

## ACAA Disciplinary Procedures

3 September 2014

### Preamble

This document applies to disciplinary actions arising from other policies and actions.

This document should be read in conjunction with the “ACAA Complaints Policy”, which may be found on the [ACAA website](#).

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### ACAA Disciplinary Actions:

- All offenses are to be logged on the Disciplinary Actions register for ACAA records (sample shown below). This register is not for member, or public access, unless access to the same is required by law.
- Suspension of membership is a form of disciplinary action. This also includes suspension from ACAA E-forum.
- Any decision by the ACAA Management Committee leading to a suspension of membership for any duration of time is to be logged on to a register which is to be maintained by the Secretary for ACAA records only.
- Members accumulating a suspension for duration of over 6 months cannot hold a position on the ACAA Management Committee, or ACAA Sub-committees for the next 5 years after serving the suspension period.
- Any existing ACAA Management Committee or Sub-committee

member suspended for duration of 6 months will be required to resign from their position immediately.

- A member accumulating suspension duration of over 9 months in a 2-year period will have their membership suspended for duration of 5 years, after which, renewal of membership may be considered by the management committee on application by the offending member.
- All correspondence should be directed to either the Secretary or the President. Should the Secretary or the President is the offending party then another member of ACAA Management Committee will be nominated

### Appeals procedure

Appeals to decisions relating to implementation of these ACAA Disciplinary Procedures can be made by ACAA members affected by the disciplinary action.

- Appeals must be lodged in a written format, delivered by Registered Mail or via email with proof of receipt, to the President or Secretary of ACAA and will only be considered based on substantive evidence provided to support the appeal.
- Appeals will only be considered if lodged with the President or Secretary within 15 working days of the offending member being advised of the disciplinary action.
- Appeals are to be considered by an independent Appeals board consisting of 3 Senior ACAA Accredited Members, specifically appointed by the ACAA Management Committee by means of a quorum at a teleconference, or

- face to face meeting (not via email discussion only). Appointed board will be asked to provide a written undertaking that there are no conflict of interest issues arising from any association with the applicant. This board is to be dissolved once a decision on the case has been made by the Board.
- All correspondence by the applicant is to be directed to the President or Secretary and not to the appointed Appeal board members. Appeal board members will not enter into private conversations / correspondence with the applicant.
  - Any suspension will remain in force for the duration of the appeal. Once the appeal has been lodged, the appointed Appeals Board is required to make a determination within 7 working days of the appeal being received to the ACAA Management Committee. If additional time is required due to the complexity of the assessment, more time may be allocated and the member will be advised of the same with a phone call by the President or Secretary.
  - The applicant will be notified by the ACAA Management Committee of the decision, by Registered mail or via email with proof of receipt within 2 working days of the determination being made.

## **Offences**

### **1. Offence: Breach of ACAA Code of Ethics**

#### **ACAA Disciplinary Action options:**

- 1st offence: Written Warning, delivered by Registered Mail or via email with proof of receipt, accompanied by a phone call from the Secretary.

- 2nd offence: 3 months suspension
- 3rd offence: 6 months suspension

### **2. Offence: Breach of ACAA rules of Conduct**

#### **ACAA Disciplinary Action options:**

- 1st offence: Written Warning, delivered by Registered Mail or via email with proof of receipt, accompanied by a phone call from the Secretary.
- 2nd offence: 3 months suspension
- 3rd offence: 6 months suspension

### **3. Offence: Breach of ACAA E-forum user guidelines**

#### **ACAA Disciplinary Action options:**

- 1st offence: Written Warning, delivered by email with the offensive material immediately removed from the ACAA website.
- 2nd offence: Written Warning delivered by Registered Mail or via email with proof of receipt, with the offensive material being removed from the ACAA website and a 3-month suspension from the use of the E-forum.
- 3rd offence: Written Warning delivered by Registered Mail or via email with proof of receipt, with the offensive material being removed from the ACAA website and a 12-month suspension from the use of ACAA E-forum.

#### **4. Offence: Misuse of ACAA Logo**

##### **ACAA Disciplinary Action options:**

- 1st offence: Written Warning delivered by email and accompanied by a phone call from the Secretary and a requirement to rectify the non-compliance within 5 working days.
- 2nd offence: Written Warning, delivered by email, and a requirement to rectify the non-compliance within 2 working days.

3rd offence: Written instruction to the member via Registered mail or via email with proof of receipt removing their right to the use of the logo.

**Sample: ACAA Disciplinary Actions Register**

Date	Name of Member	Description of offence	Disciplinary Action
00-00-14	Name: XXXXXXXXXX Membership Category: Associate / Accredited / Affiliate Membership number:	Clause numbers:  SEE SAMPLE BELOW	Date / Duration of offence: Description of offence: Date of decision: 00-00-2014 Any previous offenses / warnings issued: Action taken:
00-00-14	Name: John Smith Membership Category: Accredited Membership number: XXX	Breach of the following:  1. <u>ACAA rules of Conduct</u> Clause 3: Members shall not maliciously or carelessly do anything, which may injure, directly or indirectly, the reputation, prospects, or business of other members, or of the Association.  ACAA E-forum user guidelines Forum participants must not use the Forum in a way that is frivolous, salacious, libellous, defamatory, or discriminatory	Date / Duration of offence: Date of decision: 00-00-2014 Description of offence: E-forum posting on XXXX Any previous offenses / warnings issued: Action taken: 3 month suspension from E-forum