

## REGULATIONS

The Regulations are made under the general powers of the Council of the Institute as set out in the Royal Charter and Bylaws.

<b>1</b>	<b>CHANGING THE REGULATIONS</b>
	These Regulations can be changed in whole or in part by a resolution of the Council supported by two thirds of those present and voting.
<b>2</b>	<b>PUBLISHING THE REGULATIONS</b>
	The Regulations will be published in the members' area of the Institute website.
<b>3</b>	<b>DELEGATION OF POWERS</b>
3.1	The delegation of Council's powers to Boards and Committees of Council will be as set out in the terms of reference of each Board and Committee.
3.2	The delegation of Council's powers to the Branches and Groups will be as set out in the rules and regulations of the Branches and Groups.
3.3	The Chief Executive of the Institute has delegated authority to act for the Council in the implementation of Council's policies and strategies.
<b>4</b>	<b>REQUIREMENTS FOR MEMBERSHIP</b>
4.1	<p><b>Honorary Fellow</b></p> <p>Candidates for Honorary Fellow must be distinguished persons who have given exceptionally important service to physics or a related science, or whom the Institute may desire to honour for service to the Institute.</p> <p>Authority to elect candidates to the class of Honorary Fellow under the provisions of Bylaw 4 is delegated to the Honorary Fellowship Committee.</p>
4.2	<p><b>Fellow</b></p> <p>Candidates for Fellow must be educated to honours degree level in physics or a cognate subject or an equivalent level of attainment acquired through a combination of education, training and experience and demonstrate an outstanding record of contributing at the highest levels of their profession.</p> <p>Candidates for Fellow must be supported by at least one Fellow of the Institute.</p> <p>The Fellowship Panel of the Professional Standards Committee has delegated authority to elect candidates to the class of Fellow.</p> <p>Authority to elect candidates to the class of Fellow under the provisions of Bylaw 6 is delegated to the Bylaw 6 Panel.</p>
4.3	<p><b>Member</b></p> <p>Candidates for Member must have either an honours degree in physics or a cognate subject plus 3 years experience in a relevant field or an equivalent level of attainment acquired through a combination of education, training and experience.</p> <p>Candidates for Member should be supported by one Member of the Institute or equivalent.</p> <p>The senior manager responsible for membership has delegated authority to elect candidates to the class of Member.</p>

4.4	<p><b>Associate Member</b></p> <p>Candidates for Associate Member must have an honours degree in physics or a cognate subject or an equivalent level of attainment acquired through a combination of education, training and experience.</p> <p>The senior manager responsible for membership has delegated authority to elect candidates to the class of Associate Member.</p>
4.5	<p><b>Student</b></p> <p>Candidates for Student must be studying or have been accepted to study full-time for an undergraduate honours degree in physics or a cognate subject.</p> <p>The senior manager responsible for membership has delegated authority to elect candidates to the class of Student.</p>
4.6	<p><b>Affiliate</b></p> <p>Candidates for Affiliate must have an interest in physics.</p> <p>The senior manager responsible for membership has delegated authority to elect candidates to the class of Affiliate.</p>
<b>5</b>	<b>CHARTERED AND REGISTERED STATUS</b>
5.1	<p><b>Chartered Physicist</b></p> <p>The Chartered Physicist Panel of the Professional Standards Committee has delegated authority to register Chartered Physicists.</p>
5.2	<p>Chartered Physicists whose initial registration is made on or after 1 January 2012 will be required to revalidate their status every 3 years from the anniversary of their initial registration. The Professional Standards Committee has delegated authority for this aspect of registration including the requirements for revalidation.</p>
5.3	<p><b>Chartered Engineer</b></p> <p>Candidates for registration as a Chartered Engineer must satisfy the requirements of the Engineering Council.</p> <p>The Chartered Engineer Panel of the Professional Standards Committee has delegated authority to register Chartered Engineers.</p>
5.4	<p>Chartered Engineers are required to demonstrate a commitment to continuing professional development (CPD). From 1 January 2017 Chartered Engineers registered through the Institute may be required to submit a CPD return.</p>
5.5	<p><b>Registered Science Technician and Registered Scientist</b></p> <p>Candidates for registration as a Registered Science Technician or Registered Scientist must satisfy the requirements of the Science Council.</p> <p>The senior manager responsible for membership has delegated authority to elect successful applicants for Registration to the appropriate class of membership.</p>
5.6	<p>Registered Science Technicians and Registered Scientists are required to demonstrate a commitment to CPD. From 1 January 2017 those holding Registered status may be required to submit a CPD return.</p>

