



Research Association New Zealand

Complaints Procedure: Summary

Structure

The Professional Standards Group (PSG) comprises a Professional Conduct Officer (PCO) supported by members of the Executive Committee and Board (as required) and the Secretary. Other industry or external advisers or experts may be called on as needed.

What complaints can RANZ handle?

The PSG evaluates complaints lodged against RANZ members in relation to possible breaches of the RANZ Code of Practice.

RANZ members have agreed to abide by the RANZ Code of Practice and to be subject to the RANZ disciplinary process. All complaints must relate to the actions of a RANZ member acting in his or her professional capacity. Please use the members search function in the website to see if an individual or company is a RANZ member.

All complaints must be supported by documented evidence. The disciplinary procedures allow RANZ to impose sanctions if the complaint is upheld and the member is found to be in breach of the RANZ Code. Sanctions may include, but are not limited to, private warnings, suggested reparations, membership suspension, or expulsion. The facts of an upheld complaint are made public on the RANZ website for an appropriate period.

What complaints does RANZ not handle?

There are some situations that the RANZ procedures do not cover. Examples include:

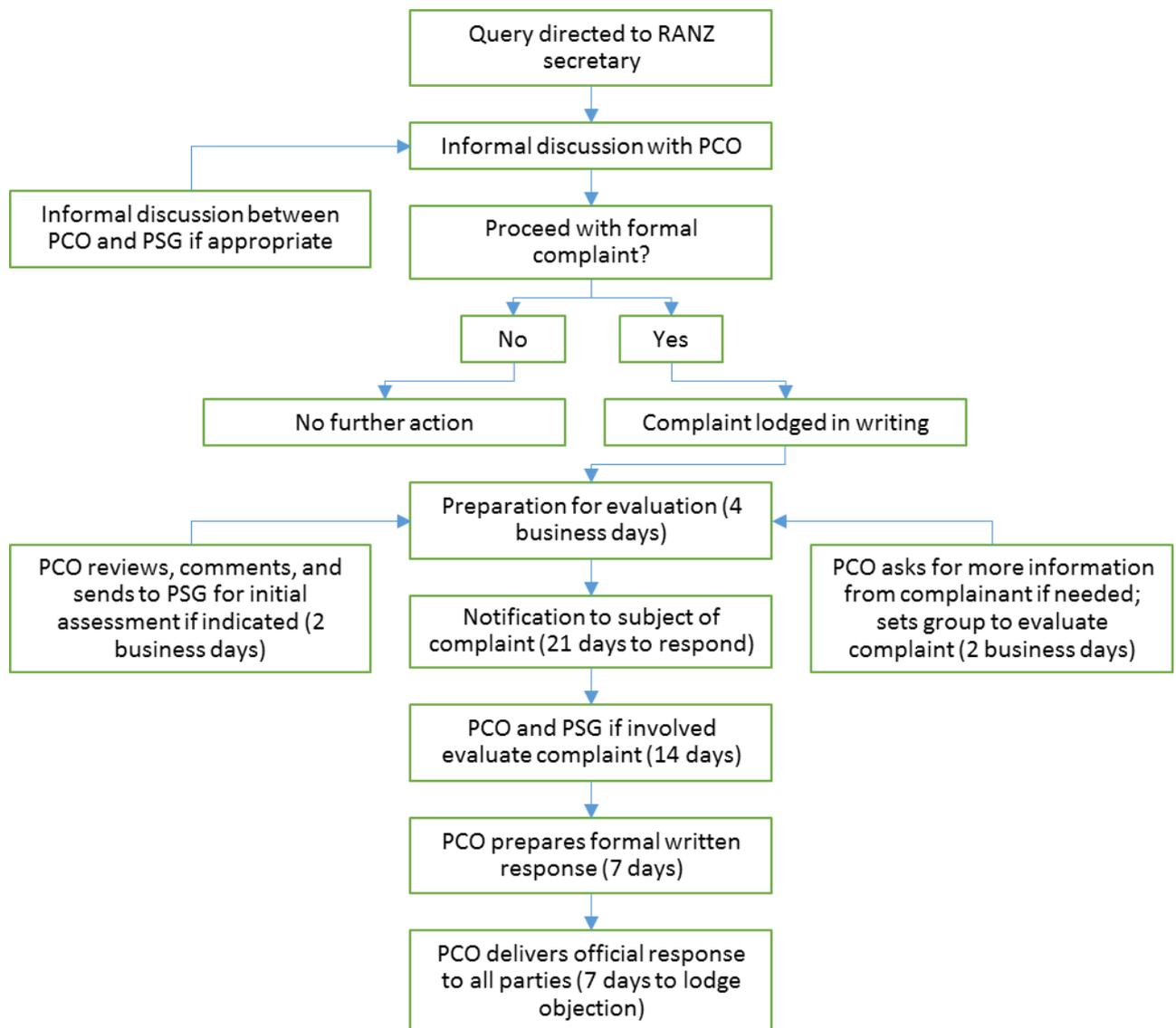
- Complaints about someone who is not a RANZ member and therefore not subject to our Code or procedures. However, in exceptional circumstances, RANZ may take specific action to protect members, the reputation of market research, or of RANZ. Please use the members search to see if an individual or company is a RANZ member.
- Legal issues such as contractual, payment and employment issues which are more appropriately dealt with through legal processes.

