

Adopted by the Voluntary Register of Clinical Technologists Assessors' Panel on the 29th day of September 2003 to come into force with immediate effect.

1. Interpretation

In this Code of Professional Conduct and Disciplinary Procedure the following words and phrases shall, save where the context otherwise requires, bear the following meanings:

Complaint:	Any case which falls to be dealt with under the Disciplinary Procedure
Complainant:	The person making a complaint
Register:	The Voluntary Register of Clinical Technologists
PCC Secretary:	The VRCT Administrative Manager
Professional Conduct Committee (PCC):	A committee of up to 15 senior members of the Register not members of the VRCT Panel and up to three persons who are not members of the Register and who are not employed in or otherwise connected with health care or higher education, to be determined from time to time by the VRCT Panel which shall have the power to appoint and remove members of the PCC who shall normally be appointed for a term of three years once renewable.
Disciplinary Panel (DP):	A disciplinary panel consisting of members of the PCC, except for the Chairman who shall not be a member of the Register nor employed in or otherwise connected with health care or higher education
VRCT Panel:	The Voluntary Register of Clinical Technologists Assessors' Panel
Subject Member:	A Member of the Register who is the subject of a Complaint.
Including:	The word "including" and cognate words shall be construed as if followed with the words "without limitation".

2. Proceedings of the PCC

- 2.1 The PCC shall select one of their number to be chairman and shall have the right from time to time to remove the chairman and appoint a successor. They may in like manner appoint and remove a vice chairman who shall deputise in any proceedings in which the chairman is for any reason unable to take the chair.
- 2.2 Issues shall be determined by the PCC by the vote of the majority present and voting at a meeting where an issue is put to the vote. In the case of an equality of votes the chairman (or if absent the person chairing the meeting) shall have a second or casting vote. Seven members of the PCC must be present to constitute a quorum.

- 2.3 The PCC may delegate from time to time such of their functions as they may resolve to sub-committees or individual members of the PCC.
- 2.4 The office of secretary to the PCC shall be carried out by the Secretary (who may delegate the task in whole or in part to subordinates) who will not be a member of the PCC.
- 2.5 If any member of the PCC becomes aware of any personal involvement or interest in any Complaint or is the subject of any Complaint (or, in or of circumstances which could form the subject matter of a Complaint) he/she shall forthwith declare the same to the chairman of the PCC and the Secretary and shall take no further part in the deliberations of the PCC relating to that Complaint.

3. Code of Professional Conduct

- 3.1 The VRCT Panel shall agree the rules of the Code of Professional Conduct to be observed by Members of the Register.

4. Disciplinary Procedure

- 4.1 A Member of the Register may be made the subject of a Complaint if the member breaches any of the rules or standards which should be observed by Members. This shall include the following examples:

- (i) Any failure to observe proper professional standards whether by negligence carelessness or inattention or by intent.
- (ii) Any breach of any legal, professional or ethical rule or regulation in the discharge of professional duties.
- (iii) If such a Member takes on or attempts to take on work which is beyond the member's competence.
- (iv) Any failure to deal with patients (including patient's families) in a correct and appropriate manner and with courtesy and consideration.
- (v) Any breach of confidentiality including patient confidentiality and academic confidentiality.
- (vi) Any breach of academic integrity or any serious breach of personal integrity.
- (vii) Any conduct which might be derogatory to the dignity of the profession or of the Register.

A Member may also be made the subject of a Complaint if the member is declared bankrupt or is convicted of a crime of dishonesty or is convicted of any serious crime such that the members continued membership of the Register would be likely to reflect badly on the Register or if at a time when the member is suffering from physical or mental disability the member carries out or attempts to carry out professional work beyond their capability and/or fails to disclose such disability in so far as relevant to their employers or others who have an interest to know the same.

