

Complaints Handling Procedure for Accredited Professionals

When a Complaint is Made Against You

Overview

The Authority is the body that can receive complaints about the conduct of Accredited Professionals. Accredited Professionals are required to abide by a Code of Conduct adopted by the Minister for Planning.

This Guide is to assist Accredited Professionals in understanding the way a complaint will be handled by the Authority. It is a guide only and you should refer back to the 'Complaints Handling Procedure for Accredited Professionals' for full details on the procedure.

Will I be notified that a complaint has been made against me?

You will be notified by the Authority that a complaint has been made against you if the complaint proceeds to a point where the Authority appoints an Investigator. You may be notified earlier if the Authority requests a response from you about the complaint as part of its initial assessment.

Who will get to see the complaint?

Staff from the Department supporting the Authority will initially see the complaint. If an Investigator is appointed they will be provided with details of the complaint.

If on the basis of information contained in a complaint, an Accredited Professional or any other public officer has a reasonable suspicion of corruption, serious or systemic misconduct or serious or systemic maladministration, then a report will be made by that member or public officer to the Office for Public Integrity. The Authority will follow any directions of the Independent Commissioner Against Corruption or Office for Public Integrity regarding the continuation or suspension of any inquiries or investigations initiated by the Authority in regard to the relevant complaint.

You will be provided with enough information about the complaint in order to provide a response.

Will I be able to respond to the complaint? At what stage?

When you are provided with notification by the Authority of receipt of a complaint against you, you will also be advised that you will be given:

- a reasonable opportunity to make representations to the Investigator regarding the complaint; and
- a copy of the Investigator's final report to the Authority in relation to the complaint.

Any representations you make to the Investigator must be verified by statutory declaration. The Authority may (but is not required to) ask you to provide a response about the final report of the Investigator.

Am I required to co-operate with an investigation or provide any response to the complaint?

An Investigator may be appointed as an Authorised Officer under section 210 of the *Planning, Development and Infrastructure Act 2016* and you will be required to comply with any lawful direction of the Investigator. If those directions are not given then your response is voluntary.

Can I appear personally before the Authority to respond to a complaint?

No, the Authority will only receive information that has been verified by statutory declaration.

Can I use the assistance of a legal practitioner to respond to the complaint?

It is up to you if you would like to obtain assistance in responding to a complaint or an Investigator. Please note that you will be required to cover any expenses of doing so.

What happens if a complaint is substantiated by the Authority?

Those recommendations could, for example, include a requirement to undergo training in regard to the Code of Conduct, issue a public or private apology to the person who made the complaint or to be reprimanded. The Authority could also recommend that your accreditation may be cancelled or suspended.

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