



# Terms of Reference – AARP 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.

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## 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.
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## 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.
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## 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.
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## 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:
  - **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:
  - **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:
    - **Original decision upheld.**
    - **Sanctions modified.**
    - **Decision overturned.**
    - **Case reopened for further investigation.**
  - Once the **final decision is issued, no further appeal is permitted.**
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## 6. Confidentiality & Fairness

- All complaint records are **confidential**.
  - Parties are treated **fairly and impartially**.
  - **Retaliation or victimization** against complainants is strictly prohibited.
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## 7. Reporting & Continuous Improvement

- A **confidential complaints register** is maintained.
  - The Committee provides an **annual report to the AARPN Board** with:
    - **Number of complaints received.**
    - **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.
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## 8. Policy Review & Amendment

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

- **Email:** [admin@aarpn.com](mailto:admin@aarpn.com)
- **Website:** [www.aarpn.com](http://www.aarpn.com)

# AARPN Governance Structure

