

DISCIPLINARY REGULATIONS

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PREAMBLE

In joining the Royal Society of Chemistry (RSC), members undertake obligations to the RSC and to the public at large.

The Council of the RSC has adopted the following Code of Conduct which is applicable to all members (Honorary Fellows, Fellows, Members, Associate Members and Affiliates)

1. All members have a duty to
 - *observe this Code, the provisions of the Charter and By-laws of the RSC and any regulations made under them*
 - *conduct themselves honourably in the practice of their profession*
 - *maintain the highest standards of competence and integrity, especially in carrying out any statutory duties relevant to a particular appointment or area of employment*
 - *have regard at all times to the public interest*
 - *further the interests of and maintain the dignity and welfare of the RSC*

2. In order to fulfil their duty under this Code, members will give due attention to any guidance on professional conduct, together with advice on specific issues, and will conform to any rulings on such matters that may be approved and issued from time to time by the Council of the RSC.

Members are reminded of the undertaking they have given on taking up membership of the RSC:

“I, the undersigned, do hereby declare that, while a member of the Royal Society of Chemistry, I will observe the provisions of the Charter and By-laws and any regulations made under them, and that I will conduct myself honourably in the practice of my profession and will further the interests and maintain the dignity and welfare of the RSC for as long as I will continue to be a member.”

This document contains the Disciplinary Regulations.

The document *Code of Conduct and Guidance on Professional Practice* gives guidance on professional practice.

INTRODUCTION

The RSC has a duty to investigate allegations in accordance with the *Disciplinary Regulations*. It also has a duty to establish and uphold the standards of conduct of its members and to serve the public interest.

The Council has delegated powers to the Membership and Qualifications Board, Disciplinary Committee and Appeal Committee to investigate alleged breaches of the By-Laws and Code of Conduct and, if any such breach is established, to apply appropriate sanctions. The responsibilities of these Committees, whose actions are subject to annual audit by the Council, are summarised below:

Membership and Qualifications Board

Membership and Qualifications Board acts as the RSC's 'ethical practices committee' and considers complaints against members to decide whether there is a *prima facie* case to answer.

Disciplinary Committee

The Disciplinary Committee appoints Panels for the hearing of substantive cases that are referred by the Membership and Qualifications Board.

Appeal Committee

An Appeal Committee may consider appeals brought on certain specified grounds against decisions of the Disciplinary Committee.

The Public Interest

Representatives of the public interest who are not members of the RSC are appointed to serve on all Investigating Panels, Disciplinary Panels and on the Appeal Committee.

Limitations

An RSC investigation is rarely a suitable way of dealing with breakdown in relationships in the workplace. There may be other legal means of addressing complaints about workplace matters and the RSC may be able to give advice on how to take such matters forward.

An investigation cannot take the place of an industrial tribunal or other legal process.

The RSC has no statutory powers of *subpoena* and the Investigating Panel can only deal with voluntarily supplied documentary evidence.

The RSC is not an authority for the purposes of 'whistleblowing'.

DISCIPLINARY REGULATIONS

1.0 Definitions

In these Regulations, unless the context otherwise requires

- 1.1 'RSC' means Royal Society of Chemistry
- 1.2 'the Council' means the Council of the RSC; no serving member of Council will be a member of the Disciplinary Committee or the Appeal Committee
- 1.3 'the Charter' and 'the By-laws' mean respectively, the Royal Charter and the By-laws of the RSC
- 1.4 'Fellow' and 'Member' mean respectively a Fellow or Member of the RSC
- 1.5 'member' includes Honorary Fellow, Fellow, Member, Associate Member and Affiliate
- 1.6 'Investigating Panel' means a Panel appointed by the Chair of the Membership and Qualifications Board
- 1.7 'Disciplinary Panel' means a Panel appointed by the Chair of the Disciplinary Committee
- 1.8 'the Secretary' means any person acting as the Secretary to any of the Committees or Panels defined in Regulation 1.6 or 1.7 above, as the context requires; the same person will not serve as Secretary to more than one of the Membership and Qualifications Board, the Disciplinary Committee and the Appeal Committee in connection with any one case.
- 1.9 'improper conduct' means any act or omission or form of behaviour described in any or all of the provisions of By-law 18 (see Annex 1).
- 1.10 'complaint' means a letter of specific complaint, alleging that a member has been guilty of any act or omission or form of behaviour described in any or all of the provisions of By-law 18, and supported by documentary evidence
- 1.11 'allegation' means any accusation other than a complaint as defined in 1.9
- 1.12 'Complainant' means the person or body by whom a complaint has been made
- 1.13 'Respondent' means the member against whom a complaint has been laid
- 1.14 A 'hearing' means the hearing of a complaint by a Disciplinary Panel
- 1.15 'admonition' means a warning and advice to a member concerning their conduct or behaviour without any loss of the rights and privileges granted to a member, but with a warning that any further finding of Improper Conduct may lead to the imposition of a more severe penalty,
- 1.16 'reprimand' means a severe rebuke of a member in respect of that member's conduct or behaviour without any loss of the rights and privileges granted to a

