

Young Academy of Scotland Statute

Contents

Preamble	3
Purpose of this Document	3
Guiding Principles	3
1. Name	4
2. Purpose	4
2.1 Objectives	4
3. Organisation Form	5
4. Membership	5
4.1 Rights of Membership	5
4.2 Responsibilities of Membership	5
4.3 Membership Process	6
4.3.1 Criteria	6
4.3.2 Selection	6
4.3.3 Resignation	7
4.3.4 Lapse of membership	7
4.4 Alumni	8
4.4.1 Emeritus YAS members	
5. Plenary	8
5.1 Rights of the Plenary	8
5.2 Responsibilities of the Plenary	8
5.3 Plenary Process	9
6. Facilitating Group	10
6.1 Rights of the Facilitating Group	10
6.2 Responsibilities of the Facilitating Group	10
6.3 Facilitating Group Processes	11
6.4 Facilitating Group Membership & Elections	11
6.4.1 Co-Chairs	11

6.4.2	Treasurer	12
6.4.3	Election Procedures & Handover.....	12
7.	Groups and Committees.....	13
7.1	Working Groups.....	13
7.2	Establishing Working Groups.....	14
7.3	Rights of Working Groups.....	14
7.4	Responsibilities of Working Groups	14
7.5	Termination of Working Groups.....	15
8.	Staff.....	15
9.	Disciplinary	15
9.1	Disciplinary Process	15
9.2	Sanctions.....	17
9.3	Appeals	18
10.	Children and Vulnerable People.....	18

Preamble

The economic, social and cultural vitality of any country relies heavily upon stimulating and attracting engagement of the talented and creative members of the rising generation to refresh and reinvigorate its technical excellence and cultural and political energy. They are crucial to a country's capacity to take bold, imaginative and principled action in the face of future challenges. It is for this reason that in 2011 the Royal Society of Edinburgh (RSE) created a Young Academy of Scotland (YAS) drawn from the younger generation of researchers, scholars, business people and professionals who will provide the talent and future leadership that the country needs. The Academy presents an opportunity for this talented group to interact across disciplines and occupations and become a more integrated part of the community of decision makers, opinion formers, funding bodies, national institutions, the public and the media within Scotland, the UK and internationally.

The YAS is autonomous with regard to the content of its activities and organises itself. The YAS is not supervised by any organ of the RSE. Its members have the status of a "Member of the Young Academy of Scotland" and are not members, nor will they later be automatically elected as members, of the RSE.

Purpose of this Document

This document comprises the Statute of the Young Academy of Scotland, the rules and practices by which the group has agreed to organise itself and its business. It is intended as a public document to give transparency in the way the YAS operates, but will primarily be of interest to the members and office bearers as a reference on procedural matters and decision making.

The Statute adopted by the group is separate from the Constitution of "RSE Scotland SCIO", the charitable organisational form from within which the YAS operates (See Section 3).

Guiding Principles

The Statute is founded on a core of principles to which all members subscribe and should be interpreted with reference to these principles:

- **Equality** between all members and of opportunity for all;
- **Openness** of operation, thinking and decision making;
- **Respect** for the views of others and the decisions of a majority;
- **Service** to society through the application of learning and joining all our talents;
- **Excellence** as the benchmark of acceptability for our work and actions.

1. Name

The group shall be known as the “Young Academy of Scotland” which may be abbreviated to “YAS”. Given its association with the Royal Society of Edinburgh (RSE), it may also be known as the “Royal Society of Edinburgh Young Academy of Scotland” or “RSE Young Academy of Scotland”.

2. Purpose

The purpose of the YAS is to provide a platform for able and innovative young entrepreneurs, professionals and academics to develop a coherent and influential voice, and to address the most challenging issues facing society in Scotland and beyond.

2.1 Objectives

The objective of the Young Academy of Scotland is to provide a public benefit through the application of the intellectual resources and talents of its members in pursuit of

- a) the advancement of education;
- b) the advancement of health;
- c) the advancement of citizenship or community development;
- d) the advancement of prosperity, economic and social wellbeing;
- e) the advancement of the arts, heritage, culture or science;
- f) the promotion of equality and diversity; and
- g) the advancement of environmental protection or improvement.

In pursuit of this objective the YAS will necessarily:

- a) bring its members together to discuss common interests and pursue innovative and interdisciplinary approaches to problems of national and international significance;
- b) provide a channel for its members to interact with and influence the media and policy makers;
- c) interact with and encourage other like-minded groupings pursuing similar or overlapping objectives, including providing representation to such bodies from the membership;
- d) promote international links and working to broaden its benefit and build beneficial collaborations with similar groupings from around the world;
- e) develop the skills of its members to individually and collectively pursue its objectives more effectively; and

- f) promote mentorship and links with recognised senior leaders to enhance the influence and effectiveness of its members.

The YAS may also pursue any other charitable objectives, or objectives necessary or incidental to those charitable objectives as the membership may decide from time to time.

3. Organisation Form

The YAS is constituted within the organisational form of a Scottish Charitable Incorporated Organisation (SCIO) named the "RSE Scotland SCIO". The constitution of the SCIO can be found on the YAS website.