<b>6</b>	<b>CONDUCT OF GENERAL MEETINGS</b>	
6.1	All General Meetings shall be convened according to the Bylaws.	
6.2	General Meetings shall only determine business contained in the Notice of Meeting.	
6.3	Matters not contained in the Notice of Meeting can be raised at a General Meeting to be referred to Council.	
6.4	Procedural Standing Orders	
	6.4.1	Resolutions must be proposed and seconded by corporate members
	6.4.2	Speeches by proposers and seconders should last no longer than 5 minutes
	6.4.3	Once a resolution has been proposed and seconded the Chair will ask if any member present wishes to speak to the resolution. The number of speakers will be at the absolute discretion of the Chair and each speaker will be limited to a maximum of 5 minutes
	6.4.4	The proposer of the resolution will have the right of reply to the debate.
	6.4.5	During a debate any member may raise the following resolutions as Points of Order: <ul style="list-style-type: none"> <li>a. That the question be now put</li> <li>b. That the speaker be no longer heard</li> <li>c. That the speaker be allowed a specified extension of time</li> </ul>
	6.4.6	Points of Order must be taken by the Chair immediately and put to a vote of the meeting.
	6.4.7	A resolution raised under a Point of Order will be carried or defeated by a simple majority of members present in person and voting.
<b>7</b>	<b>APPOINTMENTS</b>	
7.1	The Chief Executive shall be appointed by a committee of Council which will have complete delegated authority to agree the responsibilities and terms and conditions of the post.	
7.2	Executive Officers shall be appointed by a committee consisting of the Honorary Secretary, one Vice-President, the Chief Executive and others the committee may request.	
7.3	All other staff shall be appointed by the Chief Executive or their nominees.	
<b>8</b>	<b>FINANCIAL REGULATIONS</b>	
8.1	The Chief Finance Officer shall maintain a schedule of Financial Policies and Procedures and ensure that it is periodically updated to reflect changes to legislation or best practice in financial control.	
8.2	The scope and contents of the Financial Policies and Procedures will be determined by the Resources Committee and they shall approve periodic updates and amendments.	
8.3	The authorisation limits for payments and contract approvals for Institute staff shall be an appendix to the overall Financial Policies and Procedures.	
8.4	The Chief Finance Officer is responsible for ensuring that the Financial Policies and Procedures are disseminated to all staff and subsidiary entities and that adequate processes and controls exist to ensure that such policies are adhered to.	
<b>9</b>	<b>POWERS OF SIGNATURE</b>	
9.1	The Chief Finance Officer shall maintain a schedule of authorised signatories for all bank accounts of the Institute.	
9.2	Changes to signatories shall be approved by the Chief Finance Officer or Chief Executive, and	

