

# POLICY BCRSP-1025

Title: <b>Professional Conduct Appeals</b>	Approved by: Governing Board
Version No: 1.03	Approved: June 21, 2014
Effective: June 2014	Supersedes: 1.02
Last Review: June 2014	

## PURPOSE

To establish a professional conduct appeals procedure for addressing appeals when the Discipline Committee has ruled to discipline a certificant.

## DEFINITIONS

The scope of this policy and procedure is to address appeals to discipline as ruled by the Discipline Committee.

## DEFINITIONS

*Certificant* – a Canadian Registered Safety Professional (CRSP)<sup>®</sup>/Professionnel en sécurité agréé du Canada (PSAC)<sup>®</sup>.

*Appellant* – a certificant appealing a ruling of the Discipline Committee.

*Days* – working days.

## PROCEDURE

### **Committee Make Up**

1. The Chair of the BCRSP Governing Board will establish an Appeals Panel. The Appeals Panel will consist of a minimum of three (3) former Board members. The Chair of the BCRSP Governing Board will establish a pool of a minimum of five (5) former Board members from which the Appeals Panel members will be drawn.

### **Receipt of Appeal**

2. Any certificant who has been found guilty of professional misconduct may appeal, in writing, the ruling of the Discipline Committee within thirty (30) days from the date the ruling was issued.
3. Appeals are to be directed to the Chair of the Governing Board.
4. Appeals are limited to the evidence presented during the investigation and Discipline Committee hearing.

5. When new evidence is presented, the appeal will be directed back to the Professional Conduct Committee which has thirty (30) days to reinvestigate and determine if the matter need be referred back to the Discipline Committee.

### **Appeals Process**

6. The Appeals Panel will review all documentation and processes used by the Professional Conduct Committee and the Discipline Committee to ensure the correct process was followed and a fair decision rendered.
7. The Appeals Panel will render a ruling within fifteen (15) days of completion of the Appeal and issue a ruling to the Governing Board. The Appeals Panel ruling may:
  - a) Uphold the original ruling of the Discipline Committee,
  - b) Require a dismissal of action, or
  - c) Amend the ruling of the Discipline Committee.
8. The ruling of the Appeals Panel is final and shall be sent by the Chair of the Governing Board to the appellant, by registered mail, within fifteen (15) days of the ruling.
9. If the certificant is of the opinion that the policies and procedures of the BCRSP as it relates to the matter of complaints and discipline have not been followed, they may appeal to the Standards Council of Canada as per ISO 17024 accreditation.

### **REFERENCE DOCUMENTS**

- *Code of Ethics* (Doc.017)
- *Constitution and Bylaws* (Doc.002)
- *Professional Conduct Committee(PCC)-Appeals Form* (Doc.065)

### **CHANGE HISTORY**

<b>Approval Date</b>	<b>Change details</b>	<b>Rationale</b>