



MRS Disciplinary Regulations

A Summary

STAGE I - INVESTIGATION

Standard Procedure

Initial investigation by Standards Department

1. When MRS receives or initiates a complaint, the Standards Department shall carry out such initial investigations, if any, as it considers appropriate, informing the member, where questions are raised directly with them (as appropriate), that such questions are asked in connection with possible disciplinary proceedings and providing a brief summary of the nature of the complaint against them.
2. If the Standards Department determines that a complaint should not be referred to MRSB, it shall reject the complaint and notify the complainant and the MRS member in writing, providing brief reasons.
3. If the Standards Department determines that the complaint is to be referred to MRSB, it shall follow the standard procedure.
4. The decision whether or not to refer allegations for investigation is final.
5. The informal procedure is not part of MRS's formal Disciplinary Procedure. Copies of all communications between MRS and the member under the informal procedure shall, however, be kept in line with MRS's Privacy Policy and may be taken into account in future cases either in determining whether disciplinary action shall be taken against a member or as part of their past history in determining the appropriate disciplinary sanction. MRSB shall also be informed of matters dealt with under the informal procedure.
6. The Investigations Committee may, at any stage, determine that notwithstanding any action already taken in respect of a matter under paragraphs **Error! Reference source not found.** to 5 above, the matter should proceed in accordance with the standard procedure.

Cases raising issues regarding the conduct of an MRS Accredited Company Partner

7. The Standards Department or the Investigations Committee may decide at any time that the matter relates to, or includes an issue (or issues), which concern(s) or may concern the conduct of an MRS Accredited Company Partner which issue(s) should be dealt with under MRS Accredited Company Partner Complaints Procedures. In this event, the Standards Department or Investigations Committee shall:
 - a. proceed to investigate the issue(s) concerning the MRS Accredited Company Partner in accordance with the relevant provisions set out in MRS Accredited Company Partner Procedures; and
 - b. as it deems necessary inform the MRS Accredited Company Partner of any actions taken, or to be taken, with regard to any member in connection with the matter under these Disciplinary Regulations; and
 - c. inform the member of the issue(s) which is/are to be investigated under the MRS Accredited Company Partner Complaints procedure.

STAGE II - MRSB DECISION AND RECOMMENDATION

8. MRSB shall consider the finding(s) and recommendation(s) of the Investigations Committee and shall decide (i) whether or not there is a case to be pursued against the member for disciplinary action in accordance with paragraphs **Error! Reference source not found.** and **Error! Reference source not found.** above and, if so, (ii) what disciplinary action, if any, it recommends.

Disciplinary action

9. Any one or more of the following courses of action may be recommended by MRSB (or ordered by the Disciplinary Tribunal) as is considered appropriate (and in the case of demotion or suspension from membership for such period as is considered appropriate) having regard to MRS' Indicative Guidance on Use of Sanctions:
 - a. that a warning be given
 - b. that a reprimand be given
 - c. that the member give a written undertaking to refrain from continuing or repeating the unprofessional conduct in question

- d. that the member be demoted
- e. that the member be suspended
- f. that the member be expelled from MRS

STAGE III - MEMBER'S RESPONSE

10. The member must respond in writing¹ no later than 21 days after the date of the notice sent to them under paragraph **Error! Reference source not found.** above either providing their consent to both the decision and the recommended disciplinary action or refusing such consent. The member may make a written request² for extension of time to the Standards Department, which the Standards Department may grant in exceptional circumstances. Such a request for extension of time must be received no later than 21 days after the date of the notice.

STAGE IV - DISCIPLINARY TRIBUNAL

Referral to Disciplinary Authority ('DA')

11. If within the period permitted the member refuses in writing to consent to the decision of MRSB and/or the recommended disciplinary action, or does not respond, MRSB shall refer the case to the Chair of the DA and shall inform the complainant (where applicable) accordingly.

STAGE V – APPEALS

Appeal of Disciplinary Tribunal Decisions

12. The member may appeal against a decision or order of the Disciplinary Tribunal to the Disciplinary Appeal Panel.

13. Appeal applications must (i) be in writing, (ii) set out the decision for appeal and the grounds for requesting the appeal (the grounds must be at least one of those set out in paragraph **Error! Reference source not found.**), (iii) where the ground is argued.