

# List of Code Cases

The following table contains cases raised to the Professional Conduct team. Most of the cases were raised against the immediate previous version of the [Code of Conduct and Ethics](#) the [Code of Professional Conduct](#). Case numbers that are prefixed with an asterisk were raised against the Code of Professional Conduct that predates the 2012 version.

For each case the details of the allegation is given as well as what obligations of the code were potentially breached. The outcome details whether the case went to a hearing and whether a sanction was applied.

#	Headline	Allegation	Potential Code breached	Outcome
001	Acting unprofessionally.	The member was alleged to have acted unprofessionally and without objectivity during a probationary review meeting.	4.1	The allegation was not upheld but the member was asked to complete a reflection record to ensure any lessons learned were captured.
002	Conflict of interest.	Conflict of interest	2.1; 2.2; 3.1; 3.2; 3.3; 3.4; 3.5; 4.1; 4.2; 4.3.	Insufficient evidence was found to support the allegations and the breach was not upheld.
003	Data breach.	The member was alleged to have breached data security by accidentally emailing confidential information and then failing to take appropriate action to recover the breach.	1.4; 2.1; 2.2; 2.5; 3.1; 3.3.	Investigation:  Breach found, sanction applied: further CPD on data security and mentor support.
004	Use of company property.	The member is alleged to have acted without personal integrity and honesty by using company property for personal reasons in a way which might bring the profession into disrepute.	2.2; 3.1; 3.2; 3.3; 3.4.	Investigation:  The case was referred to legal counsel who recommended that no further action was needed as any code breach was carried out unwittingly.  Breach found, No sanction applied

005	Data breach.	It was alleged that the member breached data security by forwarding personal data to a third party.	1.3; 2.5; 3.1.	Investigation:  Breach found, recommendation applied. No sanction
006	Breach of confidentiality.	It was alleged that the member had breached the ethical code by publishing internal issues within the organisation in public social media.	1.3; 2.2; 2.5; 3.1; 3.2; 3.4; 3.5; 4.3.	Investigation:  No breach found, no sanction
007	Acting unprofessionally.	It was alleged that the member failed to behave in a professional, fair and reasonable manner during a dismissal process.	1.4; 4.1.	Investigation:  No breach found, no sanction
008	Acting unprofessionally.	It was alleged that the member breached the code by withholding information from the complainant and failed to act promptly when information was requested.	1.4; 4.3.	Investigation:  No breach found, no sanction
009	Fraud.	It was alleged that the member committed fraud and the falsification of documents for their personal gain.	2.1; 2.2; 2.5; 3.1; 3.3; 3.4; 3.5.	Investigation:  No breach found, no sanction
010	Treatment of staff.	It was alleged that the member was instrumental in adversely affecting the treatment of a member of staff following an investigation.	2.2; 2.4; 3.1; 3.3; 3.4; 4.1; 4.2; 4.3.	Investigation:  No breach found, no sanction
011	Plagiarism.	It was alleged that the member failed to display personal integrity and honesty by plagiarising the work of a colleague.	2.2; 4.3.	Investigation:  No breach found, no sanction
012	Failure to act.	It was alleged that the member was instrumental in failing to challenge a fellow employee who sent an inappropriate email.	4.2; 1.1.	Investigation:  No breach found, no sanction
013	Failure to act.	It was alleged that the member was in breach of the code by failing to deal with accusations of bullying and harassment.	1.3; 2.2; 3.1; 3.3; 3.4; 4.2; 4.3; 4.4.	Investigation:  No breach found, no sanction

014	Inappropriate reference.	It was alleged that the member failed to display personal integrity and honesty by not providing a suitable reference.	2.2; 4.3.	Investigation: Breach found, Sanction applied
015	Acting unprofessionally; bias.	It was alleged that the member did not behave professionally and displayed bias during a grievance hearing.	4.3.	Investigation: No breach found, no sanction
016	Bias.	It was alleged that the member was involved in an internal staff investigation that was not 'fair, open and reasonable'.	2.2; 3.1; 4.1.	Investigation: No breach found, no sanction
017	Unprofessional advice.	It was alleged that the member gave contradicting advice and therefore did not display personal integrity and honesty at all times.	2.2.	Investigation: No breach found, No sanction
018	Collusion.	It was alleged that the member colluded with his employer to act unlawfully in pay-related matters and failed to exercise integrity, professional competence, stewardship and represent the profession appropriately.	2.1; 2.2; 3.1; 3.2; 3.3; 4.1; 4.2; 4.3.	Investigation: No breach found, No sanction
019	Data breach.	It was alleged that the member breached data security by forwarding personal data to a third party.	1.5; 2.2; 4.5.	Investigation: No breach found, No sanction
020	Aggressive behaviour acting unprofessionally.	It was alleged that the member was in breach of the code by exhibiting aggressive behaviour during a grievance process and by sharing confidential information.	2.2; 2.5; 3.1; 4.3.	Investigation: No breach found, No sanction
021	Acting unprofessionally; not up to date on legislation.	It was alleged that the member was not professional in their approach, and demonstrated a lack of understanding of legislation when conducting an appeal.	1.1.	Investigation: Breach found, Sanction applied

