

REGULATIONS OF THE RCPCH

1. DEFINITIONS AND INTERPRETATION

1.1 In these Regulations, the following words shall have the following meanings:

“Bye-laws”	the Bye-laws of the College for the time being made under Article 11 of the Charter;
“Conduct Regulations”	Regulations 23 to 30.1 hereof;
“DCH” the Diploma in Child Health and “DCH Examination”	the Examination for that said Diploma;
“Election Regulations”	Regulations 11 to 21.2 hereof;
“Examination Regulation”	Regulation 9 hereof;
“Good Standing”	as defined in the Bye-laws;
“Medical Qualification”	a qualification rendering the holder eligible for registration with the General Medical Council of the United Kingdom, or in the case of overseas bodies, being recognised by the General Medical Council of the United Kingdom;
“Membership Examination”	the Examination for Membership of the College;
“MRCPCH”	membership of the Royal College of Paediatrics and Child Health;
“MRCP(UK)”	membership of the Royal Colleges of Physicians of the United Kingdom.
“Rules”	the Examination Rules prescribed by the Council under Regulation 9.3.

1.2 In the event of any inconsistency between the provisions of these Regulations and the provisions of the Charter or the Byelaws the provisions of the Charter and the Bye-laws shall prevail (with the provisions of the Charter prevailing over those of the Bye-laws if there is any inconsistency between them).

1.3 In these Regulations, unless the context otherwise requires, the expressions or words used in the Charter and the Bye-laws shall have the meanings there defined.

1.4 All references to legislative provisions are to the legislation concerned as amended, repealed, re-enacted or replaced and in force from time to time.

1.5 Words denoting the singular include the plural and vice versa.

1.6 Words denoting any one gender include all genders.

MEMBERSHIP REGULATIONS

2. ORDINARY MEMBERS

2.1 Ordinary Members shall be:

- 2.1.1 those who were ordinary members of the British Paediatric Association on 23 August 1996 whether or not they hold any postgraduate medical qualification (“the Founder Ordinary Members”); and
- 2.1.2 those medical practitioners who pass the examination for membership of the College in accordance with the Examination Regulations; and
- 2.1.3 those medical practitioners who satisfy the qualification and evidence criteria in Regulation 2.2 below and who are elected by the Council as Ordinary Members; and
- 2.1.4 others elected as Ordinary Members by the Council but who as the result of an election shall consist of not more than 5% of the total Ordinary Members and Fellows at any time.

2.2 Qualification

- 2.2.1 A candidate must be an Associate Specialist or a SCMO working in the UK either in paediatrics and child health or in allied specialities whose work is mainly concerned with child health.

2.3 Evidence

- 2.3.1 The application must be supported by evidence including
 - 2.3.1.1 A curriculum vitae
 - 2.3.1.2 A description of the candidate’s work with or for children

2.4 Designation

- 2.4.1 All Ordinary Members may use the designation MRCPCH (subject to Regulation 2.3.2 applicable to Founder Ordinary Members).
- 2.4.2 When any Founder Ordinary Member uses the designation MRCPCH in any professional application form or curriculum vitae the fact that they are a Founder Ordinary Member should be made clear. The member should also include the designation MRCP(UK) if appropriate and indicate any other qualification they hold.

3. FELLOWS

3.1 Qualification

Those who have completed specialist training in paediatrics and

- whose names appear on the Specialist Register in Paediatrics of the UK or Republic of Ireland

OR

- have achieved distinction in paediatrics and child health or an allied specialty

shall be eligible for election as Fellows.

3.2 Nomination

3.2.1 Nomination is not required for those whose names appear on the Specialist Register of the UK in Paediatrics

3.2.2 Candidates for election as Fellows whose names do not appear on the Specialist Register of the UK in Paediatrics shall be nominated by two Fellows, one of whom must have his primary postal address registered with the College in the United Kingdom or Republic of Ireland.

3.3 Evidence

The application should normally be supported by documentation from the UK or Irish General Medical Council or should be supported by evidence of the candidate's continuing links with paediatrics and child health in the UK or Republic of Ireland.

3.4 Election

Fellows shall be elected by the Council.

4. HONORARY FELLOWS

4.1 Honorary Fellows shall be:

4.1.1 those who were honorary members of the British Paediatric Association on 23 August 1996; and

4.1.2 those who are elected in accordance with Regulations 4.2 and 4.3.

