**4.3.1a TEMPLATE: *Discipline of members system* questions which the applicant association is required to complete**

The questions below are designed to help you demonstrate to the Professional Standards Councils that the association applying for a Professional Standards Scheme maintains an effective member discipline system.

To assist you, see Guidance4.3.2 *Member discipline system.*

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| 1. **OVERVIEW**
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| In addition to arrangements to investigate, make findings and impose sanctions for member breaches of professional standards, an association’s member discipline system may include or be integrated with other elements of an association’s professional risk management strategies comprising the elements identified below. The questions for this submodule consider these elements: * **Association membership requirements (entry, annual, ongoing, fit, and proper)**
* **Quality management undertaken by the association (including for example member audits, quality reviews)**
* **Risk management required of members by the association and/or their firms.**
* **Continuing occupational education requirements (continuing professional development).**
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| 1. **QUESTIONS: *STRUCTURE***
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| **Evidence / information required** | **Association’s response (including examples)**  |
| 1. For each of the above elements of the member discipline system, provide and explain your association’s current or proposed documentation covering member discipline such as:
* governing document elements
* by-laws, regulations, rules
* governing body approved policy, procedures, processes
* forms, templates, internal or external standards
* oversight or management bodies or committees and their terms of reference
* standing communication to members
* relevant website content.
1. A member discipline system may be based on one or both of the following:
	1. an external statutory system and regulator (subject to the statutory system covering all elements of professional conduct)
	2. the association’s own member discipline system, which may:

adopt the *Occupational Association’s (Complaints and Discipline) Code* (the Model Code) contained in Schedule 1 to the *Professional Standards Act 1994* (NSW)* + - adopt elements of and/or modify the Model Code
		- adopt none of the elements of the Model Code.
1. If your members are subject to your own association’s discipline system, you should complete the comparative table provided at Template 4.3.1b *Comparative table against the statutory Model Code*.
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| 1. **QUESTIONS: *IMPLEMENTATION & OTHER STATUTORY/REGULATORY REQUIREMENTS***
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| 1. Where a member discipline system is proposed, or being amended, discuss how your association will implement the system, including the resources (e.g. staff, financial, IT) and implementation timetable.
2. Where your association or members are subject to a statutory or regulatory requirement for all or part of the member discipline system, provide the Councils with references to the relevant statutory provisions, regulator, and explain the interaction between the association as a co-regulator and the statutory regulator (examples include scheduled meetings or consultation, membership of panels or committees, reporting, information sharing).
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| 1. **QUESTIONS: *GOVERNANCE***
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| Where not included in your response above: 1. Describe the role of your executive and governing body in the development, implementation, monitoring and improvement of your member discipline system
2. Describe how responsibility for member discipline is communicated to your members, and monitoring and reporting activities undertaken by your association
3. Describe your member discipline system’s human, financial and technological resources.
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| 1. **QUESTIONS: *REPORTING, ANALYSIS, SYNTHESIS, AND PROFESSIONAL IMPROVEMENT***
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| 1. Describe the following:
	1. the data collation and assessment processes to identify and manage professional risks through e.g. targeted training and education programs
	2. stakeholders involved
	3. staff involved in the professional risk identification process
	4. recommendations made to members over the last 12-24 months for improvements to occupational practice
	5. improvements to your occupational conduct, competency and character standards delivered over the last 12-24 months
	6. how you will evaluate the impact of your recommendations and improvements on consumer protection.
2. Describe the consultation and communication with your stakeholders and members during the development, implementation, monitoring and improvement of your member discipline system.
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| 1. **QUESTIONS:**  ***REVIEW / AUDIT AND CONSUMER PROTECTION***
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| 1. Describe:
2. the frequency, extent and nature of reviews of your member discipline system
3. how stakeholder interests are represented in reviews.
4. Provide the most recent review of your member discipline system and describe any changes implemented in response to the review, including the expected impacts on consumer protection.
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