

Professional Registration and IChemE's role in complaint investigation

Background

IChemE is the qualifying and professional body for chemical, biochemical and process engineers and it maintains a Register of practitioners. The Register includes, but is not limited to, Chartered Engineers and Chartered Scientists.

Professional registration provides a benchmark through which the public, employers and their clients can have confidence and trust that registered engineers and technicians have met globally recognised professional standards.

As the Register Owner, IChemE has a duty to investigate complaints about the competence of those whom it holds out, by reason of inclusion on its Register, as being competent according to the standards set out in its Code of Professional Conduct.

The procedure is as follows; if a complaint is made, the Register Owner must evaluate that complaint, by a Preliminary Investigation Committee (PIC), in respect of two issues. One is whether the complaint is within the authority of the Register Owner (as shown in its Charter and Bylaws); the other is whether there is enough apparent evidence to justify the time and cost of an inquiry.

If the answer to both is 'Yes', a disciplinary inquiry must be held and a decision on competence reached. There can be no alternative because the public has a right to rely on the expertise of the Register Owner to determine the competence or incompetence of the Subject of the Complaint, and to publicise accordingly.

If the answer to one or both is 'No', the Register Owner will not pursue the inquiry.

How is a complaint registered at IChemE?

Complaints must be made in writing, and are usually received via a central complaints inbox complaints@icheme.org, which is monitored by the Executive Assistant to the Chief Executive.

Where complaints are received directly by members of staff or Council, the written complaint is forwarded to the complaints inbox to ensure that it is handled in line with the formal complaints procedure.

The Executive Assistant to the Chief Executive will acknowledge receipt of the complaint, and where the complaint relates to an allegation of improper conduct by an IChemE member, the Complainant will be asked to complete a Professional Conduct Complaint form.

The form requests the following information:

- The name of the individual against whom the complaint is made
- The details and nature of the complaint with reference to the relevant section(s) of the Code of Professional Conduct to which the allegation of improper conduct relates.

The completed form is signed and dated by the Complainant and sent back to the Executive Assistant to the Chief Executive, together with a copy of all supporting documentation.

The completed form and supporting documentation are passed to a Clerk of a Preliminary Investigation Committee (PIC) appointed by the Chief Executive, and the procedures set out in IChemE's Disciplinary Regulations are then followed.

What criteria must be met for a complaint about a member to be of interest to IChemE?

The complaint must relate to an alleged breach of IChemE's Code of Professional Conduct.

How many personnel are involved in taking the decision to proceed with a complaint?

Under IChemE's Disciplinary Regulations (Clauses 2-8), a Preliminary Investigation Committee (PIC) is convened to decide whether there is a case to answer. The composition of the PIC is defined in the Disciplinary Regulations (Clause 3). Complaints are rare, but in recent times the PIC has generally been made up of two members of IChemE staff in addition to the Clerk, who services the PIC but takes no part in the decision making.

Due care is taken to ensure that PIC members and the Clerk have an appropriate level of knowledge and competence to deal with the complaint, and that there is no potential conflict of interest (i.e. a close working relationship with either the Complainant or the Subject of the Complaint).

How is a complaint validated before proceeding with a disciplinary hearing?

The Preliminary Investigation Committee (PIC) makes a decision on whether there is a prima facie case to answer on the documentary evidence provided, and using its best judgment.

See Disciplinary Regulations (Clauses 2-8)

When is the Subject of the Complaint made aware that a complaint has been made?

On receipt of the Professional Conduct Complaint form by the Clerk of the Preliminary Investigation Committee (PIC), the Subject of the Complaint is notified and is provided with a copy of the Professional Conduct Complaint form together with any supporting documentation.

The Clerk, on receipt of a complaint, shall also seek what elaboration, evidence, and answers they consider necessary from the Complainant or the Subject of the Complaint.

See Disciplinary Regulations (Clauses 4-5)

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