4.2 Qualification

People who have made an outstanding contribution to the objects of the College and whom the College wishes to honour shall be eligible for election as Honorary Fellows.

4.3 Nomination and election

Candidates for Honorary Fellowship shall be nominated by the Council for election by the College in general meeting.

5. ASSOCIATE MEMBERS

5.1 Associate members shall be:

5.1.1 those who were associate members of the British Paediatric Association on 23 August 1996; and

5.1.2 those who satisfy the qualification and evidence criteria in Regulations 5.2 and 5.3 below and are elected by the Council as Associate Members.

5.2 Qualification

Registered Medical Practitioners who in their practice make a significant contribution to paediatrics or child health shall be eligible for election as Associate Members.

5.3 Evidence

The application must be supported by a detailed description of the work of the candidate in paediatrics and child health. Those who have passed the examination for MRCPCH will not normally be elected to Associate Membership.

6. SENIOR MEMBERS AND SENIOR FELLOWS

6.1 Qualification

Ordinary Members and Fellows who have declared they have ceased to work in paediatrics and child health and have no intention of commencing any other work in paediatrics and child health shall automatically become Senior Members and Fellows.

7. JUNIOR MEMBERS

7.1 Qualification

The Council will consider for election to Junior Membership any doctor who has commenced training in the specialty of paediatrics and child health but who has not passed the Membership Examination in accordance with the Examination Regulations and is not eligible for Ordinary Membership.

7.2 Nomination

Candidates for election as Junior Members must be nominated by one Ordinary Member or one Fellow.

7.3 Evidence

Candidates for election as Junior Members must submit a curriculum vitae and evidence of their registration as medical practitioners.

7.4 Junior Members shall be elected by the Council.

7.5 Junior Members shall not be entitled to use any post nominal designation.

8. FOUNDATION DOCTOR AFFILIATES

8.1 Any foundation doctor working in paediatrics or child health shall, on application, be admitted by the Council as a Foundation Doctor Affiliate.

8.2 Foundation Doctor Affiliates shall not be entitled to use any post nominal designatory letters suggesting membership of the College.

9. EXAMINATION REGULATIONS

9.1 Entry Qualifications

Candidates will not be permitted to sit any Examination unless they hold a Medical Qualification.

9.2 MRCPCH Diploma of Membership

In order to pass the Membership Examination candidates must:

9.2.1 successfully complete all parts of the Membership Examination;

9.2.2 pay the membership fee as may be prescribed from time to time by the Board of Trustees.

9.3 Rules

The Council shall pass rules for the further and more precise regulation of the DCH Examination and the Membership Examination from time to time.

9.4 Guidance

The Examination Board of the College may issue Notes of Guidance to prospective

candidates.

10. **BOARD OF TRUSTEES**

- 10.1 The Board of Trustees shall consist of:
- 10.1.1 the Chair of the Board of Trustees who must not be a member of the College at any time he holds such office;
 - 10.1.2 the President;
 - 10.1.3 the Registrar;
 - 10.1.4 the Treasurer;
 - 10.1.5 two Youth Trustees who have experience of advocating the interests of children or young persons;
 - 10.1.6 up to 4 persons being Ordinary Members or Fellows;
 - 10.1.7 up to 3 other Trustees.
- 10.2 A person will only be eligible to be appointed the Chair of the Board of Trustees, a Youth Trustee or a Trustee under Regulation 10.1.7 if his primary residential address is in the UK or the Republic of Ireland.
- 10.3 A person will only be eligible to be appointed the Treasurer or a Trustee under Regulation 10.1.6 if he is an Ordinary Member or Fellow whose primary postal address registered with the College is in the UK or the Republic of Ireland;

