

# INSTMC DISCIPLINARY PROCEDURE VERSION NO. 2

IMC/DP

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Principles  
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...

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The Institute of Measurement and Control

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# Disciplinary Procedure

## 1. Purpose and Principles

- 1.1. The purpose of this Procedure is to protect the public, uphold confidence in the profession, and maintain proper standards of behaviour among members of the Institute.
- 1.2. This Procedure is conducted in accordance with the principles of natural justice and the Engineering Council's Guidance on Disciplinary Procedures.
- 1.3. Key terms used in this Procedure are defined in the Glossary (Appendix A). Readers should review the Glossary before using this Procedure.
- 1.4. The process will be completed as promptly as is fair and practicable, with clear timescales monitored at each stage. Indicative timeframes and responsibilities are set out in Annex B (Indicative Timescales).

### 1.5. Principles:

- The process will be fair, open, unbiased and proportionate.
- No individual involved in decision-making will take part in more than one stage of a case.
- Confidentiality will be maintained at all stages of the process, except where disclosure is required by law or necessary for the fair conduct of proceedings.
- Panels will consist of trained Institute members acting impartially and independently. Independent or Lay Members may be included, where feasible, to strengthen impartiality.
- There will be no presumption of liability until a breach is admitted or found.
- Sanctions will be fair and proportionate to the circumstances.

## 2. Scope and Authority

- 2.1. This Procedure applies to all members of the Institute, including deemed members (those who resign or allow membership to lapse after a complaint has been lodged).
- 2.2. This includes conduct in a professional or volunteer capacity and conduct outside Institute activities where it raises concerns about fitness to remain a member.
- 2.3. It derives its authority from the Royal Charter (Article 11) and Byelaws, in particular Byelaw 28 (Disciplinary Powers) and Byelaw 15(3) (Deemed Membership).
- 2.4. The Institute is a small professional body. Disciplinary and appeal processes are managed directly by independent panels appointed by, but operating separately from, the Board of Trustees.
- 2.5. Administrative and secretarial support for disciplinary and appeal processes will be provided by the Institute under the oversight of the Chief Executive. The Chief Executive may delegate this function to a designated staff member for day-to-day coordination. This support ensures that procedures, records, and timelines are properly maintained and that cases progress in a timely and consistent manner but carries no role in decision-making. Where the Chief Executive is conflicted or subject to a complaint, oversight will transfer to the President.

### **3. Communication and Notice**

- 3.1. Any communication under this Procedure may be sent using any contact details held by the Institute, including the registered postal address and email address. Members are expected to maintain a current and accessible email address where possible and promptly notify the Institute of any changes.
- 3.2. For the avoidance of doubt, “in writing” includes email or other electronic communication that can be saved as a record.
- 3.3. Communications will be sent by email wherever possible. If an email delivery failure is reported or the subject of the complaint does not respond within a reasonable period (normally 10 working days), one follow-up letter will be sent by post to the address held on record. The letter will request confirmation or provision of a current email address for ongoing correspondence.
- 3.4. All information and correspondence relating to a case will be held securely on the Institute’s system.
- 3.5. The Institute will acknowledge receipt of any complaint within 5 working days of receipt, where practicable.

### **4. Complaints**

- 4.1. Complaints must be made in writing to the Chief Executive.
- 4.2. If the complaint concerns the Chief Executive, it should instead be submitted to the President of the Institute.
- 4.3. If the complaint concerns the President or a Trustee, it should be submitted to the Chief Executive or, if that presents a conflict, to another Trustee who will then follow the processes set out in this Procedure.
- 4.4. Anonymous complaints will only be considered in exceptional circumstances and must be supported by independent evidence.
- 4.5. If a complaint contains multiple allegations or concerns more than one member, each allegation will be treated as a separate complaint for the purposes of investigation and decision-making.
- 4.6. The Chief Executive (or President, as appropriate) will acknowledge receipt of the complaint and inform the subject(s) of the complaint within 10 working days of receipt, unless exceptional reasons (for example, ongoing police investigation or the Chief Executive’s temporary unavailability) justify delay. Any delay and its reason will be recorded.  
Interim Suspension
- 4.7. In exceptional circumstances, where the nature of an allegation or information received suggests that continued membership poses a risk to the public or may seriously damage the reputation of the profession, the Chief Executive (acting as Preliminary Reviewer) may recommend to the Board that the member be suspended on an interim basis.

