

REGULATIONS

13 July 2020

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

1	CHANGING THE REGULATIONS
	These Regulations can be changed in whole or in part by a resolution of Council supported by two thirds of those present and voting.
2	PUBLISHING THE REGULATIONS
	The Regulations will be published on the IOP's website.
3	DELEGATION OF POWERS
3.1	The delegation of Council's powers to its Boards, Committees, Nations, Branches and Groups will be as set out in the terms of reference of each body as appropriate.
3.2	The Chief Executive Officer has delegated authority to act for Council in the implementation of Council's policies and strategies.
4	REQUIREMENTS FOR MEMBERSHIP
4.1	Honorary Fellow Candidates for Honorary Fellow must be distinguished persons who have given exceptionally important service to physics or a related science, or whom the IOP may desire to honour for service to the IOP. Authority to elect candidates to the class of Honorary Fellow under the provisions of Bylaw 4 is delegated to the Honorary Fellows Committee.
4.2	Fellow Candidates for Fellow must be educated to honours degree level in physics or a cognate subject or have an equivalent level of professional competence acquired through a combination of education, training and experience, and are able to demonstrate a significant contribution to their profession over a sustained period. Candidates for Fellow should be supported by two supporters, one of which ideally should be an existing Fellow of the IOP or of an equivalent standing. The Professional Standards Committee has delegated authority to elect candidates to the class of Fellow. Authority to elect candidates to the class of Fellow under the provisions of Bylaw 6 is delegated to the Bylaw 6 Panel.
4.3	Member Candidates for Member must have either an honours degree in physics or a cognate subject, or an equivalent level of professional competence acquired through a combination of education, training and experience. Candidates for Member may be asked to provide a supporter to verify their experience. The senior manager responsible for membership has delegated authority to elect candidates to the class of Member.

4.4	<p>Associate Member</p> <p>Candidates for Associate Member must be either:</p> <ul style="list-style-type: none"> • an undergraduate student engaged in studying physics or a cognate subject; • an apprentice or trainee in a relevant area; • a professional with an interest or experience in physics but without sufficient knowledge or experience to qualify for Member. <p>The senior manager responsible for membership has delegated authority to elect candidates to the class of Associate Member.</p>
5	<p>CHARTERED AND REGISTERED STATUS</p>
5.1	<p>The Professional Standards Committee has delegated authority to register members across all of the IOP's professional registers, including Chartered Physicist.</p> <p>All holders of our registers are required to demonstrate a commitment to continuing professional development (CPD) and CPD recording is mandatory. Holders of our registers may be required to submit a CPD return in order to maintain their registration.</p>
5.2	<p>Chartered Engineer, Incorporated Engineer and Engineering Technician</p> <p>Candidates for registration as a Chartered Engineer, Incorporated Engineer or Engineering Technician must satisfy the requirements of the Engineering Council.</p>
5.3	<p>Chartered Scientist, Registered Scientist and Registered Science Technician</p> <p>Candidates for registration as a Chartered Scientist, Registered Scientist or Registered Science Technician must satisfy the requirements of the Science Council.</p>
6	<p>CONDUCT OF GENERAL MEETINGS</p>
6.1	<p>All General Meetings shall be convened according to the Bylaws.</p>
6.2	<p>General Meetings shall only determine business contained in the Notice of Meeting.</p>
6.3	<p>Matters not contained in the Notice of Meeting can be raised at a General Meeting to be referred to Council.</p>

