediations shall be made known in writing to both the complainant and the member involved.
- 1.8. Where a conciliation has proved unsatisfactory or unacceptable to either parties involved, then the PCO may bring it to the Professional Conduct Panel, where a decision may be taken that either the Homeopath has no case to answer or that Professional Conduct Disciplinary Procedures shall be followed.
- 1.9. Where a conciliation has been agreed, there shall be a fourteen day period in

which either party can request a single review, after which the agreement shall be final and not subject to any disciplinary procedure

Professional Conduct Disciplinary Procedure

- 2.1. The Professional Conduct Officer shall appoint a Convenor, who shall be a Registered Member, to conduct the hearing. More than one Convenor may be appointed to hear different cases occurring at the same time.
- 2.2. The Convenor shall appoint a mutually agreeable Registered Member to be supportive of the homeopath who is subject to the disciplinary procedure and a Registered Member to represent the complainant, if so desired.
- 2.3. The Convenor shall notify all parties and invite them to appear at a hearing with or without representation and any witnesses on their behalf. The Convenor shall also seek from each party written statements of all allegations, evidence, or other relevant material they wish to be available at the hearing. Copies of such documents shall be sent to each party at least twenty-one days before the hearing.
- 2.4. The Convenor shall arrange a time, date and place for the hearing, notify all parties at least twenty-one days beforehand and shall nominate and ensure the attendance of a panel of three Registered Members, who are not Committee members, and one other person who is neither a member of the Society nor a homeopath, with full voting rights in this instance
- 2.5. Where the homeopath under investigation is a member of the Committee, the panel may suspend them on the basis of the written submissions, until a final decision is made.
- 2.6. The Convenor shall attend the hearing, as an observer, but may take no part in its decision.
- 2.7. The Convenor shall communicate in full confidentiality, within seven days, the decision of the hearing to the Committee members, for ratification at the next meeting. Upon ratification by the Committee the Convenor shall notify, in writing, within seven days, the decision of the Committee to the complainant and the member, giving the latter notice of their rights to appeal.

The Panel in Disciplinary Hearings

- 3.1 The panel, as convened, shall consider all written and oral evidence presented to it by all parties and witnesses attending the hearing.
- 3.2 The panel shall dismiss a case unless they consider beyond all reasonable doubt that the member has contravened or insufficiently observed any provisions of these presents or the Code of Ethics of the Society or any other regulations of the Society. In this instance, the panel shall impose a penalty on the member from the following categories: a warning; a demand to give a written undertaking not to re-offend; a reprimand, a suspension; an expulsion

from membership. The panel may, in addition or as an alternative to the above penalties, recommend that a member should embark on a period of counselling or supervision or training which is relevant to the matter in hand.

- 3.3 The panel shall make its report to the Convenor within twenty-eight days of completion of the hearing.
- 3.4 The Committee shall have the discretion to reimburse any reasonable out of pocket expenses incurred for work undertaken in the course of a panel hearing.

APPEALS

- 4.1 A Full Member can, within twenty-eight days of the date of the notice of the decision of the Committee, give written notice of their intention to appeal to the Society. Such notice shall state therein the grounds for such an appeal
- 4.2 An appeal may be made on the grounds that:
 - a. there is evidence which was not available at the panel hearing; or
 - b. there is evidence that procedures were not properly followed; or
 - c. the appellant considers that he/she has been unjustly or unfairly treated in the adjudication process generally
- 4.3 Within three calendar months of receipt by the Society of the notice of intention to appeal, an appeal hearing shall be convened by the Secretary of which at least twenty-one days' notice in writing shall be given to all Registered Members of the Society.
- 4.4 An appeal meeting shall be held in camera, consisting of twelve Registered Members, of who eight shall be a quorum, who are neither members of the Committee nor the Panel, the appellant with or without representation and the Professional Conduct Officer with or without representation.
- 4.5 Both parties to the appeal may supply written evidence in advance to be sent with notice of the meeting and provide written and oral evidence to the appeal meeting and to call any witnesses on their behalf.
- 4.6 Upon completion of the evidence from both sides, the Registered Members to whom the case has been presented shall make their decision. A decision of at least three-quarters of those members shall be final. In the absence of such a majority, the appeal shall be upheld and the decision of the panel set aside.
- 4.7 Within seven days of the appeal decision, the Secretary shall notify the complainant and the member concerned and any suspension or expulsion shall commence fifteen clear days from the date of such notice. All outcomes of the arbitration and disciplinary procedure shall be made in writing to the Registrar by the Professional Conduct Officer, who shall keep a confidential copy.