

Disciplinary Procedure

1.0. Introduction

1.1. The British Toxicology Society (“Society”) is a charity with a mission to “To provide the principal forum for toxicology in the UK, to support and enrich the careers of toxicologists, and to promote the importance and advancement of toxicology in the wider scientific and lay communities.”

1.2. The BTS is a Society which is open to all and offers an inclusive environment where Members have a voice.

1.3. The Society is proud of its reputation within the sector representing toxicology and related areas in both the UK and globally.

1.4. As such, the purpose of this Disciplinary Procedure (Procedure) is to enable the Society to protect the reputation of the Society should any Members fail to maintain sufficient standards of professional or relevant personal conduct including any breach of the Society’s Code of Conduct Policy (<https://www.thebts.org/information/policies-strategies/>).

1.5. This Procedure is an internal not a legal process. The outcomes are not shared externally unless there is a need to do so such as reporting to a Professional Regulatory or Statutory Body due to the nature of the misconduct and the professional status of the Member or where there may be a need for a criminal investigation to be undertaken (see paragraphs 1.9, 1.12, 1.13,1.17, 2.1.1,2.1.4,2.18, 6.3 and 7.1.4)

1.6. The Society’s Executive Committee has the duty to oversee all disciplinary decisions to ensure that the principles of fairness and transparency are followed.

1.7. The Executive Committee delegates its power to the Disciplinary Panel and the Disciplinary Appeal Panel to consider cases and provide the necessary penalties as required. These Panels have ultimate responsibility for disciplinary matters as part of its responsibility for the Society’s governance. The Disciplinary Panel will consist of the General Secretary, the Treasurer and one Ordinary Member of the Executive Committee. The Disciplinary Panel will not include the Vice President who will be required to be Chair of the Disciplinary Appeal Panel (paragraphs 8.2-8.7) if required. The Disciplinary Appeal Panel shall comprise of the Vice President, the Chair of the Scientific Subcommittee and one Ordinary Member of the Executive Committee. Where there are any conflicts on either Panel other members of the Executive will be asked to sit on these.

1.8. The President as Chair of the Executive Committee shall retain oversight of any disciplinary process undertaken in accordance with this Procedure. In the event that the President is conflicted on the matter in question the General Secretary shall perform this role. Therefore, any reference to the President in this Procedure should also be read as including the General Secretary. In any allegation where the President is the Respondent then the General Secretary undertakes the role normally

associated with the President in this Procedure and thus will not be permitted to Chair Stage Two of this Procedure (see Section 6.0). In this situation the Executive Committee will appoint a Chair.

1.9. The President may order any process under this Procedure to be suspended at any stage should any other agency start proceedings against a Member on the same or related grounds. These agencies would include but are not limited to any appropriate regulator, the Member's employer, another Learned Society, Professional, Statutory or Regulatory Body or Legal Counsel.

1.10. Note that the Society seeks to protect those who bring the disciplinary matter to the attention of the Society from victimisation or harassment. The Society will, where possible, investigate all issues received in confidence and protect the identity of all parties concerned until such times as an outcome is made known and where this is appropriate to the circumstances.

1.11. The Society deals with disciplinary matters in confidence, to the extent that this is compatible with making enquiries and holding meetings to consider the matter. The Society collects and processes a variety of personal data. This personal data may be provided by the person raising the allegation(s) or collected from publicly available sources such as social media. The Society processes personal data for this purpose in its legitimate interests. There may be occasions that will require the sharing of sensitive personal data (defined as "special category" data by data protection legislation). The Society processes and shares special category data in the substantial public interest and only where it is necessary to enable the Society to fulfil its duties of care to the Member who is the subject to the allegations, other Members, and/or to safeguard third parties.

1.12. Many of the Society's Members are subject to accreditation by Professional, Statutory or Regulatory Bodies. In general the Professional, Statutory or Regulatory Bodies require the Society to inform them where a Member's conduct calls into question their fitness to practice within a particular profession, including conduct that poses a threat to the wellbeing or safety of others.