6.4	Procedural Standing Orders
6.4.1	Resolutions must be proposed and seconded by members.
6.4.2	Speeches by proposers and seconders should last no longer than five 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 five minutes.
6.4.4	The proposer of the resolution will have the right of reply to the debate, again limited to five minutes.
6.4.5	During a debate any member may raise the following resolutions as Points of Order: <ul style="list-style-type: none"> • That the question be now put. • That the speaker be no longer heard. • 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 at 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.
7	APPOINTMENTS
7.1	The Chief Executive Officer shall be appointed by a committee of Council that will have complete delegated authority to agree the responsibilities and terms and conditions of the post.
7.2	Executive Officers and all other staff shall be appointed by the Chief Executive Officer. The role descriptions for such Executive Officers shall be agreed by the Honorary Secretary prior to beginning the appointment process. Appointment panels for Executive Officers shall include a representative of the Trustees, normally the Honorary Secretary. For those Executive Officers in the Publishing business, role descriptions and the make-up of the appointment panel will be decided in consultation with the Chair of the IOP Publishing Board or the Honorary Secretary of the IOP if the IOP Publishing Board Chair is not a serving member of Council. The Chief Executive Officer and the designated representative of Council are delegated to act on behalf of the IOP in all matters relating to these appointments.
8	FINANCIAL REGULATIONS
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 Committee of Council with oversight for finances, and that shall also approve periodic updates and amendments.
8.3	The authorisation limits for payments and contract approvals 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.
9	POWERS OF SIGNATURE
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 Officer and executed by any two authorised signatories to the relevant account and from the approved signature A and B lists.
9.3	The Senior Officers 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.
10	CODE OF CONDUCT
	Members of the IOP, at all grades of membership, should uphold personal values of excellence, integrity and respect for others in all aspects of their professional work in accordance with the Code of Conduct, which is available on the IOP's website.
11	DISCIPLINARY PROCEDURES
	<p>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.</p> <p>The IOP requires all members to adhere to the Code of Conduct 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 IOP's Bylaws. The names of members who are disciplined in accordance with these procedures may be published. Published details may not extend beyond the name of the respondent, the offence committed and any sanction in each case.</p> <p>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.</p> <p>Once a complaint has been made against a member, and they have been notified under regulation 11.5.5, the member shall not be entitled to resign from membership until the disciplinary procedures have fully concluded. Any attempted resignation shall be of no effect.</p> <p>Complaints may be made against a member by the IOP, 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 IOP, 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, with reasonable notice prior to any disclosure.</p> <p>The IOP will also consider the outcomes of investigations, on the same or a related matter, either as claimant or respondent, by other organisations, which have found a member of the IOP liable for misconduct and which are subsequently brought to the attention of the IOP. Such cases should be referred to the Disciplinary Committee by an official of the IOP or, where possible, the member concerned. The IOP 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 IOP as soon as judgment becomes final or the proceedings are terminated.</p> <p>Anonymous communications will not be accepted.</p> <p>The details of disciplinary actions and all information gathered or used by the Disciplinary Committee in connection with the action will be kept confidential to the Disciplinary Committee</p>

and associated staff members, until the outcome of such action, including any period in which an appeal can be lodged.

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 IOP without permission of the IOP;
- misuse of any IOP resource;
- harassment of IOP staff or board/committees or Disciplinary Committee members while engaged in IOP activities;
- falsifying any professional qualification;
- bullying or harassment whether occurring at an event or conference, on any social media platform or elsewhere;
- breaches of the IOP's Code of Conduct;
- discrimination on the grounds of any protected characteristic, for example, race, gender, age, sexual orientation, disability or religious belief.

The following are examples of issues which fall outside of the remit of the Disciplinary Committee and, therefore, may not be investigated.

- Any action resulting directly from the breakdown of an intimate relationship.
- Workplace bullying or workplace grievances or disputes, which should be dealt with under the relevant workplace's procedures. However, if the member's workplace actions also constitute a breach of the IOP's Code of Conduct, this may be considered by the Disciplinary Committee. It would normally be appropriate for the relevant workplace's procedures to conclude before any complaint is made to the Disciplinary Committee.
- Any issue concerning the recovery of debt, unless conduct in relation to such issue also constitutes a breach of the IOP's Code of Conduct.
- Criminal or illegal activity – the complainant would be advised to notify the police for investigation. A complaint may be made about a member who has been found guilty of, or pleaded guilty to, criminal or illegal activity, where such activity also constitutes a breach of the IOP's Code of Conduct.

The Disciplinary Committee will only meet as and when complaints are received and shall be convened in accordance with Regulation 11.1.

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

Meetings of the Disciplinary Committee will ultimately be reported to Council.

All communications between the Disciplinary Committee and complainants and the subjects of any complaint will be in writing.

Decisions of the Disciplinary Committee shall be by simple majority of votes. In the case of a tied vote, the Chair or appointed deputy shall have a second or casting vote. All associated records of the meeting shall be retained for five years from the date the disciplinary proceedings fully conclude after which they will be destroyed. However, the outcome of the meeting will be held against the member's database record for a period determined by the Disciplinary Committee.