ELECTION OF PRESIDENT, REGISTRAR, GEOGRAPHIC MEMBERS AND SENIOR MEMBER AND FELLOW REPRESENTATIVE

11. **GENERAL**

- 11.1 A Geographic Member means a member of Council referred to in bye-law 11(iv)(f) – bye-law 11(iv)(h) and the Senior Member and Fellow Representative means the member of Council referred to in bye-law 11(iv)(k).
- 11.2 Elections of the President and the Registrar shall be conducted in accordance with bye-law 7 of the Bye-laws. The provisions of bye-laws 7(vi) and (vii) shall apply to the election of the Geographic Members and the Senior Member and Fellow Representative as if they were named therein instead of “President” or “Registrar”.
- 11.3 In the event of any ambiguity in these Election Regulations, the Registrar or the Treasurer (if they relate to the election of the Registrar) shall rule on their interpretation.
- 11.4 The College Chief Executive, or other College staff to whom he or she may delegate the duties, shall act as Returning Officer and be responsible for the running of all elections, the dispatch of all papers referred to in these Election Regulations and the notification of the results of elections.
- 11.5 Members’ eligibility to stand for election, vote or nominate candidates shall be decided on the basis of the most recent information supplied by them to the College.
- 11.6 In standing for election, all candidates are deemed to have read and accepted the provisions in these Election Regulations in full. The existence of these Election Regulations shall be drawn to the attention of candidates at each election and they shall be made available to candidates and voters on request.

12. ELIGIBILITY

12.1 The eligibility of candidates shall be as follows:

12.1.1 The President – any Fellow (bye-law 7(ii) of the Bye-laws) whose primary postal address registered with the College is in the UK or the Republic of Ireland

12.1.2 The Registrar – any Fellow or Ordinary Member (bye-law 7(iv) of the Bye-laws) whose primary postal address registered with the College is in the UK or the Republic of Ireland.

12.1.3 Geographic Members – any Fellow or Ordinary Member whose primary postal address registered with the College is in the specified geographic area for their role, being:

12.1.3.1 a National Officer for each of Scotland, Wales and Ireland as specified in bye-law 11(iv)(f) of the Bye-laws;

12.1.3.2 Area Officers referred to in bye-law 11(iv)(g) of the Bye-laws as follows:

- London: North and South London
- East: East and Yorkshire and Humberside
- South: Kent, Surrey & Sussex (KSS), Thames Valley (TV), South Western (SW) and Wessex
- Midlands: West and East Midlands
- North: North West, North East and Mersey

12.1.3.3 International Officers referred to in bye-law 11(iv)(h) of the Bye-laws as follows:

- Asia: Malaysia; India; Hong Kong; Singapore; Myanmar; Sri Lanka; Iraq; Bangladesh; China; Japan; Maldives; Thailand; Kyrgyzstan; Taiwan
- Rest of world: Saudi Arabia; UAE; Egypt; Oman; Kuwait; Sudan; Qatar; Nigeria; South Africa; Bahrain; Jordan; Kenya; Ghana; Libya; Israel; Lebanon; Tanzania; Uganda; Zambia; Algeria; Syria; Botswana; Gambia; Madagascar; Europe; US; South America; Australasia

12.1.4 Senior Member and Fellow Representative – any Senior Fellow or Senior Member (bye-law 11(iv)(k) of the Bye-laws) whose primary postal address registered with the College is in the UK or the Republic of Ireland.

12.1.5 Specialty Member – a representative of all paediatric sub-specialties and paediatric special interest groups recognised by RCPCH, to be nominated and elected by members of the Specialty Board in a manner approved by Council (bye-law 11(iv)(l) of the Bye-laws)

AND

12.2 All members of the College standing for election must be in Good Standing (as defined in the Bye-laws)

13. **NOTIFICATION OF VACANCIES**

Vacancies in the President, the Registrar, any Geographic Member or the Senior Member and Fellow Representative shall be notified by the College's Chief Executive in a "Call for Nominations". These shall be sent to all members of the College eligible to stand or to vote at least 28 days before the closing date for nominations and shall include all relevant particulars of the post including eligibility of candidates, closing date for nominations and supporting documentation required.

14. **NOMINATION**

Nominations must indicate the agreement of members of the College willing to support the candidature ("proposers") as follows:

- 14.1 President – 6 persons being Ordinary Members or Fellows (bye-law 7(ii) of the Bye-laws) whose primary postal address registered with the College is within the UK or the Republic of Ireland.
- 14.2 Registrar – 2 persons being Ordinary Members or Fellows (bye-law 7(iv) of the Bye-laws) whose primary postal address registered with the College is within the UK or the Republic of Ireland.
- 14.3 Geographic Member – 8 persons (1 National Officer, 5 Area Officers for England and 2 International Officers as defined in the bye-laws) being Fellows, Senior Fellows, Ordinary Members, Senior Members or Honorary Fellows (bye-law 11(iv)(f) – bye-law 11(iv)(h) of the Bye-laws) whose primary postal address registered with the College is in the Area specified for the National Officer, Area Officer for England and International Officer respectively.
- 14.4 Senior Member and Fellow Representative – 2 persons being Senior Fellows or Senior Members (bye-law 11(iv)(i) of the Bye-laws) whose primary postal address registered with the College is within the UK or in the Republic of Ireland.
- 14.5 All candidates must confirm in a manner prescribed by the College that they are willing to stand.
- 14.6 Nominations indicating the agreement of too few proposers or indicating the agreement of people who are not properly qualified as proposers will not be accepted. It is the responsibility of candidates to check, prior to submission of forms, that their proposers are qualified to nominate them.

15. **STATEMENTS AND SUPPORTING DOCUMENTS**

- 15.1 Candidates for posts may be asked to accompany their nomination with a statement or supporting documentation to assist electors in making their choice. The nature of the supporting documentation required for any post will be decided by the Registrar or the Treasurer (in the case of the election of the Registrar) and will be made clear in the Call for Nominations.
- 15.2 In the event of a nomination being received with incomplete documentation, the candidate will be informed promptly by the Returning Officer. If the documentation is still materially incomplete by the notified closing date, the College will not accept the nomination. The Returning Officer's judgment on the completeness of documentation shall be final.
- 15.3 Candidates or proposers are forbidden to send to electors any circulars or additional information over and above that specified in the Call for Nominations.

16. CLOSING DATES

- 16.1 A closing date for applications shall be set by the Registrar or the Treasurer (in the case of the election of the Registrar) for each election and included in the Call for Nominations.
- 16.2 It is the duty of candidates to ensure that forms reach the College by the closing date. The College reserves the right to refuse to accept forms received after this date, even if they have been delayed in transit.
- 16.3 The Returning Officer may, at his or her discretion, accept late applications provided he or she is satisfied that the late arrival of forms is not the fault of the candidate, that the candidate has gained no material advantage from late submission and that accepting the nomination will not delay the dispatch of ballot forms to the electors.

17. VOTING

- 17.1 Eligibility to vote shall be as follows:
- 17.1.1 President– Fellows, Senior Fellows, Ordinary Members, Senior Members, Associate Members, Junior Members and Honorary Fellows (bye-law 7(i) of the Bye-laws) whose primary postal address registered with the College is within the UK or outside the UK .
- 17.1.2 Registrar – Fellows, Senior Fellows, Ordinary Members, Senior Members, Associate Members, Junior Members and Honorary Fellows (bye-law 7(iii) of the Bye-laws) whose primary postal address registered with the College is in the UK or outside the UK..
- 17.1.3 Geographic Members – Fellows, Senior Fellows, Ordinary Members, Senior Members and Honorary Fellows (bye-law 11(iv)(f) – 11(iv)(h) of the Bye-laws) whose primary postal address registered with the College is in the Area specified for the National Officer, Area Officer for England and International Officer respectively.
- 17.1.4 Senior Member and Fellow Representative –Senior Fellows and Senior Members (bye-law 11(iv)(k) of the Bye-laws) whose primary postal address registered with the College is in the UK or outside the UK.
- 17.2 Ballot forms and accompanying documentation shall be dispatched to electors in good time for them to consider the candidates and return completed forms. The timetable for dispatching and receiving ballot papers will be determined by the Registrar or the Treasurer (in the case of the election of the Registrar).
- 17.3 The accidental omission to send nomination forms or ballot forms to any person entitled to receive these shall not invalidate an election.
- 17.4 Ballot forms for elections shall not be sent to any address unless it is within the United Kingdom or the Republic of Ireland.
- 17.5 Elections for the President, Registrar, National Officers and the Senior Member and Fellow Representative shall be conducted using postal or electronic votes as the Board of Trustees determines. Where one candidate is to be elected, the election shall be conducted using the Alternative Vote variant of the Single Transferable Vote system.

18. NOTIFICATION OF RESULTS

Candidates shall be informed as promptly as possible of the results of an election in which they have taken part. Results (but not voting figures) shall be posted on the College web-site after all candidates have been notified, or once a reasonable attempt has been made to notify them.

