

DISCIPLINARY REGULATIONS

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PREAMBLE

CODE OF CONDUCT

The Trustees of the Royal Society of Chemistry has adopted the following code of conduct to uphold high standards of ethical practice. In doing so, we will raise the level of public trust and confidence through positive contributions to the advancement of the chemical sciences.

1. This Code of Conduct is applicable to all members (Honorary Fellows, Fellows, Members, Associate Members and Affiliate Members).
2. All members have a duty to: observe the provision of the Charter and By-laws of the Royal

Society of Chemistry and any regulations made under them:

- conduct themselves honourably and with integrity in the practice of their profession,
- maintain the highest standards of competence, 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, encourage inclusivity and protect the dignity and welfare of the community,
- Respect others at all times, and fulfil duties in a fair manner by being aware of, and limiting any biases,
- further the interests of and maintain the reputation and welfare of the Royal Society of Chemistry.

Members will upon admission and renewal sign the following declaration (as required under By-law 4.8):

“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 all relevant constitutional and regulatory provisions, and adhere to the provisions of the Code of Conduct”

3. In order to meet their duty under this Code, members should refer general guidance on professional conduct, together with advice on specific issues, and shall conform to any rulings on such matters that may be approved and issued from time to time by the RSC Board of Trustees.
4. The Royal Society of Chemistry has a disciplinary process for members that do not adhere to this [code of conduct](#).

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. *These regulations can be applied to members and non-members who are recipients of an RSC Prize, Award or other Recognition and can be applied retrospectively.*

The Board of Trustees have delegated powers to the Professional Standards Board, Disciplinary Committee and Appeal Panel 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 periodic audit (conducted by the Professional Standards Board) by the Board of Trustees, are summarised below:

Professional Standards Board

Professional Standards Board acts as the RSC's 'ethical practices committee' and considers complaints against members – and non-members who are recipients of an RSC Prize, Award or other Recognition – 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 Professional Standards Board. It is a sub-committee of the RSC Board of Trustees.

Appeal Panel

An Appeal Panel 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 Panels.

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'. Further information on whistleblowing can be found at <https://www.gov.uk/whistleblowing>. People wishing to speak out may use an [online submission](#) that would be considered on a case-by-case basis. However, an Investigating Panel will not examine anonymous complaints.

A simplified flowchart of the process can be found in Annex 1.

A simple flowchart of the reporting lines between committees can be found in Annex 2.

DISCIPLINARY REGULATIONS

1.0 Definitions

In these Regulations, unless the context otherwise requires

- 1.1 'RSC' means Royal Society of Chemistry
- 1.2 'Trustees' means the Board of Trustees of the RSC; no serving Trustee will be a member of the Disciplinary Committee or an Appeal Panel.
- 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 of the RSC
- 1.6 'Investigating Panel' means a Panel appointed by the Chair of the Professional Standards 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 above, as the context requires; the same person will not serve as Secretary to more than one of the Professional Standards Board, the Disciplinary Committee and the Appeal Panel in connection with any one case. The Secretary will be a member of RSC staff.
- 1.9 'improper conduct' means any act or omission or form of behaviour described in any or all of the provisions of By-law 7.1 (see Annex 3).
- 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 7.1 and supported by documentary evidence.
- 1.11 'allegation' means any accusation other than a complaint as defined in 1.10.
- 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 'written warning' means the member receives a formal statement regarding the outcome of the complaint against them, to be kept on their record.

- 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 established by the Board of Trustees to consider applications of membership.

2.0 Professional Standards Board

- 2.1 The Professional Standards 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 Board of Trustees' *General Principles for RSC Boards and Committees*.
- 2.3 A retiring member of the Professional Standards 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 Professional Standards Board will at the same time serve as a member of the Disciplinary Committee, an Appeal Panel or the Disciplinary Audit Panel.

3.0 Disciplinary Committee

- 3.1 The Disciplinary Committee will comprise of 15 members. Nine members of the Committee will be past Trustees or current or past members of other Boards or Committees 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 Trustees or senior staff of other professional bodies and scientific societies and will exclude current and former RSC members and RSC employees. The Board of Trustees will appoint members to a Disciplinary Committee to serve with effect from the close of the Annual General Meeting in each year.
- 3.2 The Board of Trustees 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 Board of Trustees 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 Board of Trustees 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 Professional Standards Board, the Appeal Panel or the Disciplinary Audit Committee.