	executed by any two signatories to the relevant account.
9.3	The Resources Committee may reserve the power to enter certain types of contract or agreement to itself or delegate these powers in a limited or otherwise controlled way. The Chief Finance Officer will keep a record of such reserved or limited powers and disseminate this information to staff and subsidiary entities.
<b>10</b>	<b>CODE OF PROFESSIONAL CONDUCT</b>
	Members of the Institute of Physics, at all grades of membership, should uphold personal values of excellence, integrity and respect for others in all aspects of their professional work. This Code of Professional Conduct outlines expectations of behaviour which the Institute upholds and members are encouraged to actively follow.
10.1	Members shall: <ul style="list-style-type: none"> <li>a. promote the study, application and understanding of physics and shall promote the work of physicists at each appropriate opportunity in their professional lives</li> <li>b. act with integrity and shall not intentionally bring the Institute of Physics, or the staff or other members of the Institute, into disrepute</li> <li>c. ensure that any professional activities do not unnecessarily put at risk the health, safety or welfare of any person, and they shall have due regard for the effects on the environment and for the sustainability of any resources</li> <li>d. strive to be objective, unbiased and truthful in all aspects of their work. They shall exercise all reasonable due diligence, in presenting quality work to the best of their ability, by critically assessing the likelihood of experimental, methodological, systematic or human errors and avoiding bias or unfair influence</li> <li>e. properly acknowledge and correct any technical errors in their work at the earliest opportunity, and shall never plagiarise nor claim the credit or benefit for the work of others, nor fabricate, falsify or misrepresent data or results</li> <li>f. record the source material of their work in an auditable trail for the purposes of any professional scrutiny or quality based verification and shall ensure that those who have made a significant contribution to any piece of work are appropriately acknowledged</li> <li>g. exhibit honesty, integrity and transparency when applying for grants, financial funding or project approval.</li> </ul>
10.2	Members who believe that they have a professional or personal conflict of interest, that may impair their ability to make objective judgment, shall disclose such interests, where relevant, to their employer, the Institute or any relevant authority.
10.3	Members with Chartered or Registered designations shall take all necessary steps to maintain and develop their professional competence and knowledge, in relation to new developments relevant to their fields of professional activity, and shall encourage persons working under their direction, management or supervision to do likewise.
10.4	Members shall not: <ul style="list-style-type: none"> <li>a. recklessly or maliciously damage, or attempt to harm, directly or indirectly, the reputation, prospects or businesses of others</li> <li>b. claim expertise or skill in any area of knowledge or professional practice in which they have insufficient competence, qualifications or experience.</li> </ul>
10.5	<b>Confidential reporting</b>  If a person has first-hand knowledge that another member's behaviour is deliberately contrary to this Code of Conduct or are being asked themselves to break this Code of Conduct, and that there are no obvious and reasonable steps being taken to put the matter right, the member should raise their concerns or grievance confidentially with the Vice-President, Membership, through the senior manager responsible for membership, in line with the Institute's procedures. Where a breach of this Code of Conduct is also a breach of their employer's internal Code of Conduct or the law, a member has an obligation to inform the relevant authorities of such a breach.

**11 DISCIPLINARY PROCEDURES**

At all stages of the disciplinary procedures, regard shall be had to the principles of natural justice and procedural fairness and applicable articles of the European Convention on Human Rights.

The Institute requires all its members to adhere to the Code and Rules of Conduct set out above, as a condition of their membership, thereby providing evidence of their commitment to both professionalism and probity. These procedures set out disciplinary provisions for members and are made in accordance with the Institute's Bylaws. The names of members who are disciplined in accordance with these procedures may be published.

A member whose case is subject to consideration under these regulations shall have the right to remain as a member until such time as a final decision is reached. This right is designed to ensure that a member whose appeal is successful is not disadvantaged.

Once disciplinary procedures have commenced, the resignation of a member shall mean that any proceedings against them are suspended (or if a determination has been made already, the requirement to perform and observe that determination is suspended) provided always that, if and in the event that the member reapplies for membership to the Institute in the future, that Disciplinary Committee, or any other Disciplinary Committee then convened, shall be entitled to recommence such action (or require the performance and observance of their earlier determination).

Complaints may be made against a member by the Institute, another member or a third party. The Disciplinary Committee will accept specific, written complaints from the community concerning the issue of professional misconduct of its members. Notification need not come from members of the Institute, but communicants shall be required to supply their full name and contact information (address, telephone number and email address) when making a report of alleged misconduct. In most cases it is expected that the Disciplinary Committee will gather independent evidence and should not need to identify the initial communicant. However, if the communicant is the main source of evidence of the alleged misconduct, their details may be identified to the respondent and the communicant will be made aware of this where relevant.

