

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 CHRISTOPHER HUGHES
(Chair)

Panel Members:
MR HUW VAUGHAN THOMAS
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 G DANCEY

Transcript produced by Ubiquis
Cliffords Inn, Fetter Lane, London EC4A 1LD
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1 THE CHAIR: In this case a registered hearing aid dispenser, Mr Dancey, is charged with a
2 failure to provide best advice to one of his clients. The lady in question suffered
3 from osteoarthritis in her hands and macular degeneration, accordingly in addition
4 to significant hearing loss, she had very poor eyesight and very restricted use of her
5 hands. Despite that, he recommended to the lady aids which she had very great
6 difficulty in operating. We are entirely satisfied - in so doing he visited her, a lady
7 of nearly 90, in her home when she was unaccompanied. We consider that the
8 advice in these circumstances could have been considerably better, and any
9 functional assessment which he carried out, looking at her ability to operate these
10 aids, was clearly highly deficient. We are satisfied that Mr Dancey has properly,
11 although at an exceptionally late stage, accepted that he was in breach of the Code
12 of Conduct, and considering what sanction to impose we have considered whether a
13 lesser sanction, admonishment or a smaller financial penalty would be appropriate,
14 but we consider a financial penalty is the appropriate sanction in a case such as this.
15 There are, as I have indicated, various ways in which the provision of advice in this
16 matter raises significant issues, and we consider therefore that a fine of £3,000 is
17 appropriate in this case. It now falls to the Committee to consider what award of
18 costs should be made in this case, the, I ought to have made clear that this very
19 elderly lady was unaccompanied by a member of her family able to advise, support
20 and guide her in the context of a salesman visiting her in her own home.

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22 ISSUE OF COSTS ADJOURNED UNTIL 10.12.2008
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