



THE ROYAL PHARMACEUTICAL SOCIETY OF GREAT BRITAIN
SCHEDULES TO THE REGULATIONS

MEMBERSHIP FEES - 2011

Membership category		Fee	Up to 5% reduction for annual direct debit
Fellow	Standard fee	£192	£182
	Reduced rates		
	Retired	£70	£67
	Maternity Leave	£70	£67
	Career break/illness	£70	£67
	Overseas	£100	£95
Member	Standard fee	£192	£182
	Reduced rates		
	Retired	£70	£67
	Maternity Leave	£70	£67
	Career break/illness	£70	£67
	Overseas	£100	£95
Associate	Full or Part Time	£192	£182
	Reduced rates		
	Preregistration trainee	£70	£67
	Overseas	£100	£95
Student		£0 (studying for GB degree)	£48
		£50 (non-GB degree)	
	Reduced rates		
	Retired	£70	£67
	Maternity Leave	£70	£67
	Career break/illness	£70	£67
	Overseas	£100	£95
Pharmaceutical Scientist	Standard Fee	£192	£182
Honorary Member		£0	£0
Honorary Fellow		£0	£0

CODE OF CONDUCT FOR MEMBERS OF THE SOCIETY

On admission to membership (and on renewal of membership) members agree to adhere to this Code of Conduct.

Members will:

- exercise their professional skills and judgement to the best of their ability and discharge their professional responsibilities with integrity considering, where appropriate the public interest, serving as an example to others;
- do all in their power to ensure that their professional activities do not put the health and safety of others at risk;
- when called upon to give a professional opinion, do so with objectivity and reliability;
- never knowingly engage in any corrupt or unethical practice;
- further the interests of and maintain the dignity and welfare of the Society and their profession.

MEMBERS' CONDUCT SCHEME

Appointment of Investigator and Panels

1. The Chair of the Membership Committee, or the Vice-Chair if the Chair is unavailable or it is inappropriate for the Chair to act, shall be the preliminary screener. In the event that a Conduct Panel needs to be convened, the Chair shall appoint from amongst the members of the Membership Committee a Chair of that Panel and a second member of the Panel. The Chair shall also appoint a non-member to the Panel. In the event that an Appeal Panel needs to be convened, the Chair shall appoint from amongst those members of the Membership Committee who have not previously considered the complaint a Chair of the Appeals Panel and a second member of the Panel. The Chair shall also appoint an additional member who, in the opinion of the Chair, has suitable legal experience. Once consideration of a complaint has commenced, any person considering the complaint will continue to act until the matter has been resolved, irrespective of whether they have retired from the Membership Committee during the consideration.

Quorum

2. The quorum for a meeting of the Conduct or Appeal Panel shall be three.

Procedure

3. A complaint against a member shall be referred to the preliminary screener who shall consider it and, having made such further enquiries as he shall see fit, may reach one of the following findings:
 - (i) that there is no prima facie case to answer; or
 - (ii) that the complaint is trivial or vexatious and is dismissed; or
 - (iii) noting that the complaint is the subject of proceedings before a court or other authority, the complaint shall be put on one side and reviewed in the light of the outcome of those proceedings; or
 - (iv) that the complaint may be resolved through a process of mediation, in which case the preliminary screener shall make arrangements for such a process, and if the mediation is unsuccessful, then the preliminary screener shall reach one of the findings at (v) or (vi) below; or
 - (v) that there is a prima facie case to answer, but the complaint appears to relate wholly or mainly to the member's practice as a Pharmacist registered with GPhC in which case the complaint shall be referred to the GPhC and reviewed in the light of the outcome of any action taken by that body; or
 - (vi) there is a prima facie case to answer and the complaint be referred to a Conduct Panel.
4. A complaint referred to the Conduct Panel shall be heard as soon as practicable. The complainant and the respondent shall be advised of the date and place of the proposed hearing, and the respondent shall in addition be advised of the complaint that has been made against him and that he is entitled to make written

Schedule 3

representations, attend the hearing, to speak and give evidence on his own behalf or to be represented, and to call and cross examine witnesses; and that if he does not attend the hearing the matter may be determined in his absence. The respondent may not resign from membership in order to avoid disciplinary proceedings. Subject to the Charter and subordinate provisions of the Society, the Conduct Panel may decide its own procedure. Hearings shall be held in private.