1.13. The Society may also be required to notify the Professional, Statutory or Regulatory Bodies of misconduct that calls into question the Member's integrity, such as criminal acts, fraudulent activities and/or dishonesty.

1.14. If the Complainant bringing the issue to the attention of the Society wishes to remain anonymous the Society will respect their wishes unless the Society is instructed to provide the name where the issue has been escalated to the Police and/or a Professional, Statutory or Regulatory Body The Complainant will be informed of this exception when raising the issue.

1.15. In these disciplinary matters the **Burden of Proof** is for the Society to show that it is more likely than not that the Member (the Respondent) committed the offence. The Burden of Proof switches to the Respondent at the appeal stage.

1.16. The **Standard of Proof** applied in disciplinary matters is that of the balance of probability; that on the evidence put forward it is more likely than not that something was or was not the case.

1.17. The disciplinary procedures will be conducted as quickly as possible and **normally** within 90 working days from the start of the investigation as follows:

1.17.1. the initial investigation and conclusion of the process (with the possible outcome being either no action, a verbal or written warning (minor) or a final written warning with or without additional penalties such as removal of the Member from the Society (major)) will normally conclude within 60 working days.

1.17.2. the appeal against either a minor offence penalty or major offence penalty will normally conclude within a further 30 working days from the outcome of the Disciplinary Panel's decision.

1.18. The timeframes do not include the time taken for any employer investigations, Professional, Statutory or Regulatory Bodies' investigations or police criminal investigations or prosecution.

1.19. In addition there may be mitigations due to health grounds for the Member to whom the allegations refer and these need to be considered in the timeframe needed to undertake the investigations and these may need to be adjusted (see Section 3.0 below) .

2.0. Misconduct

2.1. For the purposes of this Disciplinary Procedure, misconduct covers any behaviour by a Member (the Respondent) which the Executive Committee shall in its reasonable discretion consider to be seriously injurious to the reputation or interests of the Society, the trustees of the Society, the secretariat or other members. Such behaviour may include (but is not limited to):

2.1.1. Undertaking any scientific research or clinical practice in a manner that is unacceptable, including as determined by reference to any guidelines published by any Professional, Statutory or Regulatory body in the UK from time to time;

2.1.2. Academic offences such as research fraud or plagiarism;

2.1.3. Involvement in fraud or malpractice;

2.1.4. Acting in a personal or professional capacity in such a manner as is likely to bring the Society into disrepute or to endanger a Member's own professional standing or that of their colleagues;

2.1.5. Making any form of statement in the public domain which is purported to be either on behalf of Society or endorsed by the Society, or otherwise appearing to act on behalf of the Society without prior written authorisation;

2.1.6. Damaging or misusing any Society's resources such as its website;

2.1.7. Abusing any privileges enjoyed by virtue of holding any Society office, whether elected or unelected;

2.1.8. Being charged with an indictable offence or convicted of a criminal offence for which a custodial sentence is given (including a suspended sentence); and

2.1.9. Behaving towards any members of the Society, members of the Secretariat servicing the Society or any visitor to the Society, in a violent, indecent, threatening, disorderly or offensive manner, or subjecting them to racial, sexual or religious harassment, or any other form of bullying, harassment, abuse or discrimination; and is referred to as "Misconduct."

3.0. Reasonable adjustments

Reasonable adjustments to the processes within this Disciplinary Procedure, including the extending of deadlines for a Member's (Respondent) response to the allegations, will be made upon the production by the Member of relevant third party evidence which demonstrates the need for those adjustments.

4.0. Exceptional circumstances.

In exceptional circumstances it may be appropriate to amend the process set out in this Procedure, for example, where strict application of the Procedure would result in substantial unfairness to the Member or the Member is in some way at risk because of health. Such cases will be treated on their own merits.

