

44.323 Disciplinary procedure checklist - Victoria Artificial Intelligence Society

Disciplinary procedure checklist

- 1 If the complaint has been made by an officer or a member, the complaint includes the following details:
 - (a) statement that the member or officer is starting a procedure for resolving a dispute in accordance with the society's constitution; and
 - (b) sets out the allegation to which the dispute relates and whom the allegation is against; and
 - (c) sets out any other information reasonably required by the society.
- 2 If the complaint is made by the society to a member, notice of the complaint is given to the member that:
 - (a) states that the society is starting a procedure for resolving a dispute in accordance with the society's constitution; and
 - (b) sets out the allegation to which the dispute relates.
- 3 The person who made the complaint (**complainant**) has been given a right to be heard which includes:
 - (a) the complainant has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - (b) an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
 - (c) an oral hearing (if any) is held before the decision maker; and
 - (d) the complainant's written statement or submissions (if any) are considered by the decision maker.
- 4 The person who is the subject of the complaint (**respondent**) has been given a right to be heard which includes:
 - (a) the respondent is fairly advised of all allegations, with sufficient details and time given to enable the respondent to prepare a response; and
 - (b) the respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - (c) an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
 - (d) an oral hearing (if any) is held before the decision maker; and
 - (e) the respondent's written statement or submissions (if any) are considered by the decision maker.
- 5 The decision maker has investigated and determined the dispute/complaint as soon as is reasonably practicable in a fair, efficient and effective manner.
- 6 The decision maker has considered whether the complaint should be dismissed on the grounds that:
 - (a) the complaint is trivial; or
 - (b) the complaint does not appear to disclose or involve any allegation of the following kind:
 - (i) that a member or an officer has engaged in material misconduct;
 - (ii) that a member, an officer, or the society has materially breached, or is likely to materially breach, a duty under the society's constitution or bylaws;
 - (iii) that a member's rights or interests or members' rights or interests generally have been materially

damaged.

- (c) the complaint appears to be without foundation or there is no apparent evidence to support it; or
- (d) the person who makes the complaint has an insignificant interest in the matter; or
- (e) the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the constitution; or
- (f) there has been an undue delay in making the complaint.

- 7 The complaints are dealt with by decision makers who are impartial and/or able to consider the matter without a predetermined view.
- 8 The respondent is advised of any rights of appeal.

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