



Chartered
Institute of
Editing and
Proofreading

Disciplinary Procedure

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Preamble

This procedure is made under regulation 6.1 of the Regulations of the Chartered Institute of Editing and Proofreading. It operates when a member or Friend is suspected of contravening the Institute's Charter, Bylaws or Regulations. It is not the relevant procedure for breaches of the Code of Practice or the Dignity Policy.

1 General

1.1 Definitions

(the) Council	The Council of the Chartered Institute of Editing and Proofreading.
(the) Institute	The Chartered Institute of Editing and Proofreading.
provision	A clause of this procedure.
(the) Regulations	The Regulations of the Chartered Institute of Editing and Proofreading. References to a regulation refer to a provision within the Regulations.

1.2 The status and purpose of this procedure

- 1.2.1 Any member or Friend of the Institute, upon payment of the joining fee and/or annual subscription, agrees to be bound by the Bylaws, Regulations and codes of practice of the Institute.
- 1.2.2 The function of this procedure is to describe how the Council conducts the process of investigation and, if appropriate, takes action in respect of members' status and responsibilities under the Regulations.

1.3 Composition of committees

- 1.3.1 The Disciplinary Committee shall consist of at least three but not more than five people, who shall all be Professional or Advanced Professional Members of the Institute but shall not be members of the Council.
- 1.3.2 The Appeal Committee shall consist of at least three but not more than five people, who shall all be Professional or Advanced Professional Members of

the Institute but shall not be members of the Council. No person serving as a member of the Disciplinary Committee on a particular case shall also serve as a member of the Appeal Committee hearing an appeal in that case.

- 1.3.3 Regulation 9.6(d) (Management of committees: ex officio members) does not apply to the Disciplinary or Appeal Committees.

2 Council investigation

2.1 Decision to investigate

- 2.1.1 The Council may resolve at any time by a simple majority vote to investigate the conduct or status of any member who appears to fall into one of the categories listed in regulation 3.6 (Reasons for disciplinary action against members).
- 2.1.2 If the Council resolves to conduct such an investigation, it shall notify the member in writing of the decision to investigate and the reasons for this. It shall invite the member to accept or dispute the allegation that the member falls into one of the categories listed in regulation 3.6.
- 2.1.3 Once the Council has notified the member under **provision 2.1.2**, it shall then investigate the member under **provision 2.2**.

2.2 Council investigation

- 2.2.1 The Council shall have powers to investigate by examining all evidence available to it, including, but not limited to, membership records, members' forum posts and social media posts, and records of complaints made under the Complaints Procedure.
- 2.2.2 The Council shall decide whether, having considered all the evidence, the member falls into one of the categories listed in regulation 3.6.
- 2.2.3 If the Council decides that the member does not fall into one of the categories listed in regulation 3.6, it shall notify the member as soon as possible and shall take no further action.
- 2.2.4 If the Council decides that the member does fall into one of the categories listed in regulation 3.6, it shall proceed by reporting to the Disciplinary Committee under **provision 3.1**.

2.3 Member response

If the member wishes to dispute the allegation that they fall into one of the categories listed in regulation 3.6, they shall notify the Council in writing

within 21 days of the Council's notification under **provision 2.1.2** and, in that event, the rules set out below shall apply. If no such notification is received by the Council within 21 days, the Council may then after its investigation withdraw the member's membership or change their grade of membership and the rules below shall not apply.

3 Laying of charges and notification

3.1 Report to Disciplinary Committee

At the conclusion of the investigation the chair of the Council, or another member of the Council on their behalf, shall report to the Disciplinary Committee, which shall determine whether to lay formal charges.

3.2 Notice of charges

If the Disciplinary Committee resolves to lay a charge it shall specify in writing the charge and the grounds for it and the chair of the Council, or another member of the Council on their behalf, shall as soon as possible thereafter notify the member being investigated of the following information in writing, in the manner specified by regulation 5.3 (Communication between the Institute and its members):

- a. the charge(s)
- b. the grounds for the charge(s)
- c. the penalty of expulsion or amended membership that may be imposed
- d. the date and venue (or online platform) for the charge(s) to be heard (which shall be at least 14 days after the date of such written notification).

4 Hearing

4.1 Bringing of charges

The charge(s) against the member shall be brought by the chair of the Council, or another member of the Council on their behalf, at the hearing conducted by the Disciplinary Committee.

4.2 Right of representation

The member shall have the right to attend the hearing in person and/or be represented at the hearing by anyone of their choice. The member shall also

have the right to call their own witnesses and cross-examine any witnesses giving evidence against the member.

4.3 Failure to attend

If the member, or their chosen representative, fails to attend, the Disciplinary Committee may proceed to deal with the matter in their absence.

4.4 Majority decision

If the Disciplinary Committee by a simple majority finds the member guilty of one or more charges it may expel them or change their class of membership.

4.5 Announcement of decision

The Disciplinary Committee shall reach its decision at the hearing (but may do so in private) and shall announce its decision to the member at the hearing.

4.6 Advice of decision and right of appeal

The member shall also be given written notice of the decision of the Disciplinary Committee in the manner specified by regulation 5.3 (Communication between the Institute and its members) and the notice shall also advise them of the right of appeal hereafter set out. Members whose membership is withdrawn or changed shall not be entitled to a refund of their membership fee.

5 Appeal

5.1 Appeal Committee

There shall be a right of appeal to the Appeal Committee against a decision of the Disciplinary Committee.

5.2 Notice of appeal

If the member wishes to appeal they shall deliver written notice of appeal to the chair of the Council within 28 days of the date on which the decision is served on the member under **provision 4.6**.

5.3 Appeal Committee hearing

The chair of the Council shall then notify the member in writing of the venue and date of the hearing before the Appeal Committee (which shall be at least 28 days after the date of the notice from the member given under **provision 5.2**).

5.4 Rehearing

The appeal shall be by way of a rehearing.

5.5 Right of representation

The member shall have the right to attend the hearing in person and/or be represented at the hearing by anyone of their choice. The member shall also have the right to call their own witnesses and cross-examine any witnesses giving evidence against the member (but the Appeal Committee may proceed to deal with the matter notwithstanding the absence of the member or of anyone in attendance on their behalf).

5.6 Majority decision

The Appeal Committee may resolve to reject or accept the appeal in whole or in part and otherwise on such terms as it may by simple majority decide and it shall announce its decision at the hearing.

5.7 Advice of decision

The member shall also be given written notice of the decision of the Appeal Committee in the manner specified by regulation 5.3 (Communication between the Institute and its members). Members whose membership is withdrawn or changed shall not be entitled to a refund of their membership fee.

6 Reinstatement

6.1 Reinstatement of a member

If a member's membership is withdrawn or grade of membership changed under this procedure, they may reapply for membership in the appropriate category after a period of no less than one year. The member shall submit a

written statement and any further evidence to support their application. The application shall be decided by the Council.

7 Publication

7.1 Publication of decision

If the decision of the Disciplinary Committee (or, if that decision is appealed, the decision of the Appeal Committee) is to withdraw the member's membership or change their grade of membership, and if it is considered in the interests of the Institute or the general public to do so, the Council may after the hearing decide to publish brief details of the decision. The member's name shall not be published unless the member has been expelled from the Institute, in which case the Council may decide at its sole discretion that the member shall be identified by name.

