

Notification of Complaint Outcome and Sanctions

Complaint: 250722
Member: Beata Cybulska
Notice date: 10/1/23.

Complaint Details

A complaint was brought by COSRT against Beata Cybulska (Membership number: 1147) on 25th July 2022 (Complaint number 250722). The complaint included three particularised allegations:

- The Member failed to inform COSRT that they were subject to a Medical Practitioner Tribunal in 2016 – 2017 (GMC Reference 42485490).
- The Member failed to disclose to COSRT that the Medical Practitioner Tribunal concluded with an immediate order based on adverse findings against them in 2017.
- The Member continued to fail to disclose any details of the complaint, tribunal hearings or findings until 2022 including during annual relicensing processes from 2017 onwards.

Ethical Codes

For the first two allegations The Code of Ethics covering the period noted was the Code dated 2015 which states:

- *3.10.5 A complaint upheld against a Member in another organisation must be reported to COSRT by the Member. COSRT reserves the right to investigate, with the possibility of imposing sanctions. It is recommended that a Member should inform COSRT if a complaint is brought against them.*
- *3.10.6 A Member should disclose any complaint made against them which have been referred to their insurers, arbitration or mediation and any civil claims brought against them in respect of their professional activities.*

The third allegation was covered by the Code of Ethics dated 2019 which states:

107. You must tell us without delay (usually within 14 days) if, anywhere in the world:

- *You have received a caution from the police or been criticised in an official inquiry*
- *You have been charged with or found guilty of a criminal offence*

- *Another professional body has instigated any proceedings or made any findings against you as a result of fitness to practice or conduct procedures*

108. If you are suspended or removed by an organisation from a post, or have restrictions placed on your practice or any professional membership. You must inform COSRT (within 14 days) and any other organisations you carry out work for and any service users you see independently.

Consensual Agreement Resolution

Prior to the complaint being considered by a Professional Conduct Panel (PCP), the Member requested that the complaint be dealt with by a Consensual Agreement Resolution (CAR).

The Member accepted the three particularised allegations were proven, and the relevant Code of Ethics and Practice clauses had been breached.

The Member accepted that professional standards fell short of what was expected by COSRT as the professional body.

The PCP accepted the request for disposal by CAR on 16/11/2022, and the following sanctions and conditions were agreed with the Member.

Sanctions and Conditions

Beata Cybulska's voluntarily resigned her COSRT Membership, and this was formally accepted with Membership being terminated by way of sanction in relation to the Conduct Procedure, on 23/11/2022.

- No re-application for COSRT Membership will be considered for five years.
- Any future re-application for COSRT Membership will be considered by a PCP.