5.0. Stage One – Initial investigation

5.1. The President shall be notified of:

5.1.1. any allegations of Misconduct made against a Member received by the Society, whether from the general public, elected Officers of the Society, other Members or others supporting the Society such as members of the Secretariat; or

5.1.2. any matter of which the Society becomes aware from publicly available sources which may require investigation under this Procedure.

5.2. The President shall consider if an investigation into alleged Misconduct is required.

5.3. The Investigating Officer shall inform the Member (Respondent) of the allegation(s), in general terms, and the President is considering if there is a case to be answered and if this can be done informally or if the case, given the nature of the misconduct is to be referred to a Disciplinary Panel.

5.4. The President shall review the allegations and determine whether further information is required, and may engage with the person raising the issue (the Complainant) to obtain this information. The President shall decide, in consultation with the Complainant, if the matter can be resolved informally. If the matter cannot be dealt with informally or attempts to deal with the matter informally fail, the President shall appoint the Immediate Past President to undertake a formal investigation into the allegation or report of Misconduct (the “Investigating Officer”). If a conflict exists with the Immediate Past President then one of the Ordinary Members of the Executive Committee will be appointed to undertake the investigation.

5.5. The Investigating Officer may seek assistance to conduct the investigation from the BTS Secretariat and/or an independent the legal adviser, where this is required and as appropriate.

5.6. The Investigating Officer shall consider all information provided by the Complainant and ask the Respondent concerned for any response to the allegations to establish whether, on the balance of probabilities, misconduct has taken place. The Investigation Officer will then determine whether a formal investigation is required. If no such information is presented or is not sufficient to warrant formal investigation, the Investigating Officer shall consult with the President and, if the President agrees, take no further action beyond noting in the Society records that the allegation or report was unfounded, frivolous or vexatious. The President shall provide a summary report to the Executive Committee, on an anonymised basis if considered appropriate, outlining the process conducted to date and reiterating any finding of an unfounded, frivolous or vexatious allegation.

5.7. The President having found that there is no *prima facie* case to answer, or that the allegation of Misconduct is frivolous or vexatious and therefore not in the interests of the Society to pursue, the President will ask the Investigating Officer to inform the Complainant of the outcome of this stage of the investigation. There will be no further action taken. The Investigating Officer will inform the Executive Committee of the outcome.

5.8. If the President finds that there is sufficient evidence of possible misconduct to warrant further investigation, the Investigating Officer will be instructed to determine if the misconduct is either minor or major depending on the severity of the misconduct and with due regard as to whether a minor or major penalty would be proportionate and reasonable for a proven offence. If it is agreed that the misconduct is minor in nature that the Member has not provided the required support of the Executive Committee or its Subcommittees, the Investigating Officer will recommend to the President that the

penalties imposed can be considered at this stage which would normally be either a formal verbal warning or written warning letter prior to the Member being demitted from office as per the Terms of Reference. The President is permitted to apply the penalty on behalf of the Executive Committee unless this refers to the President in which case the General Secretary will conduct the investigation and if applicable apply the penalty.

5.9. If the allegations are deemed to be of a more serious nature the case must then be referred to:

5.9.1. a Disciplinary Panel; and/or

5.9.2. an appropriate external party such as a regulator; and/or

5.9.3. the employer of the Member about whom the allegation has been made where the employer, either explicitly or by implication, is involved in the allegation.

5.10. The Investigating Officer shall inform the Member of the allegation(s), in general terms, and whether the matter has been referred to a Disciplinary Panel and/or externally.

5.11. At Stage 1 where the allegations are upheld but the misconduct considered to be minor and rectified by penalties imposed by the President, the Member can appeal the decision. When making an appeal at this stage against the imposition of a penalty for a minor issue the Member is required to show that they have evidence to demonstrate that one or more of the following grounds apply:

5.11.1. that the President/Investigating Officer failed to follow the procedures or failed to follow this with due care.

5.11.2. that the President/Investigating Officer has shown bias or prejudice towards the Member in the way that they managed the matter that led to the imposition of the penalty.

