

1 HEARING AID COUNCIL PROCEEDINGS

2
3 **Meeting of the**
4
5 **DISCIPLINARY COMMITTEE**

6
7 Held at:
8 70 St Mary Axe
9 London EC3A 8BD

10
11 On

12
13 Tuesday, 7 July 2009
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16
17 PRESENT:

18
19 MR CHRISTOPHER HUGHES OBE
20 (THE CHAIR)

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22 Panel Members:

23
24 MR PETER INCE
25 MR MICHAEL BISHOP

26
27 Legal Assessor:
28 MR MICHAEL VERE-HODGE QC
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32 MS JULIE NORRIS appeared on behalf of the Hearing Aid Council.
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36 **In the matter of:**

37
38 MR NIGEL HADDON
39

40 Transcript produced by Sellers Legal Services
41 76 Chancery Lane, London WC2A 1AA
42 Tel: +44 (0)20 7405 4512

Tuesday 7th July 2009

1
2 MISS NORRIS: I will proceed by reading the charges, if I may, for this case, which is the case of
3 Mr Nigel Haddon, registration 2931.

4 Charge 1 against Mr Haddon reads as follows. That contrary to Clause 9C of the Code
5 enforced at all material times; 1, between 11th October 2005 and 9th December 2005, you were
6 responsible for the audiological care of Mrs Eileen Rogers, of 20 Ash Grove, Ivybridge, Devon
7 PL21 0HX. 2, on or around, 12th October 2005, you conducted audiometry on Mrs Rogers and
8 recorded the results of that audiometry on an audiogram dated 12th October 2005, (the
9 audiogram). 3, on or around 25th November 2005, you fitted Mrs Rogers with a Starkey Sequel
10 half concha hearing-aid. 4, on or around 8th December 2005 you exchanged the Starkey Sequel
11 hearing-aid for an Oticon Atlas+ half concha hearing-aid. You fitted and programmed the Oticon
12 Atlas+ aid using an Easyfit hand held programmer. 5, you failed to make any record in Mrs
13 Rogers' case history notes of programming data obtained between 11th October and 9th
14 December 2005. Paragraph 6, you failed to comply with the terms of Clause 9C in relation to
15 record keeping in that (i) you failed to make a record in Mrs Rogers' case history notes of any or all
16 programming data obtained between 11th October and 9th December 2005 and (ii) your failure to
17 make such record of the programming data had the potential to prejudice Mrs Rogers' ongoing
18 audiological care.

19 The bundle I was reading from is the bundle from the Council, 19 pages. Two letters from the
20 registrant centre, (*inaudible*) 7th February this year and 3rd March this year. Notice of service
21 sent to the registrant on the 19th June, so you don't have a copy of that. The registrant isn't here
22 today and I will hand that up for you to consider, but I would be asking you to proceed today in the
23 absence of Mr Haddon. He has indicated that he doesn't propose to attend, and in those
24 circumstances, I would suggest he has waived his right to be here.
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1 *(The Panel retired to consider)*

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3 THE CHAIR: In this matter Mr Nigel Haddon is charged with breach of Clause 9C of the Code of
4 Practice for registered hearing-aid dispensers, in that he failed to keep adequate records with
5 respect to one of his patients. In October, November and December 2005, he was responsible for
6 the care of the patient and supplied an aid and carried out audiometry in October 2005.
7 Subsequent to that, he fitted the patient with a hearing-aid and through that period there is no
8 adequate record of the programming details for that aid. Indeed, there were numerous visits to Mr
9 Haddon by the patient in 2005 and 2006 where the patient complained about feedback and the
10 programming data, with respect to the adjustment of the aid, has not been retained. Clearly, this
11 means that the clinical record is seriously inadequate and has the potential to prejudice the
12 patient's ongoing audiological care. Mr Haddon very properly admits the charge in full and in the
13 light of the distress and difficulty caused to the patient, the Disciplinary Committee concludes that
14 a financial penalty of £500 is appropriate.

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16 *Decision regarding Costs*

17 THE CHAIR: In this matter the Hearing Aid Council has sought costs arising from the
18 investigation and conduct of the disciplinary hearing, with respect to Mr Haddon. The total costs
19 incurred are in excess of £3,000; however the Hearing Aid Council seeks costs of £1,940. The
20 committee is satisfied that the costs are all properly incurred and directs payment of costs in that
21 sum. We direct payment of the full sum within three months. In the event that he is unable to do
22 so, he would need to approach the registrar with his proposals.

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