5. The Conduct Panel shall decide, having heard the case, whether the complaint or any part of it is upheld. If so, the Panel shall direct that any one or more of the following sanctions be imposed:
 - (i) the respondent be reprimanded;
 - (ii) the respondent have their membership of the Society terminated;
 - (iii) the respondent be declared ineligible to apply for membership of the Society for a specified period or indefinitely;
6. A respondent has the right to appeal in writing, within 21 days of receipt of notification of the Conduct Panel's findings, to the Chair of the Membership Committee against the upholding of a complaint by the Conduct Panel or against the sanction imposed who shall refer the appeal to an Appeal Panel. The Appeal Panel shall not hear evidence, but shall consider whether the complaint has been properly heard under the Regulations and this Scheme, whether the rules of natural justice and any relevant principles of human rights have been satisfactorily observed, and whether the Conduct Panel has reached a reasonable decision in the circumstances. If the Appeal Panel concludes that the handling of the complaint has been unsatisfactory in terms of this paragraph, it may overturn the finding of the Conduct Panel or remove the sanction imposed on the respondent or substitute a different sanction from amongst those available to the Conduct Panel. If new evidence is put before the Appeal Panel, and that Panel is satisfied that that evidence could not reasonably have been made available to the Conduct Panel at the relevant hearing, then the Appeal Panel may direct that the Conduct Panel reconvene to hear the new evidence. The rights of appeal of the respondent under this paragraph shall apply equally to the outcome of a reconvened hearing of the Conduct Panel. Subject to the Charter and subordinate provisions of the Society, the Appeal Panel may decide its own procedure. Hearings shall be held in private.
7. Decisions of the Conduct Panel and Appeal Panel shall be notified to the respondent in writing. The Conduct Panel and the Appeal Panel shall keep records of their proceedings. In the event that a complaint is upheld, their decisions shall be reported to the Assembly which shall decide whether details of a case shall be published. The details to be published may not extend beyond the name of the respondent, the offence alleged and the outcome and sanction (if any) in any case.
8. Any matter of conduct procedure may be further prescribed by rules of the Conduct Panel or Appeal Panel as appropriate or, during any hearing, by direction of the Chair, provided that no such prescription or direction shall be of effect if it is inconsistent with the Regulations or this Scheme.

Costs

9. In any proceedings under this Schedule, the parties shall bear their own costs.

CODE OF CONDUCT FOR MEMBERS OF THE GOVERNANCE BODIES

THE CODE

In addition to observing the Code of Conduct applicable to members of the Society, members elected or appointed to National Pharmacy Boards, the Assembly and other governance bodies reporting to the Assembly shall:

- adhere to the Seven Principles of Public Life (the “Nolan Principles”)
- be in good standing professionally, including with the Society and any other professional body or regulator of which they are a member or registrant
- act collectively in discharging the functions of the governance body, abiding by and supporting any decisions made
- support publicly the policies of the Society, and where appropriate, explaining fairly any contrary views considered
- respect the skills, roles and dignity of other members participating in governance and of staff
- treat as confidential information relating to individuals, the commercial interests of the Society and other sensitive matters
- declare any personal or business interests in matters under consideration, leaving the meeting unless requested to stay by the Chair, and not vote on any such matter
- not exploit their position as a member of a governance body for personal or business gain, financial or otherwise
- have regard to the Society’s policies for complaints, grievances and whistle-blowing, report any unresolved concerns about the welfare or actions of other members of the governance body or staff to the Chair or the Chief Executive as appropriate.

