



**The Science Council**

# **REGULATIONS**

<b>Regulation No.</b>	<b>Regulation</b>	<b>Page No.</b>
1	<a href="#"><u>Membership application (Bylaws 3 and 4)</u></a>	4-5
2	<a href="#"><u>Membership fees (Bylaw 6)</u></a>	5-6
3	<a href="#"><u>Membership – disciplinary actions (Bylaw 9) and removal by the Council (Bylaw 11)</u></a>	6-7
4	<a href="#"><u>Membership – Disciplinary Action - Appeals (Bylaw 10)</u></a>	7-8
5	<a href="#"><u>Criteria for eligibility for an Elected Trustee (Bylaw 18)</u></a>	8-9
6	<a href="#"><u>Procedure for Elected Trustees (Bylaws 17 - 24)</u></a>	9-10
7	<a href="#"><u>Re-appointment of the Chair of the Board (Bylaw 15)</u></a>	10
8	<a href="#"><u>Appointment of the Vice Chair of the Board (Bylaw 38)</u></a>	10-11
9	<a href="#"><u>Board members – disciplinary actions (Bylaw 29)</u></a>	11-12
10	<a href="#"><u>Board members – appeals (Bylaw 30)</u></a>	13
11	<a href="#"><u>Election of President (Bylaw 33-35)</u></a>	13
12	<a href="#"><u>Signing Documents (Bylaw 40)</u></a>	13
13	<a href="#"><u>Meetings of the Board (Bylaw 45-49A)</u></a>	13-14
14	<a href="#"><u>International organisations and agreements</u></a>	14
15	<a href="#"><u>Members’ right to call an Extraordinary General Meeting (Bylaw 56)</u></a>	14
16	<a href="#"><u>Procedure for ballots (Bylaw 60)</u></a>	14-15
17	<a href="#"><u>Appointment of Proxies (Bylaw 60)</u></a>	15-16
18	<a href="#"><u>Members’ rights to propose motions at an Annual or Ordinary General Meeting (Bylaws 62-63)</u></a>	16
19	<a href="#"><u>Withdrawal of motions at General Meetings</u></a>	16
20	<a href="#"><u>Registration Authority – membership (Bylaw 68)</u></a>	16-17
21	<a href="#"><u>Appointment of a Registrar</u></a>	17
22	<a href="#"><u>Registration Authority - duties (Bylaw 90-91)</u></a>	17
23	<a href="#"><u>Requirements for application for a licence</u></a>	17-18
24	<a href="#"><u>Procedure for the award of a licence (Bylaws 92-93)</u></a>	18-19
25	<a href="#"><u>Procedure for the maintenance of a licence</u></a>	19-20
26	<a href="#"><u>Procedure for the renewal of a licence (Bylaw 95)</u></a>	20
27	<a href="#"><u>Appeals against suspension, non-renewal, non-awarding, or termination of a licence</u></a>	20
28	<a href="#"><u>Licence fees (Bylaw 99)</u></a>	20-21
29	<a href="#"><u>Registrants – Disciplinary Action (Bylaw 106)</u></a>	21

30	<a href="#"><u>Licensed Bodies – Disciplinary Action</u></a>	21
31	<a href="#"><u>Professional Registers (Bylaw 100-105)</u></a>	21
32	<a href="#"><u>Professional Registers – qualifying standards (Bylaw 105)</u></a>	22
33	<a href="#"><u>Registrant fees (Bylaw 112)</u></a>	22-23

## 1. Membership Application (Bylaws 3 and 4)

- 1.1 The defined criteria for membership being that:
- 1.1.1 • the profession represented by the Organisation shall be based on a recognised body of scientific learning where knowledge and understanding of the natural and social world are pursued through a systematic methodology based on evidence;
  - 1.1.2 • the Organisation is an independent body which exists for the collective pursuit of professional aims and objectives in science as set out in a Royal Charter or Memorandum and Articles of Association incorporated under the Companies Acts or formally registered in the UK in some other way;
  - 1.1.3 • the Organisation has, among its objectives, the practice of the profession in the interest of the public as well as that of its members,
  - 1.1.4 • the Organisation operates a Code of Professional Conduct and disciplinary procedures;
  - 1.1.5 • the Organisation recognises its responsibility to advance and extend the body of learning on which the profession is based;
  - 1.1.6 • the Organisation recognises its responsibility to concern itself with facilities, methods and provision for educating and training future entrants to the profession and for enhancing the knowledge and competence of present practitioners; and
  - 1.1.7 • the Organisation recognises its responsibility to promoting equality, diversity and inclusion throughout its community, to challenging prejudice and discrimination, and signs the Council's Declaration on Diversity, Equality and Inclusion
  - 1.1.8 • the Organisation must have at least one membership category that is based on standards of competence as attested by an appropriate qualification and relevant professional practice, or relevant professional practice,
- or
- if the Organisation does not have strict entry standards or at least one category of its members it has agreed with the Board that it is working towards the introduction of such an entry standard.
- 1.2 Every application for membership shall be forwarded to the Chief Executive of the Council confirming eligibility for membership (as prescribed in Regulation 1.1) and the Chief Executive shall circulate the name of the applying Organisation, and details of its aims and objects to the existing Member Bodies.
- 1.3 After a minimum of 21 days the Chief Executive shall lay the application before the Board of the Council together with evidence of fulfilment of the criteria for membership and any comments received from Members Bodies. The Board will then consider the application and decide whether or not to recommend the Organisation for membership at the next General Meeting of the Council. If the Board decides not to recommend the Organisation for membership at the next General Meeting, it shall communicate this to the applicant Organisation and the Member Bodies.
- 1.4 At the next General Meeting of the Council following the meeting at which the Board recommended an Organisation for membership, the Council will vote upon a resolution to admit such Organisation as a Member Body.