If you are unsure whether the RANZ disciplinary procedures cover your situation, please send your query to secretary@researchassociation.org.nz for review.

Who can make a complaint?

Any public or private organisation or individual directly concerned by a possible breach of the RANZ Professional Code by a RANZ member.

Overview of the complaints procedure



Please note that complaints will be assessed against RANZ Professional Code and must be supported by evidence.

Before making a complaint, please refer to the RANZ Code of Practice and any related notes and guidelines that may be relevant.

Download a copy of the complaint form from www.researchassociation.org.nz

If we can't help you.

We may not be able to address your complaint, usually because it falls outside our scope of authority. If we decide we cannot deal with your complaint, we will explain our reasons. Where possible, we will try to suggest other options.

Professional Standards in RANZ: Description

Basis for Research Association New Zealand complaints procedure

1. RANZ has based their Complaints procedure on the [ESOMAR Complaints & Compliance regulations and Disciplinary Procedures](#).

Composition and appointment

2. RANZ has a Professional Standards Group (PSG) comprising a Professional Conduct Officer (PCO) supported by members of the Executive Committee, Board (as required) and the Secretary.
3. The PCO is appointed by the RANZ Board for a renewable term of 2 years. The role is unpaid. The PCO may or may not sit on the Board but must qualify to do so with regards to tenure and standing in the industry.
4. The Board may replace any PSG member or the PCO. Such cause may include, but need not be limited to, failure to perform the duties expected of PSG members.

Scope of the PSG

5. The PSG responds to requests for clarifications of the RANZ Code of Practice as well as to allegations that RANZ members may be in breach of that Code.
6. The PSG shall not examine complaints with respect to contractual, payment or employment issues which the PSG, at its sole discretion, deems fit to be dealt with through legal means unless the alleged violation or violations appear to bring the profession into disrepute and constitute a breach of the Code.
7. Any PSG action regarding a Code infringement that may be in legal dispute shall be placed on hold until any legal proceeding is resolved unless the PSG at its discretion deems otherwise. However, the outcome of any legal proceeding does not prohibit the PSG from addressing the Code infringement complaint afterwards.
8. The PSG may upon request give opinions to courts of law, public authorities, or other associations or bodies with respect to the interpretation of the RANZ Code.

Submission of complaints

9. Any person, company or other organisation directly concerned by an alleged infringement of the abovementioned Code by a member may file a complaint with the PSG.
10. Should the PSG be made aware of a potential breach of the Code that could bring the profession into disrepute, the PSG can at its own discretion start an investigation, which may lead to disciplinary action.
11. The complaint shall be made in writing and shall be supported with a statement of the case and the Code articles(s) which has allegedly been breached as well as by all relevant documents and other evidence. It shall be addressed to the Professional Standards Group of RANZ.

The PSG shall be able to make an independent decision regarding which Code article(s) have been allegedly breached.

Procedure

12. On receipt of a complaint concerning a member's conduct or on his/her own initiative, the PSG shall cause inquiries to be made to establish the facts and circumstances of the matter by whatever means the PSG considers appropriate, including raising questions directly with the member concerned. The member shall be informed upon the raising of any question that such questions are being asked in connection with possible disciplinary proceedings.
13. Any member of the PSG, including the PCO, having a personal interest in the subject matter of a complaint or a relationship with one of the parties of a nature that might affect the PSG member's ability to proceed in an objective manner, shall withdraw from any consideration of the complaint.
14. Having made such inquiries, the PSG may conclude that there is no prima facie case against the member concerned, in which event the PSG shall so inform the member in writing as well as any complainant involved.
15. To avoid unnecessary damage to the member's reputation or the reputation of others, the PCO or his/her delegate, as the case may be, may act on behalf of the PSG.

Such action shall be limited to deciding whether the complaint and related inquiries have been sufficient to establish the existence of a prima facie violation of the above-mentioned Code. If the PCO or his/her delegate concludes that a prima facie case has not been established and that an early decision on the particular complaint is needed, s/he may terminate the proceedings and so inform the parties. In the event of such action, the PCO or his/her delegate shall notify the other members of the PSG promptly of the action s/he has taken. In no event shall the PCO or his/her delegate undertake on his/her own to impose a warning on any member or non-member of RANZ.

16. If, having undertaken appropriate inquiries, the PCO or his/her delegate in consultation with the PSG, decides that there is a prima facie case that should be pursued against the member concerned in respect of a possible breach of any provision of the above-mentioned Code, the PSG shall write to the member setting out the conduct complained of and provide the member with the documentation supporting the claim submitted by the complainant and the Code provisions allegedly breached.
 - a. The PSG shall allow the member a maximum of 21 calendar days to provide a written response. Members are expected to cooperate in the investigation of a complaint. Failure to cooperate may lead to a sanction.
 - b. Upon receipt of the member's written response, or after a maximum of 21 calendar days, whichever occurs earlier, the PSG shall undertake such further inquiries as it considers necessary.
 - c. Upon completing its inquiries, the PSG shall give its opinion on the case and send its findings and reasons promptly to the member in writing.
 - d. In any case that appears to the PSG, having completed its inquiries, to be so serious that a suspension or expulsion is an appropriate measure, this shall be brought to the attention of the RANZ Board Chair. The PSG shall set out the case fully in writing, together with any relevant documents and other evidence.