- 4.2 Initiation and Investigation of Complaint:

- (i) All Members of the Register shall be under a responsibility to report any circumstances which could form the subject matter of a Complaint to the Secretary or (if the Secretary is personally involved) to the chairman of the PCC
- (ii) Any such matter that is brought to the Secretary's attention shall be investigated by him/her forthwith by way of a preliminary investigation to establish to the Secretary's satisfaction whether the circumstances are such that they could form the subject matter of a Complaint and if so whether there is sufficient substance in them to report them to the PCC. Any such

circumstances shall be reported as quickly as possible by the Secretary to the chairman of the PCC and shall thereupon constitute a Complaint

- (iii) As soon as it has received any Complaint the PCC shall nominate six of its members who shall then select four of their number to be the Disciplinary Panel (DP) dealing with that Complaint and an independent person drawn from a list of persons who are not members of the Register and who are not employed in or otherwise connected with health care or higher education, to chair the DP. Those six members of the PCC shall play no further role in the investigation or treatment of the Complaint until it comes before the DP for the purposes of a disciplinary hearing as hereinafter provided. If at any stage a member of the DP withdraws or becomes unable to continue dealing with the Complaint another of the original six may be substituted for that person provided that the Subject Member is not thereby prejudiced
- (iv) The PCC shall take such steps as it thinks fit in order to make a thorough investigation of the Complaint. The PCC shall inform the Subject Member at as early a stage as is reasonably possible that the member is the subject matter of such an investigation but may refrain from doing so where in the reasonable opinion of the PCC the investigation may be thereby jeopardised. The investigation shall be carried out and completed as rapidly as is reasonably practicable
- (v) The PCC may at any time up to the disciplinary hearing communicate with the Subject Member regarding the Complaint and shall have a discretion to withdraw the Complaint before conclusion of a disciplinary hearing if it considers that the matter can be satisfactorily dealt with through admissions expressions of regret and/or undertakings given by the Subject Member; provided that any Complaint so compromised shall be entered upon the Subject Member's record and may be raised if relevant in subsequent disciplinary proceedings concerning such Subject Member
- (vi) At the completion of the investigation the PCC shall decide whether it is necessary to proceed to a disciplinary hearing. If it is not necessary so to proceed the PCC shall inform the Subject Member (if it has not already done so) of the investigation and of the fact that it will not proceed to a disciplinary hearing. If the PCC resolves that the matter should proceed to a disciplinary hearing it shall formulate the precise Complaint or Complaints which are to be the subject matter of the disciplinary hearing and shall inform the Subject Member and the DP thereof.

5. Procedure before and at the Disciplinary Hearing

- 5.1 From the time at which the PCC informs the DP of a Complaint or Complaints which are to be the subject matter of a disciplinary hearing the DP shall take over the conduct of the proceedings. Subject as stipulated in these rules the DP shall regulate its own procedures and may make directions as to the conduct of cases, including arrangements for the attendance and expenses of Complainants, Subject Members and Witnesses.
- 5.2 All members of the DP must participate in all decisions of the DP, which shall be decided by the majority. In the event of an equality of votes the chairman shall have a second or casting vote.
- 5.3 The DP (having consulted with the Subject Member and taken into account to such extent as may be reasonable any representations the member has made on the matter) shall fix a date time and place for a disciplinary hearing and shall inform the PCC and the Subject Member thereof.
- 5.4 The PCC shall supply the DP and the Subject Member with particulars of the evidence upon which it intends to rely at the disciplinary hearing (including copies of

witness statements and documents) not less than five days before the disciplinary hearing