- 1.5 When an applying Organisation has been admitted by the Council, the Chief Executive shall give the Organisation notice thereof, and will be invited to attend all meetings open to Member Bodies but will have no vote until it has been added to the Register of Member Bodies. The Organisation shall not be added to the Register of Member Bodies of the Council until the requisite membership fee and other documents as the Board requires from time to time have been received.
- 1.6 The requirements of the resolution of the governing body of the applying Organisation shall be
- that the Organisation applies for membership of the Council,
  - that the Organisation agrees to be bound by the Charter, the Bylaws and regulations made under the said Charter and Bylaws, and
  - that the Organisation appoints a nominated representative, save that no individual is the nominated representative of an existing Member Organisation.
- 1.7 If the said Organisation has not fulfilled the requirements for inclusion in the Register of Member Bodies within 12 months of the date on which it is admitted by the Council, the offer of membership shall be withdrawn.
- 1.8 The first nominated representative of a Member Body shall be such person whose name is set out in the resolution of the applying Organisation. Thereafter a Member Body may by notice in writing to the Council appoint, remove and/or replace a nominated representative at any time, save that no individual is the nominated representative of an existing Member Body.
- 1.9 If the Member Body fails at any time to appoint a nominated representative (or if the nominated representative has indicated that they no longer holds that position), the nominated representative shall be deemed to be the most senior employee for the time being of the Member Body or, in the absence of any employees, the most senior honorary officer of the Member Body.

## **2. Membership fees (Bylaw 6)**

- 2.1. At the beginning of each financial year of the Science Council, the Chief Executive shall require the Member Bodies to submit returns of their membership numbers as at the end of their last financial year.
- 2.2. The annual membership fee shall be calculated on the basis of the total number of paying members as at the end of the Member Body's last financial year. Students, retired members and overseas members who do not hold any of the Science Council's professional registration designations should not be included in the calculation.
- 2.3. The Board may determine the member charge and set maximum and minimum fees for Member Bodies provided that in the first instance the level shall be set by a resolution from the Board passed at a General Meeting and thereafter in accordance with the requirements of Bylaw 6.
- 2.4. Every Member Body shall be required to pay the membership fee to the Council by 30<sup>th</sup> April for each relevant calendar year unless an alternative schedule has been agreed with the Board.
- 2.5. Membership fees from new Member Bodies shall become due from the day after the date on which they are admitted into membership of the Council.
- 2.6. The first membership fee of any new Member Body shall be apportioned according to the number of remaining full quarters of the Council's financial year but if any such subscription falls due in the

last quarter of the Council's financial year the fee then due shall be a full annual fee for the following financial year of the Council.

- 2.7 The Board may at its discretion offer a reduced membership fee to a new Member Body or to an existing Member Body that has demonstrated to the Board a case for such reduction.
- 2.8 Any such reduced membership fee shall be not less than fifty per cent of the calculated fee for that Member Body. The Member Body shall submit a plan to the Science Council on how it will reach the appropriate full membership fee over a maximum period of three years.

### **3. Membership – disciplinary actions (Bylaw 9) and removal by the Council (Bylaw 11)**

- 3.1 The Board may initiate proceedings to terminate membership of a Member Body.
- 3.2 In the event that a complaint is received against a Member Body in relation to the undertaking made by that Body, the Chief Executive shall write to the complainant within 10 working days of receiving the complaint requesting a specific statement which shall be no more than 1,000 words of the complaint with supporting evidence. The complainant shall be required to reply within 28 calendar days of the date of the letter from the Chief Executive or its complaint shall be forfeit.
- 3.3 The grounds for the complaint shall be that either the Member Body no longer fulfils the criteria set out in Regulation 1.1 or the Member Body has acted in a manner detrimental to the welfare or reputation of the Council.
- 3.4 Within 10 working days of receipt of the statement and any supporting evidence from the complainant, the Chief Executive or such other person as the Board shall appoint) shall write to the Member Body in question, outlining the complaint and provide it with a copy of the complainant's statement. The Member Body shall have 28 calendar days to submit a statement, which shall be no more than 1,000 words and any supporting evidence in response to the complaint to the Chief Executive.
- 3.5 At its first meeting after the Member Body's response is received, the Board shall consider the complaint and the response and any other information presented. If it is decided that there is no case to answer or the matter is considered trivial, then the Board shall instruct the Chief Executive to write to the complainant and Member Body within 10 working days of the date on which the decision was made, informing it of the decision and that decision shall be final provided that, at the Board's discretion, the matter could be reconsidered in the light of new information being presented at a future occasion.
- 3.6 If the Board decides that the matter should proceed, a date and time shall be set for a hearing. The Chief Executive will write to the complainant and Member Body within 10 working days of the Board meeting at which the decision was made, informing it of the decision and date and time for the hearing. A minimum of 28 calendar days' notice shall be given to all parties and the hearing must be convened within two months from the date of the decision by the Board.
- 3.7 The complaint shall be heard by a panel set up for the purpose by the Board. The panel will comprise a minimum of three members who shall be past Board members or former Presidents of the Member Bodies.
- 3.8 No member of the panel shall be a member or employee of the same Member Body or Bodies as the complainant or the defendant.
- 3.9 There shall also be a non-voting secretary who may be the Chief Executive.

- 3.10 The panel shall appoint a chair from its members who shall have a second and casting vote in the event of a tie.
- 3.11 The findings of the panel shall be reported to the next Board meeting and shall comprise at least a conclusion together with any recommended actions. The Board shall consider the recommended actions and determine the action to be taken. The Chief Executive shall write to the relevant parties in writing within 10 working days of the Board meeting at which the decision was made informing them of the Board's decision.
- 3.12 The decision of the Board shall take one of four forms, namely:
- dismissal of the complaint,
  - a reprimand with or without recommended action(s),
  - suspension of membership pending fulfilment of required action(s) agreed between the panel and the Member Body, or
  - recommendation to the Council, that the membership of the Member Body be terminated.
- 3.13 If the decision of the Board is to suspend the membership of a Member Body, any licence held by the Member Body in question will also be suspended for the same period of time and shall owe any license or registration fees due within the period of suspension. If the license is suspension max 12 months Suspension does not preclude the Member Body from continuing to administer applications for registration that have been submitted before the date that the Member Body received notification of the Board's decision to suspend the licence. The Member Body may not administer applications for registration received after the date that the Member Body received notification of the Board's decision to suspend the licence until the suspension period has ended.
- 3.14 If the decision of the Board is to recommend to the Council that it terminate the membership of the Member Body, then the requirements of Bylaw 11 shall apply.
- 3.15 A copy of the intended resolution to remove a Member Body, along with any accompanying information must be sent to the Member Body concerned. A Member Body may make written representations, which shall be no more than 1,000 words in response to the proposal to remove them, which must be received by the Chief Executive at least 10 days prior to the meeting at which the termination of their membership is sought. Upon receipt, the written representation will be circulated to the Council by the Chief Executive prior to the meeting at which the resolution to remove the member Body is proposed.
- 3.16 A Member Body is entitled to attend and be heard on the resolution at the meeting at which the termination of its membership is sought.