The objectives of the YAS are and must remain consistent with the charitable objectives of the SCIO and this statute sit within the governance arrangements of the SCIO set out in its constitution.

4. Membership

The YAS is composed of Members who all have an equal right to vote and to exercise all of the rights and responsibilities of Membership.

Members of the YAS will be selected for one term of 5 years without the possibility of re-election. Members who take a career break of at least six months, e.g. for caring responsibilities, or illness may have their membership extended by 6 months or one year dependent upon the length of the career break.

The selection process (Section 4.3.2) shall be operated to maintain a medium-term average of no more than 150 members and an average age under 40.

4.1 Rights of Membership

Members of the YAS are entitled to refer to themselves as "Member of the Young Academy of Scotland", or "MYAS".

Members have a right of equality with other members and to be treated with respect according to the Guiding Principles.

4.2 Responsibilities of Membership

It is the responsibility of all Members of the YAS to:

- a) pursue the objectives of the YAS through active participation in its work;
- b) uphold the Guiding Principles of the YAS;
- c) pay Membership fees in a timely manner;
- d) not hold themselves out to speak on behalf of, or represent the YAS or any of its groups unless expressly authorised to do so; and

- e) not bring the name of the YAS, or the RSE into disrepute.

4.3 Membership Process

4.3.1 Criteria

Application for membership is open to any individual who considers that they have a contribution to make to the objectives of the YAS, who has already demonstrated outstanding ability in their work, and is (or has accepted a role which will lead them to be) normally resident or working in Scotland.

Generally applicants should:

- a) have at least 5 years post qualification, professional or vocational experience;
- b) be in an age range from late 20s to early 40s;
- c) show evidence of innovative and entrepreneurial activity;
- d) demonstrate commitment to interdisciplinary working;
- e) have a capacity for leadership and responsibility;
- f) show interest in both professional and societal policy issues;
- g) be committed to the objectives of the YAS and be prepared to invest time to furthering those objectives; and
- h) be prepared to adhere to the Responsibilities of Membership.

The overriding criteria for selection shall be outstanding ability and commitment to the objectives of the YAS.

4.3.2 Selection

Within the bounds of the overriding characteristics of membership set out in 4. and criteria set out in 4.1, Selection shall seek to maximise the diversity of membership including breadth of regional, disciplinary and gender representation.

The Selection process shall normally be run every 2 years, for admission of new members at the YAS annual general meeting in August. Should the Facilitating Group, in consultation with the SCIO Trustees consider that it is not possible or desirable (for resourcing or any other reasons) to run a biennial Selection process they shall make an alternative proposal following the principles of 4. and 4.1 above for decision by the Plenary.

Advertisement of the call for applications shall be broad so as to reach as wide a range of applicants across academia, the public, private, cultural, and third sectors as is reasonably possible.

The application process shall be determined by the SCIO Trustees in consultation with the Facilitating Group and shall be designed to be as efficient and inclusive as possible. Applications should normally be supported by a senior referee or referees whose judgement is reasonably judged to be credible by evaluators.

Applications will be evaluated according to a process set out in the application materials by a committee or committees established by the Facilitating Group, whose membership shall be designed to evidence robustness and credibility of the application process to a reasonable external observer. Final selection of new Members of the YAS will be made by the SCIO YAS Trustees.

The Membership Selection decisions of the SCIO YAS Trustees shall be final.

4.3.3 Probationary Period

The first year of membership is regarded as a probationary year, in which members are expected to actively engage in the activities of YAS. The conditions for active membership may be found in the new members' booklet, issued at the time of each new cohort's induction.

4.3.4 Resignation

Any member may resign their membership at any time by way of a letter to a member of the Facilitating Group. Such members may be regarded as Alumni if they had fulfilled the Responsibilities of Membership prior to their resignation. Decisions shall be taken by the Facilitating Group as to which resigned members should be regarded as Alumni.

Any member who is no longer committed to the objectives of the YAS, or who is not able to meet the Responsibilities of Membership should resign their Membership forthwith.

4.3.5 Lapse of membership

YAS members are expected to pay membership fees in a timely manner and to engage actively in the work of the YAS through, as a minimum, (a) active membership of at least one Working Group (or the Facilitating Group) and (b) attending at least one Plenary, Working Group meeting or YAS event per year.

Where the Facilitating Group are aware that a member has failed in any of these obligations, and is not aware of extenuating circumstances which would excuse this failure, they may give the member written notification of this fact. Such written notification will state that the member is in danger of having their membership considered to be lapsed, and shall invite a response within 21 days of the notification being sent.

The Facilitating Group shall consider the member's response. It shall be open to the Facilitating Group to postpone a decision while further information is sought if it considers it appropriate to do so. If no response is received, or if the response received is considered by the Facilitating Group to be unsatisfactory, the Facilitating Group may deem the member's membership to have lapsed with immediate effect and shall notify the member accordingly. No refund of any membership fees shall be payable in such a case.

Lapsed members should not be regarded as alumni of the YAS, and shall be notified of this decision at the same time as confirming that their membership has been deemed lapsed.