19. **RETENTION OF BALLOT PAPERS AND VOTING FIGURES**

Ballot records shall be retained for eight weeks after the announcement of the result, to facilitate the hearing of any appeal regarding the election, and will then be destroyed. Voting figures will be retained indefinitely by the College Chief Executive and shall be made available on demand to any candidate or to any member of the College requesting them.

20. **IMPROPER CONDUCT**

20.1 In the event of a breach of these regulations by any candidate, or if it is found that a candidate is ineligible to stand, or if it is found that a candidate has intimidated voters or offered voters any improper inducement or attempted to falsify the result of the election or behaved in a manner that is otherwise prejudicial to a fair electoral process, the Returning Officer may, after consultation with the Registrar or the Treasurer (in the case of the election of the Registrar), either warn the candidate as to his or her conduct or disqualify the candidate from standing in that election. Disqualification on any grounds shall be subject to appeal, as set out in these regulations; all such appeals will be heard at the earliest possible date.

20.2 Where voting has already taken place prior to disqualification, preferences for the disqualified candidate(s) shall be ignored when counting takes place, and preferences for other candidates shall be adjusted accordingly.

21. **APPEALS**

21.1 Appeals against any ruling by the Registrar or the Treasurer (in the case of the election of the Registrar), the College Chief Executive or appointed Returning Officer concerning the interpretation or implementation of these Election Regulations or any determination by the Returning Officer under the Bye-laws shall be heard by the Board of Trustees, or a committee thereof, whose decision shall be final and not subject to further appeal. In the event of an appeal against disqualification being upheld, the Board of Trustees or committee thereof may direct that the result of an election should be set aside and the election re-run.

21.2 To facilitate an appeal, the Registrar or the Treasurer (in the case of the election of the Registrar) may instruct the Returning Officer that the dispatch of voting forms or the closing date for the return of forms or the counting of votes or the announcement of an election result may be delayed for up to six weeks.

22. **THE COUNCIL**

22.1 The President shall be chair of the Council. In the absence of the President, the Registrar shall chair meetings of the Council.

22.2 A member of the Council (excluding any Trustee who is a member of it) shall vacate office if he is removed from office by a resolution of the Council, or a committee thereof, that the interests of the College so require, after inviting the member of the Council concerned to attend and be heard by the Council before the decision is made. If a member of the Council is removed as a Trustee pursuant to bye-law 6(ix), he immediately vacates office as a member of the Council.

REGULATIONS CONCERNING THE CONDUCT OF MEMBERS

23. **DEFINITIONS**

23.1 In Regulations 24 to 30 the following terms shall have the following meaning:

23.1.1 "Misconduct" shall include irregularities or failure to meet standards in clinical work, research, teaching, medico-legal work, and personal conduct where it may have some bearing on a member's fitness to practice paediatrics, or bring the College into disrepute whether in the UK or elsewhere.

- 23.1.2 “The Conduct Committee” shall be appointed by the President on the application of the Registrar and shall consist of at least two members of the Council as defined in the Standing Orders and may, but does not have to, include up to three other members of the College. In exceptional cases an individual who is not a member of the College may be asked to join the Conduct Committee but may not vote.

24. INTRODUCTION

- 24.1 The College is not a regulatory body. It exists to promote the Objects set out in the Charter and to foster cooperation and friendship between members. The purpose of these Conduct Regulations is not to duplicate the procedures of the General Medical Council or other bodies charged with the regulation of the medical and health care professions. They are intended rather to deal with matters that might reasonably be considered to be beyond the remit of the General Medical Council or other regulatory bodies, and their primary purpose is to offer assistance to medical and health care professionals whose conduct falls below acceptable standards as defined by the College. Only in the last resort do these Conduct Regulations allow for expulsion or other sanctions.
- 24.2 The Board of Trustees has the ultimate authority both to define standards and to grant membership of the College. The Board of Trustees therefore also has ultimate responsibility for disciplinary matters, delegating powers as listed below. It has the duty to oversee all disciplinary action, giving due weight to the regulations in force and to the principles of fairness and natural justice that have always been fundamental to the College and to its predecessor, the British Paediatric Association.
- 24.3 Action against members found guilty of professional misconduct by the General Medical Council falls outside these Conduct Regulations and is dealt with under by-law 17(i)(a) of the Bye-laws. The Registrar may order action under these Conduct Regulations to be suspended at any stage, should the General Medical Council commence proceedings against a member on the same or related grounds.
- 24.4 It is important that issues relating to conduct are dealt with as rapidly as possible both to protect patients from the consequences of poor practice and to ensure that time is not wasted on unfounded allegations. All potential conduct issues will therefore be handled in stages as follows, with as many as possible dealt with only at Stage 1.