CONDUCT PROCEDURES FOR MEMBERS OF GOVERNANCE BODIES

1. Overview

- 1.1 When a complaint is made against a member of a governance body the Society will act promptly and fairly to safeguard the Society and any individuals that may be at risk.
- 1.2 Where possible and appropriate, the Society will attempt to resolve matter by conciliation or mediation.
- 1.3 These procedures are designed to provide, in cases where, if the complaint is upheld, the redress is unlikely to result in expulsion from governance for the President (or designated alternate) to decide on the complaint.
- 1.4 Where it is inappropriate for the President to act, or the President is unable to do so, designated alternates shall be, in order, the Treasurer, the Chair of the Welsh Pharmacy Board, the Chair of the Scottish Pharmacy Board, the Chair of the English Pharmacy Board, Chair of the Audit Committee. Once consideration of a complaint has commenced, the person considering the complaint will continue to act until the matter has been resolved, irrespective of whether they have retired from office during the consideration.
- 1.5 Decisions relating to complaints will be made on the balance of probabilities.
- 1.6 Where expulsion from governance may be a possible outcome, the complaint will be heard by a panel convened for the purpose.

2. Receipt of complaint and initial action

- 2.1 A complaint must be brought within three months of the event giving rise to the complaint, or within three months of the complainant becoming aware of the event.
- 2.2 If at any stage during the consideration of a complaint it becomes known that the complaint has already been referred to the GPhC or some other competent authority for consideration, the Society's consideration may pause to await the outcome.
- 2.3 A complaint may be brought by a member of staff or by another person. The initial action shall be:
 - 2.3.1 If the relevant line manager decides a complaint brought by a member of staff falls within the scope of the grievance procedure as set out in the Society's staff handbook, it will be considered in accordance with that procedure. If the grievance is upheld the matter will be considered in accordance with 3.1 below.
 - 2.3.2 If a complaint is brought by, or arises from a matter discovered by, a member of staff who is not the Chief Executive, and does not fall within the scope of

the Society's grievance procedure for staff, it will be considered in accordance with 3.2 below.

2.3.3 If a complaint is brought by the Chief Executive or any other person it will be considered in accordance with 3.3 below.

- 2.4 If, in the view of either the President or the Chief Executive, there is a risk of significant damage to the well being of an individual or the Society (including reputational risk), the respondent may be suspended immediately from any governance body of which s/he is a member. Such suspension shall not prejudice proper consideration of the complaint, nor its outcome.
- 2.5 A member of a governance body shall inform the Assembly if s/he is subject to proceedings (but excluding any preliminary investigations) before a regulatory or licensing body, or has been charged with any offence. Where a member is subject to such proceedings or has been charged with any offence the Assembly may by resolution suspend that member from office and from any governance body. If the member is found not guilty the suspension shall be lifted with immediate effect.
- 2.6 Respondents may approach the Society's HR Department for pastoral advice, but not legal representation.

3. First stage

- 3.1 Where, following 2.3.1 above, a grievance has been upheld, the grievance manager or grievance appeal manager, as appropriate, will send a written report to the President on the facts of the matter, setting out their reasons for upholding the grievance and may make recommendations. On receipt of the report, the President shall decide:
- 3.1.1 to inform the respondent of the outcome of the complaint and that no further action is to be taken; or
- 3.1.2 to inform the respondent of the outcome of the complaint and that the matter is being considered further in accordance with 3.4 below.
- 3.2 Where a complaint is brought under 2.3.2 above, the Chief Executive shall conduct, or appoint another member of staff to conduct, a preliminary investigation and on the basis of that preliminary investigation, shall decide:
- 3.2.1 there is no case to answer; or
- 3.2.1 the matter is of little consequence and should proceed no further; or
- 3.2.3 there appears to be a case to answer and to refer the matter to the President for consideration in accordance with 3.3 below, in which case the Chief Executive may nominate a senior member of staff to act as the complainant.
- 3.3 Where a complaint is brought under either 2.3.3 or referred under 3.2.3 above, the President shall, with the agreement of the complainant and the respondent, appoint a suitably experienced person to act as a mediator. If the mediation is successful, the outcome of the mediation will be implemented and the matter will be closed. If any of the parties do not agree to mediation, or the mediation fails, the matter will be considered in accordance with 3.4 below.