- 5.5 At the Disciplinary Hearing the DP will consider the evidence and any submissions presented by the PCC (including if the DP deems appropriate hearing witnesses) and shall give the Subject Member the opportunity to comment on the same and present evidence for him/her. The Subject Member may be assisted by a friend or colleague of the member choice provided that:
- (i) The member shall disclose to the DP before the hearing the identity of the person who is to accompany or represent him/her and the DP may on substantial grounds veto the Subject Member's choice;
 - (ii) If either side wishes to be represented legally or professionally it may so apply to the DP stating the grounds. The DP will normally only approve such an application in cases of exceptional gravity or difficulty but in any case where it does so approve both parties shall have the right to such representation as is so approved;
 - (iii) Any travel and subsistence costs incurred by a friend or colleague will not be the responsibility of the DP, the PCC or the Register;
 - (iv) Any professional fees, travel and subsistence costs of a legal or professional representative of the Subject Member will not be the responsibility of the DP, the PCC or the Register;
 - (v) Any travel costs of the Subject Member will be limited to standard class rail fare or equivalent and any necessary overnight accommodation costs to the normal standard of hotel used for attendance at Register meetings.
- 5.6 The Secretary shall arrange for a full record (which may be in written form or on audio tape) of each disciplinary hearing and shall keep the same until the expiry of at least six months from the conclusion of the hearing or of any appeal.
- 5.7 The DP may give its decision to the Complainant and the Subject Member at the conclusion of a disciplinary hearing orally or in writing either as soon as the parties have finished presenting their cases or if the DP requires time for consideration subsequently; provided that the PCC, the Complainant and the Subject Member shall in any event be provided with a written copy of the DP's said decision at the latest on the expiry of twenty one days from the conclusion of the disciplinary hearing which time limit can only be extended by the DP in exceptional circumstances
- 5.8 In its decision the DP shall first make findings on such issues of fact as are relevant to the determination of the case and shall then make findings as to whether the Complaint or Complaints specified by the PCC has or have been sustained (finding separately on each Complaint) and shall then make a recommendation (for confirmation by the VRCT Panel) as to the appropriate action to be taken. The DP shall give brief reasons for all elements of their decision (unless this is waived by the Subject Member). The findings of the DP shall not be published unless there is an overriding public interest that requires publication. The decision to publish is reserved to the VRCT Panel. Any publication of the findings of the DP by any member of the Register not approved by the VRCT Panel may itself be the subject of a Complaint under this Procedure.
- 5.9 The following sanctions shall be available in respect of any Complaint: which the DP finds to have been sustained:
- (i) That no action be taken
 - (ii) That no action be taken save that the finding should be noted on the Subject Member's record
 - (iii) That the Subject Member receives a written reprimand from the Chairman of the PCC which shall go on his/her record

- (iv) That the Subject Member be temporarily suspended from some or all privileges of membership of the Register (to be specified in the ruling)
 - (v) That the Subject Member be expelled from the Register
- 5.10 Before making its recommendation to the VRCT Panel the DP shall permit the Subject Member to make representations as to the level of sanction that would be appropriate should the Complaint or Complaints be sustained.
- 6. Appeals and confirmation by VRCT Panel**
- 6.1 The Subject Member may appeal to the VRCT Panel against the findings of the DP. Such appeal may be on a question of procedure only; the findings of the DP on questions of fact shall be final.
- 6.2 The Subject Member may also make representations to the VRCT Panel (which representations shall be without prejudice to any appeal the member may have made) as to any sanction recommended by the DP.
- 6.3 Such appeal or representations shall be made by written notice to the Secretary within not more than five business days of the notification by the DP to the Subject Member of its findings and recommendation (which time limit may be extended by the discretion of the VRCT Panel).
- 6.4 The VRCT Panel may determine any appeal made by a Subject Member and decide on any sanction at the same time or may determine the appeal first and leave the question of the sanction until such time as any further action consequent upon their determination of the appeal has been taken.
- 6.5 The VRCT Panel may at their discretion invite written or verbal arguments from the PCC on the one hand and the Subject Member on the other hand before determining an appeal but will not have the power to admit new evidence.
- 6.6 The VRCT Panel may uphold the Subject Member's appeal in whole or in part or dismiss it in whole or in part or remit the case in whole or in part to the DP (or if the VRCT Panel thinks appropriate to a new DP to be selected by the PCC for the purpose) for rehearing or reconsideration. In such circumstances the DP having reheard or reconsidered the case may (as well as altering other findings of the original disciplinary hearing) make fresh recommendations as to sanction.
- 6.7 The VRCT Panel may confirm the DP's recommendations as to sanction or may substitute some lesser sanction but may not increase the sanction from that recommended by the DP.
- 6.8 The result of any appeal and the decision of the VRCT Panel regarding sanction shall be notified by the Secretary to the Subject Member forthwith and shall be implemented by the Secretary forthwith. It shall also be noted on the Member's record save where it has been decided that no action is to be taken.
- 6.9 Should the VRCT Panel determine that any Subject Member who is also registered in another professional discipline should be expelled from the Register, or be subject to any other penalty for a disciplinary offence that may also be a disciplinary offence under any code of conduct and disciplinary procedure issued by the other professional discipline such as the Health Professionals Council or the Nursing and Midwifery Council, the Secretary shall write in confidence to the Registrar of the other professional discipline to communicate the findings of the Register's Disciplinary Panel.
- 6.10 Should the VRCT Panel determine that any Subject Member who is also a Registered Engineer should be expelled from the Register, or be subject to any other penalty for a disciplinary offence that may also be a disciplinary offence under any code of