25. STAGE 1 – INITIAL INVESTIGATION

- 25.1 The Registrar shall consider all complaints received by the College concerning the conduct of members of the College, whether from the public, Trustees, members of the Council, other members of the College or staff. (Where the complaint concerns the Registrar or the Registrar feels that it would be inappropriate for him or her to deal with the matter, the complaint shall be referred to the President, who may appoint another member of the Council to deputise for the Registrar throughout the process. In such a case the deputy will assume all of the powers delegated to the Registrar under these Conduct Regulations.) It may also be appropriate to follow up under these Conduct Regulations performance problems revealed during external clinical advisory team visits.
- 25.2 The Registrar shall have an unfettered discretion to:
- 25.2.1 take no further action beyond noting the complaint in the College’s records,
 - 25.2.2 seek further information from the complainant, the subject of the complaint or any other person,
 - 25.2.3 ask the Chief Executive Officer or other suitable person to investigate the matter further,

- 25.2.4 offer advice or mentoring to the member concerned and, if appropriate, a warning as to their future conduct,
 - 25.2.5 request payment in respect of the College property damaged, misused or lost,
 - 25.2.6 refer the matter to the Conduct Committee.
- 25.3 A decision to refer a matter to the Conduct Committee shall be made in the light of the seriousness of the complaint and of any previous warnings that may have been given to the member concerned.
- 25.4 The Registrar in his/her unfettered discretion may inform a complainant, in general terms, of the action taken; but no complainant shall be a party to any proceedings which may be brought.
- 25.5 The member who is the subject of the complaint must be informed at once if a decision is made to refer the matter to the Conduct Committee, including the allegations that will be considered. They may be informed of complaints that have been noted for the record at the Registrar's discretion.

26. STAGE 2 – HEARING OF THE CONDUCT COMMITTEE

- 26.1 The Conduct Committee shall be convened by the President or, in the absence of the President or the President being the subject of the complaint or otherwise unable to hear the case, by the Registrar.
- 26.2 The Registrar shall prepare a summary of the complaint, which shall be served by letter addressed to the respondent member's registered address giving at least 28 days' notice of the date of the hearing.
- 26.3 Not less than two weeks prior to the hearing, the Registrar shall inform the member in detail of the case against them and the evidence that will be presented.
- 26.4 The Registrar shall act as the promoter of the action and present the case to the Conduct Committee, but not vote as to further action to be taken. The Chief Executive Officer (or his or her deputy) shall attend meetings of the Conduct Committee, take the minutes of the meeting and advise on procedural issues, but shall also not vote.
- 26.5 The hearing may be held in the absence of the member concerned if he or she has been given notice as aforesaid and if the notice has been sent to their current mailing address as notified by the member to the College.
- 26.6 The member may be accompanied by a friend, a legal adviser or a representative of their union or medical protection body. The Registrar may be represented by the College's legal adviser.
- 26.7 The Registrar, the respondent member and their respective advisers may:
- 26.7.1 present evidence, both written and oral;
 - 26.7.2 call witnesses, including the complainant; and
 - 26.7.3 cross examine witnesses.
- 26.8 The members of the Conduct Committee may also seek information from any of those present. The Conduct Committee has a duty to ensure that both sides have adequate and equal opportunity to present their respective cases, but may place a time-limit on the proceedings or on the number of witnesses to be called by either side. The member shall be given the opportunity to speak last, but otherwise the hearing shall be as the Conduct Committee may determine.