#### **4. Membership – Disciplinary Action - Appeals**

- 4.1 The Member Body shall have 28 days from the date on which the decision of the Board was received to appeal against the decision of the Board. No resolution shall be put to the Council until such period has expired, any appeal has been heard and the Board has considered and made its decision on such appeal in accordance with these Regulations.
- 4.2 In the event of an appeal against a disciplinary action or termination of membership, the Chief Executive shall write to the appellant Member Body within 10 working day of receiving notice of its intention to appeal requesting a statement, which shall be no more than 1,000 words with supporting evidence of the specific grounds for the appeal. The appellant Member Body shall be

required to reply within 28 calendar days of the date of the letter from the Chief Executive, or the appeal shall be forfeit.

4.3 The grounds for the appeal shall be either:

(i) additional information, which could not reasonably have been presented at the time of the hearing is available, or

(ii) proper procedures in accordance with the Regulations and any additional rules established for the preparation and execution of grievance hearings and disciplinary actions have not been followed.

4.4 In the case of (i) above, if the Board considers there to be grounds for appeal, it shall direct the panel to reconvene. In the case of (ii) above, if the Board considers there to be grounds for appeal, it shall convene a new panel in accordance with Regulation 3 which shall rehear the complaint.

4.5 The findings of the panel shall be reported to the next Board meeting and shall comprise at least a conclusion together with any recommended actions. The Board shall consider the recommended actions and decide on the outcome of the appeal, the decision being given to the relevant parties in writing within 10 working days of the Board meeting at which the decision was made. The decision of the Board shall be final.

4.6 The decision of the Board shall take one of four forms, namely:

- uphold of the appeal
- a reprimand with or without recommended action(s),
- suspension of membership pending fulfilment of required action(s) agreed between the panel and the Member Body, or
- recommendation to the Council, that the membership of the Member Body be terminated.

4.7 Any additional information established for the preparation and execution of appeals shall be appended to the notice of the appeal hearing together with the relevant regulations.

## **5. Criteria for eligibility for an Elected Trustee**

5.1 The Board shall seek to ensure that no less than 60% and no more than 80% of the Elected Trustees are elected in accordance with Regulation 5.2 ("Category A Elected Trustees"). The remaining Elected Trustees shall be elected in accordance with Regulation 5.3 ("Category B Elected Trustees").

5.2 Any person wishing to be elected as a candidate for election as a Category A Elected Trustee must be a member or employee of a Member Body

5.3 Any person wishing to be elected as a candidate for election as a Category B Elected Trustee must not be a member or employee of a Member Body.

5.4 From time to time the Nominations Committee shall consider the skills balance of the Board and to assist with the selection process as the Board may determine.



- 5.5 If a Category A Elected Trustee ceases to be a member or employee of a Member Body during their term in office, they are entitled to continue their term of office and will count towards the number of Category B Elected Trustees.
- 5.6 If a Category B Elected Trustee becomes a member or employee of a Member Body during their term in office as a Category B Elected Trustee, they are entitled to continue their term of office and will count towards the number of Category A Elected Trustees.

## **6. Procedure for Elected Trustees**

- 6.1 The Chief Executive (or such other person as the Board shall appoint) shall act as the Supervising Officer in relation to the process of electing Elected Trustees. The decision of the Chief Executive (or other such appointee) on any question arising in connection with the election process or the validity of any part of the process or procedures shall be final.
- 6.2 Prior to the Annual General Meeting the Board shall notify the Member Bodies of the number of vacancies for Elected Trustees which will arise at the close of the next Annual General Meeting together with the current skills and experience requirements for the ensuing year. The application period must be open for at least 60 days.
- 6.3 Submitted applications for Elected Trustees shall be on the prescribed form available from the Chief Executive and must be received by the Chief Executive by the date given on the notice sent out in accordance with Regulation 6.2.
- 6.4 After the application period has ended, the Nominations Committee shall consider the applications received for Elected Trustees and make a recommendation to the Board. If insufficient applications for election have been received, the Board may identify and propose additional candidates for election such as to maintain an adequate balance of experience, skills and expertise on the Board.
- 6.5 Ballot forms containing the name and other relevant details of the candidates for election shall be sent to each Member Body not less than four weeks prior to the date of the Annual General Meeting, in such form as the Board may determine. The Ballot shall be conducted as follows:
- a) If the Board receives nominations in excess of the number of vacancies in each category, then each Member Body may vote for as many candidates as there are vacancies in each Category and the candidates with the most votes shall be elected as Elected Trustees.
  - b) If the number of candidates for Elected Trustees in each category are equal to the number of vacancies, then each Member Body shall vote for or against the election of each candidate. Candidates will require at least 51% of the votes cast in favour of their election to be elected.
- 6.6 In the event of a tied vote, the election shall be decided by the drawing of lots, the draw being made by the Chair of the Board (or such other person as the Board shall appoint).
- 6.7 Ballot forms, which may be in electronic form, shall be on the prescribed form available from the Chief Executive and must be returned to the Council by the date set out on the ballot form which shall be at least three working days prior to the date of Annual General Meeting. Any ballot form received after that date will not be counted.
- 6.8 Following the closing date of the ballot, the Chief Executive (or such other person as the Board shall appoint) shall open all the ballot forms and determine the outcome of the elections.

