

Existing Standing Order

Standing Order

- 5.5. Subject to a Member's statutory rights the Council shall have power to discipline any Member (including power to order the removal of the Member from the Roll) who in the opinion of the Council has been guilty of conduct unfitting of a Member, provided that no Member's name be removed (or suspended) from the Roll for this reason unless that Member shall have been given a reasonable opportunity of being heard by the Council or a committee established by Council in his or her own defence. The Council shall for this purpose make Regulations laying down how allegations of unfitting conduct shall be investigated and adjudicated upon, what duty there shall be to report it and what sanctions (including removal or suspension from the Roll) may be imposed where unfitting conduct is found, as well as any matters attendant thereon
- 5.6. The Council may also in its discretion restore the name of any person so removed if that person has complied with such conditions or requirements as may be laid down by the Council for the restoration of the name of such person to the Roll.

New Draft Regulation

Draft Regulation

The Royal College of Nursing of the United Kingdom (RCN) is committed to creating a positive and supportive environment and a culture that is inclusive of all members.

The code of conduct provides guidance on expected behaviour of members of the Royal College of Nursing (RCN) and sets out the standards of conduct that support our values in the work that we do.

The RCN recognises there will be occasions when complaints are received regarding the standards of RCN Services and support and/or RCN Members behaviour. In addition there may be occasions when members fail to comply with the Code of Conduct or the policies and practices in place to ensure appropriate standards within the RCN.

Where a complaint is made of conduct unfitting written notice of the complaint will be given to the member. The complaint will be investigated and a written report produced. If it is decided the complaint should be heard, the complaint and investigation findings will be referred to a Resolution Panel. The member shall be given 21 days written notice of the panel meeting at which the concern will be heard together a copy of the

written report. The member will be entitled to attend and be accompanied to the hearing. RCN representation will not be available. During the hearing they may put forward their response to the allegation(s). They will also be given a reasonable opportunity to present evidence, ask questions and call relevant witnesses. The Resolution Hearing will determine whether the allegation(s) is upheld, and if upheld determine an appropriate sanction.

There shall be a right of appeal by the member to an appeals panel. Such right shall be exercised within 25 working days of the member being given written notice of the decision of the resolution panel. An appeal shall be lodged in writing. The member and the complainant shall be given written notice of an appeal and 21 days written notice of the meeting at which the appeal will be heard. An appeal panel will be convened to consider the outcome of the Resolution Hearing, and any additional information submitted. The member and complainant will be entitled to attend the appeal hearing. The Appeal Panel will determine the outcome following a review of the evidence.

Members are entitled to be accompanied by a friend or colleague at all stages of the Resolution Process. RCN representation will not be available.

Under Standing Order 5.5 the Council has the power to remove members from membership, this is in addition to a series of other sanctions available to the Resolution Panel, or Appeal Panel during this process. These include but are not limited to:

- issue a caution to a member
- respondent is required to attend relevant training or equivalent
- remove or suspend a member from any elected office within the RCN
- suspend a member

Anyone who has been removed from RCN membership shall automatically cease to hold any office or position of authority within the RCN.

Anyone who has been removed from RCN membership has the right to reapply, provided that they submit a new application and satisfy the conditions below:

Those who have been removed because of unfitting conduct must include that fact in their application and a Council committee will decide whether the person has complied with any conditions for re-admission.

If the committee does not accept the application for re-admission, the applicant can appeal by appearing in person firstly before the Council committee and then before an appeals committee of the Council. In both cases they have the right to be accompanied by a friend or colleague.