



## IAFCS Complaint Procedure

The International Association for Child Safety (IAFCS) is committed to promoting high ethical standards and practices in the professional childproofing industry and maintaining public confidence in the integrity and professionalism of child safety professionals.

The [IAFCS Code of Ethics](#) sets forth the ethical principles to which all members have subscribed. By joining or renewing membership with the IAFCS, members agree to follow the IAFCS Code of Ethics. Members who violate the Code of Ethics or commit other acts of professional misconduct are subject to prescribed disciplinary procedures and sanctions outlined in this Complaint Procedure.

### I. PURPOSE

The purpose of this IAFCS Complaint Procedure is to provide for an objective review of a member's compliance with the IAFCS Code of Ethics. Any member engaging in acts found to be in violation of the Code of Ethics or otherwise to constitute professional misconduct is subject to sanctions as outlined in this procedure.

### II. AUTHORITY

A. The Board of Directors of the IAFCS has the authority to investigate alleged violations of the IAFCS Code of Ethics or other professional misconduct, determine if the alleged misconduct is a violation of the Code of Ethics and impose sanctions as outlined in this document.

B. If a member of the Board of Directors shall, with respect to any matter before the Board, be considered to have a conflict of interest with respect to such matter, such member shall be excluded from participation in all matters related to the possible violation. As deemed appropriate, the Chair has the authority to appoint the Executive Director as a voting member to substitute for a disqualified board member. In the event that the Chair has a conflict of interest with respect to a matter before the Board, the remaining members of the Board shall elect from among themselves a person to serve in the capacity of Chair with respect to such matter and the Executive Director will be appointed as a voting member for that particular case.

### **III. GROUNDS FOR DISCIPLINE**

A. Professional misconduct by a member, as defined below, shall constitute grounds for discipline, whether or not the act or omission occurred in the course of a client relationship:

1. Any act or omission which violates the IAFCS Code of Ethics.
2. Any act or omission to obtain or to assist another in obtaining membership by fraud, misrepresentation or deception.
3. Any act or omission in responding to a request from the Board of Directors that, in the opinion of the Board, obstructs the Board's performance of its duties.
4. Any conviction of a felony or crime of moral wrongdoing.

B. Since an organization may be a member of the IAFCS, misconduct or violations of the Code of Ethics by an individual of your company will constitute grounds for discipline and sanctions.

### **IV. OBLIGATIONS TO REPORT PROFESSIONAL MISCONDUCT & COOPERATE**

A. A member having knowledge of an act or omission by another member which violates the Code of Ethics or otherwise constitutes professional misconduct, has the obligation to report the matter by filing a complaint under section V.

B. It is the obligation of any member to cooperate fully with the Board of Directors in the investigation of alleged professional misconduct. If a member fails to cooperate with this procedure, the Board of Directors may impose sanctions as outlined in this document.

### **V. COMPLAINTS OF PROFESSIONAL MISCONDUCT**

A. A complaint of professional misconduct must be accompanied by substantiating documentary evidence and submitted in writing to the IAFCS.

1. Please mail or email complaints to: Colleen Driscoll, Executive Director, IAFCS, P.O. Box 396, Lutherville, MD 21094 or [info@iafcs.org](mailto:info@iafcs.org).
2. The complaint must include the name of the complainant.
3. A complaint may only be submitted once and may not be re-filed.
4. The complaint must involve conduct which occurred within nine (9) months of the date of the complaint.
5. Documentation to support the complaint may be included if it is older than 9 months but it must support the complaint in #3 above.

6. The complaint must include a detailed description of the nature of the alleged professional misconduct, as well as all pertinent facts and circumstances.

7. The proceedings as a whole will be treated confidentially, except to the extent required to complete the investigation, and except as provided herein in the event that certain disciplinary sanctions are imposed by the Board of Directors.

8. The complainant will receive a copy of this procedure.

**B. Initial Determination.** Based upon the complaint and accompanying documents, the Board of Directors will determine whether sufficient evidence exists to proceed with an investigation.

1. If the Board determines that insufficient evidence exists, the complaint shall be dismissed; the complainant shall be notified in writing of the dismissal.

2. If the Board determines that sufficient evidence does exist to initiate an investigation, it will proceed as described below. The complainant shall be notified in writing that the Board will proceed with an investigation.

**C. Formal Investigation.** The Executive Director shall inform the respondent in writing, that a complaint of professional misconduct has been filed and that the Board has determined there is sufficient evidence to initiate a formal investigation of the matter.

1. The Board shall provide a copy of the complaint and all accompanying supporting documentation and evidence to the respondent.

2. The identity of the complainant shall be revealed.

3. The respondent shall have fourteen (14) days from the date of receipt of the notification letter to prepare and submit a response in writing, along with whatever documents the respondent feels support the response.

4. The Board shall have the right to seek additional information regarding the matter from the complainant, the respondent and/or relevant third parties.

5. In conducting its investigation and evaluating all evidence, the Board of Directors shall presume at the outset of its investigation that the respondent acted ethically and shall determine that an act of professional misconduct has occurred only if it finds clear and convincing evidence of such misconduct.

**D. Determination and Recommendation.** The Board of Directors shall evaluate all documentation pertaining to the matter before rendering a decision.

