

Ethics Committee

Ethical Concern Process

- I. A person(s) with an ethical concern who contacts anyone other than the Ethics Committee will be referred to the Ethics Committee.
- II. A report of an Ethical Concern Form will be posted at the IANDS website as a link within the Ethical Standards in the website. A concerned person(s) will complete this form and submit it to the Ethics Committee. (Concerned person(s) may be anyone, both members and non-members of IANDS, and both members and non-members of the Committee.)
- III. One member of the Committee will be the designated recipient of concerns and sole contact person with whom the concerned person(s) communicate until such time as a subcommittee might be formed to conduct an inquiry.
- IV. Any Ethics Committee member or IANDS Board member materially involved in an ethical concern—either as concerned person, focus person, or otherwise—must recuse themselves from all aspects of the inquiry process except response to the concern.
- V. Upon receiving a completed Report form, the recipient will assign an Ethical Concern number to the case (EC1, EC2, etc.) that will be used in all correspondence and documents involving the case. Within three days the recipient will communicate with the Committee, after which the Committee will take up to one week to consider, via email or meeting, how to proceed.
- VI. Upon the Committee reaching one of the following decisions, shortly thereafter, a Committee representative will draft a response that the Committee affirms and that then is sent to the concerned person. Possible decisions include:
 - A. Decision not to act because
 1. Concern has no merit for the reasons specified.
 2. Appropriate response has already occurred, and matter seems resolved.
 - B. Decision that concern appears to have merit and calls for inquiry and does not involve criminal activity.
 - C. Decision that the concern has merit but may involve legal issues deemed by the Ethics Committee to be beyond its purview; and, thus, a meeting of the Board will be called to determine whether to notify authorities and/or recommend that the concerned person seek legal action.

The Ethics Committee must notify the full board if one of the three safeguard boxes under section 9 of the Report of an Ethical Concern document (issues relating to hold harmless, mediation/arbitration and background check) is not checked before proceeding with further investigative efforts. A decision about whether to proceed with an investigation will be collaboratively made between the Board and the Ethics Committee.

VII. In the case of inquiry,

A. Phase 1:

1. A subcommittee of three members will be designated, including a primary contact person to serve as communication liaison between concerned person(s) and subcommittee.
 - a) Within five days of designation, the subcommittee will formulate a preliminary written document specifying the possible ethical violation(s) and all available information at that point and will share the document with relevant person[s] who are a focus of inquiry [hereafter, "focus person(s)"] and possibly others involved in the matter.
 - b) Within 30 days of designation, the subcommittee will collect:
 - (1) Written response(s) from relevant people, using the Response to an Ethical Concern form. Respondents should submit their completed forms within 10 days of receiving preliminary document,
 - (2) Additional information relevant to the concern, documented through records and/or notes; this information may include acquisition of records and consultation with the parties involved, witnesses, authorities, and relevant others.
 - (3) Possible background check, and
 - (4) Relevant legal information.
 - c) By the end of the 30 days, the subcommittee will prepare a written document detailing their findings, including
 - (1) Determination that to the best of their knowledge they have pursued all information relevant to the matter, including investigation of contradictory statements.
 - (2) In the case of apparent violation,
 - (a) Specification of which Standard(s) appear to have been violated and in what ways, and
 - (b) Creation of a scenario describing what could have occurred in the situation that would have met ethical standards.
2. The subcommittee will consult with a quorum of the Ethics Committee as a whole before sending the document to the focus person(s) and the concerned person(s).
3. The subcommittee will provide the focus person(s) and concerned person(s) with an opportunity to respond in writing within 10 days of receipt of the document. If a response is submitted, the Ethics Committee will take into consideration how to proceed.

B. Phase 2: Within 10 days of the end of Phase 1, the subcommittee will

1. Render a preliminary determination of one of the following:
 - a) Dismiss the concern(s), with possible recommendation for mediation between the concerned person(s) and the focus person(s),

- b) Censure, with possible coaching by the Committee and/or recommendation to external supportive services aimed at helping the focus person(s) avoid further ethical concerns. External supportive services can include health services and mediation services.
- c) Warning(s),
- d) Suspension of activity within IANDS, with specification of time period and of actions required for reinstatement, or
- e) Expulsion from IANDS.

2. Convene the entire Ethics Committee to report on Phase 1 and determine an action:

- a) If the Committee determines that the matter does not appear to involve a legal or other serious matter, the Committee will draft a recommendation letter. This letter will be delivered to the board for further discussion between the Ethics Committee and the Board (not necessarily at a formal Board meeting). A final communication will be sent to all interested parties representing the Board's authority.
- b) If the Committee determines that the matter does appear to involve a legal or other serious matter, the Committee will draft a recommended letter from the Board to the focus person(s) and call a special meeting of the Board to address the matter.

C. Phase 3: In case of a matter involving a legal or other serious matter,

1. At the Board meeting, the subcommittee and Ethics Committee chair will be present, and the Board will consider the Committee's recommendation and letter and vote on the action to be taken.

- a) In case a letter will be sent, the Board and Committee will confer on finalization of the letter.
- b) Board meeting minutes will reflect only that a matter was discussed, along with final action, without identifying individuals involved in the concern.
- c) Board members will be reminded about maintaining confidentiality about ethical concerns.

2. Within three days of the Board meeting, a representative of the full Board will:

- a) Send the final letter to the focus person(s), and
- b) Send a letter to the concerned person(s) notifying them of the outcome of the inquiry.

VIII. If new information becomes available, the Committee will consider an appeal.

IX. In case of censure, warning, or suspension, if problematic behavior persists, Committee can reconsider the case for possible further action.

X. As this process is used, it will be revised as needed.