The Institute will also consider the outcomes of investigations, on the same or a related matter, either as claimant or respondent, by other recognised organisations (such as employers, research councils, scientific publishers etc. including non-UK based organisations) which have found a member of the Institute liable for misconduct and which are subsequently brought to the attention of the Institute. Such cases should be referred to the Disciplinary Committee by an official of the Institute or, where possible, the member concerned. The Institute will only consider such matters when they have been completed and any judgment becomes final or on termination of the proceedings (if the proceedings are terminated before judgment is given). The member concerned should notify the Institute as soon as judgment becomes final or the proceedings are terminated.

Anonymous communications will not be accepted.

The details of disciplinary actions will be kept confidential to the Disciplinary Committee and associated staff members until the outcome of such action, including any appeal. Where misconduct is proved, the respondent's details may be published in the public domain.

Examples of misconduct may include:

- Deliberately publishing false data
- Working so as to purposely harm the environment
- Incorrectly putting themselves as an author of any written document where authorship is not valid
- Communicating on behalf of the Institute without permission of the Institute
- Serious and /or repeated instances of misuse of any Institute resource
- Serious and /or repeated instances of harassment of Institute staff or board or Disciplinary Committee members while engaged in Institute activities

	<ul style="list-style-type: none"> <li>• Falsifying any professional qualification</li> <li>• Discrimination on the grounds of race, gender, age, sexual orientation, disability and/or religious belief.</li> </ul> <p>Examples of issues the Disciplinary Committee may not investigate include:</p> <ul style="list-style-type: none"> <li>• Any action resulting directly from the breakdown of an intimate relationship</li> <li>• Bullying in the workplace, unless that workplace is the Institute and an Institute staff member is the victim which would then be dealt with under the Institute’s employment procedures, as confirmed below</li> <li>• Any issue concerning the recovery of debt</li> <li>• Criminal or illegal activity – the complainant would be advised to notify the police</li> </ul> <p>The Disciplinary Committee will only meet as and when complaints are received.</p> <p>Complaints about members of the staff of the Institute who are also members of the Institute will ordinarily be dealt with under the Institute’s employment contracts and policies.</p> <p>Meetings of the Disciplinary Committee will ultimately be reported to Council.</p> <p>All communications between the Disciplinary Committee and complainants and the subjects of any complaint will be in writing and sent by recorded delivery.</p> <p><b>Definitions</b></p> <p><u>Written Warnings</u>: Any such warnings will be dispatched from the Disciplinary Committee itself. Each warning will remain on the member’s database record for a period of two years. Members with a warning on their record will not be permitted to serve on Council or to serve on the Disciplinary Committee or boards reporting to it. Such members will also not be permitted to serve on Branch or Group Committees. Members who receive a further written warning, while the first is still on file, will automatically be suspended from membership for a period of one year from the date of the second warning.</p> <p><u>Suspension of membership</u>: Suspension will occur for a minimum of one and a maximum of 2 years. During suspension, members will lose their right to use designatory letters and must, where applicable, re-apply for Chartered or Registered Status when they wish to re-enter membership. Members who were in the class of Fellow at the time of their suspension will re-enter membership at the class of Member and may not be permitted to make further applications to attain Fellow status.</p> <p><u>Expulsion from membership</u>: Expulsion is a permanent action. After a period of 2 years, an expelled member can apply to re-join the Institute. However, expelled members can apply only for Member or Affiliate status and will not be awarded Chartered or Registered status or Fellowship</p>
11.1	The Disciplinary Committee shall be chaired by the Vice-President, Membership and shall have not less than 3 and not more than 7 members appointed by Council from the corporate membership of the Institute. No members of Council shall sit on the Disciplinary Committee with the exception of the Vice-President, Membership. The Secretary to the Disciplinary Committee (the “Secretary”) shall be the senior manager responsible for membership.
11.2	The Disciplinary Committee shall examine those cases where a member of the Institute or other person or body has laid a complaint against a member or has alleged that such member has acted in contravention of the bylaws. Subject to these regulations, the Disciplinary Committee shall prepare and maintain such procedures as are necessary for the investigation of any complaint against a member.
11.3	Under the provisions of Bylaw 17, the Council delegates to the Disciplinary Committee the following powers:
11.3.1	To expel or suspend any member from membership