member, but with a warning that any further finding of improper conduct may lead to the imposition of a more severe penalty,

- 1.17 'Admissions Committee' means a committee appointed by Council to consider applications.

2.0 **Membership and Qualifications Board**

- 2.1 The Membership and Qualifications Board will keep under review current principles of professional conduct; interpret the published guidelines; recommend changes in the guidelines; prepare statements on ethical conduct for publication; and give preliminary consideration to any complaint laid against a member and if appropriate refer it to the Disciplinary Committee for detailed consideration.
- 2.2 The terms of office of Board members will be in accordance with the Council's *General Principles for RSC Boards and Committees*.
- 2.3 A retiring member of the Membership and Qualifications Board who is involved in the consideration or disposal of a complaint and who is not to be re-appointed to serve another term will be deemed to continue as a member of the Board for the purpose of that complaint only.
- 2.4 No member of the Membership and Qualifications Board will at the same time serve as a member of the Disciplinary Committee, the Appeal Committee or the Disciplinary Audit Panel.

3.0 **Disciplinary Committee**

- 3.1 Council will appoint members to a Disciplinary Committee to serve with effect from the close of the Annual General Meeting in each year. The Committee will comprise fifteen members. Nine members of the Committee will be past members of the Council or current or past members of other Boards or Committees of the RSC, having at least ten years' membership of the RSC and no record of misconduct. The Chair, Vice-Chair and at least two members will be Fellows and at least three of the members will be Chartered Chemists. Six members of the Committee will represent the public interest and be drawn from past or current Council members or senior staff of other professional bodies and scientific societies and will exclude current and former RSC members and RSC employees.
- 3.2 The Council will appoint a Chair and a Vice-Chair of the Disciplinary Committee. The Chair will be appointed for a term of office not exceeding four years as the Council will determine and will not normally be eligible for re-appointment at the end of that term. The Vice-Chair and other RSC members of the Committee will be appointed for a term of office not exceeding three years as the Council will determine and will be eligible for re-appointment for a second term in accordance with the *General Principles for RSC Boards and Committees*. Committee members representing the public interest will serve a one-year term of office which is renewable unless the member has already served three times on Disciplinary Panels during the period of office. All members will remain in office until their successors are appointed.

- 3.3 A retiring member who has entered into the hearing of a particular complaint and who is not to be re-appointed to the Committee will be deemed to continue as a member of the Committee for the purpose of that complaint only.
- 3.4 No member of the Disciplinary Committee will at the same time serve as a member of the Membership and Qualifications Board, the Appeal Committee or the Disciplinary Audit Committee.

4.0 Appeal Committee

- 4.1 Council will appoint members to an Appeal Committee to serve with effect from the close of the Annual General Meeting in each year. The Committee will comprise five members. Three members of the Committee will be past members of RSC Council or current or past members of other Boards or Committees of the RSC, having at least ten years' membership of the RSC and no record of misconduct. Two members of the Committee, appointed to represent the public interest, will be drawn from past or current Council members or senior staff of other professional bodies and scientific societies and will exclude current or former RSC members and employees.
- 4.2 Council will appoint a Chair and a Vice-Chair of the Appeal Committee. The Chair, Vice-Chair and RSC members of the Appeal Committee will be appointed for a term of office not exceeding three years as the Council will determine and may be eligible for re-appointment at the end of that term. Committee members representing the public interest will serve a one-year term of office which is renewable unless the member has already considered three appeals during the period of office. All members will remain in office until their successors are appointed.
- 4.3 A retiring member who has entered into the hearing of an appeal and who is not to be re-appointed to the Appeal Committee will be deemed to continue as a member of the Committee for the purpose of that appeal only.
- 4.4 No member of the Appeal Committee will at the same time serve as a member of the Membership and Qualifications Board, the Disciplinary Committee or the Disciplinary Audit Panel.