conduct and disciplinary procedure issued by the Engineering Council, the Secretary shall write in confidence to the Engineering Council to communicate the findings of the Register's Disciplinary Panel.

- 6.11 Should the VRCT Panel determine that any Subject Member who is also a member of the Institute of Physics and Engineering in Medicine, or, the Institution of Engineering and Technology, or, the Association of Renal Technologists, or, another equivalent professional body should be expelled from the Register, or be subject to any other penalty for a disciplinary offence that may also be a disciplinary offence under any code of conduct and disciplinary procedure issued by those professional bodies, the Secretary shall write in confidence to the Secretary of the said professional body to communicate the findings of the Register's Disciplinary Panel.

7. Amendments to this Code of Professional Conduct and Disciplinary Procedure.

- 7.1 Amendments or additions may be made to the Code of Professional Conduct and Disciplinary Procedure, from time to time, by the VRCT Panel. The PCC may also propose, for consideration by the VRCT Panel, amendments or additions to this Code of Professional Conduct and Disciplinary Procedure.

The Voluntary Register of Clinical Technologists is administered by the Institute of Physics and Engineering in Medicine in partnership with the Association of Renal Technologists and the Institution of Engineering and Technology



A new Institution from the IEE and ICE

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THE RULES OF THE CODE OF PROFESSIONAL CONDUCT

- 1 Ensure that the well-being, interests and dignity of patients are promoted and safeguarded at all times, taking care that your work and its products do not constitute an unnecessary hazard to any person.
- 2 Work in a collaborative and co-operative manner with other health care professionals, recognising and respecting their particular contributions to health care.
- 3 Accept personal responsibility for your own work and that carried out under your supervision or direction. Take all reasonable steps to ensure that those working under your authority are competent to carry out the tasks assigned to them, that they have appropriate resources, and that they accept responsibility for their work.
- 4 Take all reasonable steps to maintain and develop professional knowledge and competence, ensuring that people working under your supervision do the same. Maintain a record of evidence of your Continuing Professional Development and ensure that those working under you do likewise.
- 5 Undertake only those responsibilities that are within your competence.
- 6 Do not accept persons for examination or treatment unless they have been appropriately referred.
- 7 Do not hold yourself out as a person who by training and experience is professionally qualified to independently diagnose or treat injury or disease. You may carry out these functions as part of a multi-disciplinary healthcare team or under a system of work agreed by the Employer.
- 8 Respect confidential information obtained in the course of professional practice.
- 9 Provide advice that is, to the best of your ability, objective and reliable. Take all reasonable steps to ensure that a person rejecting such advice is aware of the consequences.
- 10 Be aware of the workload and pressures on professional colleagues and subordinates, and take appropriate action if these could threaten safe standards of practice.
- 11 Inform your employer, or client, in writing of any conflict between service to them and your personal interests.
- 12 Be prepared to undergo medical examination by a registered medical practitioner, if the local supervising authority deems it necessary for the prevention of spread of infection.
- 13 Refuse to accept any gift, favour or hospitality that might be interpreted as seeking to exert undue influence so as to obtain preferential consideration.
- 14 Do not recklessly or maliciously attempt to injure, either directly or indirectly, the professional reputation, prospects or business of another individual or organisation.
- 15 Maintain proper professional standards in research and development, consistent with preventing the dissemination of fraudulent or intentionally biased results.
- 16 Avoid conduct that may be derogatory to the dignity of the profession.