#### **Emergency Restriction of Activities**

- 4.8. Where there is an immediate and reasonable risk of harm or reputational damage, for example, at an Institute event or public engagement, the Chief Executive may take temporary protective action to restrict a member’s participation in Institute

activities. Any such measure will be strictly limited to what is necessary for immediate protection and will not in itself constitute a suspension or disciplinary sanction.

#### **Board Authorisation**

- 4.9. The Board of Trustees will be notified promptly and asked to consider the recommendation for interim suspension as soon as practicable, for example by email or telephone if a meeting cannot be arranged quickly. The Board will decide whether to confirm, vary, or lift the restriction.

#### **Duration and Review**

- 4.10. If imposed, an interim suspension will remain in place only until the disciplinary process or any related legal proceedings are concluded, or until the Board decides otherwise. All interim measures will be reviewed regularly, at least every 30 days, to ensure they remain necessary and proportionate.

### **5. Preliminary Review - Case to Answer**

- 5.1. The Chief Executive, acting as Preliminary Reviewer, will conduct a preliminary review to determine whether, if proven, the allegation could amount to improper conduct and whether sufficient evidence exists to proceed.
- 5.2. If a complaint is clearly outside the Institute's jurisdiction, trivial, unsupported by evidence, or does not disclose a potential breach of conduct, the Preliminary Reviewer may dismiss it at this stage. Brief written reasons will be provided to both the complainant and the subject of the complaint.
- 5.3. The Institute may decline to consider or may close a complaint where the complainant's conduct is unreasonable, abusive, or incompatible with the fair administration of this Procedure. This decision will normally be made by the Chief Executive (or the President, if the complaint concerns the Chief Executive).
- 5.4. Where appropriate and with the agreement of the complainant and the subject of the complaint, the Preliminary Reviewer may recommend informal resolution (for example, advice, training, or an apology). Either party may withdraw consent to informal resolution at any time, in which case the formal process will resume. Use of informal resolution does not preclude formal action if concerns persist or escalate.
- 5.5. When notifying the member who is the subject of the complaint of the allegation(s), the Institute will invite a written response within 21 days of the notice. The Preliminary Reviewer will aim to decide whether there is a case to answer within 30 working days of receiving the subject's response (or the response deadline), subject to the complexity of the case.
- 5.6. This stage is an administrative review, not a judicial process.
- 5.7. If the Chief Executive has a conflict of interest or the complaint concerns the Chief Executive, the President (or another nominated Trustee) will undertake the preliminary review.

## 5.8. Preliminary Outcomes:

The Preliminary Reviewer will administer the process, maintain records, and ensure procedural fairness throughout the preliminary review. This is an administrative role and does not involve making the disciplinary determination.

- **No case to answer.** The complaint is dismissed, and written reasons are provided to the complainant and member; or
- **Case to answer.** The complaint is referred to a Disciplinary Panel.

### 5.8.1. Notification of outcome

The complainant will be informed of the preliminary outcome (dismissed or referred to a Disciplinary Panel).

## 5.9. Independent Review of “No Case” Decision

5.9.1. If the Preliminary Reviewer decides there is no case to answer, the complainant may request an *independent review* limited to whether:

- the correct procedure was followed; and/or
- the decision was reasonable considering the information available.

5.9.2. The request must be made in writing within 21 days.

5.9.3. The Board of Trustees will appoint an *Independent Reviewer*, who must have had no prior involvement in the case.

### 5.9.4. Appointment of Independent Reviewers

To ensure independence and availability, the Institute will normally invite past Presidents or other senior members no longer holding office to act as Independent Reviewers or may approach suitably qualified individuals from another professional engineering institution where necessary to avoid conflicts of interest.

## 5.10. Outcome of the Independent Review

5.10.1. The Independent Reviewer may uphold the Preliminary Reviewer’s decision, closing the matter.

5.10.2. The Independent Reviewer may refer the complaint back for reconsideration by a new Preliminary Reviewer if there was a fault with the process or reasoning.