5.11.3. that relevant new evidence has become available that should be considered and there are valid reasons why it was not available at this initial stage of the Investigation and at the time they imposed the penalty.

5.11.4. that the decision was unreasonable and/or the penalty imposed by the Authorised Person was not proportionate in all of the circumstances.

5.12. Appeals against a decision and/or a penalty imposed by the President at this stage must be made within 10 working days in writing to the BTS Secretariat.

5.13. At this stage, the appeal will be considered by two Ordinary Members of the Executive Committee and if they can show that there are sufficient grounds and evidence for the Member's appeal against a penalty imposed is upheld. The BTS Secretariat will write to the Member explaining the grounds for upholding their appeal.

5.14. If however the appeal is not supported by evidence, the two Ordinary Members of the Executive Committee will dismiss the appeal. The BTS Secretariat will write to the Member explaining the grounds for the dismissal.

5.15. This is the completion of Stage 1 of both the Disciplinary Process and any appeals made.

6.0. Stage Two – Hearing by the Disciplinary Panel

6.1. The Disciplinary Panel shall comprise of the General Secretary, the Treasurer and one Ordinary Member of the Executive Committee. The General Secretary will be the Chair.

6.2. If any member of the Disciplinary Panel has any conflict of interest or loyalty (including any personal friendship, relationship or animosity) with either the Respondent or the Complainant, they shall declare their interest to the President and shall not sit on the Disciplinary Panel in relation to that allegation of Misconduct. In such a situation the Executive Committee shall elect a substitute member of the Executive Committee to sit on the Disciplinary Panel. In addition, the Respondent will be asked to confirm they are happy with the composition of the Panel prior to the Disciplinary Panel meeting to discuss the allegations against the Respondent. If the Respondent is not content with the Panel's composition they will provide reasons and a new Panel where no conflicts exist convened.

6.3. If the issue is already under investigation by an external source (a regulator, the Member's employer, another Learned Society, Professional Body and/or the Courts) and a judgment reached, the Disciplinary Panel shall rely on the findings of that body and not re-consider the substantive issues in the allegation or hold a Hearing attended by the Respondent unless, in their absolute discretion, the Disciplinary Panel considers it is necessary or appropriate in the circumstances.

6.4. Prior to any Hearing by the Disciplinary Panel, the Investigating Officer shall inform the Member of the investigation, the allegations, the timetable for the investigation and proposed Hearing (if any) by the Disciplinary Panel, including (where appropriate):

6.4.1. the date, time and if the Hearing will be in person or online. If in person the place of the Hearing will be provided;

6.4.2. a detailed summary of the allegation or report, including the details of the case against the Respondent;

6.4.3. copies of evidence that will be presented and/or the names of any witnesses who will be called to give evidence at the Hearing (if any); and

6.4.4. the dates by which the Respondent must file documentary material and/or witnesses in their defence or mitigation.

6.4.5. All evidence must be made available no less than 7 working days before the Disciplinary Panel Hearing. It will be at the discretion of the Chair if they wish to accept any evidence after this date from all parties.

6.4.6. If the Respondent wishes to be accompanied to the Hearing by a friend, the name of the accompanying person must be provided within 14 working days of the Hearing.

6.4.7. If the Respondent wishes to be accompanied to the Hearing by a legal representative, the name of the accompanying person must be provided within 14 working days of the Hearing. The Respondent will be informed by the Chair if the Disciplinary Panel needs to adjourn the Hearing to a new date to allow a suitable legal representative for the Society to be secured.

6.5. No evidence may be relied on or referred to at a Hearing or witnesses called by the Respondent or by the Society if copies of that evidence and/or names of those witnesses have not been provided to the Member or the Investigating Officer (as the case may be) within the timetable set by the Disciplinary Panel (see paragraph 6.4).

6.6. A decision by the Chair of the Disciplinary Panel on any point of procedure at any Hearing of the Disciplinary Panel shall be binding. Provided that the proceedings are fair to the Member and the principles of natural justice have not been compromised, no objection relating to a technical defect in the procedure of the investigation of the allegation or report or of the convening and process of the Hearing shall be upheld.

