

APPEALS PROCEDURE – MEMBER

Right to Appeal

1. Where a complaint has been upheld by the Complaints Committee of the IACP, the Member against whom the complaint has been upheld has the right to appeal.

Form of Appeal

2. An appeal must be made in writing and submitted to the Board of Directors of the IACP. Submission in writing can be made by way of post or email. The appeal must specify the grounds on which it is based and be accompanied by any supporting documentation upon which the Member wishes to rely in respect of their appeal.

Time Limits

3. The written appeal must be received by the IACP within 21 days of the date of issue of the written notification of the decision of the Complaints Committee.

Grounds of Appeal

4. An appeal may be considered on any of the following grounds:
 - 4.1. That the findings by the Complaints Committee were not supported by the evidence;
 - 4.2. That the sanction was disproportionate to the findings of the Complaints Committee and is considered to be unjust;

Panel to Consider Grounds of Appeal

5. Once the written application for an appeal has been received it will be considered by a Panel constituted to consider whether the application is admissible and whether it, on its own merit, meets one of the grounds of appeal set out above at 4.
6. This panel will be appointed by the Board of Directors and shall be constituted of:
 - 6.1. two Senior Members of the profession who have been accredited with the IACP for at least five years; and
 - 6.2. an independent external panel member who is not a member of IACP and who has no links with the involved parties.
7. If the panel decide that the appeal is inadmissible or that there is insufficient evidence to satisfy any of the grounds for the appeal, the appellant will be notified in writing by the Chairperson of the Board of Directors. This decision will be final.

Appeal Panel

8. If the grounds for the appeal are accepted the Board of Directors will appoint not less than three people, who were not previously involved with the matter, as an Appeal Panel.
9. The Appeal Panel shall be constituted of two Senior Accredited Members of IACP who have been accredited for at least five years and one independent external panel member who is not a member of IACP and who has no links with the involved parties.

The Appeal Panel will then re-examine the case and will also consider any mitigating circumstances presented by the Member. All representations by the appellant will be in writing only.

Decision

10. Once the Appeal Panel has re-examined the case, they will make a decision. This decision will be final.
11. Within one calendar month of the date on which the decision is taken the Chairperson of the Appeal Panel will notify the following:
 - The Board of Directors;
 - The respective parties; and
 - The Chairperson of the Complaints Committee.
12. The notification issued by the Chairperson of the Appeal Panel will state:
 - The decision of the panel;
 - The reasons for the decision; and
 - The effect of the decision.