4.0 Appeal Panel

4.1 An Appeal Panel will comprise five members. Three members of the Panel will be past members of the Board of Trustees 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 Panel, appointed to represent the public interest, will be drawn from past or current Trustees or senior staff of other professional bodies and scientific societies and will exclude current or former RSC members and employees. The Board of Trustees will appoint members to an Appeal Panel as required for consideration of a specific appeal.

4.2 No member of an Appeal Panel will at the same time serve as a member of the Professional Standards Board, the Disciplinary Committee or the Disciplinary Audit Panel.

5.0 The Investigation process

Receipt of complaint

5.1 When the Secretary to the Professional Standards 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 refer it to the Chair of the Professional Standards 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, a member of RSC staff identifies member activity which could contravene By-law 7.1 including potentially reputational damage to the RSC, they will refer the matter to the Secretary of the Professional Standards Board. The Secretary will then refer the matter to the Chair or the Vice-Chair of the Professional Standards Board. If the Chair or the Vice-Chair considers that the matter falls within

By-law 7.1 they 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. The member of staff identifying the activity will not be involved in any further aspect of the complaint.

- 5.3 An Investigating Panel will not examine anonymous complaints.
- 5.4 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 Professional Standards Board. No actions are taken against a member until the matter has been thoroughly investigated.
- 5.5 The Chair of the Professional Standards 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 Professional Standards Board, or one of its reporting committees, of whom at least one will be a Fellow and at least one will be a Chartered Chemist. RSC staff members of the Professional Standards Board cannot serve as a member of an Investigating Panel. The Secretary to the Professional Standards Board will normally be the Secretary to the Investigating Panel.
- 5.6 The Chair of the Professional Standards 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.
- 5.7 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 this expert advice.
- 5.8 All those appointed to an Investigating Panel or providing advice must have no prior connection with the complaint or persons concerned.
- 5.9 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.
- 5.10 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.
- 5.11 In all other cases the Secretary to the Professional Standards 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; and 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.

Mediation

- 5.12 The Investigating Panel can decide whether the case is suitable for resolution through mediation.
- 5.13 If mediation is acceptable to both parties (the complainant and the Respondent), a suitably qualified independent, qualified mediator will be appointed to facilitate. If resolution is achieved and investigation will not proceed. If the process is unsuccessful and if the complainant wishes the matter to proceed, then the matter will proceed to an investigation.

Investigation

- 5.14 Neither a complainant nor respondent nor any representative acting on behalf of either will have a right of appearance before the Investigating Panel.
- 5.15 At least 21 clear 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.
- 5.16 All parties will provide the Secretary of the Professional Standards Board with copies of all documents on which they intend to rely by at least 7 clear days before the meeting.
- 5.17 The Panel will consider the written complaint and other submitted evidence. The Panel may either reach a conclusion on the day or suspend consideration to enable further enquiries to be made.
- 5.18 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; or
 - to refer the complaint to the Disciplinary Committee.
- 5.19 Where the complaint is in the public interest the Investigating Panel will refer the matter to another appropriate body or procedure.
- 5.20 Decisions of the Investigating Panel are made by a simple majority vote. In event of a tied vote the investigation must be referred to the Disciplinary Committee.
- 5.21 If the Investigating Panel decides that there is no case to answer, the Chair of the Professional Standards Board will cause the Secretary to inform the relevant parties of the decision.
- 5.22 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 their future professional conduct. The Respondent may at any time within 21 days after the date of postage of the letter require the matter to be referred to the Disciplinary Committee.

- 5.23 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 their right under Regulation 5.19 to have the matter referred to the Disciplinary Committee, the Secretary will inform the Complainant.
- 5.24 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.
- 5.25 In the event of an Investigation Panel dismissing a Complaint and further evidence emerging, the Chair of the Professional Standards Board may initiate a re-investigation considering all evidence.

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 four members. Decisions of the Disciplinary Panel will be by a simple majority of votes. 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.
- 6.3 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.
- 6.4 All those appointed to a Disciplinary Panel or providing advice must have no prior connection with the matter or persons concerned.