6.9 The results of the ballot shall be announced at the Annual General Meeting.

## **7. Re-appointment of the Chair of the Board**

- 7.1 Supplementary to Bylaw 15 the Chair shall intimate, either in writing or verbally, to the Board of their intention as to whether or not they would like to be considered for re-appointment at least 12 calendar months prior to the date on which their first term of office is due to come to an end.
- 7.2 If the Chair does not communicate their intention within this timescale, they shall be deemed to have intimated that they do not wish to be considered for re-appointment to the position of Chair.
- 7.3 The Board can, at its discretion, waive the provisions of Regulation 7.2 if it considers there to be a justifiable reason why the incumbent Chair did not intimate their intention to the Board within the required timescale.
- 7.4 Where the Chair has intimated that they do wish to be considered for re-appointment or there is a vacancy, the Board shall seek expressions of interest, either in writing or verbally, from those Board members who are willing to be considered for appointment as Chair. Such expressions of interest shall be made to the Nominations Committee within the period prescribed by the Nominations Committee.
- 7.5 Where the Chair has intimated that they do not wish to be considered for re-appointment, or where they are not eligible for re-appointment, the Board shall, in the first instance, seek expressions of interest from those Board members who are willing to be considered for appointment Chair. Such expressions of interest shall be made to the Nominations Committee within the period prescribed by the Nominations Committee.
- 7.6 Following receipt of expressions of interest, the Nominations Committee shall, in advance of the next Board Meeting communicate the names of all applicants and a recommendation to the Board as to whether to re-appoint the Chair (where they have expressed an interest to be re-appointed) or to appoint another named Board member (who has expressed an interest in acting) as Chair. The Vice Chair of the Board shall chair the meeting (or part of a meeting) at which the re-appointment of the Chair is being decided. The Chair of the Board shall not participate in the meeting (or part of the meeting) at which the Board deals with their reappointment.
- 7.7 If the Board declines to appoint as the Chair the individual recommended by the Nominations Committee, it shall advise the Nominations Committee accordingly. In that event, the Nominations Committee shall reassess the candidates (and/or, if the Nominations Committee considers appropriate, shall seek further candidates for consideration) and put forward an alternative recommendation to the Board.

## **8. Appointment of the Vice Chair of the Board**

- 8.1 The process for the appointment or re-appointment of the Vice Chair shall be the same as that outlined above for the Chair and all references in Regulation 7 to “the Chair” shall be deemed to be to “the Vice Chair” with the exception that the Chair of the Board will chair the meeting (or part of the meeting) at which the Board deals with the appointment or reappointment of the Vice Chair.
- 8.2 Any Board member may put themselves forward for the position of Vice Chair as long as they have served no less than 12 months on the Board.

8.3 The term of office shall be for a minimum of one year, which shall be renewable upon re-appointment by the Board save that no trustee shall serve for more than three consecutive terms as Vice Chair.

## **9. Board members – disciplinary actions**

9.1 The Board may initiate proceedings to terminate a Board member's membership of the Board.

9.2 In the event that a complaint is received against a Board member, the Chief Executive shall write to the complainant within 10 working days of receiving the complaint requesting a specific statement, which shall be no more than 1,000 words, of the complaint, along with any supporting evidence.

The complainant shall be required to reply within 28 calendar days of the date of the letter from the Chief Executive or the complaint will be forfeit. The grounds for complaint shall be that the Board member has:

- failed to attend 2 consecutive Board meetings without reasonable cause or
- has otherwise failed to discharge their responsibilities as a Board member without adequate reason; and/or
- acted in a manner discreditable to the Science Council

9.3 Within 10 working days of receipt of the statement and any supporting evidence from the complainant, the Chief Executive shall write to the Board member in question, outlining the complaint and provide it with a copy of the complainant's statement. The Board member shall have 10 calendar days to submit a statement, which shall be no more than 1,000 words and any supporting evidence in response to the complaint to the Chief Executive.

9.4 At its first meeting after the complainant's statement is received, the Board shall consider the complaint. Any Board member that is subject to the complaint shall not participate in any discussion at a Board meeting related to a complaint made against them. Any complainant that is Board member shall not participate in any discussion at a Board meeting related to a complaint made by them.

9.5 If it is decided that there is no case to answer or the matter is considered trivial, then the Board shall instruct the Chief Executive to write to the complainant and Board member within 10 working days of the date on which the decision was made, informing them of the decision and that decision shall be final provided that, at the Board's discretion, the matter could be reconsidered in the light of new information being presented at a future occasion.

9.6 If the Board decides that the matter should proceed, it shall set up a panel for the purpose of enquiry comprising a minimum of three members, all of whom shall be past Board members or former Presidents of the Member Bodies provided that none of the members of the panel shall:

- Be members or employees of the same Member Body or Member Bodies as the complainant;
- Be members of any Member Body of which the complainant is or has been an Officer or an employee;
- Have any other direct or indirect association with the Board member in question.

The panel shall appoint a chair from its members who shall have a second and casting vote in the event of a tie. There shall also be a non-voting secretary who may be the Chief Executive.

- 9.7 The Chief Executive shall write to the complainant and Board member within 10 working days of the Board meeting at which the decision was made, informing them of the Board's decision and the date and time for the hearing. A minimum of 28 calendar days' notice shall be given to all parties and the hearing must be convened within two months from the date of the resolution by the Board.
- 9.8 The panel shall consider the statement and supporting evidence provided. If the panel decides that there is no case to answer, it shall instruct the Chief Executive to write to the complainant and Board member informing them of its decision and that decision shall be deemed to be a decision of the Board and shall be final provided that, at the Board's discretion, the matter could be reconsidered in the light of new information being presented at a future occasion. If the panel decides that the matter should proceed to adjudication, a date and time shall be set for a hearing and the Board member subject to the complaint shall be asked to withdraw from the Board until that date. A minimum of 28 calendar days' notice of the hearing shall be given to all parties and must be convened within two months from the decision of the panel.
- 9.9 The panel shall conduct the adjudication and shall appoint a chair from its members who shall have a casting vote in the event of a tie.
- 9.10 If the panel finds against the Board member on whom the complaint was laid it will determine appropriate disciplinary action either immediately following its judgement at the end of the hearing or, not later than 10 working days from the date of the hearing. The disciplinary action shall take one of three forms, namely:
- a. a reprimand with or without recommended action(s),
  - b. suspension of Board membership pending fulfilment of required action(s) agreed between the panel and the Board member, or
  - c. a recommendation to the Council that the office of the Board member be terminated forthwith.
- 9.11 If the decision of the panel is to recommend the termination of membership, then the requirements of Bylaw 30 shall apply. The Board member shall have 28 days from the date on which the decision was notified to the Board member in which to appeal against a decision of the Board in accordance with Regulation 10 and no resolution shall be put to the Council until such period has expired and the outcome of any appeal is known.
- 9.12 A copy of the intended resolution to remove a Board member must be sent to the Board member concerned, who may make written representations in response to the proposal to remove them. The written representations will be circulated to the Council by the Chief Executive (or such other person as the Board shall appoint) prior to the meeting at which the resolution to remove them is proposed. A Board member is entitled to be heard on the resolution at the Meeting at which their removal is sought.
- 9.13 The removal of a Board member by the Council shall take effect from the time at which the resolution is passed by the Council.
- 9.14 Any additional rules established for the preparation and execution of disciplinary actions shall be appended to the notice of the hearing together with the relevant regulations.