Definitions

Written Warnings: Any such warnings will be dispatched from the Disciplinary Committee itself. Each warning will remain active on the member's database record for a period of two years,

	<p>after which it will remain on the record but may not be considered in any future decisions. Members with an active warning on their record will not be permitted to serve on Council or to serve on the Disciplinary Committee or boards/committees reporting to Council. Such members will also not be permitted to serve on Nation, Branch or Group Committees. Members who receive a further written warning, while the first is still active on file, will automatically be suspended from membership for a period of two years 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 two 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, and this shall be considered under regulation 12.1. 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 have re-apply to attain Fellow status. Details of the suspension shall remain active on the member's database record for the period determined by the Disciplinary Committee under regulation 11.3.7, after which it will remain on the record but may not be taken into account in any future decisions.</p> <p><u>Expulsion from membership:</u> Expulsion is a permanent action. A permanent record of the expulsion shall be held against the member's database record, to ensure that they may not be readmitted.</p>										
11.1	<p>The Disciplinary Committee shall be chaired by the Vice-President of Membership and shall have not less than three members to be quorate and not more than seven members appointed by the Vice-President of Membership from the IOP's Committees of Council; the Disciplinary Committee will represent, as far as is practicable, the demographic of the membership.</p> <p>Where the complaint relates to a member who holds a professional registration awarded by the IOP, then at least one member of the Disciplinary Committee shall hold a registration of equivalent status.</p> <p>No members of Council shall sit on the Disciplinary Committee with the exception of the Vice-President of Membership. The Secretary to the Disciplinary Committee (the "Secretary") shall be the senior manager responsible for membership. On receipt of a copy of the complaint, members of the Disciplinary Committee shall be required to disclose any potential conflict of interest or any connection to the complainant or the respondent.</p>										
11.2	<p>The Disciplinary Committee shall examine those cases where a member of the IOP 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.</p>										
11.3	<p>Under the provisions of Bylaw 17, Council delegates to the Disciplinary Committee the following powers as an outcome of the relevant stage of the disciplinary process:</p> <table border="1" data-bbox="272 1554 1434 2002"> <tr> <td data-bbox="272 1554 389 1608">11.3.1</td> <td data-bbox="389 1554 1434 1608">To expel or suspend any member from membership.</td> </tr> <tr> <td data-bbox="272 1608 389 1662">11.3.2</td> <td data-bbox="389 1608 1434 1662">To remove any member from the IOP's professional registers.</td> </tr> <tr> <td data-bbox="272 1662 389 1742">11.3.3</td> <td data-bbox="389 1662 1434 1742">To reprimand any member or to call for a written undertaking from any member as to their future conduct.</td> </tr> <tr> <td data-bbox="272 1742 389 1832">11.3.4</td> <td data-bbox="389 1742 1434 1832">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 two years.</td> </tr> <tr> <td data-bbox="272 1832 389 2002">11.3.5</td> <td data-bbox="389 1832 1434 2002">To advise the Engineering Council and/or the Science Council of its decisions and to retain the right to advise other professional bodies of which that member is also a member (in each case, this would not be done until the final outcome of the IOP's proceedings, including any appeal, is known). The IOP may suspend its own disciplinary case to await the outcome of related cases being considered by other</td> </tr> </table>	11.3.1	To expel or suspend any member from membership.	11.3.2	To remove any member from the IOP's professional registers.	11.3.3	To reprimand any member or to call for a written undertaking from any member as to their future conduct.	11.3.4	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 two years.	11.3.5	To advise the Engineering Council and/or the Science Council of its decisions and to retain the right to advise other professional bodies of which that member is also a member (in each case, this would not be done until the final outcome of the IOP's proceedings, including any appeal, is known). The IOP may suspend its own disciplinary case to await the outcome of related cases being considered by other
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	professional bodies and societies and will notify the respondent and complainant of such suspension.
11.3.6	To dismiss a complaint and in such cases refund any reasonable direct costs incurred by the member in defending themselves.
11.3.7	To direct that a statement recording the exercise of any of the above powers shall be entered on the membership record of the member and to direct how long such statement shall be active on the record (this would not be done until the final outcome of the proceedings, including any appeal, is known). This is necessary to ensure that the determination of the Disciplinary Committee is carried into effect. Once statements cease to be active, they shall remain on the record but may not be considered in any future decisions.