	11.3.2	To remove any member from the register of Chartered Physicists
	11.3.3	To reprimand any member
	11.3.4	To call for a written undertaking from any member as to their future conduct
	11.3.5	To issue a written warning. Such warnings would be entered on to the member's database record and would remain there for a period of 2 years.
	11.3.6	To advise the Engineering Council and/or the Science Council of its decisions (this would not be done until the final outcome of the proceedings, including any appeal, is known).
	11.3.7	To dismiss a complaint and refund any reasonable direct costs incurred by the member in defending themselves.
	11.3.8	To direct that a statement recording the exercise of any of the above powers shall be entered on the membership record of the member (this would not be done until the final outcome of the proceedings, including any appeal, is known).
11.4	An investigation to gather any evidence in support of the complaint under regulation 11.1 will be made by the Disciplinary Committee prior to making any decision in accordance with regulation 11.3 above.	
	11.4.1	The member under investigation must be informed of the details of the investigation in writing by the Secretary and be given a reasonable opportunity to respond in writing to the allegations. Members under investigation must not contact the Disciplinary Committee members or the complainant except at agreed times and through agreed methods until the investigation has concluded.
11.5	<b>Investigations of the Disciplinary Committee</b>	
	11.5.1	Where the source of a potential complaint arises from circumstances discovered by staff of the Institute, the Secretary shall refer the matter to the Chair of the Disciplinary Committee (the "Chair") for consideration. If the Chair considers that the matter justifies investigation, the Secretary shall act as the complainant and shall prepare a written statement (max 1000 words).
	11.5.2	When the Secretary receives a complaint against a member from a person in circumstances not mentioned in regulation 11.5.1, they shall call for a written statement from the complainant (max 1000 words) and shall pass this to the Chair.
	11.5.3	If the Disciplinary Committee considers that the complaint is of a frivolous or trivial nature, regulation 11.3.7 can be applied.
	11.5.4	Where a complaint is found to warrant further investigation, the following procedures will be followed: <ul style="list-style-type: none"> <li>a. The Disciplinary Committee will investigate the nature of the complaint and ensure it is within the remit of the Disciplinary Committee. Different individuals to those who carry out the investigation shall ultimately determine the outcome of any hearing of the complaint.</li> <li>b. Where the complaint deals with malpractice, the issue will be investigated and evidence gathered.</li> <li>c. Should sufficient evidence be gathered so that the original complaint is no longer the main source of evidence, the complainant's personal details may not need to be revealed to the respondent.</li> </ul>
	11.5.5	It is the duty of the Secretary to notify the respondent in writing of: <ul style="list-style-type: none"> <li>a. The nature and full particulars of the complaint and the source of the complaint where applicable, together with copies of all the written evidence collected. A</li> </ul>