- 26.9 At the conclusion of the hearing, the Conduct Committee shall withdraw to consider their verdict. They may:
- 26.9.1 dismiss the case;
 - 26.9.2 prescribe a course of action, including mentoring and retraining, to help the member achieve the required standard of performance or conduct;
 - 26.9.3 attach conditions to continuing membership;
 - 26.9.4 suspend membership for a given period of time;
 - 26.9.5 refer the matter to another body such as the NCAA or the General Medical Council;
 - 26.9.6 expel the member.
- 26.10 Save that no member may be expelled or suspended without ratification by the Council and the member being given the opportunity to appeal to and appear before the Council as aforesaid under bye-laws 17(ii) and 17(iii) of the Bye-Laws.
- 26.11 Should a member be expelled they shall lose all rights including that of using the designation MRCPCH or FRCPCCH.
- 26.12 Should a member be suspended, they will also lose all rights as members, other than those specifically granted to them in these Conduct Regulations. This loss of rights shall include (but not be limited to) membership of committees, honorary officer and other elected posts, acting as an examiner, regional adviser or College tutor and voting in any College elections. They shall however continue to receive publications, be eligible to have their continuing professional development administered by the College and be able to attend (at normal College rates) the annual meeting and other meetings and seminars organised by the College. The Registrar shall have the discretion to reduce the fees payable by a member during a period of suspension.
- 26.13 Where appropriate the Conduct Committee may also limit membership (e.g. temporarily debar them from continuing as an officer or examiner) without formally suspending membership of the College. Under such circumstances there shall be no entitlement to a reduction of the membership fee payable. Nobody shall however be permanently deprived of a College office or post without the approval of the Council.
- 26.14 The Chief Executive officer will notify the member concerned of the Committee's decision and may also inform the member's employer and any complainant with whom the College has been in correspondence.

27. **STAGE 3 – APPEALS**

- 27.1 A member may appeal against a decision by the Conduct Committee to expel, suspend or in any way qualify their membership of the College. They must appeal within four weeks of being notified of the decision (or a longer period if specified by the Committee) and no judgment of the Committee may take effect until the deadline for an appeal has passed or, if an appeal is made, until the appeal has been determined.
- 27.2 A member wishing to appeal against a decision by the Conduct Committee must prepare a statement, setting out the reasons for their appeal. This will be considered by the next meeting of the Council.
- 27.3 The member concerned has the right to attend and speak at the meeting if they wish. As for any other item of Council business, the President may place limits both on the length of time that the member may speak and the time that the Council shall spend deliberating.

- 27.4 The Council considering the appeal may vote to dismiss the appeal, allow the appeal or refer the appeal for consideration.
- 27.5 If the Council votes to refer the appeal for consideration, it shall set up an Appeal Panel of three members of the Council, none of whom was involved in the original judgment. The Panel may at its discretion:
- 27.5.1 interview interested parties informally
 - 27.5.2 investigate the matter further as it sees fit
 - 27.5.3 hold a formal hearing, which will be conducted in all respects as for a full hearing of the Conduct Committee, save that the three members of the Council shall take the place of the members of the Conduct Committee.
- 27.6 The Panel shall have delegated authority to accept the appeal in whole or part or to uphold the original judgment. Where the appeal is upheld in part, the Panel shall have the right to impose a lesser penalty. There shall be no further right of appeal under these Conduct Regulations.

28. STAGE 4 – RE-INSTATEMENT

- 28.1 An expelled member, or one suspended for more than a year, may not apply for reinstatement until 12 months have elapsed from the date of determination. (Members suspended for less than a year, having exhausted the appeal procedure, shall have no right to apply for an earlier re-instatement than specified in the Conduct Committee's or the Panel's decision.)
- 28.2 Applications for reinstatement from expelled or suspended members shall be considered from time to time by the Conduct Committee. The applicant shall submit a short statement, explaining the changed circumstances that allow reconsideration of the case. The Conduct Committee may at its discretion interview the member or conduct further investigations. It may allow the member to be accompanied to such an interview. The member has however no right to such an interview or to a formal hearing.
- 28.3 The Conduct Committee may impose conditions on readmission or, if readmission is refused, notify the member that no further requests for reinstatement will be considered before a given date. Any recommendation for readmission (qualified or unqualified) will be subject to ratification at the next meeting of the Council.

29. RATIFICATION

- 29.1 No decision of the Conduct Committee or the Appeal Panel shall have effect unless ratified by the Council. All decisions of either body shall be considered by the Council at the first meeting to take place after the expiry of any period of time allowed for an Appeal under these Conduct Regulations.

30. RECORD KEEPING

- 30.1 Details of all complaints shall be held on file confidentially for as long as they may be relevant, and shall then be destroyed. Members shall have the right to view all information held on them.