

Stage 1 | Reporting Misconduct

18. Wherever possible minor concerns about a Registrant or Trainee's conduct should be raised as soon as possible to the Registrant or Trainee and/or the organisers of the assignment, event or activity. Every effort should be made to resolve problems informally and before a misconduct report is made to the NRCPD. If a conduct issue cannot be resolved informally, or where a serious breach of the Code of Conduct is alleged, the alleged misconduct should be reported to NRCPD.
19. Any professional misconduct which has been reported to the police, is pending court action, has been referred to a statutory regulator, or sent to any other national regulatory body will not be investigated by the NRCPD until the conclusion of action by the relevant authority. Where, in the opinion of the Professional Conduct Manager, reports of misconduct should be referred to the police or to another regulatory body prior to investigation, the person making the misconduct report will be advised to do so before any investigation commences.
20. NRCPD may at its own discretion report any matter that comes to light during an investigation to another relevant statutory authority.
21. All misconduct reports should be sent to the Professional Conduct Manager, by using the 'misconduct report' form (Appendix 1) or by video letter, written letter or email.
Reports by video letter, written letter or email, should follow the structure of the questions in the misconduct report form as far as possible. Reports cannot be accepted solely by telephone or text telephone, text message, social media channels or by fax. For improved accessibility in BSL, a Case Officer may draft a report in English on behalf of the BSL user from on interpreted calls (VRS or a Zoom meeting) for verification soon after by the BSL user.
22. The NRCPD may initiate a misconduct investigation acting on information received and without receiving a formal report. NRCPD may seek additional information or evidence to assist an investigation or a Committee hearing as it sees fit.
23. All misconduct reports must identify the name, address and contact details of the originator. Anonymous misconduct reports, or any evidence received from an

anonymous source will not be accepted unless independently verified by other means.

24. The Professional Conduct Manager will assess the misconduct report to make sure: -

- a. it is about a NRCPD Registrant or Regulated Trainee;
- b. the misconduct alleged took place less than six months ago;
- c. what the Registrant or Trainee is alleged to have done is a breach of the Code of Conduct;
- d. the evidence provided is relevant
- e. it is not a malicious, vexatious or trivial report; and
- f. it is not an anonymous report.

NRCPD will get in touch with the person making the report within five working days of the report being received to acknowledge the report and to assist with the above assessment.

25. If the Misconduct Report does not satisfy those conditions the Professional Conduct Manager may decide there is no case to answer. The Professional Conduct Manager may take professional advice. If there is no case to answer, the Professional Conduct Manager will inform the person reporting the alleged misconduct that the matter is closed. If it will assist their practice improvement, the Professional Conduct Manager may inform the Registrant/Trainee of the nature of any allegation of misconduct made against them that falls within the scope of the Code of Conduct, but that no action is being taken. Without the consent of the person making the report no such disclosure is to be made that may allow that person to be identified.

26. If the misconduct report does satisfy the conditions at Section 31. the Professional Conduct Manager will accept the report and initiate an investigation. NRCPD will aim to inform the person making the report of this within five working days of the misconduct report having been accepted or as soon as possible after that.

27. Normally misconduct reports will only be considered where the conduct or incident giving rise to the report occurred within six months of the Misconduct Report being made. This time limit may be extended for misconduct reports which:

- a. are based upon a criminal conviction or caution or determination of another regulatory body,

- b. in the opinion of the Professional Conduct Manager, appear to be serious and in respect of which the time limit should be extended in the public interest.

DRAFT