5.0 The Investigation process

Receipt of complaint

- 5.1 When the Secretary to the Membership and Qualifications Board receives an allegation against a member, except as under Regulation 5.2, the Secretary will seek to establish whether the person making the allegation wishes to lodge a complaint. On receipt of a complaint, the Secretary will transmit it to the Chair of the Membership and Qualifications Board. If however a complaint is not received within three months of making an initial allegation that allegation will be deemed to be unsubstantiated and the file will be closed.
- 5.2 If, in the course of their duties, an administrative officer of the RSC identifies member activity which could contravene By-law 18, they will refer the matter to the Secretary of the Membership and Qualifications Board. The Secretary will then refer the matter to the Chair or the Vice-Chair of the Membership and

Qualifications Board. If the Chair or the Vice-Chair considers that the matter falls within By-Law 18 he/she will act as the Complainant, will prepare a complaint and will not otherwise be involved in the matter; the other will chair the subsequent Investigating Panel.

- 5.3 An Investigating Panel will examine all complaints. All acts, proceedings and decisions of the members of an Investigating Panel will be minuted and deemed to be the acts, proceedings and decisions of the Membership and Qualifications Board. No actions are taken against a member until the matter has been thoroughly investigated.
- 5.4 The Chair of the Membership and Qualifications Board will either become chair of the Investigating Panel or will nominate the Vice-Chair as chair of the Panel, and will appoint two further members from the Membership and Qualifications Board, of whom at least one will be a Fellow and at least one will be a Chartered Chemist. RSC staff members of the Membership and Qualifications Board cannot serve as a member of an Investigating Panel.
- 5.5 The Chair of the Membership and Qualifications Board will appoint one person, who is not a member of the RSC, to represent the public interest. This person will serve as a member of the Investigating Panel with voting rights.
- 5.6 The Chair of the Investigating Panel may, following consultation with the Secretary and others as necessary, identify the nature of any expert advice appropriate to the case and a person or persons having the appropriate knowledge and experience to provide the expert advice.
- 5.7 All those appointed to an Investigating Panel or providing advice must have no prior connection with the complaint or persons concerned.
- 5.8 The Secretary will circulate copies of the complaint and any supporting documents to the members of the Investigating Panel, after which the Chair of the Panel will consult the members of the Panel.
- 5.9 If, following the Chair's consultation with the Panel, it is decided that the complaint is of a trivial or frivolous nature or that there is insufficient evidence to support the complaint, it will be dismissed,
- 5.10 In all other cases the Secretary to the Membership and Qualifications Board will notify the Respondent of:
 - the nature, particulars and source of the complaint,
 - the fact that such a complaint will be considered by an Investigating Panel,
 - the Respondent's right to submit a written statement to the Panel,
 - the Panel's powers of investigation, and its authority in the absence of any reply from the Respondent, to proceed without further reference to the Respondent provided due notice has been given.