6.7. Subject to paragraph 6.5, the Respondent being investigated has the right to be present during the Hearing and may be accompanied by a friend. Any such individual accompanying the Respondent shall act as an observer and shall not be entitled to actively participate in the Hearing and may not advocate on behalf of the Respondent. It should be noted that the Disciplinary Process is not a court Hearing and as such no legal representatives would normally be present, but if the Respondent wishes to have a legal representative present then the Society will also have legal counsel present. The Chair of the Disciplinary Panel must be informed of the Respondent's intentions no less than 14 working days before the Hearing.

6.8. The Hearing may be held in the absence of the Respondent if they fail to attend having been given reasonable notice in accordance with paragraph 6.4.

6.9. The Disciplinary Panel shall make decisions by a majority vote but the votes of the individual Member on the Disciplinary Panel shall be confidential. In order to find that allegations are considered to be Misconduct, the Disciplinary Panel must conclude that the evidence against the Respondent is true (Burden of Proof) on the balance of probabilities (Standard of Proof) .

6.10. A Disciplinary Panel may come to one of two findings:

6.10.1 that no misconduct has been committed; or

6.10.2 that misconduct has been committed;

6.11. Where misconduct has been committed the Disciplinary Panel will then consider what penalty to apply by reviewing whether:

6.11.1. the Respondent demonstrated insight and/or remorse;

6.11.2. the Respondent has demonstrated honesty and integrity during the disciplinary process;

6.11.3. the Respondent can provide independent medical evidence to show that, at the time of the misconduct, their health was impaired to such an extent as to impact their ability to distinguish between acceptable conduct and misconduct;

6.11.4. this is a first offence, or whether there is a previous finding or findings of similar misconduct;

6.11.5. the Respondent responded positively to any reasonable warnings or concerns about their behaviour prior to the misconduct occurring;

6.11.6. the misconduct was, to any extent, intended or premeditated.

6.12. The Disciplinary Panel shall send a report of its decision, together with the reasons for that decision, to the President and Executive Committee. If the Disciplinary Panel concludes that there is sufficient evidence of Misconduct, the report shall include the penalties imposed (see paragraph 7.1) by the Disciplinary Panel which take immediate effect.

7.0. Penalties available

7.1. The Disciplinary Panel shall have the delegated authority of the Executive Committee to impose anyone or more of the following penalties:

7.1.1. order the Respondent who was the subject of the (s) to pay compensation in respect of Society property that has been damaged, misused or lost or in respect of any privilege that has been abused;

7.1.2. require the Respondent who was the subject of the allegation(s) to make a written apology to any other Member, person or employee of the Society as a condition of that Member's continuing membership of the Society;

7.1.3. issue a formal final written warning to the Respondent who was the subject of the allegation(s) and place a copy of it on that Member's record;

7.1.4. suspend the Respondent from the Society pending the outcome of an on-going investigation by another Professional, Statutory or Regulatory Body, the Member's employer, or the police/criminal proceedings;

7.1.5. expel the Respondent from the Society in accordance with the Articles of Association.

7.1.6. withdraw any awards previously bestowed upon the Respondent by the Society.

7.1.7. where appropriate inform other Learned Societies, who are affiliated with the Society, that they may wish to consider withdrawing any awards bestowed upon the Respondent.

7.2. Any formal **Final Written Warning** issued under paragraph 7.1.3 above must include the following information:

7.2.1. the nature of the allegation or report against the Respondent which were upheld or not;

7.2.2. the Disciplinary Panel's conclusion from its investigation together with the penalties;

7.3. An expelled Member shall lose all rights of Membership. The Membership fee of a Member who has been expelled from the Society shall not be returned or refunded to the expelled Member.

7.4. The Disciplinary Panel shall have discretion to reduce the Membership fee payable by a suspended Member during the period of their suspension. A suspended Member shall lose all rights of Membership for the duration of their suspension.

