

REGULATIONS.

INTRODUCTION

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

1	CHANGING THE REGULATIONS
1.1	These Regulations can be changed in whole or in part by a resolution of the Council supported by 2/3rds of those present and voting.
2	PUBLISHING THE REGULATIONS
2.1	The Regulations will be published in the members' area of the Institute website.
3	DELEGATION OF POWERS
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, Divisions and Groups will be as set out in the constitutions of the Branches, Divisions and Groups.
3.3	The Executive staff of the Institute has delegated authority to act for the Council in the implementation of Council's policies and strategies.
4	REQUIREMENTS FOR MEMBERSHIP
4.1	Fellow
	<p>Candidates for Fellow must be educated to honours degree level in physics or a cognate subject</p> <p>Or</p> <p>An equivalent level of attainment acquired through a combination of education, training and experience.</p> <p>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>
4.2	Member
	<p>Candidates for Member must have either:</p> <p>An honours degree in physics or a cognate subject plus 3 years experience in a relevant field;</p> <p>Or</p> <p>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>

	The Director responsible for membership has delegated authority to elect candidates to the class of Member.
4.3	Associate Member
	<p>Candidates for Associate Member must have an honours degree in physics or a cognate subject.</p> <p>Or</p> <p>An equivalent level of attainment acquired through a combination of education, training and experience.</p> <p>The Manager responsible for membership has delegated authority to elect candidates to the class of Associate Member.</p>
4.4	Student
	<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 Manager responsible for membership has delegated authority to elect candidates to the class of Student.</p>
4.5	Affiliate
	<p>Candidates for Affiliate must have an interest in physics.</p> <p>The Manager responsible for membership has delegated authority to elect candidates to the class of Affiliate.</p>
5	CHARTERED STATUS
5.1	Chartered Physicist
	The Chartered Physicist Panel of the Professional Standards Committee has delegated authority to register Chartered Physicists.
5.2	Chartered Scientist
	<p>Candidates for registration as a Chartered Scientist must satisfy the requirements of the Science Council.</p> <p>The Chartered Scientist Panel of the Professional Standards Committee has delegated authority to register Chartered Scientists.</p>
5.3	Chartered Engineer
	<p>Candidates for registration as a Chartered Engineer must satisfy the requirements of EC (UK)</p> <p>The Chartered Engineer Panel of the Professional Standards Committee has delegated authority to register Chartered Engineers.</p>
6	CONDUCT OF GENERAL MEETINGS
6.1	All general meetings shall be convened according to the Bylaws.
6.2	General Meeting 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:
6.4.5.1	That the question be now put
6.4.5.2	That the speaker be no longer heard
6.4.5.3	That the speaker be allowed a specified extension of time
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 simply majority of members present in person and voting.
7	APPOINTMENTS
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 conditions of the post.
7.2	Directors 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.
8	FINANCIAL REGULATIONS
8.1	The Group Finance Director 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 Finance and Investment Board, 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 Group Finance Director 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.
9	POWERS OF SIGNATURE
9.1	The Group Finance Director shall maintain a schedule of authorised signatories for all bank accounts of the Institute.
9.2	Changes to signatories shall be approved by the Group Finance Director or Chief Executive, and executed by any two signatories to the relevant account.
9.3	The Finance and Investment Board 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 Group Finance Director will keep a record of such reserved or limited powers and disseminate this information to staff and subsidiary entities.

