

**HEARING AID COUNCIL**

**Meeting**

**of**

**DISCIPLINARY COMMITTEE**

**FAST TRACK DISCIPLINARY HEARING**

held at

70 St Mary Axe  
London EC3A 8BD

on

24 April 2008

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The Case of: AMPLIFON LIMITED

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Before the Panel of:

MR CHRIS HUGHES (CHAIR)  
MR TONY CORCORAN  
MR MARK GEORGEVIC

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MR DAVID GRANT: LEGAL ASSESSOR  
MR STUART PARKER: ON BEHALF OF MRS HAWTHORNE (SOLICITOR FOR THE HAC)  
MS AMICIE KNOWLES: CLERK TO HAC

The RESPONDENT did not attend and was not represented

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Transcript of the Shorthand Notes of  
Ubiquus  
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[DECISION ON SANCTION]

CHAIR: In this case, Amplifon, an employer of registered dispensers have pleaded guilty to a charge relating to the failure to respond with reasonable expedition and in a proper manner to enquiries made of them by the Registrar in connection to the complaint made to the Council.

It is of course of fundamental importance in any regulatory system that the regulated profession deals appropriately with the Regulator in order that the proper scrutiny of professional activity can be carried out.

On this occasion, the company concerned has failed to provide the audiological records, which would enable the Registrar to properly investigate a matter which has been raised by a consumer.

The circumstances of the case are that the original company and employer has been subsumed within another larger organisation. It is by no means clear how the records have not been able to be produced. The Committee is however satisfied that they have not been produced. This does raise regulatory issues of significance.

We are satisfied that proper attempts have been made by the successor company to find the records, which have been unsuccessful.

In the circumstances, and considering the range of sanctions available to it, the Committee is satisfied that this is a breach of some significance, striking as it does to the root of the effective regulation. In the circumstances, a mere reprimand is inadequate and therefore we have considered a financial sanction. On this occasion we believe a sanction of £1,000 is appropriate.

[DECISION ON COSTS]

CHAIR: We therefore move on to the consideration of the application for costs. The Committee is satisfied that costs in excess of the sum sought by the solicitor to the

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Council have been incurred, and in these circumstances we see no reason why we should not award costs in the sum that has been sought of £2,000. Accordingly, we impose a sanction of £1,000 and award costs of £2,000 to be paid within 14 days.

I think that concludes the hearing with respect to Amplifon.

[The hearing concluded]