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**POLICY Title: MEMBERSHIP RELATED APPEALS**

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# 1 Introduction

Financial Counsellors' Association of Queensland (FCAQ or Association) as the peak professional body for financial counsellors in Queensland has a responsibility to ensure that the professional practice of financial counsellors in Queensland is maintained at the highest possible standard. Under the Rules of Association, the Management Committee may, at its discretion, approve or not approve membership applications and may terminate a Member's membership.

# 2 Purpose

This policy sets out the procedures and guidelines for appealing the non-approval of a membership application or the termination of membership with the Association. It ensures that all appeals are handled fairly, transparently and in accordance with the Association's Rules. It aims to provide a clear pathway for affected individuals to seek a review of decisions, fostering trust and accountability within the Association's membership processes.

# 3 Scope

This policy applies to individuals whose application for membership has not been approved in accordance with Rule 5.5(d) or whose membership has been terminated in accordance with Rule 5.8 (d). It does not apply in respect of terminations under the Disciplinary Procedures prescribed by Rule 5.8(e) which are dealt with under Financial Counselling Australia's Disciplinary Process: Policies and Procedures.

# 4 Definitions

**Appellant** means the individual who submits an application for an appeal in accordance with this policy.

**Applicant** means an individual who submits an application for Membership to FCAQ and has regard to all categories of membership.

**Association** means Financial Counsellors' Association of Queensland Inc.

**Chief Executive Officer or CEO** means a person appointed by the Management Committee to that position, or an employee of the Association acting in that position on a temporary basis.

**Independent Appeals Panel or IAP** is a panel based on a selection of independent individuals who have subject matter expertise and have had no prior dealings with the issue that is the subject of the appeal.

**Management Committee** refers to the management committee of the Association.

**Member** refers to a Member of the Association.

**Rules** refers to the Rules of Association.

**Support Person** is someone an appellant can nominate to attend a meeting with them to provide emotional support and reassurance. A support person is not entitled to act as an advocate.

**Written** means communication sent or received in accordance with Rule 23.

## 5 Appeal Policy

### 5.1 Initiation of Appeal

To initiate an appeal, the Applicant or Member must follow the process outlined below:

- (a) The individual must submit a Written notice of appeal to the CEO of the Association within 10 business days of receiving the decision not to approve their membership application or to terminate their membership.
- (b) The notice should outline the grounds for appeal and should include any supporting evidence or documentation.
- (c) The notice should articulate the desired outcome.

All appeal applications received by the CEO will be treated as strictly confidential.

### 5.2 Independent Appeals Panel (IAP)

On receipt of a notice of appeal the CEO will, within 10 business days, establish an IAP to undertake the appeal review. The appeal will be heard by a panel who have relevant subject matter and/or procedural expertise and be individuals who were not involved in the original decision.

The IAP will comprise of a Chair and two other independent members. They should possess relevant experience in the financial counselling sector, as well as the necessary skills to make fair and impartial judgments.

### 5.3 Acknowledgement of Notice of Appeal

Upon receipt of the notice of appeal, the CEO will acknowledge the notice in Writing within 2 business days and will inform the Appellant of the appeal process to be followed.

Immediately upon establishing the IAP, the CEO will notify the appellant in Writing of the names of the panel members and the contact details of the chair of the IAP responsible for reviewing the appeal. Along with this communication, the CEO will request the appellant to promptly provide any additional information the IAP may require.

### 5.4 Independent Appeals Panel Review Process

The CEO will establish a mutually convenient time and physical or virtual location, for the Appellant to present their case to the IAP. The Appellant may be accompanied by a Support Person, but this is not mandatory.

The IAP will consider all relevant information, including the Association's Rules and policies, and will make a decision by majority ruling within 30 business days of the Appellant attending a hearing. The IAP may:

- (a) uphold the decision to not approve the application or terminate the membership; or
- (b) overturn the decision and approve the Applicant's application for membership or reinstate the Member's status as a Member of the Association.

## 5.5 Notification of Decision

The CEO will notify the Appellant in Writing of the decision of the IAP. The decision of the IAP will be final.

## 6 Relevant Documents

- FCAQ Rules of Association
- FCAQ Membership Policy
- FCA National Standards for Membership and Accreditation
- FCA Disciplinary Process: Policy and Procedures

## 7 Approval

Approved by the FCAQ Management Committee: 19 February 2025

## 8 Contacts

For any questions about this policy, contact the CEO.

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