Investigation

- 5.11 The Investigating Panel will deal with written submissions only and no submission will be anonymous. Neither a complainant nor respondent nor any representative acting on behalf of either will have a right of appearance before the Investigating Panel.
- 5.12 At least 28 days notice will be given to all parties when the Panel intends to hold a meeting, unless all parties agree to a shorter time period.
- 5.13 All parties will provide the Secretary of the Membership and Qualifications Board with copies of all documents on which they intend to rely by at least 14 days before the meeting.
- 5.14 The Panel will consider the documents, and may either reach a conclusion immediately or suspend consideration to enable further enquiries to be made.
- 5.15 The Investigating Panel will have the power
- to dismiss the complaint if it considers there is no case to answer
 - to decide that, whilst the complaint appears to be justified, the matter is not serious enough to warrant further proceedings
 - to refer the complaint to the Disciplinary Committee.
- 5.16 If the Investigating Panel decides that there is no case to answer, the Chair of the Membership and Qualifications Board will cause the Secretary to inform the relevant parties of the decision.
- 5.17 If the Investigating Panel decides that the complaint appears to be justified but is not serious enough to warrant further proceedings, the Investigating Panel may determine the content of a letter to be sent to the Respondent on behalf of the Panel offering advice as to his/her future professional conduct. The Respondent may at any time within 28 days after the date of postage of the letter require the matter to be referred to the Disciplinary Committee.
- 5.18 If the Investigating Panel decides to refer the matter to the Disciplinary Committee, the Secretary will inform the Complainant and the Respondent. If the Respondent exercises his/her right under Regulation 5.16 to have the matter referred to the Disciplinary Committee, the Secretary will inform the Complainant.
- 5.19 If at any time during an investigation it becomes known that the facts giving rise to the complaint are *sub-judice* or subject to investigation by any other competent tribunal or body, the RSC investigation will be suspended immediately until the matter has been resolved elsewhere.

6.0 The Disciplinary Process

Referral

- 6.1 For the purpose of hearing a case referred to the Disciplinary Committee, the Chair or Vice-Chair of the Disciplinary Committee will appoint a Disciplinary Panel consisting of four further members of the Disciplinary Committee, of

whom two will be RSC members and two will represent the public interest. The Chair or Vice-Chair of the Disciplinary Committee will act as Chair of the Panel. The Chair and Vice-Chair will not be members of the same Disciplinary Panel. An RSC staff member, chosen by the Chief Executive, will attend all Disciplinary Panel hearings as Secretary to the Panel but will not take part in any decision making.

- 6.2 The quorum for a meeting of the Disciplinary Panel will be three members including at least one member representing the public interest. Decisions of the Disciplinary Panel will be by a simple majority of votes, and must have the support of at least one person representing the public interest. In the event of a tied vote the Chair will have a second and casting vote. If the Disciplinary Panel is unable to reach a decision, the Chair must give reasons in writing to the Chair or Vice-Chair of the Committee (whoever was not on the Panel) who will decide whether or not to convene another Disciplinary Panel.

All acts, proceedings and decisions of the members of the Disciplinary Panel will be minuted and deemed to be the acts, proceedings and decisions of the Disciplinary Committee.

- 6.3 All those appointed to a Disciplinary Panel or providing advice must have no prior connection with the matter or persons concerned.
- 6.4 The Secretary to the Disciplinary Panel will check whether the facts giving rise to the complaint are *sub-judice* or subject to investigation by any other competent tribunal or body. If so, the matter will not be heard until those proceedings are completed.

Hearing

- 6.5 The Chair will have the power to invite one or more legal or other specialist advisers to a Panel meeting. Such specialist advisers, who may be members or non-members of the RSC, may respond to requests for advice but may not participate in the deliberations of the Panel or vote on the findings or sanctions.
- 6.6 The Disciplinary Panel will proceed to a hearing at which the Respondent will have the right to appear and/or be represented. The Secretary to the Disciplinary Panel will fix a date, time and place for the hearing. The Respondent can attend a hearing in person or by teleconference at his/her own cost.
- 6.7 If the Respondent does not wish to appear, the Disciplinary Panel is authorised to proceed with the hearing in the absence of the Respondent.
- 6.8 The Secretary to the Disciplinary Panel will send by registered delivery post or where appropriate by email to the Respondent a notice comprising the following particulars
- the date (which will not be less than 42 days from the date of despatch of the notice), time and place of the hearing, and
 - the statement of the complaint together with all supporting documentation which is being transmitted to the Disciplinary Committee, and