5.10.3. The Independent Reviewer does not decide the merits of the case.

5.10.4. The Independent Reviewer will aim to complete the review and issue their decision within 20 working days of appointment, unless the case is particularly complex, in which case the parties will be informed of the revised timescale.

5.10.5. If the Independent Reviewer upholds the original “no case to answer” decision, the matter is closed, and the Institute’s internal process concludes.

5.10.6. If the complaint is referred and the new Preliminary Reviewer determines that there is a case to answer, the process will continue to the Disciplinary Panel stage in accordance with Section 6.

## 6. Disciplinary Panel and Hearings

### Panel Composition and Independence

- 6.1. A Disciplinary Panel of at least three trained members will hear the case.
- 6.2. A Panel Chair will be appointed for each case. The quorum is three. If, after the hearing opens, a member of the Panel becomes unavailable, the Panel may continue with two members only if both parties agree and the Chair is satisfied that fairness will not be compromised; otherwise, the hearing will be adjourned.
- 6.3. Panel members must be independent and free from any real or perceived conflict of interest. They will not be Trustees or staff of the Institute.
- 6.4. Council members may serve only where they have had no prior involvement in the case and where their participation would not reasonably be seen as compromising independence.
- 6.5. A Lay Member should be included where the case is particularly serious or concerns a senior member or officer of the Institute. In other cases, the inclusion of a Lay Member is encouraged wherever practicable to strengthen impartiality.

### Notification and Participation

- 6.6. The subject of the complaint will receive written notice of the allegation(s), supporting evidence, and hearing date (minimum 21 days' notice).
- 6.7. The subject of the complaint is expected to attend the hearing. They have the right to present their case, submit evidence, call witnesses, and (with the permission of the Chair) put questions to the witnesses via the Chair. They may be accompanied at the hearing by either:
  - A. a lawyer, whom they may engage at their own expense, including to speak on their behalf; or
  - B. a non-lawyer supporter (sometimes referred to as a "McKenzie Friend"), who may provide advice and support and take notes, but may not address the hearing on their behalf, unless permitted by the Chair.
- 6.8. If the subject cannot attend for good reason, the Panel may adjourn to allow a reasonable opportunity for participation.
- 6.9. If, after reasonable attempts to reschedule, the subject remains unable to attend, the Panel may proceed in their absence only if satisfied that it is fair to do so and that the subject has had proper notice and opportunity to be heard.
- 6.10. The burden of proof rests with the Institute to establish the allegation. The standard of proof is normally the *balance of probabilities*. Only in exceptional cases where a finding would foreseeably result in loss of livelihood may the Panel apply the *beyond reasonable doubt* standard; if that higher standard is applied, the Panel will record its reasons (see *Standard of Proof* in the Glossary).

### Pre-Hearing Case Management

- 6.11. To support a fair hearing, the Panel may vary these deadlines where necessary for fairness, recording reasons. The standard timetable is as follows:
  - 14 days before the hearing: the subject provides any documents and an indicative witness list they intend to rely on.

- 7 days before the hearing: the Institute will compile and circulate a single ‘hearing bundle’ containing all relevant material.
- 6.12. New or late evidence will only be admitted where fair; the Panel may adjourn or give directions (including excluding it) to avoid prejudice.
  - 6.13. The Panel may accept written statements or expert reports at its discretion, provided these are shared with the subject of the complaint in advance. Prejudicial or irrelevant material will not be admitted.
  - 6.14. If a witness or other participant cannot attend, the Panel may accept a written statement or other evidence instead, provided this is fair to the subject of the complaint.
  - 6.15. Witnesses participate voluntarily and cannot be compelled or pressured to attend. The Institute will not require or coerce attendance, and any request to give evidence must be made respectfully. Witnesses may withdraw or decline to participate without prejudice.
  - 6.16. The Panel may be advised by a legal or procedural adviser who will not take part in decision-making.
  - 6.17. In complex or serious cases, the Panel may direct that the Institution’s case is presented by an appointed presenter (who may be legally qualified). No party will be permitted to rely on undisclosed material without directions to avoid prejudice.
  - 6.18. The hearing will then proceed in accordance with Section 7 (Hearings).

