

HEARING AID COUNCIL

PROCEEDINGS

Meeting of

FAST-TRACK DISCIPLINARY COMMITTEE

held at

70 St Mary Axe
London EC3A 8BD
on

17 August 2007

PRESENT:

MR CHRIS HUGHES (Chair)

MR TONY CORCORAN
MR MIKE BISHOP
(Committee Members)

MS SIOBHAN GOODRICH: Legal Assessor
MRS JANET HAWTHORNE: Council's Solicitor
MS AMICIE KNOWLES: Committee Administrator

Case of: MR CLINTON JONES

The respondent did not attend.

Transcribed by Ubiquis
Cliffords Inn, Fetter Lane, London, EC4A 1LD
Telephone 020 7269 0370

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2 DECISION

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4 CHAIR: The case of Mr Jones arises from audiometry he conducted on 8 August 2005 on a
5 patient. During the course of the audiometry he noted asymmetric hearing loss, but
6 he did not advise the patient to seek medical advice, and accordingly he failed to
7 comply with Clause 5 of the Code of Practice in relation to medical referrals.

8 This case has come before the Committee some two years after the event, due
9 to the failure of his former employer to properly cooperate with the Hearing Aid
10 Council. This is to be regretted since maintaining the safety of the public is the
11 primary obligation of a regulator and the failure to make an appropriate medical
12 referral is a significant breach of the Code which could have very serious
13 consequences.

14 When this issue was drawn to Mr Jones' attention, he gave a full and prompt
15 acknowledgement of his error and properly expressed remorse. In the light of this
16 remorse, and bearing in mind the range of sanctions which are available to the
17 Committee, the Committee concluded that a small financial penalty of £500 was
18 appropriate.

19 In addition, the Committee has determined that a qualifying promise is
20 appropriate and it requires Mr Jones to attend 10 structured CPD points in addition to
21 his usual annual requirement for CPD, and produce evidence to the Registrar of this
22 by 31 March. This additional training should be in medical aspects of hearing loss.

23 Is there anything to add to that?

24 MR CORCORAN: With particular reference to asymmetric hearing losses.

1 CHAIR: With particular reference to asymmetric hearing losses. The Committee carefully
2 considered the application for costs and noted that the costs incurred by the Hearing
3 Aid Council on this matter were in excess of £2,500. However, the indication given
4 to the Respondent was that costs in the sum of £1,000 would be sought. In
5 exercising its discretion as to costs, the Council concluded that it was appropriate to
6 award costs in the sum of £1,000. Accordingly, the total sum of £1,500 is payable to
7 the Registrar within 28 days. In the event that the Respondent finds it impossible to
8 make that payment he should approach the Registrar within that time with reasonable
9 proposals for the phased payments of the sum over a moderate period of time and
10 should accompany that proposal with evidence of means, including relevant bank
11 statements.

12 That I think concludes the business of the Committee for today. Thank you very
13 much.

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[The hearing concluded]