1. The Board of Directors will render one of three (3) decisions within thirty (30) days of *receiving all relevant evidence*.

a) There is insufficient evidence to make a determination.

b) The complaint is substantiated.

c) The complaint is not substantiated.

2. In the case of a decision under a) or c) above, the complaint shall be dismissed, and both the complainant and the respondent shall be so notified by the Executive Director in writing within 14 days of the Boards' decision.

3. If the Board of Directors finds clear and convincing evidence of professional misconduct, it shall issue a written decision setting forth the basis for its decision and recommending an appropriate sanction as outlined in this document.

E. **Notification of Determination.** Should the Board of Directors vote to implement a sanction, the respondent, but not the complainant, will be notified in writing.

1. The Board of Directors has the authority to implement the sanction immediately and will specify the date the sanction is effective in the notice.

2. The notice will advise the respondent of the right to submit new evidence as specified in section VI.

3. Unless the Board of Directors reverses its decision, the complaint and the sanction will be recorded and filed by the Executive Director.

## VI. APPEALS PROCESS

A. Any dismissal of a professional misconduct complaint shall not be subject to appeal.

B. A decision of the Board of Directors to implement sanctions against a respondent is subject to appeal by the respondent, but the sole ground for such appeal shall be that the respondent has new, relevant information. The Board will not consider information that should have been submitted with the original response.

1. Any respondent having new information to submit to the Board of Directors shall, within fourteen (14) days of receipt of the written notice by the Board, file with the Board of Directors a written notice of appeal stating the reason for the appeal and include the new information not considered by the Board of Directors.

2. Following review of the entire investigative file, the decision and recommendation of the Board of Directors and the new information submitted by the respondent, the Board of Directors shall, within thirty (30) days of receipt of such new information, render a final decision which may not be further appealed.

3. If the complaint is dismissed, the complainant and the respondent shall be notified of same in writing.

4. If the appeal is denied, the respondent, but not the complainant, shall be notified of same in writing by certified mail, and the sanctions imposed by the Board of Directors shall be implemented immediately.

## VII. SANCTIONS

A. **Censure.** Censure may be invoked with respect to professional misconduct not deemed sufficiently severe to warrant greater sanction. A written reproach from the Board of Directors shall be mailed to the respondent. A copy of this letter shall become a permanent part of the respondent's membership file. In the event of such a censure, the member would retain all rights and privileges of membership.

B. **Probation.** A respondent may be placed on probation for a period not to exceed one year. Should, during the period of probation, any further professional misconduct complaints be found to be substantiated, the respondent's membership status may be suspended or revoked, as determined by the Board of Directors. A member placed on probation would retain membership status but may be ineligible to be listed on the website or receive referrals from the IAFCS, at the discretion of the Board.

C. **Suspension.** Membership may be suspended for a specified period of time not to exceed one (1) year based upon the severity of the professional misconduct. At the conclusion of the period of suspension, the professional may apply to the Board of Directors for reinstatement of her/his membership status. Any applicable renewal fees would apply. If a new membership requirement is implemented during the period of suspension, such membership requirement shall be imposed as part of the reinstatement process. In the event of suspension, the member will not be entitled to any of the rights and privileges of membership during the period of suspension. No credits or refunds will be issued for membership dues.

D. **Revocation.** Membership may be revoked in the event of egregious acts of professional misconduct, including without limitation knowingly falsifying information submitted to obtain and/or renew membership. Applicants for membership who, before membership status is awarded, are determined to have knowingly falsified application information shall be denied membership. A member who has had membership revoked shall be eligible to re-apply for membership only if so determined by the Board of Directors at the time of revocation and only following such period of time as the Board of Directors may specify in its revocation determination. A member whose membership status has been revoked shall, immediately upon such revocation, no longer be entitled to any benefits of membership. No refunds will be given for membership dues.

E. **Additional Disciplinary Sanctions.** The Board of Directors may recommend additional disciplinary sanctions, including without limitation mandatory professional education or other sanctions approved by the Board of Directors. Disciplinary sanctions may not include the imposition of fines, but may include the payment of restitution to a respondent's client(s). If applicable, the Board of Directors will notify any local, state or federal authorities.

## **VIII. MEMBERSHIP PRIVILEGES**

- A. In the event that a membership has been cancelled, suspended or revoked, the member is no longer permitted to hold herself, himself, or the company as a member of the IAFCs and must refrain from using all membership benefits, credentials and IAFCs logos.
- B. Failure to comply with this prohibition will jeopardize the possibility of reinstatement of or reapplication for membership, should the Board of Directors have determined that reapplication would be permitted.
- C. Should a membership be suspended or revoked, there shall be no refund of any fees already paid in connection with such membership.

## **IX. AMENDMENTS TO THE ETHICS COMPLAINT PROCEDURE**

- A. Amendments. This Complaint Procedure may be amended by a two-thirds (2/3) vote of the Board of Directors.
- B. Effective Date. An amendment shall be effective immediately upon adoption, unless a later effective date is specifically adopted at the time the amendment is enacted. Amendments shall be published to the membership.

**Please submit complaints to:  
Colleen Driscoll  
Executive Director  
IAFCs  
P.O. Box 396  
Lutherville, MD 21094  
info@iafcs.org**