## **7. Hearings**

- 7.1. Hearings will be conducted fairly, transparently, and with respect for all participants. They will normally take place online, unless an in-person meeting is considered necessary to ensure fairness or effective participation. Reasonable adjustments will be provided where required.
- 7.2. Audio or video recording of hearings is not permitted unless authorised by the Panel Chair. If authorised, any recording will be held securely and shared only where necessary for fairness or legal compliance.
- 7.3. The Panel Chair will open the hearing, confirm the allegation(s), and explain the procedure to be followed.
- 7.4. Hearings will be inquisitorial rather than adversarial, meaning the Panel will lead the questioning and fact-finding to determine whether the allegation is upheld. The usual order of proceedings is as follows:
  - The Panel Chair outlines the allegation(s), confirms the issues in dispute, and explains the procedure.
  - The subject of the complaint or their legal representative presents their response, evidence, and any witnesses.
  - Witnesses may be questioned by the Panel through the Chair to clarify points of fact.
  - The subject of the complaint, or their legal representative, may also question witnesses with the permission of the Chair.
  - Panel members may ask questions at any stage to clarify points of fact.

- The subject of the complaint, or their legal representative, may make a brief closing statement before the hearing is closed. The Panel Chair may also summarise the key issues considered before deliberation.
- 7.5. The Panel will deliberate in private. Decisions are made by majority vote, with reasons recorded in writing.
- 7.6. After hearing the case, the Panel will decide that:
- the complaint is not upheld; or
  - the complaint is upheld, and a sanction is applied.
- 7.7. The written outcome, including reasons for the decision and any sanction imposed, will be sent to the subject of the complaint within 10 working days of the hearing, or as soon as practicable.
- 7.8. The complainant will be informed of the outcome of the hearing (upheld or not upheld) and whether appropriate action has been taken, but details of any sanction will not normally be disclosed unless disclosure is necessary for transparency or public protection.

## **8. Sanctions**

- 8.1. The list below sets out the range of sanctions available. Sanctions may be applied individually or in combination, if the outcome is fair and proportionate to the circumstances.
- Advice or guidance;
  - Formal warning;
  - Requirement to apologise (either publicly or privately, as appropriate and proportionate) or to undertake specified training;
  - Removal from committees, working groups, Local Sections, Networks, Special Interest Groups, or representative roles (including chair or officer positions);
  - Suspension of membership;
  - Expulsion from membership; and/or
  - Notification to the Engineering Council, or recommendation for removal from professional registration where appropriate.
- 8.2. In addition, the Institute may restrict or remove a member from any committee, office, or representative role for a defined period, or permanently, if this is considered necessary to protect the reputation or integrity of the Institute.
- 8.3. When deciding on an appropriate sanction, the Panel will take account of a range of factors, including:
- seriousness of the conduct;
  - actual or potential harm caused;
  - intent;
  - previous disciplinary history;
  - mitigating factors (such as early admission, cooperation, remorse, personal circumstances);



- aggravating factors (such as abuse of trust, repetition, impact on public safety, lack of insight).
- 8.4. Failure to comply with an imposed sanction will constitute separate misconduct and may result in further disciplinary action.
- 8.5. Expulsion from membership will normally be permanent, subject to the reinstatement provisions described under *Reinstatement after Expulsion*.

## **9. Appeals (Subject of Complaint)**

- 9.1. The member who is the subject of the complaint may appeal against a disciplinary determination or sanction on one or more of the following grounds:
- lack of jurisdiction;
  - procedural irregularity;
  - new evidence not previously available;
  - perversity (decision not supported by evidence); and/or
  - disproportionate sanction.
- 9.2. The appeal must be submitted in writing to the Chief Executive within 21 days of notification of the disciplinary decision.
- 9.3. Before proceeding to a full appeal, the Chair of the Appeal Panel (or another independent member appointed by the Board for this purpose) will first decide whether to grant *leave to appeal* on one or more of the recognised grounds. The Chief Executive will acknowledge receipt of the appeal and forward it to the Chair for this preliminary review. If leave is refused, brief written reasons will be provided to the member, and the disciplinary decision will stand.
- 9.4. The Board of Trustees will appoint an Appeal Panel of at least three persons not previously involved. The Panel should, where practicable, include at least one Lay Member.
- 9.5. The Appeal Panel will review the case documents and may, at its discretion, hold a hearing to clarify issues raised. Any such hearing will follow, as far as practicable, the same procedural model as a disciplinary hearing, adapted as necessary to reflect the scope of the appeal.
- 9.6. The Appeal Panel may:
- confirm the original decision; or
  - reduce or vary the sanction but may not impose a more severe sanction.
- 9.7. The Appeal Panel's decision is final. The Appeal Panel will aim to issue its written decision within 30 days of receiving the appeal documentation, or as soon as practicable.