11.4	Subject to regulation 11.5.3, an investigation to gather any evidence in support of the complaint under regulation 11, will be made by the Disciplinary Committee prior to making any decision in accordance with this regulation.
11.4.1	Pursuant to regulation 11.5.5, 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.
11.4.2	Members under investigation or at any stage of the disciplinary procedure must not contact the members of the Disciplinary Committee 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 IOP, 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 consideration, the Secretary shall act as the complainant and shall prepare a written statement (max 1,000 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 1,000 words) and shall pass this to the Chair.
11.5.3	The Secretary will circulate the written statement referred to in regulations 11.5.1 and 11.5.2 to the members of the Disciplinary Committee. If the Chair, in consultation with the members of the Disciplinary Committee, decides that the complaint is of a frivolous or trivial nature, the complainant shall be notified of that outcome by the Secretary and regulation 11.3.6 can be applied.
11.5.4	Where a complaint is found not to be of a frivolous or trivial nature, the following procedures will be followed. <ul style="list-style-type: none"> • The Disciplinary Committee will appoint a subset of its members or appoint advisors to investigate the nature of the complaint and ensure it is within the remit of the Disciplinary Committee. Different individuals to those who undertake the investigation shall determine the outcome of the hearing. • The issue will be investigated, and evidence gathered. • The Disciplinary Committee shall decide whether it is reasonable in the circumstances for the identity of the complainant and/or their written statement to be revealed to the respondent. If the Committee decides to identify the complainant, then the complainant will be given reasonable notice prior to any disclosure.

11.5.5	<p>Unless it is decided that the complaint is of a frivolous or trivial nature, and once the subset of the Disciplinary Committee has been appointed under regulation 11.5.4, the Secretary shall notify the respondent in writing of the following.</p> <ul style="list-style-type: none"> • 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 copy of these regulations shall be included with that letter. • 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. • That, unless the Chair decides otherwise, they must refrain from taking part in any public facing role or activity on behalf of the IOP pending the outcome of the disciplinary procedure. <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 11.4.2 while the disciplinary procedure 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 disciplinary procedure, 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 IOP 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	<p>Should the respondent choose to exercise their rights to submit a written statement as detailed in regulation 11.5.5, the Secretary shall distribute this statement to the Disciplinary Committee.</p>
11.5.7	<p>The Disciplinary Committee has the power to call upon 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.</p>
11.5.8	<p>The Disciplinary Committee shall meet either in person, virtually or electronically 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.</p>
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>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 in accordance with regulation 11.6.</p>

11.6	Disciplinary hearing
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 IOP may be co-opted to sit on the Disciplinary Committee. This additional member shall have the power to vote and their duties will end with the conclusion of the disciplinary procedure.
11.6.2	No individuals directly involved with the investigation of the complaint shall sit on the Disciplinary Committee for the hearing.
11.6.3	<p>Where a case is to be referred for a hearing, the Secretary shall:</p> <ul style="list-style-type: none"> • Notify the respondent and complainant in writing in accordance with regulation 11.6.5. • Prepare a statement of the case and a full dossier of evidence. • Check whether the facts giving rise to the case are <i>sub judice</i> or subject to investigation by any other competent tribunal or body.
11.6.4	<p>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 IOP's London office or at such other venue reasonably determined by the Disciplinary Committee.</p> <p>If the respondent confirms in writing that they choose not to appear at the disciplinary hearing, the Disciplinary Committee is authorised to proceed in their absence.</p>
11.6.5	<p>The Secretary will notify the concerned parties in writing of the following.</p> <ul style="list-style-type: none"> • The date and time of the hearing. • A full statement of the grounds of the complaint and copies of any evidence that will be considered, including a copy of the report of the investigation meeting. • A requirement to furnish the Secretary not less than 15 working days before the hearing with copies of all documents the parties will rely on. • In the case of the respondent, that they have the right to be accompanied at the hearing by one person chosen by the respondent, they must notify the Secretary not less than 15 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), and whether the respondent will be accompanied by any person (and the name and details of such a person). Any accompanying person will not ordinarily be able to speak for the respondent if the respondent is absent. • 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 IOP. <p>The Secretary will enclose a copy of the Regulations with any notification communication.</p>

