

# Terms of Reference – AARPN Ethics & Complaints Committee

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## 1. Introduction

The Australasian Association and Register of Practicing Nutritionists (AARPN) Ethics & Complaints Committee is an independent body responsible for overseeing ethical and professional conduct within AARPN. It ensures that complaints about Certified Practicing Nutritionists (CPNs) and AARPN as an organization are handled fairly, transparently, and in accordance with professional standards. Members of Ethics & Committee are Officers of AARPN the Professional Body.

The Ethics & Complaints Committee operates in alignment with AARPN's Code of Conduct, Professional Standards, and Complaints Policies, ensuring accountability, natural justice, and procedural fairness in all investigations and decisions.

# 2. Purpose and Scope

The Committee is responsible for:

- Assessing and investigating complaints regarding breaches of the AARPN Code of Conduct,
  Professional Standards, or Fitness to Practice requirements by CPNs.
- Handling complaints against AARPN as an organization, including its governance, decisions, and operational processes.
- Overseeing mediation and conciliation as a method for resolving disputes where appropriate.
- Ensuring fairness, impartiality, and transparency in all complaint handling procedures.
- Making recommendations on sanctions or corrective actions based on investigation findings.
- Ensuring compliance with legal, ethical, and regulatory obligations.
- **Self-generation of complaints** where it is an issue within its scope that comes to the attention of the Chair or any member of the Ethics and Complaints Committee.

# 3. Membership and Composition

The Ethics & Complaints Committee consists of:

- Chairperson Appointed by the AARPN Board, responsible for overseeing complaint management.
- Certified Practicing Nutritionists (CPNs) At least two experienced CPNs to provide subject-matter expertise.
- External Representatives Independent members (e.g., legal, ethics, or consumer advocates) to ensure impartiality (as deemed appropriate in accordance with the nature of the complaint/issue).
- **Diversity Representation** Inclusion of representatives from **Aboriginal and Torres Strait Islander communities, individuals with disabilities**, or other groups as required.

• Investigation Officer (if required) – Appointed on a case-by-case basis to conduct formal investigations. This will be a CPN with subject matter knowledge relevant to the complaint/issue.

#### Quorum:

 A minimum of three members, including at least one CPN and one external representative (where one has been deemed appropriate to appoint).

#### **Conflict of Interest:**

• Any member with a conflict of interest in a complaint must declare it and **recuse themselves** from the case.

# 4. Roles and Responsibilities

#### 4.1 Chairperson

- Conducts initial assessments of complaints.
- Determines if a case should be **mediated**, **investigated**, **or dismissed**.
- Ensures timely and fair processing of complaints.
- Oversees hearings, reviews findings, and coordinates committee decisions.

#### 4.2 Ethics & Complaints Committee Members

- Participate in reviews, hearings, and investigations.
- Ensure adherence to AARPN's ethical and professional standards.
- Provide independent judgment on complaint outcomes.
- Maintain confidentiality and impartiality.

#### 4.3 Investigation Officer (if appointed)

- Conducts formal investigations by gathering statements, interviewing witnesses, and reviewing evidence.
- Provides findings and recommendations to the Committee.

# 5. Complaints Handling Process

#### Step 1: Lodging a Complaint

- Complaints must be submitted via email (admin@aarpn.com) or post.
- AARPN assigns a reference number and forwards complaints to the Ethics & Complaints
  Committee.

## Step 2: Initial Review & Assessment (Within 4 Weeks)

- The **Chairperson** reviews the complaint to determine if it is:
  - o **Dismissed** (if vexatious, out of scope, or insufficient evidence).

- Referred externally (e.g., legal authorities, Health Complaints Commissioners (HCCs)).
- Eligible for mediation or conciliation.
- Proceeding to formal investigation.

#### Step 3: Opportunity for Reply (21–28 Days)

- The **respondent (CPN or AARPN representative)** is informed of the complaint and given an opportunity to submit a written response.
- The respondent may provide supporting documentation, witness details, or additional evidence.

#### **Step 4: Mediation & Conciliation (If Applicable)**

- The Chairperson determines if mediation is an appropriate resolution pathway.
- If mediation is successful, the process ends.
- If mediation is unsuccessful or inappropriate, the case proceeds to investigation.

#### Step 5: Investigation (4–6 Weeks)

- If required, an **Investigation Officer** is appointed.
- Evidence is collected, including witness statements, relevant records, and expert opinions.
- The complainant and respondent receive updates every 4-6 weeks.

