

## Code of Professional Conduct Procedures

CTSI is committed to ensuring that all its members adhere to the standards and behaviours set out in the CTSI Code of Professional Conduct to which all Members must abide

Section 1.4 of the CTSI Code of Professional Conduct (maintain professional knowledge and competence) does not apply to retired members.

These procedures set out the processes that CTSI will follow to determine if there has been a breach of the Code of Professional Conduct and the procedure for any subsequent investigation. Please note that the professional conduct procedures are not legal proceedings.

These procedures were approved by CTSI Council on 31 January 2024 and will be reviewed every two years.

## Breach of the Code

**Who can raise a complaint?** – anyone can raise a complaint. Complaints should be raised as soon as possible, and no longer than 12 months, after a potential breach has occurred. Consideration will be given in exceptional circumstances outside of this timeline on a case by case basis.

**How to raise a complaint** - if you believe that there has been a potential breach of the Code of Professional Conduct by a CTSI member this should be raised in writing via email to the Company Secretary [secretary@tsi.org.uk](mailto:secretary@tsi.org.uk). The Company Secretary will be able to confirm whether or not the individual you wish to raise an allegation against was in current membership at the time the breach occurred. You should advise brief details of the alleged breach including which part(s) of the Code of Professional Conduct you believe your complaint refers to.

**Who deals with the complaint?** - the Company Secretary, or other agreed person, will acknowledge receipt within 5 working days and make preliminary enquiries. If appropriate, this will be done in consultation with the Chair of CTSI Council, or Vice Chair or Second Vice Chair or the Chief Executive, to ensure that there is a bona fide breach of the Code. At this stage in the process the Company Secretary will not be carrying out any investigation, their role is to assess the complaint and form an opinion regarding its validity. This involves determining whether the complaint relates to a member and if it aligns with the Code of Professional Conduct.

If the Company Secretary determines that the complaint is a potential breach of the Code then this matter will be referred to the Professional Conduct Committee and the complainant will be advised of this within 15 working days of receipt of the complaint.

If the Company Secretary determines that no breach has been made the complainant will be informed by email within 15 working days of receipt of the complaint that this will not be submitted to the Professional Conduct Committee.

## Procedure

**The Professional Conduct Committee (PCC)** - the PCC will comprise of three members of the CTSI Council who are not involved in the matter raised. The PCC will be selected by the Chair or Vice Chair of CTSI. The Company Secretary will act as secretary of the PCC. The PCC will elect one of its number as a Chair who will also be the presenting officer should the matter be appealed to the Appeal Committee.

If three such members of CTSI Council cannot be assembled the Company Secretary along with the Chair or Vice Chair of CTSI will approach three Members of CTSI to form the PCC or if this is not possible they will refer the matter to an external independent panel. There may be occasions when the matter is referred directly to an external independent panel.

The PCC after making suitable enquiries may decide not to investigate the complaint if it determines that there is insufficient evidence of professional misconduct to warrant further enquiry or if the matter is considered trivial or is an employment issue or it is more appropriate to be dealt with under another procedure. The complainant shall be informed of this decision as soon as possible and within 20 working days of the decision of the PCC

Any decision not to investigate a complaint may be appealed to the Appeal Committee by the person making the allegation.

Any Member whose conduct is to be investigated by the PCC shall be sent written notice of that investigation by Recorded Delivery letter and/or by email together with details of the allegation of misconduct within 10 working days of the PCC being formed, where reasonably possible.

The Member will be given 30 working days in which to submit a written response by post or email and state whether or not they wish their written submission to be considered alone or to appear in person to put their case or to appear with a representative to speak on their behalf at a hearing before the PCC.

**Evidence gathering** - the PCC may make other enquiries as it considers appropriate including obtaining statements from any witnesses. It may ask the Member under enquiry for any explanation or other point of clarification that it may require.