- notice of whether a Complainant will be appearing or called as a witness, and the names of any other witnesses being called by the RSC, and
 - a requirement to provide to the Secretary to the Disciplinary Panel not less than 14 days before the date of the hearing a copy of each and all the documents on which the Respondent proposes to rely, and
 - a requirement to inform the Secretary to the Disciplinary Panel of the following: whether the Respondent intends to appear before the Disciplinary Panel in person or by teleconference; whether the Respondent intends to be represented and/or call witnesses; the names of any person or persons who will be accompanying the Respondent
 - an invitation to send a written answer to the case to the Secretary to the Disciplinary Panel not less than 14 days before the day appointed for hearing, and
 - a warning that if the Respondent does not wish to appear at the hearing the Disciplinary Panel is authorised to proceed in his/her absence
- 6.9 A copy of these Regulations will be enclosed with the notice of the hearing.
- 6.10 The hearing will be conducted in private without members of the public, the complainant (unless the complainant is a witness), or members of the press being present.
- 6.11 No document will be submitted to the Disciplinary Panel which has not been provided to the Secretary in accordance with Regulation 6.8 without the consent of the Chair.
- 6.12 The Chair of the Panel will preside and may give rulings on the admission of evidence and on any questions of principle or procedure or points of order that arise. Where the Chair reasonably decides it is necessary, he may vary the procedure for the hearing set out in these regulations.
- 6.13 The Chair of the Panel will have power to adjourn the hearing and, after consultation with those present, to fix a date, time and venue for its resumption.
- 6.14 At the opening of the hearing the Chair of the Panel will inform all present of the procedure to be adopted.
- 6.15 If the Respondent fails to attend the hearing, the Chair of the Panel will open the proceedings by determining whether the Respondent has received the notice sent as required under Regulation 6.8, together with a copy of the Regulations. If the members of the Disciplinary Panel are satisfied that due notice was given they will proceed with the hearing.
- 6.16 The Chair of the Panel will invite the representative of the RSC to present the statement of the case as circulated in advance of the hearing.
- 6.17 The representative of the RSC may call witnesses including the Complainant to give their evidence and question them.

- 6.18 The Respondent (or the Respondent's representative) may question the representative of the RSC and witnesses whom the RSC may call, on the evidence given by them.
- 6.19 Any member of the Disciplinary Panel may ask questions of the representative of the RSC and witnesses.
- 6.20 The Chair of the Panel may seek further information from the representative of the RSC and witnesses on any matter raised during such questioning.
- 6.21 The Respondent (or the Respondent's representative) will present his/her case in the presence of the Panel and the Respondent may also call witnesses to give evidence and question them.
- 6.22 Any member of the Disciplinary Panel may ask questions of the Respondent and the Respondent's witnesses.
- 6.23 The Respondent (or the Respondent's representative) may question his/her witnesses again on any matter that has arisen during such questioning.
- 6.24 When all the evidence has been heard the representative of the RSC may sum up the case on behalf of the RSC.
- 6.25 The Respondent and/or the Respondent's representative may sum up his/her case.
- 6.26 The Chair, at his/her sole discretion, may suspend the hearing at any time in order to consult privately with members of the Disciplinary Panel or the Panel's advisers, or at the request of either party.
- 6.27 At the conclusion of the hearing all save the Chair, members of the Panel and the Secretary will withdraw.
- 6.28 The Disciplinary Panel with the Secretary will deliberate in private, but may recall the parties to clarify any points of uncertainty on evidence already given. The standard of proof required to reach a decision will be a civil standard based upon the balance of probabilities unless, in any particular case, the Chair decides that a higher standard will be adopted.
- 6.29 When the Disciplinary Panel has concluded its deliberations the parties will be recalled and, if the Disciplinary Panel will find a case proved, it will then (and not before) receive any evidence from the Respondent's record that has not been part of the case and will consider any written or oral statement in mitigation submitted by the Respondent or on the Respondent's behalf.

Resolution

- 6.30 The Disciplinary Panel will have the power
- to admonish the Respondent, or
 - to reprimand the Respondent and require the Respondent to indicate in writing agreement to follow a specific course of action and/or to give a written undertaking as to his/her future conduct, or

- to order a mandatory training requirement, or
- to resolve any of the following
 - that the Respondent be expelled from the RSC
 - that permission to use the Chartered Chemist designation, or other forms of registration, should be withdrawn from the Respondent, whilst permitting continued membership of the RSC
 - that the Respondent be suspended from membership for a period not exceeding two years, or
- to resolve, where appropriate, that the name of the Respondent be removed from any register maintained by the RSC or managed by the RSC under licence from a third party. The RSC will undertake to inform the third party of any such action, or
- to dismiss the complaint

6.31 The Disciplinary Panel will direct that a statement recording the exercise of any of the foregoing powers, save that of dismissal of the complaint, will be entered into the personal record of the Respondent.

