

5 PART 5 – CONTINUING PROFESSIONAL DEVELOPMENT POLICY AND PROCEDURES.

This Part 5 sets out the policy and procedures to be followed by the Director of Regulation in regulating the CPD Policy;

5.1 Members Obligation and Consequences for failure to comply with CPD Policy

Failure by any Member to comply with the mandatory CPD requirement under the Society's CPD policy will lead to automatic sanction by the Director of Regulation in accordance with Rule 5.2 and may, at the discretion of the Director of Regulation, lead to possible further referral by the Director of Regulation to the Professional Conduct Committee under these Rules.

5.2 Sanction for breach of CPD Policy

5.2.1 **on a first breach**, the Director of Regulation shall caution the member against repeating the breach of the CPD Policy. The caution will be maintained on the Member's file for a period of five years from the date of issue.

In addition, if a member fails to rectify their failure to comply with the CPD policy within 28 days from the date on which they are advised of the failure to comply with the CPD Policy and issued with a caution, a Fixed Penalty will be levied against the Member in the amount of €150.

Failure to discharge the Fixed Penalty within the time prescribed for payment will lead to an automatic increase in the level of the Fixed Penalty to €300.

If the member rectifies their failure to comply with the CPD policy within 28 days from the date on which they are advised of the failure to comply with the CPD Policy, the monetary fine will not be levied against the Member, but the first breach caution will still remain on the members record.

5.2.2 **on a second breach**, which occurs within five years of the first breach, a Fixed Penalty will be levied in the amount of €250. Failure to discharge the Fixed Penalty within the time prescribed for payment will lead to an automatic increase in the level of the Fixed Penalty to €500.

5.2.3 **on a third breach**, but within five years from the first breach, the Director of Regulation shall refer the complaint to the Professional Conduct Committee for further action under these Rules.

5.3 Right to be advised of decision

The Director of Regulation shall inform the Member of the decision to impose a sanction under this Part 5 and his reasons for making such decision, this may include as the context so requires informing the Member of the right to have the decision reviewed under Rule 5.6.



5.4 Correction of Members record on administrative error on part of Society

Where there is an administrative mistake, on the part of the Society, any caution registered in such a situation may be expunged from the Members record and any monetary Fixed Penalty paid, returned to the Member.

5.5 Obligation on Member to make good any shortfall in CPD requirement

In all situations, where a Member has failed to comply with the CPD Policy, the Member must make good and authenticate the shortfall in CPD in advance of the next CPD audit, which is carried out annually, having being requested to do so by the Director of Regulation.

5.6 Right to have decision reviewed

A Member shall be entitled to have any decision of the Director of Regulation made under this Part 5 reviewed by a Reviewer in accordance with Rule 8.