		<p>copy of these regulations shall be included with that letter.</p> <p>b. The fact that the complaint will now be considered by the Disciplinary Committee and when this will take place. The respondent shall also be informed of their right to be represented (at their own expense), the right to speak and call or cross-examine witnesses and the right to submit evidence.</p> <p>The respondent has the right to submit a written statement to the Disciplinary Committee within 15 working days of notice of the complaint being sent to the respondent.</p> <p>The respondent must respect regulation 11.4.1 while the investigation is in process. Should this regulation not be observed, the Chair may issue a written warning. Should the respondent then persist in their disruption of the investigation, they may be expelled from membership without further investigation.</p> <p>The Disciplinary Committee can proceed without further reference to the respondent, should the respondent notify the Institute in writing that they do not wish to contest the proceedings, provided due notice has been given and provided they were given full details of the complaint against them.</p>
	11.5.6	The Secretary will circulate the written statement referred to in regulation 11.5.2 to the members of the Disciplinary Committee. Should the respondent choose to exercise their rights as detailed in regulation 11.5.5.3, the Secretary shall similarly distribute this statement to the Disciplinary Committee at the same time.
	11.5.7	The Disciplinary Committee has the power to call upon such expert advice as it feels necessary. The Disciplinary Committee shall not unreasonably refuse permission for the respondent to call such witnesses (at their own expense) as they deem appropriate.
	11.5.8	The Disciplinary Committee shall meet electronically or in person within 30 working days of receipt of the respondent's written statement, or 30 working days after notice is served to the respondent, should they choose not to invoke their rights.
	11.5.9	<p>The Disciplinary Committee shall consider the documents and may either reach a conclusion or suspend consideration from time to time to enable further enquiries to be made. The results of further enquiries shall be made available to all involved parties by the Secretary, who will then invite additional written comments to be submitted by both the complainant and the respondent.</p> <p>Both the complainant and the respondent must confine their additional comments to the new evidence.</p>
	11.5.10	<p>Decisions of the Disciplinary Committee shall be by simple majority of votes and all decisions will be taken as the decision of the Disciplinary Committee. A written record of the meeting shall be retained.</p> <p>If the Disciplinary Committee decides there is no case to answer, the parties shall be informed promptly in writing.</p> <p>If the Disciplinary Committee finds there is a case to answer they shall proceed to a disciplinary hearing and shall inform the parties of this in writing, including a copy of the report of the investigation meeting, using secure delivery.</p>
11.6	<b>Disciplinary hearing</b>	
	11.6.1	If the Disciplinary Committee agrees that the matter is in the public interest, one additional member representative of the public interest and not a member of the Institute shall be co-opted to sit on the Disciplinary Committee. This member shall have the power to vote and their duties will end with the conclusion of the disciplinary procedure.

11.6.2	The quorum for a meeting of the Disciplinary Committee shall be not less than three members. Decisions shall be made by a majority vote. In the case of a tied vote, the Chair, who shall be chosen by the Disciplinary Committee, shall have a second or casting vote. No individuals directly involved with the investigation of the complaint shall sit on the Disciplinary Committee.
11.6.3	Where a case is to be referred for a hearing, the Secretary shall: <ul style="list-style-type: none"> <li>a. Notify the respondent and complainant in writing.</li> <li>b. Prepare a statement of the case and a full dossier of evidence.</li> <li>c. Check whether the facts giving rise to the case are sub judice or subject to investigation by any other competent tribunal or body.</li> </ul>
11.6.4	The date and time of the hearing will be determined by the Secretary following consultation with the concerned parties. Hearings will take place at the Institute's headquarters or at such other venue reasonably determined by the Disciplinary Committee.  If the respondent confirms in writing that they choose not to appear at the Disciplinary Committee, it is authorised to proceed in their absence.  The respondent shall be informed in writing that they have the right to be accompanied at the hearing by one person chosen by the respondent. This person will not ordinarily be able to speak for the respondent if the respondent is absent.
11.6.5	The Secretary will notify the concerned parties of the date and time of the hearing by special delivery post. Parties are notified of <ul style="list-style-type: none"> <li>a. The date and time of the hearing.</li> <li>b. A full statement of the grounds of the complaint and copies of any evidence that will be considered.</li> <li>c. A requirement to furnish the Secretary not less than 10 working days before the hearing with copies of all documents the parties will rely on.</li> <li>d. In the case of the respondent, a requirement to notify the Secretary not less than 10 working days before the hearing of whether the respondent intends to appear in person or be represented (to be represented the respondent must also be present), whether the respondent will be accompanied by any person, and the name and qualifications of such a person.</li> <li>e. The authority to continue with the hearing in the absence of the respondent should the respondent fail to attend the hearing without prior notification to the Institute.</li> <li>f. These regulations, a copy of which should be enclosed with the notification letter.</li> </ul>
11.6.6	If the respondent fails to attend without prior notification to the Institute then the Disciplinary Committee should satisfy itself that due notice was given and, if it was, may proceed with the hearing.  If the respondent is unable to attend due to ill health, as certified by a doctor, and is unable to send a representative in their place the date of the hearing shall be rearranged by the Secretary. In the event of a representative attending in circumstances where the respondent is ill or incapacitated then they shall be able to speak on the respondent's behalf.  Ill health as certified by a doctor can prevent the hearing happening on two occasions. Should the respondent fall ill for a third hearing, and no representative is chosen by them to attend in their place, then the hearing will continue in their absence and they will be awarded a reasonable opportunity to respond to the hearing's findings in writing before the hearing is formally concluded.
11.6.7	A hearing shall be conducted with due regard to the principles of natural justice and