- 3.4 The President shall appoint an appropriate member of the Assembly as an Investigating Officer to conduct an investigation. On the basis of the written report of the Investigating Officer, who may make recommendations, the President shall decide:
- 3.4.1 the complaint is not upheld, or of little consequence, or is vexatious, and is dismissed; or
 - 3.4.2 the complaint is upheld, but that no further action is appropriate; or
 - 3.4.3 the complaint should be referred to the GPhC or some other competent authority for consideration, in which case the President will await the outcome before referring the matter back to the Investigating Officer for a further report. In such cases the President shall consider whether to take action in accordance with 2.2 above; or
 - 3.4.4 the complaint is upheld and dealt with in accordance with 3.5 below.
- 3.5 Following 3.1.2 and 3.4.4 above, the President shall decide:
- 3.5.1 the respondent is required to provide an undertaking and/or undertake a specified course of action; or
 - 3.5.2 the respondent is censured; or
 - 3.5.3 the respondent is censured and required to provide an undertaking and/or undertake a specified course of action; or
 - 3.5.4 the seriousness of the matter is such that expulsion from governance may be a possible course of action and that the matter be dealt with in accordance with 5 below.

4. Second Stage (Appeals)

- 4.1 Appeals must be made in writing to the President, stating the ground(s) for the appeal and be received within 10 working days of receipt of notification of the President's decision.
- 4.2 A complainant may appeal against the outcomes in 3.1.1, 3.4.1, 3.4.2 and 3.5.1 to 3.5.3 above if s/he can provide evidence of one or more of the following:
- 4.2.1 The process followed was substantially flawed;
 - 4.2.2 There was a failure to address the complaint adequately or to address significant issue(s);
 - 4.2.3 New information is available that could not reasonably have been presented at the time the complaint was considered.
- 4.3 The respondent may appeal against the outcomes in 3.4.2 and 3.5.1 to 3.5.3 above if s/he can provide evidence of one or more of the following:
- 4.3.1 The process followed was substantially flawed;
 - 4.3.2 There was a failure to consider significant issue(s);
 - 4.3.3 New information is available that could not reasonably have been presented at the time the complaint was considered;
 - 4.3.4 The decision or redress was unreasonable in relation to the evidence presented or the severity of the complaint.

4.4 The President shall appoint as an Appeals Officer one of the alternates referred to in 1.4 above who has not previously considered the complaint to hear and decide on any appeal.

4.5 The decision of the Appeals Officer shall be final.

5. Third Stage (Hearing before a Panel)

5.1 Interpretation

In this and subsequent sections the following, unless the context otherwise requires, the singular includes the plural and:

- (a) "adjudicating panel" means a group of panel appointed under paragraph 5.3(5) below;
- (b) "chair" means the chairman of the panel appointed under paragraph 5.2(4) below;
- (c) "code" means the code of conduct for members of governance bodies;
- (d) "complaint" means a written complaint signed by the complainant, or information provided by the Chief Executive Officer, alleging that a member:
 - (i) has been convicted of an offence which may be relevant to his membership of a governance body; or
 - (ii) has sustained a sanction before a tribunal or regulatory body, or
 - (iii) has, while a member, breached the code;
- (e) "deputy chair" means the deputy chairman of the panel appointed under paragraph 5.2(4) below;
- (f) "investigating panel" means a group of panel members appointed under paragraph 5.3(1) below;
- (g) "member" means a member of a governance body and includes a person elected or appointed to be a member who has not yet taken up office as such;
- (h) "panel" means the panel appointed by the Assembly under paragraph 5.2(1) below; and

5.2 Panel

5.2.1 The Assembly shall appoint a panel of at least 8 persons from which appointments may be made under this Schedule to investigate, hear or determine a complaint against a member in his capacity as a governance member referred to the Panel by the President.

