



Nova Scotia Association of Reflexology Practitioners

Professional Conduct Review and Complaint Process

Disciplinary Policy and Procedure Guidelines

Disciplinary Action

It is likely that, if there is a need for disciplinary action it will result from a substantiated claim that a member has acted inappropriately.

The following rules and procedures define how complaints will be received and reviewed and how any resultant disciplinary action will be taken.

Rules and Procedures

A Complaint/Disciplinary Committee (consisting of the Chair, Co-Chair, Secretary, and, when possible, two (2) members of the Board or Association members that the Board appoints) will have the responsibility for reviewing complaints and making recommendations to the Board about what, if any, disciplinary action should be taken. The Board alone may act as the Complaint/Disciplinary Committee when they deem it necessary.

Disciplinary action may take the form of a reprimand, suspension for a period of time or expulsion from the Association. Conditions may be imposed on the member's practice in general or in any area of the practice of the profession including conditions such as practicing under supervision, practicing with one or more other members, not practicing until the member has completed a specific course of studies or obtained supervised practical experience of a type described in the order, or report on specific matters to the Board, Disciplinary Committee or individual specified in the order. A member may also be required to undertake counseling or a treatment program that would be appropriate. A fine may be imposed to defray and/or cover the costs incurred from the investigation. The Board, by majority vote, may restore any person to membership.

Disciplinary action may be initiated as a result of one or more of the following actions by a member:

- Displaying lack of skill, knowledge, or judgment in the provision of professional services.
- Violation of the Association's Codes of Ethics and Conduct or Standards of Practice.
- Falsely presenting oneself as a member of the Association, in good standing, while membership or registration has been suspended, cancelled or has expired.
- Failure or refusal to comply with continuing education requirements.
- Failure or refusal to comply with a request from, or to cooperate with, an investigator.
- Failure to comply with a notice to produce information or to attend.
- Failure to comply with an agreement that is part of a ratified settlement.
- Violating an order or conditions imposed on a member.
- Behaving in a manner that damages the integrity of the profession.
- Other actions that would lead the majority of the Board Members to agree that disciplinary action is necessary to protect the best interest of the Association or the public.



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The first stage in any disciplinary action is likely to be a complaint to the Association about the behavior of a member. The following process will be adopted to see that all complaints are dealt with consistently, professionally and expeditiously.

- All complaints must be submitted in writing, and signed. They may be presented through a member, or directly to a member of the Board. Complaints will be accepted for review providing the person accused is a current member of the Association. Alleged improprieties of past members will be reviewed should this person reapply for membership.
- The Complaint/Disciplinary Committee will review all complaints to determine whether there is a need for disciplinary action.
- The Committee may encourage the complainant, and the member about whom the complaint was made, to communicate with each other in an attempt to resolve the complaint. Alternatively they may request an expert to assess and provide a written report on the matter of the complaint.
- If the Complaint/Disciplinary Committee decides that the complaint is trivial, vindictive or there is a lack of evidence they may dismiss the complaint.
- If the complaint is dismissed notice will be given to the complainant within 30 days. The Committee's decision will be final.
- A member who is the subject of a complaint or disciplinary action will be required to co-operate in full capacity so long as the matters of investigation are related to the possibility of proving or disproving unprofessional conduct.
- Depending on the nature of the complaint the Board may decide to deal with it in a summary manner or, if its seriousness requires, they may decide that further investigation is necessary.
- If, in the opinion of the Complaint/Disciplinary Committee, the matter is one which may be handled in a summary manner, they may contact the complainant, by telephone, letter or in person, and ask to have the complaint substantiated and/or to ensure that the matter has been resolved. Alternatively the complainant may be advised that the complaint does not fall within jurisdiction of the Board.
- The Complaint/Disciplinary Committee will have thirty (30) days to decide whether disciplinary action will be taken and to give notice to the complainant of any such action.
- In matters requiring further investigation, the Disciplinary Committee may make necessary inquiries and send a copy of the letter of complaint to the investigated person for reply. The letter



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shall be sent by registered mail requiring a reply within fifteen (15) days.

- It will be for the Complaint/Disciplinary Committee to decide whether it is necessary for the member, against whom the complaint has been made, to attend the Complaint/Disciplinary Committee meeting(s) or not.
- The Complaint/Disciplinary Committee may require the accused member to satisfy the Committee that the behavior that the complaint was about has been rectified.
- When, as the result of reviewing a complaint, the Complaint / Disciplinary Committee decides that disciplinary action is required, it will be for them to decide what form that action should take and to submit their findings and proposals for action to the Board for ratification. The Board must agree, by majority vote, with the findings of the Disciplinary Committee.
- The Complaint/Disciplinary Committee must, within a reasonable time after the conclusion of its deliberations, record its decision in writing and forward it, together with any material findings to the Board for appropriate filing.
- The complainant may examine the record of the hearing and, on paying the reasonable costs of transcribing, copying and delivering the record, receive a copy of it.
- The investigated person may examine the record of the hearing and, on paying the reasonable costs of transcribing, copying and delivering the record, receive a copy of it.
- If the action for which a member is disciplined is deemed to be illegal, or a danger to the public, the Board may also notify the appropriate regulatory authorities of what they have found and what action they have taken.
- The Board reserves the right to investigate the behavior of a member, without a formal complaint having been received, if they believe that the member is acting unprofessionally, or in a way that may discredit NSARP or the Reflexology profession.