10	CODES AND RULES OF CONDUCT
10.1	Code of Ethical Conduct
10.1.1	<p>Honesty</p> <p>Members must not fabricate, falsify or misrepresent data or results. They should strive to be objective, unbiased and truthful in all aspects of their work.</p> <p>When determining the credit for a piece of work, members should ensure that those who have made a significant contribution are given the opportunity to be cited as authors. Other individuals who have contributed to the study should also be acknowledged. Plagiarism constitutes unethical scientific behaviour and is never acceptable.</p> <p>It is of course recognised that errors will occur from time to time. When an error is discovered in published or submitted work, the mistake should be admitted and a correction, erratum or retraction should be published.</p> <p>Members have a duty, where they believe they have a professional or personal conflict of interest that may impair their ability to make objective judgements, to disclose such interests to the relevant authorities and to avoid making or influencing decisions that involve this conflict. Examples of conflicts of interest may include refereeing grant proposals when doing similar work and reviewing the work of collaborators.</p> <p>Members must be honest when applying for grants, other funding and project approval. Making inflated claims for a project interferes with the objective evaluation of applications and can lead to an unfair and wasteful distribution of resources.</p>
10.1.2	<p>Care</p> <p>Members should strive to avoid mistakes in research and professional practice and exercise due diligence in presenting high quality work in journals, reports, at conferences, and also in the public domain, for example to the press or on the internet. They should critically assess the likelihood of experimental, methodological and human errors and avoid self-deception and bias. Where possible they should conduct an internal review to assess the validity of their work before publication.</p> <p>Members have a responsibility to record the source material of their experiments in an auditable manner for the purposes of scrutiny and verification.</p>
10.1.3	<p>Social Responsibility</p> <p>Members should consider how their work might be applied and, where appropriate, strive to alert the wider public of potential consequences.</p> <p>Members have a responsibility to consider the potential hazards their work may carry and to inform those who fund their work, as well as others who might be affected, of such hazards</p>
10.1.4	<p>Guidance on Whistle Blowing</p> <p>In order for unethical behaviour in science to be uncovered it is important for</p>

	<p>those who believe they have witnessed misconduct to feel able to report it to the appropriate authorities. However, physicists who wish to bring to light unethical conduct may risk harming their own careers. The following guidelines should be observed before proceeding:</p> <p>the motivation for reporting misconduct should not be for personal advance nor to impede a rival;</p> <p>well-documented evidence is necessary before making accusations. Evidence should be more than hearsay or a personal observation;</p> <p>accusations should be made to the relevant authorities and should only go outside the local authorities as a last resort; and</p> <p>careful deliberation should take place before any action is taken. There should be no rush to judgement.</p>
10.2	Rules of Conduct
10.2.1	Members must not fabricate, falsify or misrepresent data or results. They should strive to be objective, unbiased and truthful in all aspects of their work.
10.2.2	Members must be honest when applying for grants, other funding and project approval. Making inflated claims for a project interferes with the objective evaluation of applications and can lead to an unfair and wasteful distribution of resources.
10.2.3	Members shall do all in their power to ensure that their professional activities do not unnecessarily put at risk the health, safety or welfare of any person.
10.2.4	Members shall have due regard for the environment and the sustainability of resources.
10.2.5	Members shall not recklessly or maliciously injure, or attempt to injure, directly or indirectly, the reputation, prospects or business of others
10.2.6	Members shall not purport to be experts in an area of physics in which they have insufficient qualifications or experience.
10.2.7	Members with chartered designations shall take reasonable 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 supervision to do likewise.
10.2.8	Members shall not bring the Institute into disrepute.
11	DISCIPLINARY PROCEDURES
	<p>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 individuals must 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 evidence and not need to identify the initial communicant. However, it may be that the communicant is the main source of evidence of the alleged misconduct and will therefore need to be identified to the respondent.</p> <p>The Institute will also consider the outcomes of investigations by other organisations (such as employers, research councils, scientific publishers etc including non-UK based organisations) which have found a member of the Institute guilty of scientific misconduct and which are subsequently brought to the attention of the Institute. Such cases will</p>

be referred to the disciplinary committee by an official of the Institute.

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 Committee comes to a conclusion about the alleged misconduct. Where misconduct is proved the respondent's details will be published in the public domain.

Examples of misconduct include:

- Deliberately publishing false data
- Working so as to purposely harm the environment
- Incorrectly putting self 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 committee members while engaged in Institute activities
- Falsifying any professional qualification
- Discrimination on the grounds of race, gender, sexual orientation, disability and religious belief.

Examples of issues the Committee will not investigate include

- Any action resulting from the breakdown of an intimate relationship
- Bullying in the workplace, unless that workplace is the Institute of Physics and an Institute staff member is the victim
- Any issue concerning the recovery of debt
- Criminal or illegal activity – the complainant should notify the police

The Disciplinary Committee will only meet as and when complaints are received.

Complaints about members of the staff of the Institute who are also members of the Institute will be dealt with under the Institute's employment contracts and policies.

