

## **Disciplinary Panel Publications Policy**

### **Introduction**

1. STEP members are expected to abide by the STEP Codes of Conduct (STEP Code of Professional Conduct, Professional Conduct in Relation to Taxation and STEP Code for Will Preparation in England & Wales and any further Codes adopted by STEP), which set out the key ethical and professional standards a member should uphold. These professional standards provide a clear understanding of what to expect from a STEP member.
2. Our Codes require members to act with integrity and in a manner which inspires the confidence, respect and trust of clients and the wider community. Our members are also required to keep up to date with the latest legal, technical and regulatory developments.
3. Where a member's conduct may have fallen below the standards expected we will investigate a complaint as set out in the [Disciplinary Rules 2016](#). To ensure that all STEP members and complainants are dealt with fairly and consistently we have developed this publications guidance. This guidance explains how we will put aspects of our Disciplinary Rules into practice.

### **Provisions for publication**

4. Rule 10, Publication of Findings and Orders of the Disciplinary Rules sets out the requirements on STEP to publish decisions reached by the Investigation Sub Committee and the Appeal Committee.

#### **10. Publication of Findings and Orders**

10.1 Whenever the ISC makes an Order under Rule 6.1 it shall, subject to Rule 10.4, cause its Order to be published as soon as practicable in such manner as it thinks fit, provided that if the ISC has ordered that no further action be taken on the Complaint the Order shall not be published unless the Respondent so requests.

10.2 The Appeal Committee shall likewise cause any Order made subsequent to a Hearing by it, to be published as soon as practicable in such manner as it thinks fit, provided that if the Appeal Committee has ordered that no further action be taken on the Complaint or the decision by the ISC be reversed, the Order shall not be published unless the Respondent so requests.

10.3 Unless the ISC or, as the case may be, the Appeal Committee, in its absolute discretion otherwise directs, any such publications shall state the name of the Respondent and the Order or Orders made against the Respondent, but need not include the name of any other person concerned in the Complaint or appeal.

10.4 No publication under Rule 10.1 shall be made until after the expiry of the 28 day appeal period referred to in Rule 7.3. If notice of appeal under that Rule is received by the PSM then, unless the appeal is abandoned, no publication under Rule 10.1 shall take place until publication shall be made under Rule 10.2.

5. Rule 6.3 states that Board are to be notified of decisions of the ISC and Appeal Committee 'as soon as practicable' after any Appeal period/Appeal has concluded.

### **Reasons for publication**

6. Publishing adverse decisions reached by the Disciplinary Panels enables openness and transparency in our complaints process providing reassurance to both the public and the membership as a whole that the complaints process and its decision makers are fair and objective in the decisions they have reached.

7. By being open with the decisions which our Disciplinary Panels reach we provide an element of quality assurance in consistency and proportionality of decision making and improving future decision making. It enables our internal stakeholders to identify and mitigate against risks and our membership can hold us accountable by ensuring that we seek to maintain the reputation of the organisation and its members with the action taken by the panels.

8. Our members can review the issues considered by the Disciplinary Panel and learn from them by identifying ways in which they could improve their own practice and skills.

### **Discretion of Committees**

9. There may be times when it would not be appropriate to make information publicly available. We envisage that any discretion on the part of any committee would be infrequently used and would only be made after careful consideration of the individual circumstances. Reasons for a committee not to publish a decision or part of a decision could include:

- (a) Prejudicial to a second investigation by STEP or another organisation
- (b) Unable to publish without reference to confidential information for example that covered by legal privilege or information relating to medical conditions
- (c) Circumstances where publication would impact on the welfare of an individual, e.g. the need to protect a child.

### **Decisions to be published**

10. These are listed under Rule 6

- (a) Reprimands
- (b) Suspensions with conditions
- (c) Suspensions
- (d) Excluded from membership
- (e) Fines order

In addition, all appeal outcomes will be made publicly available.

### **Information to be made public**

11. The following information can be included in the publication notices;

- (a) Full Name
- (b) Membership number
- (c) Branch
- (d) Summary of Issues
- (e) Breaches of Code(s) found
- (f) Decision and Sanction inc. the level of any fines and costs
- (g) Appeal details if applicable

### **Interim Suspensions**

12. The Disciplinary Rules enable STEP to suspend a Member on an interim basis. An interim suspension is imposed when allegations are serious in nature. Such an act aims to protect both STEP and the Member whilst an investigation is carried out by the Disciplinary Panel. The fact that a Member has been interim suspended will be published on the STEP website. The following information will be included in the publication notice:

- (a) Full Name
- (b) Branch
- (c) Date suspension imposed
- (d) Date suspension due for review

### **Format of Publication**

13. Notices will be placed in the STEP Journal and News Digests. There will also be a PDF document on the Professional Standards section of the website, to be updated on a monthly basis.

### **Length of Publication**

14. Information placed on the website will be archived after a period of six years. Information may be made available upon request after this time.