Communication of outcome

6.32 The Disciplinary Panel may inform the Respondent of the outcome of the hearing, including any sanction, either immediately or after further deliberation in private or it may undertake to arrange to send written notice of the decision within fourteen days.

6.33 The Secretary to the Disciplinary Panel will confirm the finding in writing to the Respondent by special delivery post. The Respondent may at any time within 28 days of the date of postage of the letter announcing the sanction and/or outcome of the hearing appeal but only on one or more of the grounds specified in Regulation 7.2.

6.34 The Secretary to the Disciplinary Panel will also confirm the finding in writing to the complainant. The complainant has no right of appeal but can raise a new complaint within 12 months so long as it includes information not previously considered as part of the original complaint.

6.35 In cases of suspension or removal, it will take effect immediately from the Secretary's written confirmation to the respondent of the penalty, which will take effect prior to and notwithstanding any subsequent hearing or appeal, but which may be rescinded as a result of an Appeal Committee decision.

6.36 Arrangements will be made by the Secretary to the Disciplinary Committee to include a report of any cases considered by the Disciplinary Panel in the Annual Report of the Disciplinary Committee to the Council. If the Panel has dismissed the Complaint, no mention will be made of the name of the Respondent or the Respondent's category of membership.

6.37 Unless the Panel determines otherwise, with a written record of the reason, a statement concerning the expulsion or suspension of any member will be issued in a publication of the RSC, any statement to be made after the expiry

of any time available for an appeal or after the conclusion of any appeal process. The Panel may also determine that other announcements will be made in the public interest.

7.0 **Appeal Process**

- 7.1 For the purpose of determining an appeal, a meeting of the Appeal Committee will be convened by the Chair or Vice-Chair.
- 7.2 The Appeal Committee will consider appeals submitted only on the grounds of
- procedural impropriety
 - unreasonable decision or sanction
 - further significant evidence that could not reasonably have been made available to the Disciplinary Panel.
- 7.3 The quorum for a meeting of the Appeal Committee will be three. Decisions of the Appeal Committee will be by a simple majority of votes, and must have the support of at least one of the members representing the public interest.
- 7.4 In the event of a tied vote the Chair of the Appeal Committee will have a second and casting vote.
- 7.5 The Appeal Committee will have the power
- to decide whether further evidence submitted is new evidence of significance which could not reasonably have been presented to the Disciplinary Panel and, if so, to direct that the case be reheard by the Disciplinary Panel in the light of that new evidence
 - to quash the finding of the Disciplinary Panel
 - to cancel or vary the sanction of the Disciplinary Panel
 - to dismiss the appeal
- 7.6 When the Appeal Committee intends to hold a meeting, at least 14 days notice will be given to the members of Committee.
- 7.7 Where an Appeal is submitted in accordance with Regulation 6.33 it will be the duty of the Secretary to the Disciplinary Committee to make available to the Secretary to the Appeal Committee all the documentary evidence that was submitted to the Disciplinary Committee together with the Respondent's statement of appeal. The Appeal Committee will not hear witnesses.
- 7.8 Neither a Complainant nor a Respondent will have a right of appearance before an Appeal Committee.
- 7.9 The decision of the Appeal Committee will be confirmed to all parties by the Secretary to the Appeal Committee within 14 days and will be final.

7.10 Arrangements will be made by the Secretary to the Appeal Committee to include a report of the outcome of any cases considered by the Appeal Committee in the Annual Report of the Disciplinary Committee to the Council.

8.0 Applications for re-admission to membership, re-instatement of the designation Chartered Chemist or re-admission to any register

8.1 If a person who has been expelled from membership will subsequently apply for re-admission, such application will be considered by the Admissions Committee but will then be passed to the Council for a decision as to whether the expelled member will be readmitted.

8.2 If a person from whom permission to use the Chartered Chemist designation has been withdrawn as a result of disciplinary action will subsequently apply for its reinstatement, such application will be considered by the Admissions Committee but will then be passed to the Council for a decision as to whether the designation will be re-instated.