### **9.8. Costs and Expenses**

The Institute does not impose fines or normally recover costs from any party. However, if the subject of the complaint chooses to be legally represented and the Institute finds it necessary to engage legal representation to ensure a fair and balanced process, the Board of Trustees may approve the recovery of reasonable

legal costs incurred as a direct result. Any cost recovery will be exceptional, proportionate, and explained in advance.

#### **9.9. Effect of Appeal**

If a member appeals, sanctions such as warnings, training or apologies will be suspended until the appeal is decided. Suspension or expulsion will take immediate effect but will be lifted if the appeal succeeds.

#### **9.10. Appeal to EngC (only when registration is lost)**

An appeal to the Engineering Council is available only where a member loses professional registration because of disciplinary action and the Institute's internal appeal process has been exhausted, in accordance with Engineering Council regulations

### **10. Criminal and Civil Proceedings**

#### **Pending Proceedings**

- 10.1. Where a complaint involves matters that are also the subject of criminal or civil proceedings, the Institute will normally pause its disciplinary process until those proceedings (including any appeal) have concluded. However, the Institute may continue or take interim action if it considers this necessary to protect the public or maintain confidence in the profession, subject to legal advice.

#### **Convictions and Findings of Liability**

- 10.2. Where the subject of the complaint has been convicted of a criminal offence or found liable in civil proceedings, that outcome will normally be treated as conclusive proof of the facts. The Disciplinary Panel will not re-investigate the conduct but will decide whether those facts amount to misconduct under the Institute's Code of Conduct.

#### **Convictions and Appeals**

- 10.3. Where the subject of the complaint has been convicted of a criminal offence resulting in a custodial sentence, the conviction will be accepted as proof of fact. Expulsion from membership will normally follow, and there is no right of appeal within the Institute while the conviction stands. If the conviction is later quashed or overturned by a court, the member may apply for reinstatement, and the Institute will review the matter considering the new legal outcome.

### **11. Records, Monitoring and Publication**

#### **Records and Data Protection**

- 11.1. Access to case files is role-based and limited to those with a legitimate need to know for the purposes of this Procedure.
- 11.2. All disciplinary and appeal case files will be held securely and separately from membership records. Files will be accessible only to the Chief Executive and to any authorised person who requires access for audit or regulatory purposes.

- 11.3. Where the complaint concerns the Chief Executive, the file will be stored securely within the Institute's system under the control of the President (or a Trustee), and the Chief Executive will have no access to it.
- 11.4. Where necessary and lawful (e.g. safeguarding, crime prevention, or regulatory duties), relevant information may be shared with the police, regulators, or the Engineering Council. Any such disclosure will be limited to what is proportionate and necessary, with reasons recorded.
- 11.5. Case records will be retained for a minimum of six years after case closure, or longer if required by law or regulatory guidance.
- 11.6. Where a member has been expelled, a note of the expulsion will be stored on their membership record to ensure that this is considered if they seek to rejoin the Institute. Full case files will remain stored separately and securely.

#### **11.6.1. Reinstatement after Expulsion**

A former member who has been expelled may, after a minimum period of five years, apply for reinstatement to membership. The application must include evidence of good conduct since expulsion, steps taken to remedy the issues that led to expulsion, and assurance that readmission would not undermine public confidence in the profession. The application will be considered by the Board of Trustees, which may seek independent professional or legal advice before reaching a decision. The fact of the previous expulsion will remain recorded on their membership record.