5.2.2 Panel members shall each be appointed for a term of up to four years, and may serve a maximum of two terms each of up to four years.

5.2.3 Panel members shall be suitably experienced members of professional bodies outside pharmacy or members of other appropriate bodies determined by the Assembly, and at least two members of the panel shall in the opinion of the Assembly have appropriate legal experience or experience of acting in a judicial capacity.

5.2.4 The Assembly shall appoint a chair and a deputy chair, and the deputy chair shall perform all or any of the functions of the chair in the chair's absence.

5.3 Investigation

5.3.1 A complaint against a member shall be referred to the chair who shall appoint from amongst the panel members an investigating panel of three or more persons who shall include himself or the deputy chair.

5.3.2 The investigating panel, having considered the case and made such further enquiries as it sees fit, shall either:

- (a) determine that there is no case to answer; or
- (b) refer the case for hearing by an adjudicating panel, with a summary of the case including a formulation of the complaint against the member.

5.3.3 In the event of a finding under sub-paragraph (2)(a) above, the Investigating Panel shall make its report in writing to the chair who shall inform the complainant and the respondent.

5.3.4 In the event of a reference under sub-paragraph (2)(b) above, the chair shall appoint an adjudicating panel of three or more members of the panel, who shall include himself or the deputy chair provided in each case that he has not served on the investigating panel referring the matter.

5.3.5 The adjudicating panel shall consider the complaint within two months of the referral under sub-paragraph (2)(b) above, except where the chair considers this impracticable.

5.4 Procedure of adjudicating panel

5.4.1 Subject to the regulations and this Schedule, the panel shall determine the procedure for the consideration of complaints by an adjudicating panel, provided that such procedure shall:

- (a) include a requirement for the member complained of to receive notice of any proposed hearing and to have the right to appear and be represented and call and cross examine witnesses;
- (b) provide, subject to sub-paragraph (c) below, that other members of the governance body may be called as witnesses, or may if requested by a party submit a written witness statement;
- (c) provide that the adjudicating panel may determine the admissibility of any proposed evidence; and

- (d) not permit the participation of, or communication to them by, any other member of a governance body other than in accordance with this procedure.

5.4.2 The complainant shall also receive notice of any hearing and shall be permitted to attend and to participate in accordance with the procedure of the adjudicating panel and, subject to that procedure, at the discretion of the chair of the adjudicating panel.

5.4.3 The adjudicating panel shall decide one of the following:

- (a) to dismiss; or
- (b) uphold in part; or
- (c) or uphold

the complaint.

5.5 Findings and sanctions

If a complaint is upheld or upheld in part, the adjudicating panel shall decide one of the following, to:

- (a) take no further action; or
- (b) censure the member, with or without requiring the member to provide an undertaking and/or undertake a specified course of action; or
- (c) remove the member from office (including from any other appointment held by virtue of his office).

The chair shall inform in writing the complainant (if any), the member complained of and the Chief Executive of the findings and sanctions handed down.

6. Members who resign or whose period of office expires before completion of proceedings

A member may not resign during proceedings and if his term of office expires the proceedings of the conduct procedure will continue to be followed to their conclusion.

7. Reporting and Publication

Any sanction of censure or expulsion from governance shall also be communicated by the Chief Executive to any governance body of which the member complained of is a member and to the Assembly. The Assembly may direct that the outcome of the conduct procedures be published and reported to any authority in the public interest and that a record be kept for any purpose related to the affairs of the Society.

8. Costs

In any proceedings under this Schedule, the parties shall normally bear their own costs. In circumstances considered to be exceptional by the Assembly, the Society reserves the right, however, to seek recovery of its costs.