



Ethics Complaint Procedure

Revised January 2012

I. Initiating a Complaint

Who May File:

- Any person, member of CSSE or not, who has reason to believe that a member of the Society (the Respondent) has acted in violation of the Code of Ethics or a CHSC designation holder has acted in violation of the CHSC Code of Conduct.
- The Ethics Committee may initiate a complaint based on alleged violations brought to its attention if allegations are considered to have the potential to cause serious harm to the reputation and professional standards of the CSSE.

How to File:

- Complete an Ethics Complaint Form as provided by the CSSE Office.
- The form to be forwarded to the Executive Director of the Society who will send it to the Chair of the Ethics Committee.

II. Complaint Investigation & Hearing Procedures

Initial Procedure for Complaint Investigation:

- The Ethics Committee reviews the complaint to determine if it is worthy of consideration.
- If not, the complaint is dismissed and the complainant is notified.
- The decision to dismiss at this stage is final.
- Once dismissed, complaints will only be reconsidered if additional evidence can be produced that clearly demonstrates a breach of the Code of Ethics or Code of Conduct.

Acceptable reasons for dismissal can include:

- Failure to specify provision of code violated;
 - More than one year has elapsed since facts were known or could have been known;
 - Complainant is a third party to the circumstances (excepting complaints initiated by Ethics Committee);
 - Respondent is not currently a CSSE member or a CHSC designation holder;
 - Matter is a legal dispute more appropriately handled through the justice system.
-
- If worthy of consideration, the Ethics Committee sends a copy of the complaint to the respondent within 30 days of receipt of complaint.
 - The respondent is invited to file a written reply within a specified time of 30 to 60 days
 - If no reply is received within the time specified and there are no extenuating circumstances, charges are taken as true by default.
 - A copy of the respondent's reply is shared with the complainant, the Ethics Committee and the CSSE President.
 - The Ethics Committee investigates the complaint, requesting additional information as needed.
 - A complaint that has reached this stage can be withdrawn by the complainant if a written reason for withdrawal is received before the committee reaches a decision or if the committee gives its consent.

Decision by Ethics Committee:

- The Ethics Committee makes a decision based on its investigation and sets out in writing the finding of facts and recommended action, if any. This information is shared with the complainant and the respondent along with a notification of the deadline for filing a request for a hearing.
- If neither party requests a hearing by the specified date, the decision of the Ethics Committee becomes final. Disciplinary action will be taken after the appeal period has passed.

III. Appeal Procedures

Need and Composition:

- If either party is dissatisfied with the decision of the Ethics Committee, an appeal may be requested from the Society's President.
- The President can ask the Ethics Committee to investigate further or to provide clarification.
- Based on the information gathered by the President, a Hearing Panel can be appointed by the President.
- If a hearing is required, a Hearing Panel of three will be appointed by the President from among the Board of Directors.
- The President (without vote) will chair the Hearing Panel

Procedures for Hearing Panel:

- The Hearing Panel sets a time and place for a hearing with 60 days written notice to the complainant and the respondent. The hearing can be held by physical or electronic means, as recommended by the committee based on the information provided and the circumstances of the complaint.
- The parties are expected to appear at the hearing in person. Refusal to attend is not grounds for rescheduling a hearing.
- The Hearing Panel considers all documentation, information and statements from the Ethics Committee, the complainant and/or the respondent.

Decision of Hearing Panel:

- The decision shall be by majority vote and shall set out, in writing, the findings and disciplinary action, if any.
- The findings will be sent to the complainant and the respondent by registered mail.
- The decision of the Hearing Panel is final.

Action during Committee or Appeal Process:

- If during any stage of investigation, the complaint initiates legal proceedings, CSSE processes are suspended until the legal process is completed.

IV. Disciplinary Action

Power:

- The Ethics Committee may impose disciplinary action for:
 - a violation of any article of the Code of Ethics and/or the Code of Conduct,
 - the failure to cooperate with the Ethics Committee or the Hearing Panel,
 - or the failure to abide by the code in the case of a guilty finding by a legislative court action.

Type of Discipline:

- May consist of one or more of the following:
 - Letter of censure,
 - Letter of warning,
 - Suspension of membership or of designation or of certain privileges for a specified period of time,
 - Expulsion from membership or loss of designation or loss of privileges.

Assessment of Costs:

- The Society is not responsible for any costs associated with a complaint for either the complainant or the defendant.
- Any party to a complaint who intentionally falsifies or withholds information or refuses to cooperate with an ethics investigation may be assessed all or part of any expenses incurred by the Society in the investigation.

VI. Other Matters

Waiver of Liability:

Neither the Society nor any officer, employee or agent of CSSE, nor any member of the Board of Directors, the Ethics Committee or the Hearing Panel shall be liable for any action taken or not taken in relation to these regulations. All

possible claims or liability arising out of any such action or failure to act shall be deemed waived by all applicants and members of the Society, as a condition of obtaining and continuing membership.

Confidentiality:

Ethics complaints are to be considered privileged and confidential by all parties involved. The people who know about the details of the complaint, at all stages of the complaint procedure, are to be kept to the fewest number possible.

Files will be sealed and protected until such time as they are no longer required and then they will be destroyed by shredding the documents.

Sanctions for Abusing Complaint Procedures:

Any member who files an ethics complaint to harass another member or abuse the ethics procedures will be subject to disciplinary sanctions at the discretion of the Ethics Committee.

Provision to Reinstate:

Reinstatement of any member subject to disciplinary sanctions by the Society will be at the discretion of the Board of Directors.