#### **Monitoring and Reporting**

- 11.7. The Chief Executive will maintain a confidential log recording the receipt, progress and outcome of all complaints.
- 11.8. The Board of Trustees will receive an anonymised summary showing the number and general nature of cases handled, outcomes, and any lessons learned or trends requiring attention. The summary will be provided by the Chief Executive, or by the President where the Chief Executive is conflicted. The summary will not include identifying details of any individuals, and no case information will be shared beyond what is necessary for effective governance.
- 11.9. Where exceptional issues arise that may have legal, financial or reputational implications for the Institute, the Chief Executive (or the Chair of the relevant Panel) may brief the President confidentially.
- 11.10. The Board will note these reports for oversight purposes only and will not review, ratify or influence the handling or outcome of individual cases.

#### **Publication of Outcomes**

- 11.11. Publication is not a disciplinary sanction but may be used to promote transparency and uphold public confidence in the profession. The Institute may publish information about disciplinary findings only where a complaint is upheld and publication is considered necessary and proportionate to protect the public, maintain confidence in professional standards, or demonstrate that the Institute has taken appropriate action.

- 11.12. Where a complaint is dismissed or found to have no case to answer, the Institute will not publish any identifying details. It may, however, include anonymised case summaries or statistics in annual or thematic reports to support learning and accountability.
- 11.13. Where the existence of a complaint is already public knowledge and publication is considered necessary to correct the record or maintain confidence in the process, the Institute may, with the written consent of the member concerned, publish a short statement confirming that the complaint was dismissed or that there was no case to answer.
- 11.14. Any decision to publish, including whether to identify individuals and the level of detail to include, will be made by the Board of Trustees, taking account of confidentiality, fairness, proportionality, and the public interest.
- 11.15. The Institute will notify the Engineering Council where sanctions affect professional registration.
- 11.16. Where a finding is upheld and appeals are exhausted, the Engineering Council may inform any other institutions of which a Registrant is known to be a member.

## **12. Conflicts of Interest**

- 12.1. All individuals involved must declare any potential conflict of interest.
- 12.2. The “fair-minded observer” test will apply: any person whose impartiality could reasonably be questioned must withdraw from the case.

## **13. Training**

- 13.1. The Institute will provide a desk-based training pack to all individuals involved in disciplinary or appeal cases. The pack will cover the principles of natural justice, equality and diversity, confidentiality, data protection, and relevant aspects of this Procedure.
- 13.2. All panel members and reviewers must confirm that they have read and understood the training pack before participating in any stage of a disciplinary or appeal case. This confirmation will be recorded by the Chief Executive.
- 13.3. The training pack will be reviewed and/or updated at least every three years, or sooner if guidance or legal requirements change.

## Appendix A: Glossary

| Term                                 | Meaning  |
|--------------------------------------|--|
| <b>Appeal Panel</b>                  | A panel that considers appeals against Disciplinary Panel decisions; at least three persons not previously involved, including (where practicable) one Lay Member. |
| <b>Balance of Probabilities</b>      | The standard of proof that means it is more likely than not that the alleged conduct occurred.   |
| <b>Beyond Reasonable Doubt</b>       | A higher standard of proof requiring near certainty; applied only in very serious cases where loss of livelihood may result.                                       |
| <b>Board of Trustees (the Board)</b> | The Institute’s governing body responsible for oversight but not involved in deciding individual cases.  |
| <b>Case to Answer</b>                | The threshold met when, if found, the allegation could amount to improper conduct and there is sufficient evidence to proceed.                                     |
| <b>Code of Conduct</b>               | The Institute’s Code or Rules that set out professional and ethical standards for members.   |
| <b>Complainant</b>                   | The person or body submitting an allegation.   |
| <b>Deemed Member</b>                 | A person who resigns or allows membership to lapse after a complaint has been lodged and is treated as a Member for the purposes of this Procedure.                |
| <b>Disciplinary Panel</b>            | An impartial panel of trained members (normally three) that hears the case and decides whether a breach has occurred and what sanction, if any, should be applied. |
| <b>Independent Reviewer</b>          | A person with no prior involvement appointed to review a “no case to answer” decision on limited grounds, such as procedure or reasonableness.                     |
| <b>Improper Conduct</b>              | Behaviour that may breach the Code of Conduct or bring the Institute or the profession into disrepute.   |
| <b>Institute</b>                     | The Institute of Measurement and Control (InstMC).   |
| <b>Interim Suspension</b>            | A protective (not punitive) measure authorised by the Board to protect the public or the profession pending the outcome of proceedings or related court action.    |
| <b>Lay Member</b>                    | A person independent of the Institute and not from the same discipline or profession as panel members.   |
| <b>McKenzie Friend</b>               | A non-lawyer supporter who may attend, quietly advise, and take notes for the Subject of the Complaint but may not address the hearing on their behalf.            |
| <b>Natural Justice</b>               | The principle that disciplinary and appeal processes must be fair, impartial, and transparent. It includes the right of individuals to                             |