		conclusions on the merits of a complaint shall be reached on the balance of probabilities. It shall be held in private unless the Disciplinary Committee decides that it is in the public interest or in the interests of justice that it should be held in public.
11.6.8		The Chair or their appointed deputy shall preside and shall have power to postpone or adjourn the hearing and, following consultation, set a date for its reconvention.
11.6.9		No document or witness shall be submitted to the hearing that has not been submitted in accordance with these regulations, without the consent of the Chair.
11.6.10		Any member of the Disciplinary Committee shall have the right to question the respondent and their accompanying person and witnesses as appropriate.
11.6.11		The Chair shall have the right to suspend the hearing at any time to consult with the Disciplinary Committee, advisors or at the reasonable request of the respondent.
11.6.12		At the conclusion of the hearing, all except the Disciplinary Committee and Secretary shall withdraw and allow private deliberation to occur. A written record of the proceedings shall be retained.
11.6.13		The decision will be communicated to the respondent in writing within 10 working days. The respondent will be notified in that correspondence of their right to appeal any decision and the timeframe for doing so.
11.6.14		Should the respondent not begin appeal proceedings within 30 days of the result being notified to them, the Secretary will enter a report of the proceedings on the respondent's database record. The Secretary will also notify the editor of the relevant Institute publication of the outcome, except where the outcome is that the complaint was dismissed or the respondent has appealed.  If the outcome is deemed by the Disciplinary Committee to be of public interest, the Chair may direct the Secretary to alert relevant external parties, such as an employer or other professional body of the outcome. The respondent will not be identified where an appeal is pending. This shall be consistent with the obligations of the Institute and shall be subject to such data protection legislation as may from time to time apply to records held by the Institute.
11.6.15		The Disciplinary Committee will report their findings to the Council. Where regulation 11.3.7 is the outcome, or an appeal is pending, the respondent's name will not appear in the report. Published details may not extend beyond the name of the respondent, the offence alleged and any sanction in each case.
11.6.16		The Disciplinary Committee will keep confidential minutes of its deliberations.
<b>11.7</b>		<b>Right to Appeal</b>
11.7.1		The complainant has no right to appeal the decision. They have the right to submit a new statement concerning the behaviour of a member not less than 12-calendar months from the date of the previous decision. A new hearing may then be convened which will not make use of any information relating to the original hearing.
11.7.2		The respondent has the right to appeal all or part of the decision.  In addition to the appeal procedure listed here, where an expelled member has lost their Engineering Council and/or Science Council registration as a result of the Disciplinary Process there is an additional right of appeal to the Engineering Council and/or Science Council. An appeal to the Engineering Council and/or Science Council shall be conducted in accordance with their individual regulations. Any such appeal is strictly restricted to grounds of procedural irregularity and shall not adjudicate on the substance of the case.
11.7.3		If the respondent wishes to appeal the decision, they must indicate this to the Secretary

