

MINERALOGICAL SOCIETY DISCIPLINARY PROCEDURE

The Mineralogical Society has since inception provided for the expulsion of members (Bye-Law 44¹) who are at odds with the objects and legal requirements of the Society under Charity Law. Since November 2004 the Council have also implemented a Code of Conduct which must be adhered to by all Society Members. In the case of a complaint a preliminary enquiry will be conducted by the General Secretary and Executive Secretary, and if they find a 'no case to answer' they would dismiss the case without further action. This decision would be filed for a limited period so that the process could be subject to audit. After that time it would be removed from the records. A withdrawal of a complaint would not require any report or record. However a finding of 'case to answer' would require a recommendation to the Council that the disciplinary procedure be activated.

Disciplinary hearings

Under Bye-Law 13² Council has power to delegate its power to committees who report directly to it. One such committee consisting of three or more members of the Council or appointees of the Council would formally investigate any complaints received about a Member of the Society. This 'Disciplinary Committee' would maintain its independence from the Council and would adjudicate on the case and decide on liability and a suitable penalty. In the case of extreme malpractice this might lead to recommendation of expulsion of the Member as allowed for under Bye-Law 44 and this action would be put to Council and require ratification by 75 % of Council members. Disciplinary hearings by the Committee may be conducted with outside support from a specialist in the field and the defendant would be allowed to bring a supporter to the hearing to speak on his/her behalf if he/she so desired. At the conclusion of the hearing the Committee recommends to Council if the complaint is accepted and a recommended penalty is suggested for ratification by Council. Penalties may include expulsion from membership, reprimand and/or fine, retraining or other. Normally the recommendation of the Disciplinary Committee would be accepted automatically by Council. As provided under Bye-Law 44 the **right of appeal** to expulsion of a Member of the Society should be lodged with the General Secretary of the Society within four weeks of the expulsion and the appeal shall be considered at the next General Meeting of the Society, a majority of votes recorded at such a meeting sufficing to confirm or annul the decision of the Council. Appeals against lesser penalties should be lodged in the same way with the General Secretary but would be adjudicated by an appeals committee comprised of a group of senior members of the Society such as the Managing Trustees.

¹Bye-Law 44

44. Professional conduct is governed by a Code of Professional Conduct (the Code) published by the Council of the Society. Alleged breaches of the Code are investigated according to the Disciplinary Procedure adopted by the Council and may in cases of extreme misconduct lead to exclusion of the Member and a loss of Fellowship status.

²Bye-Law 13

13. The Council may delegate any of its powers to committees consisting of such members of the Council and other members of the Society as the Council shall think fit and any committee so formed shall, in the exercise of powers so delegated, conform to any regulations imposed on it by the Council. All acts and proceedings of any such committee shall be reported to the Council at its next meeting. The committees which manage the Special Interest Groups of the Society shall be committees with delegated powers under this Bye-Law.

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