|  |  |
|--|--|
|  | know the case against them, to be heard before decisions are made, and to have matters decided by people without conflicts of interest, with reasons provided for all decisions.   |
| <b>Panel Chair</b>                             | The member of the Disciplinary or Appeal Panel appointed to lead the hearing, ensure fair conduct of proceedings, and coordinate the Panel's decision-making. The Chair has no additional vote but may guide deliberations and ensure procedural fairness.   |
| <b>Preliminary Reviewer</b>                    | The Chief Executive, acting in this capacity, who conducts the preliminary review, maintains records, and ensures procedural fairness to decide whether there is a case to answer.   |
| <b>President</b>                               | The officer who provides governance oversight of disciplinary matters where required, including receiving confidential briefings in cases where the Chief Executive has a conflict of interest. The President does not take part in decision-making on individual cases.   |
| <b>Secretarial (or Administrative) Support</b> | Administrative support for disciplinary and appeal processes, provided under the oversight of the Chief Executive (or, where conflicted, the President). This role is limited to procedural and record-keeping functions such as issuing correspondence, maintaining timelines, and organising hearings and carries no decision-making authority. It must be performed by a person in employment with, or otherwise legally accountable to, the Institute to ensure proper oversight and compliance. |
| <b>Sanction</b>                                | Any outcome applied singly or in combination following a disciplinary finding such as advice, warning, suspension, or expulsion.   |
| <b>Standard of Proof</b>                       | The level of certainty required for a finding. <i>Balance of probabilities</i> – more likely than not; <i>Beyond reasonable doubt</i> – a higher standard applied only in very serious cases where loss of livelihood may be affected.   |
| <b>Subject of the Complaint</b>                | The Member or former Member whose conduct is the subject of a complaint.   |
| <b>Working Day</b>                             | Monday to Friday, excluding public holidays in any part of the United Kingdom. For members based outside the UK, UK working days will apply unless otherwise agreed.   |

## Annex B: Indicative Timeline<sup>1</sup>

| Stage  | Who   | Indicative timeframe  |
|--|---|---|
| Acknowledge complaint                            | Chief Executive (or President, if the complaint concerns the Chief Executive) | Within <b>5 working days</b> of receipt   |
| Notify subject of complaint and request response | Preliminary Reviewer  | Within <b>10 working days</b> of receipt (unless exceptional circumstances apply)           |
| Subject's written response                       | Subject of complaint  | Within <b>21 days</b> of notice   |
| Case-to-answer decision                          | Preliminary Reviewer  | Within <b>30 working days</b> of receiving the response or expiry of the response deadline  |
| Independent review (if requested)                | Independent Reviewer  | Within <b>20 working days</b> of appointment (unless complexity requires longer)            |
| Review of interim suspension (if applicable)     | Board of Trustees   | At least every <b>30 days</b> while in effect   |
| Hearing notice and papers issued                 | Chief Executive (acting as administrator)                                     | At least <b>21 days</b> before hearing  |
| Subject's witness lists and documents provided   | Subject of complaint  | <b>14 days</b> before hearing   |
| Final hearing bundle issued                      | Chief Executive (acting as administrator)                                     | <b>7 days</b> before hearing  |
| Written decision issued                          | Disciplinary Panel  | Within <b>10 working days</b> of hearing (or as soon as practicable)                        |
| Appeal lodged                                    | Subject of complaint  | Within <b>21 days</b> of decision   |
| Appeal outcome issued                            | Appeal Panel  | Within <b>30 working days</b> of receiving appeal documentation (or as soon as practicable) |

END

<sup>1</sup> These are indicative targets. The Panel or Preliminary Reviewer may vary them where necessary for fairness or complexity, recording reasons.