- 6.5 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.
- 6.6 Where the complaint is deemed to be in the public interest, the Disciplinary Panel may refer the matter to another appropriate body or procedure.

Hearing

- 6.7 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 question participants or contribute in the deliberations of the Panel or vote on the findings or sanctions.
- 6.8 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.
- 6.9 If the Respondent does not wish to appear, the Disciplinary Panel is authorised to proceed with the hearing in the absence of the Respondent.
- 6.10 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 at least 28 clear days from the date of dispatch of the notice), time and place of the hearing;
 - the statement of the complaint together with all supporting documentation which is being transmitted to the Disciplinary Committee;
 - 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;
 - a requirement to provide to the Secretary to the Disciplinary Panel not less than 14 clear days before the date of the hearing a copy of each and all the documents on which the Respondent proposes to rely;
 - a requirement to inform the Secretary to the Disciplinary Panel not less than 7 clear days before the date of the hearing of the following: whether the Respondent intends to appear before the Disciplinary Panel in person or by video/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 clear 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.

A copy of these Regulations will be enclosed with the notice of the hearing.

- 6.11 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.
- 6.12 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.
- 6.13 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, they may vary the procedure for the hearing set out in these regulations.
- 6.14 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.
- 6.15 At the opening of the hearing the Chair of the Panel will inform all present of the procedure to be adopted.
- 6.16 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.
- 6.17 The Chair of the Panel will invite a representative of the RSC to present the statement of the case as circulated in advance of the hearing.
- 6.18 The representative of the RSC may call witnesses including the Complainant to give their evidence and question them.
- 6.19 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.
- 6.20 Any member of the Disciplinary Panel may ask questions of the representative of the RSC and witnesses.
- 6.21 The Chair of the Panel may seek further information from the representative of the RSC and witnesses on any matter raised during such questioning.
- 6.22 The Respondent (or the Respondent's representative) will present their case in the presence of the Panel and the Respondent may also call witnesses to give evidence and question them.

- 6.23 Any member of the Disciplinary Panel may ask questions of the Respondent and the Respondent's witnesses.
- 6.24 The Respondent (or the Respondent's representative) may question their witnesses again on any matter that has arisen during such questioning.
- 6.25 When all the evidence has been heard, the representative of the RSC may sum up the case on behalf of the RSC.
- 6.26 The Respondent and/or the Respondent's representative may sum up his/her case.
- 6.27 The Chair, at their 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.
- 6.28 At the conclusion of the hearing all, save the Chair, members of the Panel and the Secretary, will withdraw.
- 6.29 The Disciplinary Panel with the Secretary will deliberate in private, but may recall the parties and/or any specialist advisor 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.
- 6.30 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

- 6.31 The Disciplinary Panel will have the power to
- issue a written warning to the Respondent in regards to future conduct;
 - reprimand the Respondent and require the Respondent to indicate in written agreement to follow a specific course of action and/or to give a written undertaking as to his/her future conduct;
 - order a mandatory professional development activity;
 - 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;
 - Remove or rescind awards, prizes and other recognition whether that

- be to a member or non-member”
 - that the name of the Respondent be removed from any register maintained by the RSC or managed by the RSC under license from a third party. The RSC will undertake to inform the third party of any such action; or
 - dismiss the complaint.
- 6.32 If the case is dismissed, the Disciplinary Panel may refund any reasonable direct costs incurred by the member in defending themselves.
- 6.33 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

- 6.34 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 14 days.
- 6.35 The Secretary to the Disciplinary Panel will confirm the finding in writing to the Respondent. The Respondent may at any time within 21 clear days of the date of confirming the sanction and/or outcome of the hearing appeal but only on one or more of the grounds specified in Regulation 7.2.
- 6.36 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.
- 6.37 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 Panel decision.
- 6.38 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 Board of Trustees. 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. The Annual Report of the Disciplinary Committee will also be shared with the Professional Standards Board for information.
- 6.39 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 will 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.

