

Financial Management Association International

Ethics and Professional Conduct Policy - Vetting and Enforcement Processes

The Board of Directors has established this policy to maintain and enforce standards of professional conduct and ethics within the Financial Management Association International (FMA). The policy applies to FMA's members, officers, directors, editors, trustees, Fellows, and committee members.

The Board of Directors and Ethics Committee have the responsibility to maintain and enforce standards of professional conduct and ethics with FMA. These bodies will review and respond to cases of possible or actual misconduct. A complaint may be lodged by anyone who becomes aware of a perceived violation of the policy.

The Ethics Committee has jurisdiction over individual members, Fellows, officers, directors, trustees, and committee members. The Committee will not investigate or adjudicate complaints that are the subject of other pending litigation or administrative proceedings.

Vetting Process for Officers and Directors

Prior to confirming the slate of election, the nominating committee will perform a vetting process. This will include a web search for any information about possible candidates and a request to nominees to disclose any information that may be relevant to the code of ethics and professional development (e.g., any forms of misconduct, including sexual harassment or discrimination) before finalizing the slate of candidates for election.

Lodging a Complaint

Complaints should be reported to Michelle Lui, Executive Director, in writing and, at minimum, should include the following:

1. The name and contact information of the complainant
2. The name and, if known, the contact information, of the individual against whom the complaint is being made
3. The nature, factual background, and time period of the complaint
4. The name(s) of other individual(s) or organization(s) who may have additional information regarding the complaint
5. Any supporting documentation

Complaints lacking sufficient detail may be dismissed by the Ethics Committee or Board.

Willfully filing a frivolous or malicious complaint is considered a form of professional misconduct. Individuals who do so are subject to disciplinary action under this policy.

Anonymity

When lodging a complaint, the complainant may request anonymity from the subject of the complaint (respondent) and/or the public. Anonymity will be granted unless dictated by federal, state, or local law or if anonymity significantly impedes the investigation.

For purposes of the investigation, the identity of the complainant will be known to the members of the Ethics Committee and, in the event of an appeal, to the members of the Board of Directors.

Adapted from the Sample Template from the Association of Legal Administrators and the Ethics and Accountability Discipline and Complaints Policy of the Association of Clinical Research Professionals

In cases where anonymity from the respondent and/or public may not be granted due to law or due to the nature of the investigation, the Ethics Committee will notify the complainant who may then decide to proceed with the investigation or withdraw his or her complaint.

Confidentiality

Information exchanged during the investigation and any hearing process will be considered confidential, and will be addressed in a discreet and professional manner by the members of the FMA staff, Ethics Committee, and Board of Directors. However, if there are circumstances that may dictate that some level of disclosure is necessary (e.g., by applicable law), absolute confidentiality cannot be guaranteed.

Initial Complaint Review by FMA Staff and Ethics Committee

Complaints will be received and reviewed by FMA staff to determine if the complaint should be forwarded to the Ethics Committee. Complaints will be evaluated based on:

1. Whether the subject of the complaint is an FMA member, officer, director, editor, trustee, Fellow, or committee member.
2. Whether sufficient information concerning the allegation is provided.

If the complaint meets these criteria, then it will be forwarded to the Ethics Committee to determine whether it merits investigation.

If the FMA staff or Ethics Committee determines that the complaint does not meet the criteria or does not merit investigation, the Executive Director will notify the complainant.

If the Ethics Committee decides to investigate a complaint, the following procedure will be followed:

1. All information originally submitted by the complainant will be provided to the Ethics Committee.
2. Members of the Ethics Committee will be instructed to declare any real or potential conflicts of interest. Any member who has an unmanageable conflict of interest will be recused. The recused person may not participate in the discussion, deliberation, or vote. However, if s/he has information potentially relevant to the investigation, s/he may provide the information to the committee.
3. A written notice will be issued by traceable method to the subject of the complaint (respondent) within 15 business days from the date the committee decides to investigate the complaint. This notice will include:
 - a. Notification that the Ethics Committee will pursue an investigation, that the investigation is confidential, and that the committee may seek additional information during the investigation process. If additional information is sought, the complainant and respondent are expected to comply with requests in a timely manner. Communication should flow through the FMA office by way of the Executive Director.
 - b. A copy of the FMA Code of Ethics and Professional Conduct
 - c. Instructions for the respondent to explain his/her actions and/or provide additional material for the Ethics Committee to review during the investigation process.
 - d. Notification that the respondent may request a fair hearing with members of the Ethics Committee. This hearing can take place by video or conference call.

- e. Notification that there should be no communication between the complainant and the respondent during the investigation process.

Hearing Procedure

If requested by the respondent, a hearing will take place by video or conference call with members of the Ethics Committee. During the hearing, the respondent will explain his/her actions and/or provide additional information. The presentation shall take the form of an oral statement supplemented by relevant written material. Any such written material should be provided to the committee by way of the FMA staff at least seven calendar days prior to the hearing date. Any Ethics Committee member may question the respondent during the hearing.

The respondent may have legal counsel present.

Decision Making Process

If, after the hearing and its initial investigation, the Ethics Committee recommends disciplinary action or further investigation, it will notify the Board of Directors (Board) by way of the Executive Director. The Ethics Committee will provide all relevant information to the Board including the original complaint documentation, supporting materials, and supplemental written material, notes, and recording from the hearing.

In the case that the Ethics Committee finds that there has been a violation of the standards of conduct, it may consider the following actions:

- Suspension of member for a period of no less than 12 months beginning on a date determined by the Ethics Committee
- Expulsion of member
- Removal of officer, director, trustee, editor, or committee member from role
- Removal of Fellows designation

The Executive Director will transmit the final report of the Ethics Committee by certified mail or other comparable means to the member under investigation.

Notice of Right to Appeal and Appeal Procedures

If the Ethics Committee recommends disciplinary action against an individual, that individual will receive a notice of right to submit a written appeal to the Board of Directors within 10 business days following the date of receipt of the final report. This written appeal should be provided to the Executive Director. The Board review of an appeal will be limited to a determination of whether in its sole discretion material and/or procedural error may have contributed to the initial decision.

Reapplication to Financial Management Association International

Unless a member is permanently expelled, nothing in this policy precludes a member who had disciplinary action taken against him/her from reapplying for membership to FMA following the conclusion of the suspension period. FMA will consider such applications in accordance with the applicable membership criteria in effect at the time of the new application.