

Conduct and Discipline Panel Terms of Reference

Terms of Reference and Scheme of Delegation

1. Remit

1.1 The Panel is a sub-committee of the RTPI Membership and Ethics Committee and will take delegated responsibility on its behalf for investigating any alleged breach of the RTPI Code of Professional Conduct (“the Code”) on behalf of the Institute. The Panel is empowered to investigate any matter that may be a breach of the Code whether or not a formal complaint has been made. The Panel is empowered to decide whether a breach has occurred and, where it has, to discipline a Member in accordance with RTPI Bye-Laws and the Complaints Procedure and with regard to any guidance in place at the time of the determination.

1.2 The Panel receives its duties and responsibilities from the Membership and Ethics Committee and is ultimately responsible for how these duties are discharged.

1.3 The Panel shall review and provide advice to the Membership and Ethics Committee on matters relating to conduct and disciplinary proceedings, including but not limited to, proposed changes to: the Code, the Complaints Procedure, RTPI Bye-Laws, Sanctions Guidance, the role of the Appeal Committee, advice to be published on the RTPI Website or via other media.

1.4 A ‘Member’ means any person who is a Member of any class of Membership defined in the Byelaws of the Institute.

1.5 Two members of the Panel are also required to sit on a separate sub-committee of the Membership and Ethics Committee to assess Members’ criminal convictions. See the Criminal Convictions Assessment Panel Terms of Reference and Scheme of Delegation for details.

2. Composition and support

2.1 All members of the Panel, including those who fill any casual vacancies that may arise, shall be appointed by the RTPI Nominations Sub-Committee, including the roles of Chair and Vice Chair.

2.2 The Panel’s composition shall be determined by the Membership and Ethics Committee in accordance with the regulations, which include ensuring all committees and panels are representative, and with regard to the need to include representation from different employment sectors.

2.3 The Panel shall consist of a maximum of eight appointees and minimum of six appointees, being:

- a. the Chair and Vice Chair;

b. a minimum of three and up to a maximum of four other RTPI Members, at least one of whom is a Legal Member or Legal Associate, the three remaining RTPI Members should be either Chartered Fellows, Chartered Members, Legal Members, Associates or Legal Associates;

c. up to a maximum of three lay people. A lay person is defined as someone who does not work, and has never worked, as a professional planner or in planning academia / research, but who has an interest in planning. Lay members of the Panel are encouraged to hold membership of another professional body and/or work in the development industry.

2.4 The Chair of the Panel will become a member of the Membership and Ethics Committee, but cannot be the Chair of the Membership and Ethics Committee.

2.5 In the event that the Chair of the Panel is absent the Vice Chair will substitute for the Chair as required.

2.6 The members of the Panel are appointed for a three-year term.

2.7 The maximum term on a Panel is 6 years, after which there must be a break of at least one year.

2.8 The Secretary of the Panel will be the RTPI Investigating Officer or their appointed nominee. The Secretary will provide support including, but not restricted to; preparing papers for meetings, corresponding with Members and complainants, attending meetings, and providing advice and training to the Panel.

3. Quorum

3.1 The Panel shall be quorate when four appointees of the Panel are present, of which at least three must be RTPI Members and one must be the Chair or Vice Chair.

3.2 All Panel appointees will be asked to declare any conflicts of interest at the beginning of each meeting and, in the event of any such conflict appearing, the relevant appointee shall take no part in the relevant item.

3.3 In the event of a tied vote, the Chair of the Panel shall exercise a casting vote as well as a first vote.

4. Conduct of Business

4.1 The Panel shall meet on a minimum of three times a year, and additional meetings may be held at the request of the Chair as necessary. The Chair shall determine whether business should be conducted face to face, electronically or by telephone.

4.2 Members can be present via electronic means with prior approval from the Chair.

4.3 Meetings of the Panel shall be called by the Secretary of the Panel, at the request of the Panel Chair.

4.4 Unless otherwise agreed, notice of each meeting confirming the type of meeting venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Panel and any other person required to attend no later than 5 working days before the date of the meeting. Supporting papers shall be sent to Panel members and to other attendees as appropriate, at the same time. Documents can also be tabled at the meeting subject to the agreement of the Chair.

4.5 Dates of meetings for each calendar year will be decided prior to 1st January. Dates can only be varied upon agreement of the Chair of the Panel and the Chair of the Membership and Ethics Committee

5. Minutes

5.1 The minutes Secretary will ascertain, at the beginning of each meeting, the existence of any conflicts of interest and ensure that these are minuted.

5.2 The Secretary shall minute the proceedings and resolutions of all Panel meetings, including the names of those present and in attendance.

5.3 Minutes of the Panel meetings shall be circulated promptly to all members of the Panel.

5.4 Items or minutes which contain commercially sensitive information, contractual issues, issues relating to employment, legal proceedings, information provided in confidence or which identify an individual shall be marked as confidential. As all complaint documentation is provided in confidence all complaint material is confidential.

5.5 Minutes and papers for the Panel shall be in accordance with the Institute's service standards.

6. Reporting responsibilities

6.1 The Panel Chair shall report formally to the Membership and Ethics Committee on its proceedings after each meeting on all matters within its duties and responsibilities.

6.2 The Panel shall make whatever recommendations to the Membership and Ethics Committee it deems appropriate on any area within its remit where action or improvement is needed.

7. Decisions delegated to the Conduct and Discipline Panel by the Membership and Ethics Committee

7.1 For determination

- Alleged breaches of the Code by Members in relation to their personal or professional conduct.

- Appropriate sanctions to be imposed on Members found in breach of the Code, including any related publicity.

7.2 For consideration and recommendation back to the Membership and Ethics Committee for decision

- Strategic changes to the Complaints Procedure and other relevant documents, including the Code, including any draft guidance prepared by the RTPI relating to conduct and disciplinary matters.

8. Delegation to Officers

The Panel delegates the following to the RTPI Investigating Officer and Director of Professional Standards and Development or their nominee:

- Initial assessment of complaint to determine whether a formal investigation and referral to the Panel will be undertaken.

9. The Panel delegates the following to the Head of Membership or their nominee:

- Initial follow up with members who are alleged to be misrepresenting their membership status.