**Hearing** - the PCC will give the Member, and if appropriate the complainant, 15 working days' notice in writing of the date, time and place of the hearing. The hearing may be conducted in person or via Teams. The complainant and the respondent will receive disclosure of all documentation including any witness statements 15 working days prior to the hearing.

The PCC will decide how the hearing will be conducted taking into account the wishes of the individual parties involved.

The PCC will determine the format of the hearing and all parties will be advised of this 15 working days beforehand. This will include, but is not limited to, the calling of witnesses, accompaniment at the hearing, and cross-examination of witnesses.

**Decision** - the PCC will arrive at its decision, by majority vote on the basis of the evidence it obtains and the verbal or written submission of the Member under investigation. The decision of the PCC shall be sent to the Member by recorded delivery and/or email as soon as possible and within 20 working days.

**Sanctions** – if a breach of the Professional Code of Conduct is determined, the PCC will consider the appropriate sanctions from, but not limited to, the following:

- to issue a professional warning
- to suspend the Member from membership, including any Branch or Section, for a period not exceeding two years
- to expel the Member from the Institute

During suspension a Member will forfeit all rights and privileges of membership and will not be required to pay any subscriptions other than their current annual subscription but will be expected to pay back any outstanding subscription when Membership is re-instated.

**Costs** – Both parties involved will be responsible for their own costs that may be incurred as part of this process.

**Confidentiality** – From the start of the process, all procedures connected with or leading to an investigation into a potential breach of the code shall be private and confidential and all parties must adhere to this during the process. If CTSI does not hold a private email address for members subject to investigation initial contact will be by post. A private email address will be sought for future correspondence by email.

**Appeal** – a Member can exercise the right of appeal against the decision made by the PCC to the Appeal Committee. An appeal should be made in writing and sent to the Company Secretary at head office by recorded delivery or via email to [secretary@tsi.org.uk](mailto:secretary@tsi.org.uk). The appeal must be received within 10 working days of the date of the notification of the PCC's decision.

**Appeal Committee** - the Appeal Committee will comprise of any three from the following: Chair, Vice Chair, Second Vice Chair, Immediate Past Chair, or Nationally Elected Member. One member of the Appeal Committee will be elected as Chair.

Appeals before the Appeal Committee will take the following form:-

a. The Chair of the Professional Conduct Committee (PCC) shall be the Presenting Officer and will put the case in the presence of the Member in question and their representative if any. The Presenting Officer will be permitted to call witnesses and produce relevant documents.

b. The Member or their representative may ask questions of any witness on the evidence presented.

c. The Member or their representative may then put their case to the Appeal Committee. They will be permitted to call witnesses and produce relevant documents.

d. The Presenting Officer of the PCC may ask questions of the Member or their representative on the evidence given and of any witnesses called.

e. The Presenting Officer of the PCC, followed by the Member or their representative will sum up their respective cases.

f. The Chair of the Appeal Committee will ask those concerned in the hearing to leave the room. The Committee will deliberate in private and only recall either party or their representative to clarify points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one may be concerned with the point giving rise to doubt.

g. The decision of the Appeal Committee will be made as soon as possible and the decision confirmed in writing to the Member and the Presenting Officer immediately thereafter.

i. Decisions shall be reported to the Council of the Institute and in the official journal of the Institute provided that in any case that has been held to be 'not proven' the Members name shall not be published.

j. The decision of the Appeal Committee shall be final

### **Openness and Accountability**

CTSI will keep all parties informed of progress at all times throughout this process.

The PCC and Appeal Committee will publish an annual report of their activities. This will be anonymised to respect confidentiality and the privacy of the members concerned.

### **Review schedule/version history**

<b>Review interval</b>	<b>Next review</b>	
2 years	<i>January 2026</i>	
<b>Version history</b>	<b>Date</b>	<b>Approved by</b>
1	<i>31 January 2024</i>	<i>Council</i>
2 (amendment to appeal committee)	<i>24 October 2024</i>	<i>Council</i>