

## RPS Members Code of Conduct

### Complaints procedure for handling alleged breaches of the Code

**Adopted by the PRS Board of Trustees on 23 May 2022**

The Royal Photographic Society is highly respected throughout the world. Our reputation is of great importance to us, so we require those representing us to observe appropriately high standards of behaviour.

If you are aware of behaviour that breaches our Members Code of Conduct, you can make a formal complaint to us. This procedure sets out the process for how this will be handled.

In the first instance, we encourage you to seek an informal resolution, by contacting a senior member of RPS staff.

If the complaint concerns behaviour on a social media platform then the issue will usually be dealt with by the administrators of that platform. If sanctions are confined to the usage of that platform (e.g. a temporary ban) then that would not normally require further escalation.

### Remit

The RPS will consider breaches of its Members Code of Conduct in the following circumstances only:

- Behaviour of a Trustee, either whilst carrying out their role for the RPS or in circumstances where their behaviour may reasonably be considered to reflect on the RPS;
- Behaviour of a volunteer, whilst carrying out their duties for the RPS; or
- Behaviour of an RPS Member, whilst taking part in any RPS activities (including RPS social media) or whilst acting as an authorised representative of the RPS.

All other matters will be dealt with by the relevant staff managers.

The RPS Code of Conduct does not apply to RPS employees whilst carrying out their employment (this is a matter for employment law). If you wish to make a complaint about the actions of an RPS employee, please contact a senior member of RPS staff directly.

Neither does it apply to RPS Members whilst not taking part in RPS activities, unless they are holding themselves to be an authorised representative of the RPS. For the avoidance of doubt, simply using RPS post-nominals would not be deemed to bring someone within the remit of the Code of Conduct.

The RPS reserves the right to expel an RPS Member from membership in the event of their being convicted of a criminal offence, particularly in circumstances where photography was a prominent feature of the crime, or involved children or vulnerable adults.



## Submitting a Complaint

Complaints may be made by anyone, whether or not they are currently a Member of the RPS.

Complaints must be submitted in writing (preferably by email) to the Chief Executive Officer or another member of the Senior Leadership Team.

Every complaint must clearly state the following:

1. What specific aspect of the RPS Members Code of Conduct is alleged to have been breached? *(please note, the relevant version of the Code of Conduct is the one in force at the time of the alleged behaviour)*
2. Has the Complainant been personally affected? *(it is not necessary to have been personally affected to make a complaint)*
3. Evidence in support of the above
4. Does the Complainant wish to remain anonymous?
5. Would the Complainant accept an apology to bring the matter to a close?

## Initial Action

Within 7 days of receipt, the CEO and Senior Leadership Team will review a submitted complaint, and assess whether it falls within the Remit of this procedure.

If they consider that the complaint is clearly not within the Remit of this procedure, then no further action will be taken and the matter closed. The Complainant will be informed of this decision.

Any alleged safeguarding issues (arising whilst taking part in RPS activities) will immediately be brought to the attention of the CEO and the Safeguarding Officer. The President will be informed. The RPS then has no remit to investigate and the appropriate authorities would be informed.

Any allegations of criminal behaviour (arising whilst taking part in RPS activities) will immediately be brought to the attention of the CEO. The President will be informed. The RPS then has no remit to investigate and the appropriate authorities would be informed.

If they consider that the matter does fall within the remit of this process, then the matter will progress to the formal stages below. Responsibility for managing the complaint may be delegated to an appropriate member of staff at Managerial level.



## Formal Stages

1. The Respondent (ie the person whose alleged behaviour is the subject of the complaint) will be informed that a complaint has been made against them. A member of RPS staff may inform them verbally, but this should then be followed up in writing. This should include:
  - a. A copy of the complaint (if the Complainant has requested anonymity, then identifying information will be redacted from the document).
  - b. A copy of this procedure.
  - c. A copy of the Code of Conduct in force at the time of the alleged behaviour.
  - d. If the Respondent admits to the alleged behaviour, and that it breaches the Code of Conduct, they should be given an opportunity to apologise. If the Complainant has agreed to this being a satisfactory remedy, the matter may be closed at this point – however, the RPS reserves the right to continue its investigations in circumstances where it considers that its reputation may have been significantly harmed.
  - e. If the Respondent wishes to contest the complaint, they may submit a written response within 14 days.
2. The Complainant should be informed that the matter has progressed to formal resolution, and also provided with a copy of this procedure.
3. The RPS President will be informed, and asked to convene a panel of three Trustees to act as arbiters. They will divulge the names of the parties involved to those trustees, to ensure there is no conflict of interest. In the event that a full panel cannot be convened from current Trustees, the President may approach members of the Nominations Committee or former Trustees.
4. RPS staff will produce an Investigation Report into the complaint, which should include a summary of the facts, copies of the original complaint and the response, and any other information that they consider pertinent. We would aim to produce this within 14 days of receipt of the written response from the Respondent, however it is possible that a full investigation may take longer, depending on the particulars of the matter.
5. A copy of the report will be provided to arbitration panel.
6. A copy of the report will also be provided to the Respondent (redacted to remove identity information of the Complainant if they have requested anonymity). The report will not be provided to the Complainant.
7. At this point, the arbitration panel may request that RPS staff provide further information. The Respondent will be informed of the specific request and the response by RPS staff, and kept updated about the likely impact on timescales.
8. The arbitration panel will make a decision, and provide a written report to RPS staff. RPS staff may discuss the decision with the panel, to seek further clarification, if necessary.

9. The Respondent will be informed of whether the complaint has been upheld or not, and whether any sanctions have been imposed upon them. The Complainant will only be informed of whether the complaint has been upheld or not.
10. The Respondent may request a copy of the full report from the arbitration panel. It may be redacted to include only those areas of the report that contain personal information about the Respondent.
11. A full copy of the report will be provided to the Board of Trustees.
12. RPS staff will immediately apply any sanctions that have been imposed.
13. In the event of non-compliance with sanctions, the arbitration panel may be recalled to provide further guidance.
14. There is no right of appeal, except in the case where the Respondent is expelled from RPS membership. Under those circumstances, they may make an appeal to the RPS President within a period not exceeding 21 days from the date of the Notice of Expulsion. Such an appeal may only be made on the grounds that there has been a material error in the application of this procedure, which has led to the Respondent being significantly prejudiced.
15. If the expulsion is validly appealed by the Respondent, the matter shall be considered by the Disciplinary Appeals Committee as described under the Society's By-Laws. The Disciplinary Appeals Committee shall comprise the President of the RPS, the Chair of the Nominations Committee and the Chief Executive Officer of the Society but, if any one of them is prevented from hearing the appeal for any reason (including but not limited to a conflict of interests), the Board of Trustees shall appoint another appropriate person to sit on the Disciplinary Appeals Committee in their place. The Respondent must address the Disciplinary Appeals Committee with their appeal in writing. The Disciplinary Appeals Committee may be able to resolve the matter based on the paperwork, or they may wish to hold an in-person hearing, at their discretion. If such a hearing does take place, the sanctioned member may request the attendance of another person to act on their behalf.
16. The decision of the Disciplinary Appeals Committee shall be final and binding on all parties.

