

# EuRA Disciplinary Policy



- Change History Log

ISSUE	VERSION	CHANGE	DATE	AUTHOR
3	1		13/05/2022	DT

## **1.1 Overview**

- First step write to CEO with the nature of the complaint and CEO will take appropriate first steps
- Secondly to go to mediation with EuRA's Consultant for Legal
  - Further escalation;
- Complaint must now be made in writing
- Complaint must state the evidence on which the complaint is made
- The complaint must be in regard to a breach of an existing Rule of Conduct

## **1.2 The Disciplinary Committee**

- The disciplinary committee will be selected from Executive Members who do not operate their businesses in the same region as the subject of the complaint
- A Chair of the committee will be appointed
- The committee will not total more than three members
- All correspondence shall be addressed and mailed directly to the Chairperson of the committee and should be marked "Private and Confidential". All correspondence arriving to the EuRA office should be forwarded to the Chairperson within two working days barring absence
- All information regarding the complainant and complainees will be anonymised
- The Committee will also be anonymous
- Determination of the committee is based on evidence of a clear breach of an existing Rule of Conduct

## **1.3 Powers and Duties**

- To hear and determine all cases referred to it by the EuRA Executive, the C.E.O. or any EuRA member concerning reported or suspected breaches of the EuRA Rules of Conduct
- Where the committee has established a breach of a Rule or Rules, the committee may at its discretion, impose any one of the penalties listed under these regulations
- To keep under review the operation of the Disciplinary Procedure and the efficiency of the EuRA's Rules of Conduct, making any recommendations to the Executive annually
- Report to the Executive as appropriate

## **1.4 Procedure for Receipt, referral & Investigation of Complaints**

All complaints received in writing by the C.E.O. must be passed on immediately to the committee and be investigated by no less than 3 committee members within 14 days. All complaints received will be coded for future reference.

In cases where the committee deems further action is needed, the C.E.O. shall request written evidence from all parties concerned and copy all committee members on the evidence collected. All parties involved shall be given 14 days to reply in writing. All correspondence should be sent by secure email. In the event that the member does not respond within 14 days, a reminder will be sent outlining that the member has no more than 7 days in which to reply. If this further request for information is ignored, the committee will be forced to base its findings solely on the evidence available to them at that time. The report sent to the member under investigation does not need to specify who has brought the complaint.

If there is evidence of a breach of the Rules of the EuRA, the committee will consider and take whatever action they deemed necessary according to the sanctions available (see 1.5). As a last resort, the committee may decide to hold a hearing at an appropriate time and place.

If no breach has occurred, the complainant and the member will be informed in writing and no further action need be taken. The file shall then be stored securely at EuRA headquarters.

## **1.5 Penalties & Costs**

The Disciplinary Committee may order the following penalties

- Suspension from EuRA pending rectification of the action/s that led to the complaint within a specified timeframe
- Expulsion from EuRA if rectification of the action/s that led to the complaint are not resolved within the specified timeframe

The committee may on review, or on presentation of new evidence, reinstate the original category of membership of the member in breach.