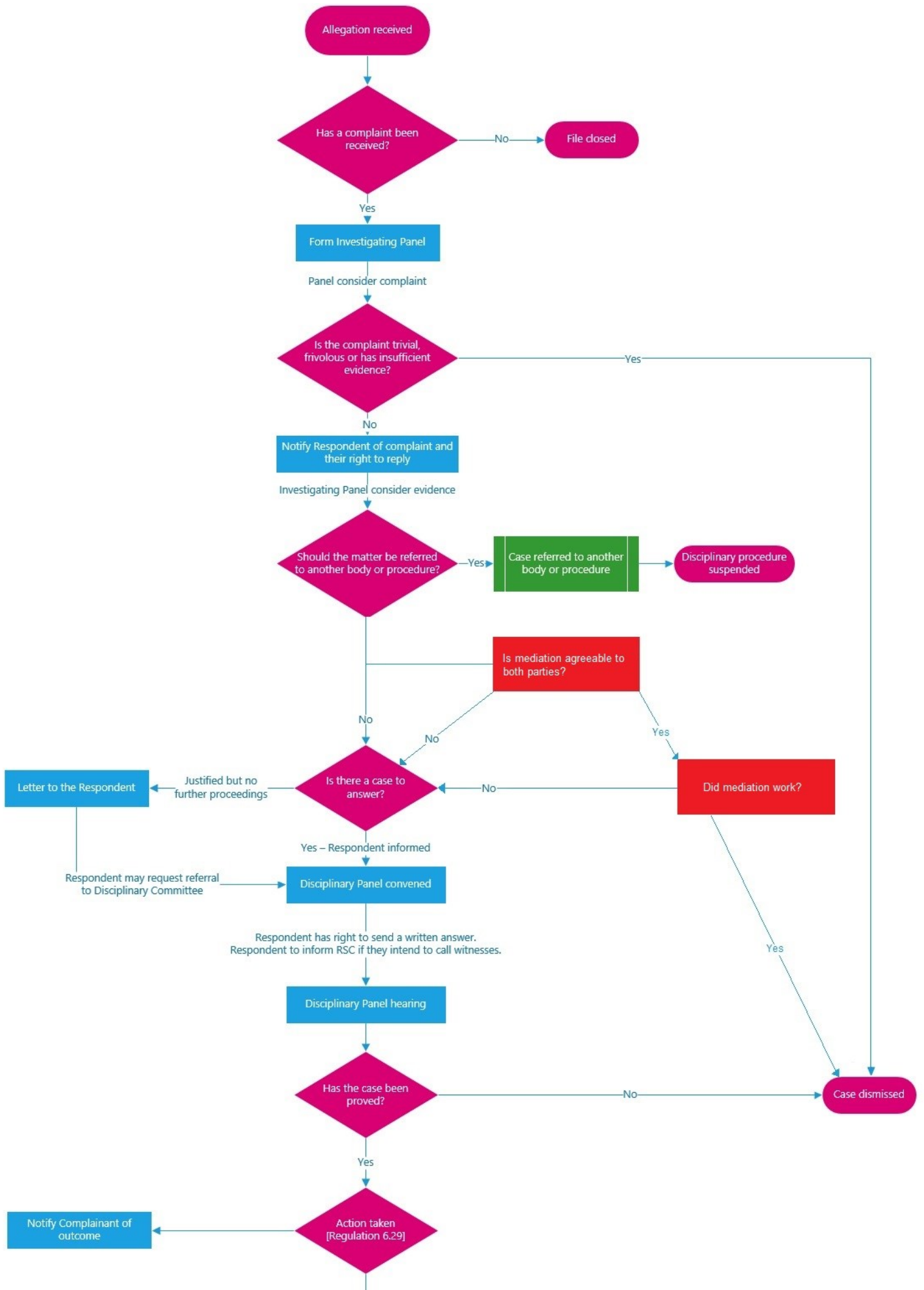
7.0 Appeal Process

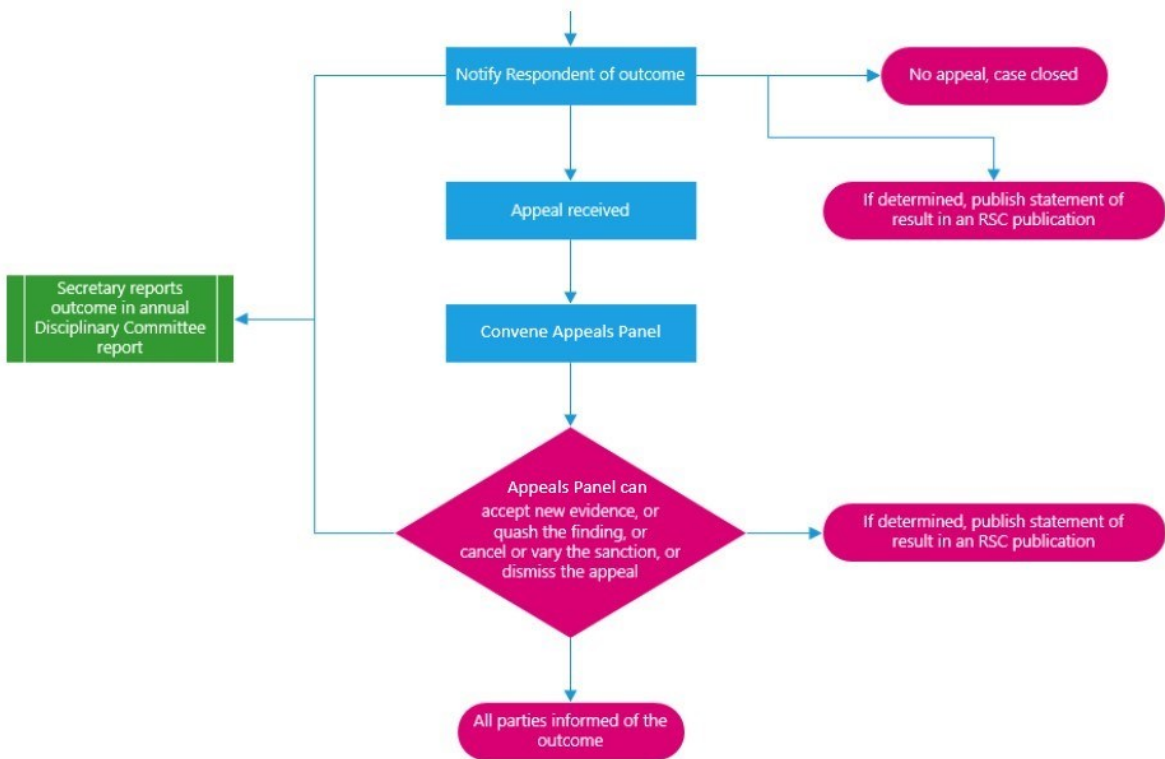
- 7.1 For the purpose of determining an appeal, a meeting of the Appeal Panel will be convened by the Chair.
- 7.2 The Appeal Panel will consider appeals submitted only on the grounds of
- procedural impropriety;
 - unreasonable decision or sanction; or
 - further significant evidence that could not reasonably have been made available to the Disciplinary Panel.
- 7.3 The quorum for a meeting of the Appeal Panel will be three including the Chair. Decisions of the Appeal Panel 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 Panel will have a second and casting vote.
- 7.5 The Appeal Panel 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; or
 - to dismiss the appeal.
- 7.6 When the Appeal Panel intends to hold a meeting, at least 14 clear days' notice will be given to the members of the Panel.
- 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 Panel all the documentary evidence that was submitted to the Disciplinary Committee together with the Respondent's statement of appeal. The Appeal Panel will not hear witnesses.
- 7.8 Neither a Complainant nor a Respondent will have a right of appearance before the Appeal Panel.
- 7.9 The decision of the Appeal Panel will be confirmed to all parties by the Secretary to the Appeal Panel within 14 days of the Committee meeting and will be final.
- 7.10 Arrangements will be made by the Secretary to the Appeal Panel to include a report of the outcome of any cases considered by the Appeal Panel in the Annual Report of the Disciplinary Committee to the Trustees.

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 subsequently applies for re-admission, such application will be considered by the Admissions Committee but will then be passed to the Board of Trustees 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 subsequently applies for its reinstatement, such application should be accompanied by a Continuing Professional Development (CPD) form and will be considered by the Admissions Committee but will then be passed to the Board of Trustees for a decision as to whether the designation will be re-instated.
- 8.3 If a person from whom permission to use a licensed designation, such as Registered Scientist, has been withdrawn as a result of disciplinary action subsequently applies for its reinstatement, such application should be accompanied by a CPD form and will be considered by the Registration Committee but will then be passed to the Board of Trustees for a decision as to whether the designation will be re-instated.