#### Step 6: Hearing & Review

- The Ethics & Complaints Committee conducts a formal review.
- If needed, a hearing is convened, where the respondent may provide verbal testimony.
- A **support person (not a lawyer or barrister)** is allowed for the respondent.

#### **Step 7: Decision & Sanctions**

- The Committee determines if the complaint is substantiated or dismissed.
- If substantiated, appropriate sanctions are imposed:
  - o Formal Warning
  - Further Education (CPD)
  - Supervision or Mentoring
  - Suspension or Termination of AARPN Membership

#### Step 8: Notification & Right to Appeal (14–28 Days)

- The complainant and respondent are notified of the outcome in writing.
- Either party may appeal based on procedural error or new evidence.

#### **Step 9: Appeals Process (4–6 Weeks)**

• The Independent Appeals Panel reviews the appeal.

- The final decision may result in:
  - o Original decision upheld.
  - Sanctions modified.
  - o Decision overturned.
  - o Case reopened for further investigation.
- Once the final decision is issued, no further appeal is permitted.

# 6. Confidentiality & Fairness

- All complaint records are confidential.
- Parties are treated fairly and impartially.
- Retaliation or victimization against complainants is strictly prohibited.

# 7. Reporting & Continuous Improvement

- A confidential complaints register is maintained.
- The Committee provides an annual report to the AARPN Board with:
  - o Number of complaints received.
  - o Types of complaints (e.g., ethics violations, governance issues).
  - Outcomes and actions taken.
- The Terms of Reference are reviewed annually to ensure compliance with best practices.

# 8. Policy Review & Amendment

- The AARPN Board may amend these Terms of Reference as needed.
- Updates reflect legislative changes, stakeholder feedback, and procedural improvements.

## 9. Contact Information

• Email: admin@aarpn.com

Website: www.aarpn.com

## **AARPN Governance Structure**

#### Board of the Australasian Association and Register of Practicing Nutritionists (AARPN)

Professional representation and advocacy for Certified Practicing Nutritionists Interaction with government and other industry stakeholders including but not limited to AHPA Strategic planning and risk management  $% \label{eq:control_problem} % \label{eq:control_problem} % \label{eq:control_problem} %$ 

Governance and oversight including financial, policy making, professional standards, performance Provision of appropriate advice to Association Committee and Certification Committee

#### **Association Committee**

Manages the operations of the Association Body

#### Association Body

Servicing of Private Health Insurance member Provider Lists.

Coordination of member applications for access to HPI-I numbers and other appropriate service provision requisites. AARPN Member compliance with industry requirements in relation to

- Minimum level and currency of Malpractice and Public Liability Insurance;
- Continuous Professional Development;
- · Currency of First Aid;
- · Currency of Working With Children Checks;
- Display of Health Complaints Commissioner Client Resources;
- · Clinic facilities; · Information privacy provisions. Audits of association members. Provision of member compliance information to the CPN Certification Body for the purposes of ongoing CPN accreditation eligibility and renewal. Referral of complaints to the AARPN Ethics & Complaints Committee. Implementation of sanctions identified by the AARPN Fthics & Complaints Committee on behalf of the AARPN Board. Coordination and oversight of relevant

association related Working Groups.

#### **Certification Committee**

Manages the operations of the CPN Certification Body

#### CPN Certification Body

Assessment decisions and accreditation for Certified Practicing Nutritionist (CPN). Servicing of the accredited CPN list. Setting of CPN competency standards. Setting of CPN educational standards and course accreditation.

Ongoing liaison with relevant TGA Schedule 1 facilitating professional associations to assess individual accredited CPN eligibility for accreditation and renewal in relation to compliance with CPN professional standards including:

- · Minimum level and currency of Malpractice and Public Liability Insurance;
- Continuous Professional Development;
- Currency of First Aid;
- Currency of Working With Children Checks;
- Display of Health Complaints Commissioner Client Resources;
- Clinic facilities;
- Information privacy provisions. Compliance audits of accredited CPNs in relation to CPN code of ethics and code of

Implementation of sanctions identified by the AARPN Ethics & Complaints Committee on behalf of the AARPN Board. Coordination and oversight of relevant accreditation related Working Groups.

#### AARPN Ethics & Complaints Committee

(As per its Terms of Reference, receives and investigates complaints about CPNs and complaints about AARPN and recommends sanction where appropriate). As all association members are also CPNs, any compliant about an association member is also a complaint about a CPN.