Annex 1

Extract from Part V of the By-laws of the Royal Society of Chemistry

DISCIPLINE

- 17A. The provisions of Part V of the By-laws will apply to affiliates as well as to members.
18. A member will be liable to disciplinary proceedings by the Society if alleged to have
- (a) been found guilty in a court of law of an offence involving fraud or dishonesty;
 - (b) been committed to prison following conviction for any other offence;
 - (c) failed to observe the Charter, By-laws or regulations of the Society;
 - (d) engaged in any activity inconsistent with membership of the Society;
 - (e) acted in a manner detrimental to the welfare or reputation of the Society; or
 - (f) been guilty of any act or default discreditable to the profession of chemistry.
19. The Council will make regulations for the investigation, hearing and disposal of any complaint against a member, and such member will be liable to sanctions applied by authorities appointed under those regulations, including the sanctions of suspension or expulsion from membership. Such regulations will have regard where appropriate to principles of human rights and natural justice.
20. Unless otherwise determined by the Council, a member who is the subject of a complaint will not be permitted to resign from membership while any stage of disciplinary proceedings is being conducted.
21. A member who is suspended or expelled will deliver to the Society, for cancellation or retention as the case may be, any certificate of membership or certificate referring to such membership or to the designation "Chartered Chemist" or any other designation previously issued and will cease to use any letters or designations relating to the Society. At the discretion of the Society, a member who has been suspended may be entitled to restoration of any rights withdrawn under this By-law at the end of a period of suspension.
22. to 25. (Deleted)

Annex 2

Procedures for investigating allegations of questionable behaviour on the part of non-members

Members of the RSC may occasionally face difficulties that arise from pressure exerted upon them by non-members (as individuals or organisations) to engage in, or condone, actions which are in conflict with the professional integrity and ethical principles that the RSC requires them to observe. The RSC's procedures for dealing with any such matters referred by its members are set out below.

- 1.0 If the RSC becomes aware of an ethical issue that affects a member, with possible implications for the science or profession of chemistry, the Secretary of the Membership and Qualifications Board (MQB) will gather as much information as possible.
- 2.0 The Secretary of the MQB will refer the ethical issue to the Chair of the MQB for consideration as soon as is reasonably practicable. The Chair may:
 - 2.1 determine that no further action be taken or
 - 2.2 convene, through the Secretary, a Panel of Inquiry drawn from the membership of the MQB, with access to such expert advice as is felt necessary

If no further action is called for under 2.1, the Chair will present a written report to the next meeting of the MQB. The Secretary will send a report to the member who made the allegation.
- 3.0 If a Panel of Inquiry is convened, the Secretary will provide it with all necessary material to permit consideration of the ethical issue and to assist the RSC to provide advice. The Panel of Inquiry may
 - 3.1 recommend to the Chair that no further action be taken
 - 3.2 seek further information, including written submissions from the member and from other interested parties, before proceeding to a subsequent stage
 - 3.3 recommend to the Chair that the member be invited to meet the Panel of Inquiry
- 4.0 If the Chair feels that the member should meet the Panel of Inquiry, the Secretary will invite the member, who may be accompanied by a friend. The RSC will reimburse reasonable travel or other expenses incurred by the member and will have absolute discretion in respect of reimbursement of any travel or other expenses incurred by the friend.
- 5.0 Following a meeting with the member, the Panel of Inquiry may
 - 5.1 recommend to the Chair that no further action be taken
 - 5.2 seek further information, through the member, by authorising a consultation with a legal adviser approved by the RSC and paid for by the RSC, subject to the member's agreement that the information arising from the consultation be made available to the RSC

- 6.0 The Secretary will present a written report to the next meeting of the MQB.
- 7.0 The MQB will receive a copy of the report arising from any legal consultation.
- 8.0 If the Panel of Inquiry recommends that no further action be taken, the Secretary will advise the relevant parties of the decision.
- 9.0 Subject to authorisation by Council, the MQB will have discretion regarding further courses of action that it may recommend or take.
- 10.0 If at any time during an investigation it becomes known that the facts giving rise to the ethical issue are *sub judice* or subject to investigation by any other competent tribunal or body, the RSC investigation will be suspended forthwith until the matter has been resolved elsewhere.