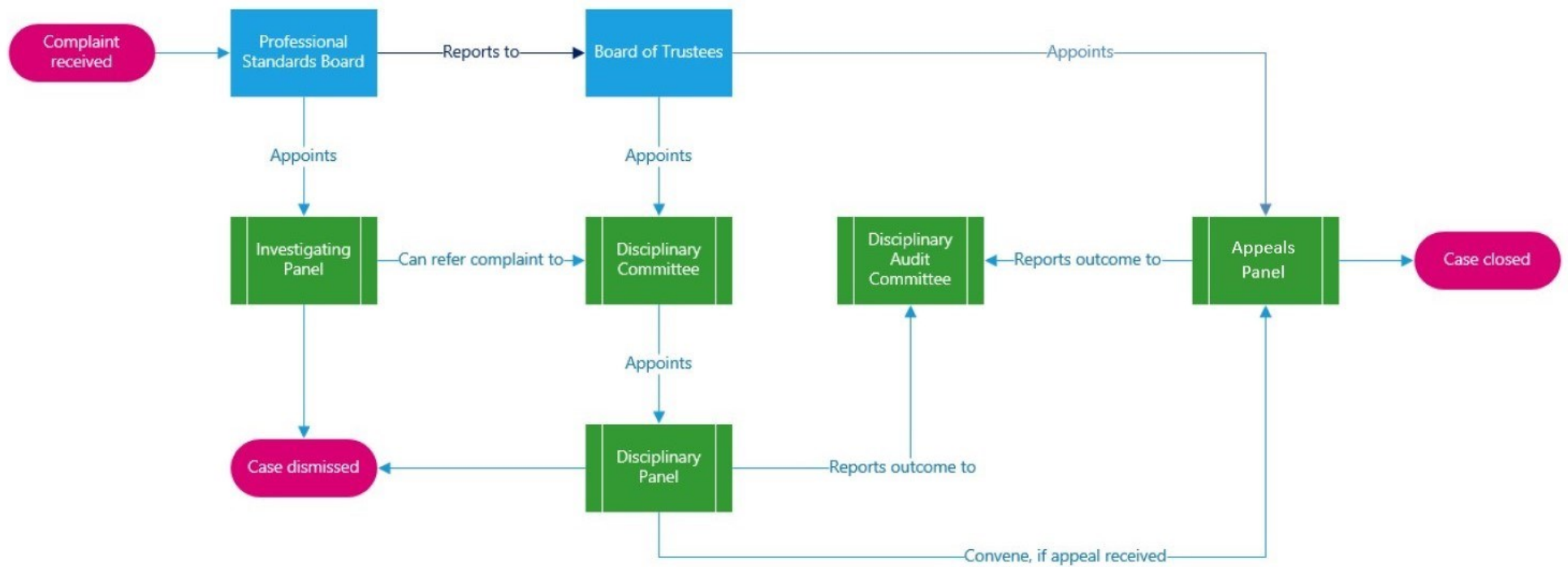
Annex 1





Annex 2

Flowchart of committee reporting lines



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

7 Disciplinary proceedings

- 7.1 A member shall 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.
- 7.2 The Board of Trustees shall make Regulations for the investigation, hearing and resolution of any complaint against a member, and such person shall be liable to sanctions applied by the authorities appointed under those Regulations. This includes the sanctions of suspension or expulsion from membership.
- 7.3 Unless otherwise determined by the Board of Trustees, a member who is the subject of a complaint shall not be permitted to resign from membership while any stage of disciplinary proceedings is being conducted.
- 7.4 A member who is suspended or expelled shall deliver to the Society, for cancellation or retention by the Society 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 or any designation issued by the Society under licence from a third party and shall cease to use any letters or designations relating to the Society or those relating to the third party licensing organisation. 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.
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Disciplinary regulations apply to prizes, awards and other recognition where the recipient or recipients has signed the Code of Conduct Declaration for RSC Recognition

