

HEARING AID COUNCIL
PROCEEDINGS
Meeting of the
DISCIPLINARY COMMITTEE

Held at:
The Hearing Aid Council
70 St Mary Axe
London EC3A 8BD

On
Thursday, 27 November 2008

PRESENT:

MR HUW VAUGHAN THOMAS
(Chair)

Panel Members:
MR MIKE BISHOP
MR TONY CORCORAN

Legal Assessor:
MRS SIOBHAN GOODRICH

MR HYWEL JENKINS appeared on behalf of the Hearing Aid Council

In the matter of:
MR A BIRD

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1 THE CHAIR: Mr Bird is charged with failing to comply with Clause 9(a), in that whilst
2 responsible for the audiological care of Mrs Baron, he failed to comply with the
3 Clause 9(a) in respect of audiometry conducted in 2002, through not recording the
4 serial number of the audiometer, failing to record the calibration date of the
5 audiometer, and failing to record the make of the audiometer moved. Though
6 admitting the charge, the Disciplinary Committee noted that Mr Bird did in fact
7 supply a copy of the calibration certificate, and had also recorded the model
8 reference of the audiometer. The Committee also noted that Mr Bird had been
9 proactive in seeking to ascertain the whereabouts of documentation relating to the
10 charge, despite no longer working for the company concerned. Taking account of
11 the evidence before them, and his plea of mitigation, the Disciplinary Committee
12 have concluded that the case was proved, it admonishes Mr Bird for this lapse.
13 Turning to the costs, the panel noted that a considerable part of the costs have been
14 incurred as a result of Mr Bird's proactivity in seeking to resolve the matter, they
15 also applied the tests of proportionality and reasonableness, and concluded that an
16 appropriate level of costs would be £750, such sum to be paid, or schedule agreed
17 to, within 28 days.