



# COMPLAINTS AND DISCIPLINARY PROCEDURE

## Lipspeakers

All Members of the Register of Lipspeakers and Registered Level 2 Lipspeakers will be expected to abide by the Ethical Code and work to the Code of Practice. They must know the Complaints and Disciplinary Procedure.

The ACE/Deafblind Registration Panel has a Complaints and Disciplinary Committee made up of three people from the Panel. Another member of the Panel is known as the 'Nominated Person' who receives the complaint, resolves the complaint if appropriate, and decides if there is a case to answer. Three other members make up the Appeals Committee.

If someone thinks a Lipspeaker has broken the Ethical Code or Code of Practice, they can make a complaint.

### Stage 1 – Initial Complaint

- 1.1 If possible, small complaints should be resolved locally. The person who has made the complaint should talk to the Lipspeaker and/or the organisers immediately after the event and try to sort out any problems.
- 1.2 If a complaint cannot be settled locally, the person who wishes to make a complaint should contact CACDP. If the Lipspeaker is not registered with CACDP, a letter will be sent to the complainant explaining that no further action can be taken.
  - All complaints should be sent to the Nominated Person in writing, email or a video letter, within one month of an assignment. Complaints will not be dealt with by telephone/text telephone.
  - A letter/email/video letter will be sent to the person who is complaining. The letter/email/video letter will say that the complaint has been received, and may ask for some clarification.
  - The Nominated Person will send a letter to the Lipspeaker explaining in a few words what the complaint is. The letter will ask the Lipspeaker to give information from his/her point of view.
  - If it is needed, a letter will be sent to the organiser or contractor asking what has happened.
- 1.3 Most complaints will be sorted out quickly and easily by the Nominated Person on the basis of the information received. The Nominated Person will make a decision and write to the person who made the complaint and to the Lipspeaker, informing them of this.
- 1.4 If the person who has complained or the Lipspeaker is unhappy with the response and can provide relevant additional information, they can ask for the next stage of this procedure to start. They must do this within 20 working days from receipt of the letter in 1.3.

- 1.5 If the Nominated Person believes that the information received in 1.2 shows that the Lipspeaker has broken the Code of Practice or the Ethical Code, i.e. that there is a “case to answer”, s/he will refer the matter to the Complaints and Disciplinary Committee. S/he will notify the complainant and the Lipspeaker by letter.

## **Stage 2 – Complaints and Disciplinary Committee**

- 2.1 The Complaints and Disciplinary Committee will be made up of three people from the Registration Panel. If the Complaints and Disciplinary Committee find they need further advice from someone with particular knowledge about the complaint, they can invite them on to the committee to give advice and information. The committee will meet as soon as possible and will make their decision. If necessary, they will write to the complainant and the Lipspeaker explaining why there is a delay. Whenever possible the Chair or Vice-chair of the Panel will chair the committee.
- 2.2 The committee will look at all the evidence and may ask for more details from the people involved in the case. The person who complained and the Lipspeaker will also be invited to submit further information. The committee will then look at all the available information, and has a number of different courses of action they can take.
- 2.3 They may decide to dismiss the complaint on the grounds it is unfounded.
- 2.4 If the complaint is upheld, i.e. the committee considers that the Lipspeaker has broken the Code of Practice or the Ethical Code, they will take the following action:
- They may decide not to take any further action against the Lipspeaker. The Lipspeaker may have been working under difficult conditions but did his/her best to provide a good service. A record of this will be kept for two years.
  - If the committee finds that there was no reasonable justification for the code(s) being broken, they will issue a formal written warning. A record of this will be kept at CACDP for two years. In serious cases, the committee may decide to remove the Lipspeaker’s name from the register.
  - If another complaint is made in the future, and after the same process of investigation this is upheld by the committee, the Lipspeaker’s name will be removed from the register. In the event of a Lipspeaker’s name being removed from the register, this will be indicated on the open pages of the Online Directory.
- 2.5 The committee will write to the person who made the complaint, and to the Lipspeaker, to tell them what has been decided.

## **Stage 3 – Appeals Committee**

- 3.1 If either the person who has made the complaint or the Lipspeaker is not satisfied with the committee’s decision and wants to appeal, s/he must appeal within 28 days of the date of the letter in 2.5, in writing or on videotape to the Chief Executive of CACDP saying why s/he is appealing. The appeal will be considered by three members of the Registration Panel who were not involved in the original decision.
- 3.2 A Lipspeaker or the person who complained can appeal if:
- mistakes were made in the way the committee managed the disciplinary procedure or in their behaviour;
  - there is relevant new evidence.

- 3.3 The Appeals Committee will write to the Lipspeaker and the person making the complaint to say if the appeal is successful or not, within two months of receiving the letter in 3.1.

## **Stage 4 – Further Appeal**

- 4.1 A further appeal can be made on the grounds of a point of procedure or natural justice and not on the grounds of the facts or evidence of the case.
- 4.2 Any further appeal following a decision of the Appeals Committee will be dealt with by an independent 'Ombudsperson' who will have had no previous involvement in the case and is not connected with the lipspeaking field.
- 4.3 The decision of this 'Ombudsperson' will be final.