## **10. Board members – appeals (Bylaw 30)**

- 10.1 In the event of an appeal against a disciplinary action or proposed recommendation to the Council of the termination of membership of the Board, the Chief Executive shall write to the appellant Board member requesting a statement of the specific grounds for the appeal. The Board member shall be required to reply within 28 calendar days of the date of the letter from the Chief Executive, or the appeal shall be forfeit.
- 10.2 The grounds for the appeal shall be either:
- (i) that additional information, which could not reasonably have been presented at the time of the hearing in Regulation 9 is available or
  - (ii) proper procedures in accordance with the Regulations and any additional rules established for the preparation and execution of grievance hearings and disciplinary actions have not been followed.
- 10.3 In the case of (i) above, if the Board considers there are grounds for appeal, it shall direct the panel to reconvene. In the case of (ii) above, if the Board considers there are grounds for appeal, it shall convene a new panel in accordance with Regulation 9 and whose members have served on the first panel, which shall reconsider the complaint. The appellant Board member shall be required to reply within 28 days of the date of the letter from the Chief Executive or before the date of the next Board Meeting, whichever is later, or the appeal shall be forfeit.
- 10.4 The decision of the panel shall be deemed to be a decision of the Council and shall be final. If the panel decides that a Board Member should be reinstated, they shall be reinstated from the date upon which the decision of the panel is made.
- 10.5 Any additional rules established for the preparation and execution of appeals shall be appended to the notice of the appeal hearing together with the relevant regulations.

## **11. Election of President**

- 11.1 Not less than 6 weeks before the General Meeting at which the President is to retire, the Chief Executive shall send notice to all Member Bodies of the Board's nomination for President together with the prescribed form for nominations to be made by Member Bodies and a detailed job description (which sets out the primary role and functions of the President, the skills sought and an estimate of the time commitment required).
- 11.2 Any candidate for President must be eligible for the designation of Chartered Scientist.
- 11.3 No current employee or Honorary Officer of a Member Body may be elected to the position of President.

## **12. Signing Documents**

- 12.1 The Board shall determine the names of persons empowered to sign cheques and other documents on behalf of the Council.

## **13. Meetings of the Board**

- 13.1 The Chair of the Board may and, on the request of three members of the Board, the Chief Executive shall, at any time, summon a meeting of the Board by notice served upon the several members of the Board. When a meeting is convened at the request of three members the notice of meeting shall state the nature of the business to be discussed and any resolution to be voted on. Only business of which notice shall be so given shall be considered at the meeting.

- 13.2 Notice of a meeting must be given to each Board member but need not be in writing.
- 13.3 A Board meeting may exceptionally be called at less than five working days' notice. Such shorter notice will only be valid if ratified at the meeting called on short notice.
- 13.4 If the number of members of the Board is reduced in number to less than the minimum number prescribed by or in accordance with the Bylaws, it shall be lawful for them to act as the Board for the purpose of recommending Organisations to membership of the Council, filling up vacancies in their body, or of summoning a General Meeting, but not for any other purpose.
- 13.5 Board members are not permitted to appoint an alternative to represent them at meetings of the Board or in any other official Board matters.

#### **14. International organisations and agreements**

- 14.1 The Board may, from time to time, approve proposals for the Science Council to join international organisations or agreements where such membership or agreement is consistent with the objects of the Science Council.

#### **15 Members' right to call an Extraordinary General Meeting**

- 15.1 No less than fifteen or one-third of the Member Bodies, whichever is the greater, can require a General Meeting to be called by serving on the Chief Executive a requisition signed by all the requisitioning Members stating the purpose of the meeting.
- 15.2 An Extraordinary General Meeting must be convened within two months from the date of receipt of the written requisition.
- 15.3 If the Council has not sent out a notice within two months of receiving a requisition from the Member Bodies, or the notice that is sent out within the prescribed timeframe is for a Meeting to be convened later than two months from the date of receiving the requisition from Member Bodies, the Member Bodies who signed the requisition may send out a notice themselves,
- 15.4 A notice sent under Regulation 15.4 must be signed by every Member Body who signed the requisition, specify the purpose of the meeting and set a date, time and location, which must be no more than two months after the deadline.
- 15.5 The signatures on a requisition need not be on a single document and may be faxed or scanned or communicated by other electronic means.

#### **16. Procedure for ballots (Bylaw 54)**

- 16.1 In the event that a vote by ballot has to be taken at a General Meeting or at an, the Chief Executive (or a person appointed to fulfil that role) shall prepare ballot papers, which may be in electronic form containing sufficient information where appropriate to enable the voting members to vote on the matter.
- 16.2 Each voting representative shall be offered a ballot paper for which said representative will sign against their name on a list containing the names of all voting representatives and their Member Bodies present at the meeting.
- 16.3 The chair of the meeting shall inform the voting representatives of the options available and how to mark their ballot papers.
- 16.4 Each voting representative may record their vote on the ballot paper and shall return it to the Chief Executive to be counted.

- 16.5 When the chair of the meeting has determined that no further voting papers will be returned, the Chief Executive shall count the votes for each option under the scrutiny of two persons appointed at the meeting and inform the chair of the meeting of the number of votes cast for each option, the number of ballot papers not returned and the number of spoilt papers.
- 16.6 The chair of the meeting shall announce the result of the ballot.
- 16.7 In the event that a ballot for the election of President is held, each voting representative shall mark a cross against the name of one candidate. If one of the candidates for President is chairing the meeting, they shall yield the chair to one of the voting representatives present who shall be appointed by the meeting as temporary chair of the meeting for the duration of the ballot.