7.5. The Disciplinary Panel will ask the Executive Committee to refuse any expelled or suspended Member access to any Society events which is open to non-Members.

7.6. The Investigating Officer shall send a copy of the decision made by the Disciplinary Panel to the Respondent within 5 working days of the Disciplinary Panel Meeting, together with:

7.6.1. the reasons for the decision;

7.6.2. any penalties imposed;

7.6.3. how the Respondent can appeal the decision within 10 working days of the Disciplinary Panel's decision. The 10 working days commences once the Respondent has received both the letter and the report of the Hearing.

7.7. The penalties imposed by the Disciplinary Panel shall take immediate effect.

7.8. The report of the Disciplinary Panel Meeting will normally be made available within 20 working days of the meeting to the Respondent.

7.9. The Investigating Officer may, where appropriate, also send a copy of the decision, any penalty imposed and the reasons for it to the Member's employer (where the employer, either explicitly or by implication, is involved in the complaint) and the source of the allegation.

8.0. Stage Three – Appeal Process

8.1. A Respondent wishing to appeal against a penalty imposed by the Disciplinary Panel must submit a written appeal request to the President supported by a statement and any relevant documentation or evidence setting out the reasons for the appeal, within 10 working days of both the letter and notes following the Disciplinary Panel being sent from the Investigating Officer informing the Respondent of the decision of the Disciplinary Panel.

8.2. Upon receipt of an appeal request the Vice President as Chair of the Disciplinary Appeal Panel must decide either to dismiss the appeal or to allow the appeal to be heard. The Vice President shall allow an appeal to be brought if:

8.2.1. the Respondent has fresh evidence that could not have been, or for good reason was not, made available at the time of the Hearing;

8.2.2. the Respondent provides evidence of significant procedural error on the part of the Investigating Officer or the Disciplinary Panel before or during the Hearing;

8.2.3. the Respondent provides evidence of significant procedural error on the part of the Disciplinary Panel following the Hearing;

8.2.4 the Panel has shown bias or prejudice towards the Respondent in reaching its findings.

8.2.5 the Disciplinary Panel has shown bias or prejudice towards the Respondent in imposing the penalty.

8.2.6 the decision of the Disciplinary Panel was unreasonable and/or the penalty was not proportionate in all of the circumstances.

8.2.7. there are any other relevant grounds the Vice President may choose to take into account when deciding whether or not to allow the appeal to be heard.

8.3. If the Vice President decides to allow the appeal to be heard, the Disciplinary Appeal Panel shall be convened consisting of the Vice-President, the Chair of the Scientific Subcommittee and one Ordinary Member of the Executive Committee.

8.4. The Investigating Officer shall write to the Respondent and inform them of the outcome of their request for an appeal and, if the appeal is to be heard, the date on which the Hearing of the Disciplinary Appeal Panel will be held. The Investigating Officer will also inform the Member that the Burden of Proof is their responsibility and the Standard of Proof is the balance of probability.

8.5. No evidence may be relied on or referred to at the Hearing of the Disciplinary Appeal Panel, or witnesses called by either the Society or the Respondent, if copies of that evidence and names of those witnesses have not been provided to the other party at least seven days before the Hearing.

8.6. The Disciplinary Appeal Panel shall have the delegated authority of the Executive Committee to:

8.6.1. agree the findings of the Disciplinary Panel and the appeal dismissed.

8.6.2. agree that a penalty imposed by the Disciplinary Panel should be varied which the Disciplinary Appeal Panel will consider and substitute the findings of the Disciplinary Panel with its own findings.

8.6.3. agree that there has been a failure to follow the due process or to follow this with due care such as to deny the Member a fair Hearing and direct that the matter be heard a new by a differently constituted Disciplinary Panel.

8.6.4. find that there was bias or prejudice towards the member in the way the Disciplinary Panel reached its findings or in other aspects of the disciplinary procedure and to dismiss the case against Member.