022	Failure to deliver work on time; acting unprofessionally.	It was alleged that the member was in breach of the code by failing to deliver expected work within a timely fashion.	1.1; 1.3; 1.5.	Investigation:  No breach, No sanction
023	Bias.	It was alleged that the member knowingly led unfair and biased investigations.	4.2.	Investigation:  No breach found, No sanction
024	Acting unprofessionally.	It was alleged that the member acted unprofessionally while undertaking a redundancy process.	1.3; 1.4; 1.5; 2.2; 3.1.	Investigation:  No breach found, No sanction
*025	Mishandling of investigation	It was alleged that the member failed to exercise integrity, honesty, discipline and appropriate behaviour, whilst investigating a grievance.	4.1.5, 4.1.6,4.1.9, 4.2.1 , 4.2.2	Investigation:  Breach found, Sanction applied
*026	Collusion.	It was alleged that the member demonstrated a lack of integrity, due diligence, inappropriate behaviour and colluded with the employer against the complainant.	4.2.1; 4.2.	Investigation: No breach found, No sanction
*027	Data breach.	It was alleged that the member breached data security by forwarding personal data to a third party.	4.1.5 , 4.1.7, 4.2.1 , 4.2.2	Investigation: No breach found, No sanction
*028	Confidentiality.	It was alleged that the member breached the code by breaking confidentiality and behaving in an unfair and discriminatory way.	4.1.5, 4.1.6,4.1.7 , 4.2.2	Investigation:  No breach found, No sanction
029	Collusion.	It was alleged that the member lacked integrity and acted unlawfully in collusion with others in order to cause professional and financial hardship for the complainant.	4.1; 4.1.1, 4.1.3, 4.1.4, 4.1.5 4.1.7, 4.1.8, 4.1.9, 4.2, 4.2.2, 4.2.1	Investigation:  No breach found No sanction
030	Acting unprofessionally.	It was alleged that the member acted in a way which was disrespectful towards a supervisee and did not behave in a way which was professional.	2.1; 2.4; 3.4; 4.1.	Hearing: Breach found; sanction applied.

031	Acting unprofessionally.	It was alleged that the member sent malicious and threatening emails to colleagues and did not behave professionally or accept responsibility for their own professional actions and decisions.	1.3; 2.1; 2.2; 2.3; 3.1; 3.4.	Hearing: Breach found, sanction applied.
032	Negligent execution of process.	It was alleged that the member failed to adequately investigate a sexual harassment grievance at a grievance procedure meeting.	1.4; 2.4; 3.1; 4.3.	Hearing: Breach found, sanction applied.
033	Negligent execution of process.	The member did not execute processes correctly or complete agreed work for client.	1.3; 1.4; 2.1; 2.2; 2.5; 3.1.	Hearing: Breach found, sanction applied
034	Unprofessional service delivery	The member failed to work in accordance with an agreement set out with a studying centre as a CIPD tutor.	1.3; 1.4; 2.1; 2.2; 3.1.	Hearing: Breach found, sanction applied
035	Plagiarism.	The member had been instrumental in committing plagiarism in multiple cases when completing CIPD assignments.	1.1; 1.3; 2.1; 2.2; 3.1; 3.4.	Hearing: Breach found, sanction applied
036	Acting unprofessionally	It was alleged the member demonstrated unprofessional, offensive and disrespectful behaviour through written communication with their staff following a TUPE transfer.	1.3; 2.1; 2.2; 3.1; 3.4.	Hearing: No breach found; further learning suggested.
037	Data breach.	The member deleted her entire mailbox at the end of their contract as a consultant, causing an adverse impact to the organisation and failing to accept responsibility for their own professional actions and decisions.	1.3; 1.4; 2.1; 2.5; 3.1.	Hearing: Breach found, sanction applied
038	Negligent execution of process & collusion.	The member did not exhibit appropriate leadership standards and conduct by involving their subordinates in collusion during a dismissal case against an employee.	2.2; 3.1; 3.4.	Hearing: Breach found, sanction applied

039	Plagiarism.	The member attempted to involve a third party in the writing of an assignment and was willing to pay for this service.	2.2; 3.1.	Hearing: Breach found, sanction applied
040	Acting unprofessionally.	Unprofessional emails.	2.1; 3.1.	Hearing: Breach found, sanction applied
041	Acting unprofessionally.	Behaviour in an employment tribunal following a fee dispute with client.	2.2; 3.1.	Hearing: Breach found, no sanction.  After taking in account the evidence from the member's written submissions of their own reflection and learning from this case, the panel decided that no sanction should be imposed.
042	Data breach.	Breach of data and confidentiality. It was also alleged that the member had not acted honestly by intervening in a grievance case against themselves with the intention of influencing those involved in the decision-making.	2.5; 3.5.	Hearing:  No sanction  <i>The member was found to have breached data protection; however, the Conduct Hearing Panel concluded that the member was not driven by improper motive and advised the member to undertake data protection training.</i>
043	Fraud.	It was alleged that the member acted dishonestly by failing to repay a loan taken from a company, wrongfully copied information from the complainant's LinkedIn profile and used the information as their own in an application with an organisation, falsified sick notes and fraudulently submitted documentation in respect of ER/ET matters. Due to the member's failure to engage with the CIPD, the Conduct Panel felt the member's behaviour demonstrated disrespect for the profession.	1.1, 1.2, 1.3, 1.4, 1.5, 2.1, 3.1	Investigation: The case was referred to a conduct hearing  Hearing: Breach found, sanction applied