

**RULES AND PROCEDURES FOR THE IMPLEMENTATION AND UPHOLDING OF THE
INSTITUTE'S CODE OF PROFESSIONAL PRACTICE AND ETHICS**

The Institute of Trichologists

Complaints Handling Procedure – Part C

RULES OF PROCEDURE FOR DISCIPLINARY APPEAL HEARINGS

- C1.** A member of the Institute or, in the case of an expulsion, an ex-member of the Institute to whom a disciplinary sanction has been applied by the Independent Hearing Panel have the right to appeal against the findings and/or decision of the panel. The appeal must be lodged within 14 days of the letter confirming the outcome of the disciplinary formal action, stating the grounds on which they are appealing.
- C2.** The grounds of any such appeal shall be that the decision of the Independent Disciplinary Panel was unreasonable in the circumstances or was manifestly unfair. (The object of the Disciplinary Appeal Panel is not simply to hear the case for a second time in the hope of arriving at different conclusions).
- C3.** The Disciplinary Appeal Panel will comprise three new independent members one of whom is an Institute member of at least MIT or FIT status who are not members of the Board of Directors and who have had no dealings with the earlier investigation or adjudication of the matter of the appeal.
- C4.** The Independent Chair of Ethics shall be a non-voting Chairman of the Disciplinary Appeal meeting.
- C5.** The member or ex-member bringing the appeal (and/or his or her legal representative) will have up to 15 minutes to present the appeal, explaining why the decision of the panel was unreasonable or unfair.
- C6.** The Independent Chair of the Ethics will have up to five minutes to question the member/ex-member on the case presented. (All questions must relate only to what has been presented; nothing new or extraneous to be introduced at this stage).
- C7.** The Independent Chair of the Ethics will have up to 15 minutes to respond to the appeal, stating why the decision of the Independent Disciplinary Panel should stand.
- C8.** The member/ex-member (and/or his or her legal representative) will have up to five minutes to question the Independent Chair of the Ethics on the case presented. (All questions must relate only to what has been presented; nothing new or extraneous to be introduced at this stage).
- C9.** Members of the Disciplinary Appeal Panel will have up to 15 minutes to question both the member/ex-member (and/or his or her legal representative) and the Independent Chair of the Ethics. (All questions must relate only to what has been presented; nothing new or extraneous to be introduced at this stage).
- C10.** The member/ex-member and/or his or her legal representative will have up to two minutes to sum up the case for the appeal.
- C11.** The Independent Chair of the Ethics will have up to two minutes to sum up the case against the appeal.
- C12.** Both the Independent Chair of the Ethics and the member/ex-member (and his or her legal representative) will leave the room.
- C13.** The Disciplinary Appeal Panel will consider whether suitable grounds for allowing the appeal have been made out (in that the decision of the disciplinary panel was either unreasonable in the circumstances or was manifestly unfair). If such grounds are not made out to the satisfaction of the Disciplinary Appeal Panel, the appeal is to be dismissed. If such grounds are made out to the satisfaction of the Disciplinary Appeal Panel, the Disciplinary Appeal Panel may make such appropriate recommendation(s) to the Independent to Ethics Chair as it thinks fit.

C14. The Independent Chair of Ethics shall report the findings and recommendation(s), if any, of the Disciplinary Appeal Panel to the Board of Directors and shall inform the member/ex-member and the Chair of the Ethics Committee in writing of such findings and recommendations. If any recommendations are made to the Board of Directors, the Independent Chair of Ethics shall inform the member/ex-member of the Independent Appeal Panel's response to such recommendation (s) as soon as practicable.

C15. The IOT Board, as the directors of the Institute under the terms of the Companies Acts, have ultimate responsibility for all actions of the Institute and all aspects of Institute policy. Therefore the decision of the Board in relation to any findings and/or recommendation (s) of the Independent Appeal Panel shall be binding on all members and officers of the Institute.