

# AIA Appeals Committee

## Terms of Reference

## Overview

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## 1.0 Introduction

The terms of reference for the AIA Appeals Committee describes its purpose, scope and authority.

The terms of reference provide clear and specific information on how the committee is organised, what the committee is created to achieve, its membership and meeting arrangements.

## 2.0 Purpose

The AIA Appeals Committee is a Committee whose powers are delegated to it by the AIA Council.

## 3.0 Authority

The AIA Appeals Committee derives its authority from the AIA Council, the governing body.

This is set out in the AIA Constitutional Documents under Bye Laws 9-11.

## 4.0 Scope

To deal with all matters relating to:

Appeals following the findings and sanctions imposed by the Disciplinary Committee

## 5.0 Duties

The Committee is empowered:

- To determine the appeals against the findings and Orders of the Disciplinary Committee;
- To make Orders following the hearing of such appeals.

## 6.0 Membership

- The Committee consists of at least five members of the Association, of whom the Chairman shall be a lawyer and not less than two others shall be non-accountants. The other members should be Members of the Association always ensuring that the majority of the committee are non-accountants;
- The quorum for a meeting is three, always including the Chairman and at least one non-accountant.
- There is no length of time specified for membership of Committees.

All members attending the Committee have a right to vote, except for any individuals 'in attendance', and the Chair has the casting vote.

The AIA Council has the power to make Bye-Laws and Regulations in relation to the performance of the functions and powers of the Appeals Committee.

### Chair

The Chair of the Appeals Committee is appointed in accordance with the Articles of the Association. The Chair works with the Secretary to the Disciplinary Process and is responsible for:

- Agreeing dates, times and locations for meetings
- Ensuring meetings are called and held in accordance with AIA's Constitutional Documents and specific Committee Terms of Reference
- Establishing and confirming an agenda for each meeting
- Ensuring the meeting agenda and relevant documents are circulated to the members of the committee in advance of the meeting
- Officiating and conducting meetings
- Providing leadership and ensuring committee members are aware of their obligations and that the committee complies with its responsibilities
- Ensuring there is sufficient time during the meeting to fully discuss agenda items
- Ensuring that discussion on agenda items is on topic, productive and professional
- Ensuring minutes are complete and accurate, retained, included and reviewed at the next meeting in line with AIA's policy

## 7.0 Meeting Arrangements

### Frequency

Meetings of the Appeals Committee shall be held as required.

The quorum for the Appeals Committee shall be three members with the majority being non-accountants. The Chairman must be present.

### Minutes

The Secretary to the Disciplinary Process shall minute the proceedings and resolutions of all meetings of the Committee; minutes of committee meetings shall be circulated to all members of the Committee and are reported to the AIA Council at the next Council meeting.

The minutes and papers of meetings held by the Appeals Committee should be held in accordance with agreed policies.

## 8.0 Reporting

The Committee shall endeavour to adopt best practice and strive to attain excellence in its deliberations. It will make whatever recommendations it deems appropriate on any area within its remit where action or improvement is required. The recommendations will be disseminated to the appropriate parties and information relating to the actions taken will be reported back to the committee at its next meeting. All matters dealt with shall be reported to the Council at the next succeeding meeting of the Council.

## 9.0 Notice of Meetings

Meetings of the Committee shall be summoned by the Secretary to the Disciplinary Process

The notification giving at least 21 days' notice of the hearing shall be forwarded to the Appellant, the Complainant and relevant regulatory body. Unless otherwise agreed, notice of each meeting, confirming the venue, time and date together with an agenda of items to be discussed and supporting papers, shall be forwarded to each member of the Committee, no later than 5 working days before the date of the meeting.

## 10.0 Conflict of Interest Policy

Members of the Committee are obliged to declare in advance of the meeting any relevant information in line with AIA's Conflict of Interest Policy.

## 11.0 Equality & Diversity Policy

Members of the Committee are reminded at the commencement of each meeting that they should act at all times in line with AIA's Equality and Diversity Policy

## 12.0 Review

The Terms of Reference are reviewed annually by the Appeals Committee at the first meeting following the Annual General Meeting and changes enacted by the Secretary to the Disciplinary Process subject to approval by the AIA Council.



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