#### **17. Appointment of Proxies (Bylaw 54)**

- 17.1 A Member Body entitled to attend and vote at any General Meeting shall be entitled to appoint a proxy. The instrument appointing a proxy shall be in writing duly signed on behalf of the Member Body by the nominated representative.
- 17.2 To be valid, the instrument appointing a proxy shall be deposited at the registered office of the Council (or such other place as is specified for that purpose in the notice covering the General Meeting) not less than 48 hours before the time for holding the meeting, and must:
- (a) state the name of the Member Body appointing the proxy;
  - (b) identify the person appointed to be that Member Body's proxy and the General Meeting in relation to which that person is appointed; and
  - (c) be signed by or on behalf of the Member Body appointing the proxy, or is authenticated in such manner as the Board may determine.
- 17.3 An instrument appointing a proxy shall be such form as shall be approved by the Board from time to time.
- 17.4 A Member Body that is entitled to attend, speak or vote (either on a show of hands or on a poll) at a General Meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the Council by or on behalf of that Member Body.
- 17.5 The Council may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes
- 17.6 Any question as to whether a proxy appointment has been validly delivered or received which is unresolved at the commencement of a General Meeting shall be referred to the person chairing the meeting whose decision shall be final and conclusive. This shall not invalidate proceedings at a General Meeting.
- 17.7 Subject to Regulation 15.4 the proxy appointment shall be deemed to confer authority to vote on any amendment of a resolution put to the meeting for which it is given as the proxy thinks fit. The proxy appointment shall, unless it provides to the contrary, be valid for any adjournment of the meeting as well as for the meeting to which it relates. However, this shall not prevent a member submitting a replacement proxy appointment for any adjourned meeting or attending any adjourned meeting if they wish.

#### **18. Members' rights to propose motions at an Annual or Ordinary General Meeting**

- 18.1 A motion proposed by a Member Body shall be included in the agenda for a General Meeting only if:
- (a) notice of the motion has been received in writing by the Chief Executive not less than 6 weeks before the meeting;
  - (b) is signed by not fewer than 2 members who have been Member Bodies of the Council since no later than 1<sup>st</sup> January in the calendar year before the year in which the motion is submitted; and
  - (c) in the opinion of the Chair the motion relates to the affairs of the Council or of the science profession.
- 18.2 A motion which has been received in writing within 6 weeks of a Council meeting shall be taken only in case of urgency, as determined by the Chair.
- 18.3 The Member Bodies proposing the motion may submit a supporting statement of no more than 1,000 words to accompany the notice of the motion.

### **19. Withdrawal of motions at General Meetings**

- 19.1 A motion to be proposed at a General Meeting can be withdrawn if:
- a) notice of the withdrawal is given to the Chair in writing by the signatories to the motion no less than 10 working days before the meeting is to take place (or such later time as the person chairing the meeting may determine); or
  - b) the withdrawal is proposed from the floor of the meeting in order to resolve some differences that have emerged at the meeting, and a majority of those present and voting at the meeting agree that the motion should be so withdrawn.

### **20. Registration Authority membership**

- 20.1 In addition to the chair the minimum number of the members of the Registration Authority shall be one Board member and three members appointed by the Board from the Licensed Bodies in accordance with the Bylaws and three members appointed by the Board who shall be individuals with appropriate professional expertise.
- 20.2 The Chair of the Registration Authority shall serve for a term of up to four years, which shall be renewable for a further term of up to four years upon re-appointment by the Board. No Chair may serve for more than two consecutive terms.
- 20.3 A member of the Registration Authority shall serve for a term of three years, which shall be renewable for a further term of three years, upon re-appointment by the Board. No member may serve for more than two consecutive terms as a member.
- 20.4 A member may serve a third continuous term if the third term, which is non-renewable, is as Chair.
- 20.5 If the Registration Authority considers that there is a need for additional skills and expertise, it may appoint up to two Appointed members, who shall not be required to be appointed by the Board. Appointed members will serve for a term of one year, which will be renewable upon re-appointment by the Registration Authority save that no Appointed member will serve for more than three consecutive terms.

### **21. Appointment of a Registrar**



21.1 The Board shall have the right to appoint a Registrar to administer the Science Council professional registers. The Registrar will be, or will be responsible to, the Chief Executive and will support the work of the Registration Authority.

## **22. Registration Authority duties**

22.1 The Registration Authority, on behalf of the Board, shall carry out the following functions.

22.1.1 In relation to standards it shall

- a. develop and maintain standards of admission to the Registers of Chartered Scientist, Chartered Science Teacher Registered Scientist and Registered Science Technician, and
- b. set standards for the award and retention of the designations “Chartered Scientist”, “Chartered Science Teacher”, “Registered Scientist” and “Registered Science Technician”.

22.1.2 In relation to quality assurance it shall

- a. recommend to the Board that Member Bodies are licenced to award and remove the professional designations,
- b. monitor the activities of Licensed Bodies with respect to the Council’s Professional Registers and give guidance, specify information required and give directions on the format of application documents,
- c. ensure that Licensed Bodies adhere to the Science Council licensing requirements including establishing and maintaining an appropriate code of conduct, disciplinary procedures including routines for the consideration of complaints of unprofessional conduct and a related appeals procedure, and ensure that Licensed Bodies adopt and pursue such routines and procedures,
- d. require arrangements to be made concerning the professional development and maintenance of professional conduct of registrants.

22.2 The Registration Authority shall also carry out any other functions that may be prescribed by the Board from time to time.

22.3 The Registration Authority may set up committees or working groups to carry out any of the above.

22.4 The Registration Authority, subject to any guidance or resolution of the Board, may regulate its proceedings as it thinks fit.

22.5 The Registration Authority may specify in documents the features required of quality assurance processes of Licensed Bodies.

## **23. Requirements for application for a licence**

23.1 Member Bodies that wish to be licensed to award any or all of the designations “Chartered Scientist”, “Chartered Science Teacher”, “Registered Scientist” or “Registered Science Technician” shall contact the Registrar who shall send the Member Body an application form together with details of the criteria necessary to make an application.