	<p>in writing within 30 days of the date of the decision. Such period of 30 days may be extended by the Chief Executive of the Institute at his discretion.</p> <p>Within this time period, the respondent must submit to the Secretary a document outlining the reasons for their appeal against the decision.</p>
11.7.4	The Secretary shall notify the complainant, the Chair and the President of the appeal.
11.7.5	<p>The Secretary will pass the appeal document to the Chair.</p> <p>The Chair will then comment on the appeal document.</p>
11.7.6	<p>The Secretary will pass the minutes of the hearing, along with all evidence seen, plus the appeal document and the Chair's comments thereon, to the President.</p> <p>Requests for an appeal will only be considered if there is prima facie evidence that (i) the Disciplinary Committee's proceedings were not conducted in accordance with the current regulations in some material respect; (ii) material new evidence has become available since the Disciplinary Committee's meeting to hear the case; or (iii) some other material irregularity has occurred. Disagreement with any decision of the Disciplinary Committee alone cannot constitute grounds for an appeal. In addition, if the President feels that the complaint is of a frivolous or trivial nature, the appeal can be dismissed without the need for an appeal panel to be convened.</p>
11.7.7	The President will establish an appeal panel consisting of at least three current members of the Council, excluding any who are members of the Disciplinary Committee or who investigated the complaint originally or who were members at the time of the original decision (the "Panel"). Any appeal will be heard as soon as is reasonably practicable, normally within 15 working days. The role of the Panel is to consider each case and be satisfied that the investigation and disciplinary proceedings were carried out adequately and fairly.
11.7.8	The Secretary will pass copies of all documents received and considered by the Disciplinary Committee, and the record of the Disciplinary Committee meeting and decision, to the Panel members.
11.7.9	The Panel will then discuss the appeal, either in person or electronically.
11.7.10	The Panel can choose to interview the respondent or complainant to clarify existing points. The respondent shall be notified of when the Panel is meeting to discuss their appeal, their right to be represented and, where the appeal is based on material new evidence, shall be informed of their right to present that evidence to the Panel as the Panel deems appropriate. A written record of the proceedings of the Panel shall be kept.
11.7.11	<p>Once the Panel is satisfied that it has all the required information, it can make one of the following recommendations:</p> <ol style="list-style-type: none"> <li>a. The decision of the Disciplinary Committee is upheld and the same penalty applied</li> <li>b. The decision of the Disciplinary Committee is upheld and a different penalty applied</li> <li>c. The original decision of the Disciplinary Committee is not upheld, on the grounds either that (i) the case was not dealt with properly by the Disciplinary Committee in some material respects; (ii) there was some material new evidence which was not taken into account properly; or (iii) there was some other material irregularity, and the penalty is withdrawn.</li> </ol>
11.7.12	The Secretary will promptly communicate in writing the Panel's decision to the complainant, respondent and original Disciplinary Committee members.
11.7.13	The President will report the outcome of the appeal at the next meeting of Council.

	11.7.14	Once these proceedings have been concluded, no further appeal is possible.
<b>12</b>	<b>APPLICATIONS FOR READMISSION TO MEMBERSHIP OR RE-INSTATEMENT OF CHARTERED STATUS</b>	
12.1	If a person who has been expelled from membership shall subsequently apply for re-admission, the Professional Standards Committee shall consider the person's submission. The Membership Committee will be informed of their decision.	
12.2	If a person from whom permission to use a Chartered or Registered designation has been withdrawn as a result of disciplinary action shall subsequently apply for its reinstatement, such application shall be considered by the relevant panel of the Professional Standards Committee who will also be notified of past disciplinary issues.	
12.3	If a person from whom permission to use a Chartered or Registered designation has been withdrawn as a result of failure to revalidate shall subsequently apply for its reinstatement, such application shall be considered by the relevant panel of the Professional Standards Committee.	
12.4	If a person from whom permission to use-a Chartered or Registered designation has been withdrawn as a result of failure to pay any required membership subscriptions or registration fees shall subsequently apply for its reinstatement, such application shall be considered by the relevant panel of the Professional Standards Committee.	