Meetings of the Disciplinary Committee will be reported to Council.

All communications between the Disciplinary Committee and complainants and the subjects if any complaint will be in writing and sent by recorded delivery.

Definitions

Written Warnings: 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 the Institute's Council or to serve on the Committees 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 current, will automatically be suspended from membership for a period of one year from the date of the second warning.

	<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 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 will 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 status or Fellowship.</p>
11.1	The Disciplinary Committee shall be chaired by the Vice-President Membership & Qualifications and shall have not less than 3 and not more than 7 members appointed by Council from the corporate membership of the Institute of Physics. No members of Council shall sit on the Disciplinary Committee with the exception of the Vice President, Membership & Qualifications. The Secretary to the Disciplinary Committee shall be the Director 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. The Disciplinary Committee shall prepare and maintain such regulations as are required to establish procedures 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 his/her future conduct
11.3.5	To issue a written warning. Such warnings will be entered on to the member's database record and will remain there for a period of 2 years.
11.3.6	To advise the Register of Chartered Engineers and the Register of Chartered Scientists of its decisions.
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 Respondent.
11.4	An investigation to gather any evidence in support of the complaint under paragraph 11.1 will be made by the Disciplinary Committee.
11.4.1	The member under investigation must be informed of the investigation in writing by the Secretary of the Disciplinary Committee and be given an 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	Investigations of the Disciplinary Committee
11.5.1	Where the source of a potential complaint arises from circumstances discovered by staff of the Institute of Physics, the Secretary of the Disciplinary

	Committee shall refer the matter to the Chair of the Disciplinary Committee 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 of the Disciplinary Committee receives a complaint against a member from a person in circumstances not mentioned in 11.5.1, he/she shall call for a written statement from the complainant (max 1000 words) and shall pass this to the Chair of the Disciplinary Committee.
11.5.3	If the Disciplinary Committee agree that the complaint is of a frivolous or trivial nature regulation 11.3.7 can be applied
11.5.4	Where a complaint warrants further investigation the following procedures will be followed.
11.5.4.1	The Disciplinary Committee will investigate the nature of the complaint and ensure it is within the remit of the Disciplinary Committee.
11.5.4.2	Where the complaint deals with malpractice this issue will be investigated and evidence gathered.
11.5.4.3	Should sufficient evidence be gathered so that the original complaint is no longer the main source of evidence, the complainant's personal details need not be revealed to the respondent.
11.5.5	It is the duty of the Secretary to notify the respondent of:
11.5.5.1	The nature and particulars of the complaint and the source of the complaint where applicable
11.5.5.2	The fact that the complaint will now be considered by the Disciplinary Committee.
11.5.5.3	The respondent's right to submit a written statement to the Disciplinary Committee within 15 working days of notice of the complaint being sent to the respondent.
11.5.5.3.1	The respondent must respect regulation 11.4.1 while the investigation is in process. Should this regulation not be observed the Chair of the Disciplinary Committee will issue a written warning. Should the respondent then persist in his/her disruption of the investigation he/she will be expelled from membership without further investigation.
11.5.5.4	The Disciplinary Committee can proceed without further reference to the respondent, should the respondent choose not to exercise his/her rights, provided due notice has been given.
11.5.6	The Secretary of the Disciplinary Committee will circulate the written statement to the members of the Disciplinary Committee. Should the respondent choose to take up their rights as detailed in 11.5.5.3 the secretary shall similarly distribute this statement to the Disciplinary Committee.
11.5.7	The Disciplinary Committee has the power to call upon such expert advice as it feels necessary.
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 its rights.
11.5.9	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.
11.5.9.1	The respondent must confine their additional comments to the new evidence.
11.5.10	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.
11.5.10.1	If the Disciplinary Committee decides there is no case to answer the parties