8.6.5. accept any relevant new evidence that was not available to the Disciplinary Panel at the time for valid reasons should be taken into account and direct that the matter be heard by a new differently constituted Disciplinary Panel.

8.6.6. consider that the decision of the Disciplinary Panel was unreasonable and/or that the penalty was not proportionate with the evidence presented in all of the circumstances and either direct that the matter be heard a new and differently constituted Disciplinary Panel or substitute the findings of the Disciplinary Panel with its own findings.

8.6.7. allow the appeal and remove any one or more of the penalties imposed by the Disciplinary Panel.

8.6.8. remove any one or more of the penalties imposed and impose a different penalty or penalties from among those listed in paragraph 7.1.

8.6.9. nullify the findings of the Disciplinary Panel, end the disciplinary procedure and, if relevant, reinstate the Respondent to the Society with immediate effect where the unfairness to the Respondent is extreme.

8.7. The Disciplinary Appeal Panel shall make decisions by a majority vote but the votes of individual members of the Disciplinary Appeal Panel shall be confidential.

8.8. The Disciplinary Appeal Panel will also consider whether there has been any adverse impact during these procedures upon the Respondent and whether the Society should provide a remedy.

8.9. The Disciplinary Appeal Panel shall report its decision, together with the reasons for that decision, to the Executive Committee.

8.10. The Investigating Officer shall send a copy of the Disciplinary Appeal Panel's decision, together with reasons, to the Respondent within 10 working days of the date of the Hearing unless the Disciplinary Appeal Panel has imposed a penalty of suspension or expulsion in place of a lesser penalty, in which case the Disciplinary Appeal Panel's decision will take immediate effect prior to its communication to the Member by the Investigating Officer.

8.11. The Investigating Officer may, where appropriate, send a copy of the Disciplinary Appeal Panel's decision (with or without the reasons given for that decision) to the Member's employer and/or the source(s) of the allegation, where deemed appropriate (see paragraph 1.9).

8.12. The decision of the Disciplinary Appeal Panel shall be final and there shall be no further right of appeal.

9.0. Miscellaneous

9.1. The Society may seek legal advice to advise and support the Investigating Officer, President, Disciplinary Panel and/or the Disciplinary Appeal Panel in relation to any alleged misconduct being investigated in accordance with this Procedure, provided that prior authorisation is obtained from the Executive Committee for the estimated level of legal fees to be incurred.

9.2. Members shall have the right to view all information held by the Society in respect to any allegation or report in which they are named in accordance with current Data Protection Law and Subject Access.

9.3. This Procedure may be amended from time to time by resolution of the Executive Committee provided that any disciplinary matter arising under them shall be adjudicated by reference to the Procedure in force at the date of the conduct giving rise to the allegation or report.

9.4. The Investigating Office will only provide the outcome letter and report of the Disciplinary Panel once the full procedure is completed including any Appeal Process to ensure that no bias or prejudice can be held against anyone partaking in these Panels as members of the Executive Committee.

Approved by Executive Committee

24th May 2024

Date of Next review

24th May 2026

Contact for the Document

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Appendix A

Panel Membership at Stages 1 to 3 of the Disciplinary Panel

Stage 1

Disciplinary Personnel to conduct Stage 1 of the Disciplinary Process

President

Investigating Officer: Immediate Past President

Disciplinary Personnel to conduct the Appeal Process at Stage 1 of the Disciplinary Process

Two Ordinary members of the Executive Committee

Investigating Officer: Immediate Past President

Secretariat: BTS Secretariat

Stage 2

Disciplinary Panel

General Secretary (Chair)

Treasurer

One Ordinary Member of the Executive Committee

Investigating Officer: Immediate Past President

Secretariat: The BTS Secretariat

Stage 3

Disciplinary Appeal Panel

Vice President (Chair)

Chair of the Scientific Subcommittee

One Ordinary Member of Executive Committee

Investigating Officer: Immediate Past President

Secretariat: The BTS Secretariat

