

Appeals Procedure following decision of the Independent Complaints Panel

The complainant and the registrant may appeal against the decision of the Independent Complaints Panel. An appeal must be submitted in writing using our Appeal Form (along with any supporting documentation) within 28 days of notification of findings and decision of the Independent Panel.

Please contact the Societies if you wish to submit your appeal in an alternative format and we can advise you).

An appeal will be considered on the following grounds:

- The facts were found against the weight of evidence
- The sanction imposed is considered to be disproportionate
- Any evidence of procedural impropriety
- There is new evidence that was not available at the time

The grounds for appeal will be considered and a decision will be made as to whether the leave to appeal is accepted or rejected if there is insufficient evidence to satisfy any of the grounds for appeal.

If the leave to appeal is rejected, the registrant and the complainant will be notified in writing of this decision which will be final.

If the leave to appeal is accepted both the registrant and the complainant will be informed and the appeal will be considered by an appeal panel composed of an independent lay member and two registrant members.

The appeal panel will meet within 28 days of the leave to appeal being granted.

The appeal panel will not be connected with either the Assessment Panel or Independent Complaints Panel.

This will be a paper process where the appeal panel consider all the relevant papers and any written comments provided by both parties to decide whether the appeal is upheld or not. The registrant can, however, request an oral hearing.

The outcome of the appeal hearing will be communicated no later than 28 days after the appeal has been heard.

If the appeal is upheld, the appeals panel can make any decision regarding the complaint that could have been made by the Independent Complaints Panel, in accordance with the Indicative Sanctions Guidance.

If the appeal is rejected, the decision of the appeal panel, including any details of any sanctions or amendments to sanctions imposed, will be published on the website in accordance with the Publications Guidance.