11.6.6	<p>If the respondent fails to attend without prior notification to the IOP then the Disciplinary Committee should satisfy itself that due notice was given and, if it was, may proceed with the hearing.</p> <p>If the respondent is unable to attend due to ill health, as certified by a qualified 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.</p> <p>Ill health as certified by a qualified 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.</p>
11.6.7	<p>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.</p>
11.6.8	<p>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.</p>
11.6.9	<p>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.</p>
11.6.10	<p>Any member of the Disciplinary Committee shall have the right to question the respondent and their accompanying person and witnesses as appropriate.</p>
11.6.11	<p>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.</p>
11.6.12	<p>At the conclusion of the hearing, all except the Disciplinary Committee and the Secretary shall withdraw and allow private deliberation to occur.</p>
11.6.13	<p>The outcome of the Disciplinary Committee's hearing 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.</p>
11.6.14	<p>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.</p> <p>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. The respondent will not be identified where an appeal is pending. This shall be consistent with the obligations of the IOP and shall be subject to such data protection legislation as may from time-to-time apply to records held by the IOP.</p>
11.6.15	<p>The Disciplinary Committee will report their findings to Council. Where regulation 11.3.6 is the outcome, or an appeal is pending, the respondent's name will not appear in the report.</p>

11.7	Right to Appeal
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 that will not make use of any information relating to the original hearing.
11.7.2	<p>The respondent has the right to appeal all or part of the decision.</p> <p>In addition to the appeal procedure listed here, where an expelled member has lost their Engineering Council registration as a result of the disciplinary process, there is an additional right of appeal to the Engineering Council. An appeal to the Engineering Council shall be conducted in accordance with its individual regulations. Any such appeal is strictly restricted to grounds of procedural irregularity and shall not adjudicate on the substance of the case. There is no right of appeal to the Science Council.</p>
11.7.3	<p>If the respondent wishes to appeal the decision, they must indicate this to the Secretary in writing within 30 days of the date of the decision. Such period of 30 days may be extended by the Chief Executive Officer of the IOP at their 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 of the Disciplinary Committee and the President of the IOP of the appeal.
11.7.5	<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 <i>prima facie</i> evidence that (i) the Disciplinary Committee's proceedings were not conducted in accordance with the current regulations in some material respect; or (ii) material new evidence has become available since the Disciplinary Committee's meeting to hear the case. Disagreement with any decision of the Disciplinary Committee alone cannot constitute grounds for an appeal. Additionally, 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>
11.7.6	The President will establish an appeal panel (the Panel) consisting of at least three current members of Council, excluding any who are members of the Disciplinary Committee or who investigated the complaint originally or who were members of the Disciplinary Committee at the time of the original panel or hearing. 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.
11.7.7	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.
11.7.8	The Panel will then discuss the appeal, either in person, virtually or electronically.
11.7.9	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. All associated records of the appeal shall be kept for five years from the date the appeal fully concludes, after which they shall be destroyed. However, the outcome of the appeal will be held against the member's database record for a period determined by the Panel.

11.7.10	<p>Once the Panel is satisfied that it has all the required information, it can make one of the following recommendations.</p> <ul style="list-style-type: none"> • The decision of the Disciplinary Committee is upheld, and the same penalty applied. • The decision of the Disciplinary Committee is upheld, and a different penalty applied. • 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 that was not taken into account properly; or (iii) there was some other material irregularity, and the penalty is withdrawn.
11.7.11	The Secretary will promptly communicate in writing the Panel's decision to the complainant, respondent and original Disciplinary Committee members.
11.7.12	The President will report the outcome of the appeal at the next meeting of Council.
11.7.13	Once these proceedings have been concluded, no further appeal is possible.
12	APPLICATIONS FOR READMISSION TO MEMBERSHIP OR REINSTATEMENT OF CHARTERED OR REGISTERED STATUS
12.1	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 Professional Standards Committee who will also be notified of any active disciplinary issues.
12.2	If a person from whom permission to use a Chartered or Registered designation has been withdrawn as a result of persistent failure to submit a CPD return shall subsequently apply for its reinstatement, such application shall be considered by the Professional Standards Committee.
12.3	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 Professional Standards Committee.