23.2. The criteria for a Member Body to apply for a licence to award for any of the Professional Registers shall be that it is recognised as a professional body, and:

- a. the Body is a member of the Science Council,

- b. the Member Body has at least one membership entry standard that is based on standards of competence as attested by an appropriate qualification and relevant professional practice, or relevant professional practice,
- c. the Member Body has an appropriate level of experience administering entry standards or has made approved arrangements with another Licensed Body to do so,
- d. the members holding registration on a Science Council professional register will be bound by a Code of Professional Conduct and the Licensed Body has disciplinary procedures, and
- e. the Member Body is committed to monitoring the professional development of its Science Council registrant members and is able to do so.

23.3 The applying Member Body shall also agree to be assessed by the Registration Authority and to pay any specified application costs.

23.4 A completed application form together with any other information supplied by the applying Member Body shall be passed to the Registration Authority.

23.5 The application form containing such information as required shall be approved by the Registration Authority from time to time.

23.5 For those Member Bodies unable to meet the criteria for licensing, an appropriate agreement with an existing Licensed Body or Licensed Bodies may be possible. Any bilateral agreement will be subject to approval and review by the Registration Authority.

#### **24. Procedure for the award of a licence**

24.1 On receipt of an application for a licence, the Registration Authority shall consider the information submitted and provided that the applying Member Body appears to meet the criteria the Registration Authority will then appoint a panel of appropriately qualified and trained reviewers to make an assessment in accordance with any requirements and guidelines which the Registration Authority may prescribe.

24.2 A licence reviewer shall not assess a Member Body of whom they are a member or employee, or with which they have any indirect association.

24.3 Licence reviewers shall maintain the confidentiality of the details of any members of the Member Body to which they have access prior to, during and after a license review.

24.4 The primary function of the assessment shall be to examine the way in which the Member Body maintains and applies its own member standards and how it operates its own professional development scheme with a view to the Member Body demonstrating that it would be able to apply the standards set by the Board. Additionally, evidence of compliance to the other criteria will be sought.

24.5 The reviewers shall present their findings to the Registration Authority, which shall make one of the following three recommendations to the Board, namely:

- a. to award a licence,
- b. to award a licence subject to the fulfilment of certain conditions, or
- c. not to award a licence.

- 24.6 Post-assessment the Member Body will be provided with a written report approved by the Registration Authority setting out the basis of any recommendation. The report will be confidential to the licence reviewers, licence review observers, the Registration Authority, and employees and the Board of Trustees of the Science Council.
- 24.7 The Registration Authority shall make a recommendation to the Board as to whether to award the Member Body a licence. The decision of the Board shall be final and submitted in writing to the applying Member Body no later than 5 working days after the meeting at which the Board made its decision.
- 24.8 A Member Body may commence the administration of its licence upon receipt of notice that the Board has approved its licence application provided that the Member Body has returned to the Science Council a signed data sharing agreement, a signed licensing agreement and any licence fee due for the year has been paid in accordance with Regulation 27.
- 24.9 The Licensed Body and Science Council shall enter into a data sharing agreement which shall set out the framework for the sharing of personal data between the Licensed Body and the Science Council.
- 24.10 The Licensed Body and Science Council shall enter into a licensing agreement which shall set out the rights and responsibilities of the Licensed Body and Science Council with regard to the administration of the licence.

## **25. Procedure for the maintenance of a licence**

- 25.1 The Registration Authority may determine that a licence review is to be conducted if:
- It considers that a Licensed Body is not maintaining the standards for the award of the professional designations for which it has been licensed, or that other specified criteria are not being fulfilled in accordance with any requirements and guidance which the Registration Authority may prescribe; or
  - Where a Member Body is applying for a new licence, the Registration Authority may determine that a licence review is to be conducted after 12 months of being awarded the licence.
- 25.2 Licensed Bodies are required to complete an annual report, the content of which will be determined by the Registration Authority.
- 25.3 The Registration Authority shall appoint a panel of appropriately qualified and trained reviewers to make an assessment in accordance with any requirements and guidelines which the Registration Authority may prescribe.
- 25.4 The reviewers shall present their findings to the Registration Authority, which shall make one of the following three decisions, namely:
- a. the continuation of the licence
  - b. to recommend to the Board to suspend the licence pending certain conditions, or
  - c. to recommend to the Board the termination of the licence.
- 25.5 Post-review the Licensed Body will be provided with a written report approved by the Registration Authority setting out the basis for any decision or recommendation. The report will be confidential

to the licence reviewers, licence review observers the Registration Authority, and employees and the Board of Trustees of the Science Council.

- 25.6 Subject to Regulation 25.3 b and c, the Registration Authority shall report the panel's findings to the next Board meeting along with any recommended action. The Board shall consider the recommended action and decide whether to suspend the licence pending the fulfilment of certain conditions or terminate the licence.

## **26. Procedure for the renewal of a licence**

- 26.1 A full licence review shall be conducted at a frequency determined by the Registration Authority but shall be no later than five years after the initial award or most recent renewal of the licence.
- 26.2 The Registration Authority shall appoint a panel of appropriately qualified and trained reviewers to make an assessment in accordance with any requirements and guidelines which the Registration Authority may prescribe.
- 26.3 The reviewers shall present their findings to the Registration Authority, which shall make one of the following three decisions, namely:
- a. To renew the licence,
  - b. to conditionally renew the licence subject to the fulfilment of certain conditions, or
  - c. to recommend to the Board the non-renewal of the licence.
- 26.4 Post-review the Licensed Body will be provided with a written report approved by the Registration Authority setting out the basis for any decision or recommendation. The report will be confidential to the licence reviewers, licence review observers the Registration Authority, and employees and the Board of Trustees of the Science Council.
- 26.5 Subject to Regulation 26.3 b and c, the Registration Authority shall report the panel's findings to the next Board meeting along with any recommended action. The Board shall consider the recommended action and decide whether to suspend the licence pending the fulfilment of certain conditions or terminate the licence.

## **27. Appeals against suspension, non-renewal, non-awarding, or termination of a licence**

- 27.1 The decision of the Board to suspend, not renew, not award or terminate a licence shall be final unless an appeal has been made to the Science Council within 28 days and in accordance with the Registration Authority's appeal process.