	shall be informed.
11.5.10.2	If the Disciplinary Committee finds there is a case to answer they shall proceed to a disciplinary hearing.
11.6	Disciplinary hearing
11.6.1	If the Disciplinary Committee agree that the matter concerns the public interest, one additional member representative of the public interest and not a member of this Institute should be co-opted. 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 three members. Decisions shall be made by a majority vote. In the case of a tied vote the Chair shall have a second or casting vote.
11.6.3	Where a case is to be referred for a hearing the secretary shall:
11.6.3.1	Notify the respondent and complainant.
11.6.3.2	Prepare a statement of the case and a dossier of evidence
11.6.3.3	Check whether the facts giving rise to the case are sub judice or subject to investigation by any other competent tribunal or body.
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 76 Portland Place, London, UK or at such other venue determined by the Disciplinary Committee.
11.6.4.1	If the respondent chooses not to appear the Disciplinary Committee is authorised to proceed in his/her absence.
11.6.4.2	The respondent may be accompanied at the hearing by one person chosen by the respondent. This person will not be able to speak for the respondent if the respondent is absent.
11.6.5	<p>The Secretary will notify the concerned parties of the date and time of the hearing by special delivery post. Parties are notified of</p> <ul style="list-style-type: none"> • The date and time of the hearing • A statement of the grounds of the complaint • A requirement to furnish the Secretary not less than 10 working days before the hearing with copies of all documents the respondent will rely on. • 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 of such a person. • The authority to continue with the hearing in the absence of the respondent. <p>These regulations, a copy of which should be enclosed with the notification letter.</p>
11.6.6	If the respondent fails to attend the Disciplinary Committee should satisfy itself that due notice was given and proceed with the hearing.
11.6.6.1	If the respondent is unable to attend due to ill health as certified by a doctor and is unable to send a representative in his/her place the date of the hearing shall be rearranged by the Secretary.
11.6.6.2	Ill health as certified by a doctor can prevent the hearing happening on two occasions. Should the respondent fall ill for a third hearing, the hearing will continue in their absence and they will be awarded the right 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.
11.6.8	The Chair of the Disciplinary Committee or their appointed deputy shall preside

	and shall have power to 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 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 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.
11.6.13	The decision will be communicated to the respondent within 10 working days.
11.6.15	Should the respondent not begin appeal proceedings within 30 days of the result being notified to him/her the Secretary will:
11.6.15.1	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.
11.6.15.2	If the outcome is of public interest the Chair should direct the Secretary to alert relevant external parties, such as an employer or other professional body of the outcome.
11.6.16	The Disciplinary Committee will report their findings to the Council. Where 11.3.7 is the outcome the respondent's name will not appear in the report.
11.6.17	The Disciplinary Committee will keep confidential minutes of its deliberations.
11.7	Right to Appeal
11.7.1	The complainant has no right to appeal the decision. He/she has the right to submit a new statement concerning the behaviour of a member not less than 12-months from the date of the previous decision. A new hearing will 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 the decision.
11.7.3	If the respondent wishes to appeal the decision he/she must indicate this to the Secretary within 30 days of the date of the decision.
11.7.3.1	Within this time period the respondent must submit to the Secretary a document outlining the reasons for their appeal against the decision.
11.7.4	The Secretary shall notify the complainant, the Chair of the Disciplinary Committee and the President of the appeal.
11.7.5	The Secretary will pass the appeal document to the Chair of the Disciplinary Committee.
11.7.5.1	The Chair of the Disciplinary Committee will then comment on the appeal document.
11.7.6	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.
11.7.6.1	If the President feels the complaint is of a frivolous or trivial nature the appeal can be dismissed without the need for an appeals panel to be convened.
11.7.7	The President will establish an appeal panel consisting of current members of the Council excluding any who are members of the Disciplinary Committee or were members at the time of the original decision.
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. No new evidence, other than the appeal document and Chair's

	comments can be submitted to the Panel.
11.7.11	Once the Panel is satisfied it has all the required information it can make the following recommendations.
11.7.11.1	The decision of the Disciplinary Committee is upheld and the same penalty applied
11.7.11.2	The decision of the Disciplinary Committee is upheld and a different penalty applied
11.7.11.3	The original decision of the Disciplinary Committee is not upheld and the penalty is withdrawn.
11.7.12	The Secretary will communicate 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.
12	APPLICATIONS FOR RE-ADMISSION TO MEMBERSHIP OR RE-INSTATEMENT OF CHARTERED STATUS
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 and Qualifications Board will be informed of their decision.
12.2	If a person from whom permission to use a chartered 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.