## **28. Licence fees**

- 28.1 The Board shall set annual licence fees for Licensed Bodies.
- 28.2 The amount decided for the licence fee shall take effect from 1<sup>st</sup> January and shall be communicated to Licensed Body not less than twelve months in advance.
- 28.3 Request for payment of licence fees shall be sent out in January each year and every Licensed Body shall be required to pay the annual licence fee to the Council by the end of February for each relevant calendar year unless an alternative schedule has been agreed with the Board.

- 28.4 The first licence fee due from any Member Body that is awarded a licence shall be apportioned according to the number of remaining full quarters of the Council's financial year. If any such fee falls due in the last quarter of the Council's financial year, the fee then due shall be a full annual fee for the following financial year of the Council.
- 28.5 The Board may charge at its own discretion and on the request of the Registration Authority, Licensed Bodies' assessment fees for assessments that are carried out in addition to the usual scheduled assessments.

### **29. Registrants – Disciplinary Action**

- 29.1 A complainant bringing a complaint against the conduct of a registrant in relation to Bylaw 92 (c) shall be referred to the registrant's Licensed Body. The Licensed Body shall consider the complaint in accordance with the terms of the licence. The Registration Authority shall act upon any recommendation from the Licensed Body in respect of an individual's registration status.
- 29.2 Appeals against removal from the Registers shall be considered in accordance with Bylaw 108.
- 29.3 Licensed Bodies shall inform the Science Council quarterly of the name, date of birth and Science Council Identification Number of any person who has been removed by them from the Professional Registers for disciplinary reasons. With reference to Bylaw 100, this information shall be available on request by Licensed Bodies provided that the request is for purposes of processing an application for registration and for no other reason.

### **30. Licensed Bodies – Disciplinary Action**

- 30.1 Complaints against a Licensed Body in relation to adherence to the terms of the Licence shall be considered in accordance with the requirements of Regulation 3. In addition to the provisions of Regulation 3.5 the Board may suspend or withdraw the Body's Licence.
- 30.2 In the event of suspension or withdrawal of a Licence, individual registrants shall continue to be registrants in accordance with Bylaw 110.

### **31. Professional Registers**

- 31.1 The Science Council shall have responsibility for the maintenance of the Professional Registers of Chartered Scientist, Chartered Science Teacher, Registered Scientist and Registered Science Technician.
- 31.2 The Science Council may publish the Professional Registers in whatever form it may decide. The published Registers shall include registrant's name, status, the date that the registration status was first awarded and awarding Licensed Body.
- 31.3 Each Licensed Body shall maintain a register of those members who have been admitted by them to the Registers.
- 31.4 The Licensed Body shall retain records of the basis on which the award was made.
- 31.5 A Licensed Body shall be required to submit quarterly data return from each of the licences held, in the required format, within the required timeframe and detailing information which the Registration Authority may prescribe.
- 31.6 Licensed Bodies are required to participate in any reconciliation of registrant data exercise as determined by the Registration Authority.

### **32. Professional Registers – qualifying standards**

- 32.1 A registrant shall be a person who is able to demonstrate to the relevant Licensed Body:
- knowledge and understanding to the level specified and published by the Board;
  - competence in the e areas to the level specified for each Register and published by the Science Council;
  - continuing professional development in accordance with the Board’s published standards; and,
  - ongoing compliance with the Board’s published Model Rules of Conduct as well as the Code of Conduct of their Licensed Body.
- 32.2 The Registration Authority shall review the qualifying standards at least every five years.
- 32.3 The Board shall publish in schedules the standards specific for each of the Professional Registers it maintains.
- 32.4 The Licensed Body shall ensure that applicants are in possession of any guidelines that relate to the criteria outlined in Regulations 28.1 and 28.2.
- 32.5 Successful applicants shall, on payment of the required fees, be entitled to the use the designatory letters “CSci” or “CSciTeach” or “RSci” or “RSciTech” as appropriate to the registration they have achieved.
- 32.6 Registrants who wish to renew their registration shall confirm annually to their respective Licensed Body that they comply with the standards as determined from time to time by the Registration Authority, including:
- a. participation in appropriate professional development, and
  - b. continuing practice such that scientific knowledge or practice at an appropriate level have formed the basis for the fulfilment of their role.
  - c. Compliance with the Licensed Body’s Code of Professional Conduct
- 32.7 Once granted a licence, Licensed Bodies, that can to the satisfaction of the Registration Authority identify groups of members for which the current entry standard is at or above the level of demand for registration, may offer grandparenting arrangements for a limited period to persons in those groups, irrespective of the admission criteria at the time the particular individual was admitted to the identified group of members.

### **33. Registrant fees**

- 33.1 The Board shall set the annual fees for registrants to the Professional Registers.
- 33.2 The amount decided for the registrant fee shall take effect from 1<sup>st</sup> January and shall be communicated to Licensed Bodies not less than twelve months in advance. Registrant fees are the property of the Science Council and will be collected through the Licensed Bodies to be paid annually.
- 33.3 Request for payment of registrant fees shall be sent out in June each year and every Licensed Body shall be required to pay the registrant fees due to the Council by 1st July for each relevant

calendar year unless an alternative schedule has been agreed with the Board. The payment due shall be based on registrant data as at 1<sup>st</sup> July for each calendar year.

- 33.4 If a Licensed Body fails to invoice the registrant for their registration fee, the Licensed Body shall nevertheless be liable for the payment of the registration fee on request from the Science Council.
- 33.5 The registration fee shall cover the period from the date of initial registration or renewal for a 12-month period.
- 33.6 The Licensed Bodies may add an additional charge to the registrant's fee and will be required to notify annually the additional amount to the Science Council. The Chief Executive shall inform, on request, any Licensed Body of the average and the range of these additional charges.
- 33.7 On behalf of the Registration Authority, Licensed Bodies shall issue to registrants upon payment of a fee prescribed by the Council, a certificate certifying entry to the Professional Registers. The fee shall be forwarded to the Council. The certificates shall remain the property of the Council.
- 33.8 In the event of cessation of registration, a registrant shall cease forthwith to be entitled to use of any titles or post-nominals associated with registration and the Licensed Body shall ensure that the certificate is returned by the registrant.