A former member whose membership has been deemed lapsed may, within 14 days of being notified of the Facilitating Group's decision, submit a written appeal to the YAS Steering Group. This may include, or be limited to, an appeal against any decision of the Facilitating Group to resolve that the former member

should not be regarded as an alumnus of the YAS. The appeal will be considered by the YAS Steering Group, without input from any Steering Group members who are also members of the Facilitating Group. The decision of these Steering Group members shall be final.

4.4 Alumni

Former Members of the YAS, other than those whose Membership has been terminated as a result of Disciplinary procedures (Section 9), or whose membership has been deemed lapsed as in 4.3.5, or had resigned without meeting the Responsibilities of Membership (section 4.3.4.) are Alumni. The Plenary shall determine the roles and privileges of the Alumni from time to time.

4.4.1 Emeritus YAS members

Alumni who elect to pay an annual 'emeritus membership fee' shall be entitled to additional roles and privileges as determined by the plenary.

5. Plenary

The Plenary is the highest decision-making body of the YAS and comprises all Members.

5.1 Rights of the Plenary

The Plenary shall be empowered, subject to the provisions of this statute, to make decisions on all matters affecting the YAS.

The Plenary may:

- a) amend the statute of the YAS;
- b) set up rules and regulations for the different Working Groups, groups, committees and officers of the YAS;
- c) select the Facilitating Group;
- d) take any other decision required to promote the goals of the YAS, according to its statute; and
- e) exercise any other right arising from the law or the Statute;

5.2 Responsibilities of the Plenary

The Plenary has overall responsibility for:

- a) pursuing the objectives of the YAS;
- b) ensuring that the Guiding Principles are upheld;

- c) ratifying annual budgets and accounts;
- d) approving the engagement of any Staff; and
- e) reporting on outcomes and progress transparently to the public and in particular funders.

5.3 Plenary Process

- a) The Plenary must meet in person at least once every calendar year for an Annual General Meeting at a location and time set by the Facilitating Group giving at least three months notice in writing¹.
- b) Other meetings of the Plenary may be arranged from time to time. If more than one meeting of the Plenary occurs during a year, one such meeting each calendar year shall be designated the Annual General Meeting.
- c) The Facilitating Group may call for a Special General Meeting of the Plenary giving at least 1 month notice in writing and it must do so at the request of one-third of the members. The Facilitating Group may decide that the Special General Meeting will convene virtually, in any way that will assure clarity of communication, equality of participation and the integrity of the voting process.
- d) Any proposal to be discussed in a General Meeting submitted by a member and forwarded in writing to one of the Co-chairs at least fifteen days before the meeting must be put on the agenda of the meeting. The Facilitating Group may put on the agenda additional proposals at any time.
- e) The Plenary may only take decisions at any General Meeting if at least two-thirds of its Members participate in the vote. The Plenary may not take formal decisions at any meeting other than an Annual or Special General Meeting.
- f) Decisions may also be taken by the Plenary, outside of General Meetings, by way of Electronic Voting. The procedure for such an Electronic Vote shall be notice in writing from the Facilitating Group to all Members clearly stating that it relates to an Electronic Vote of the YAS, and containing a clearly worded resolution. Voting on the resolution or resolutions must be left open on a suitable, secure electronic platform for 14 days thereafter. In an electronic vote a non-reply or non-participation shall be considered an abstention and as such an Electronic Vote cannot be inquorate.
- g) The Facilitating Group must call for an Electronic Vote of the Plenary at the request of one third of the Members (including a request gaining the support of one third of Members on any electronic

¹ "in writing" in this Statute means either by way of letter to Member's registered home or work address, or by email to registered email address.

discussion forum, website or similar). The Facilitating Group shall be responsible for determining the terms of the question to be put to the Plenary.

- h) The Plenary shall decide by a majority vote, abstentions not considered a vote.
- i) The resolutions of any General Meeting or Electronic Vote shall be recorded in a minute that shall be distributed to the Members within 14 days of the Meeting or Electronic Vote.
- j) The YAS Co-Chairs shall preside over Plenary Meetings including General Meetings in rotation.

6. Facilitating Group

The Facilitating Group is in charge of developing the strategic direction of the YAS and will be accountable to the Plenary for the programs and activities of the YAS. The Facilitating Group shall be composed of Co-Chairs, a Treasurer and other members as may be decided by the Plenary from time to time. Subject to the provisions of the Statute and the decisions of the Plenary, the Facilitating Group shall take such initiatives and actions as are necessary for the achievement of the objectives of the YAS.

6.1 Rights of the Facilitating Group

The Facilitating Group may:

- a) exercise full powers with regard to the management and administration of the YAS except with regard to the powers specifically vested in the Plenary;
- b) represent the YAS, or nominate other members to do so, at events where general invitations are received; and
- c) issue statements or communications in the name of the YAS.

6.2 Responsibilities of the Facilitating Group

The Facilitating Group has responsibility for:

- a) setting the time and venue for the meetings of the Plenary including General Meetings;
- b) preparing the agenda of the meetings of the Plenary including General Meetings;
- c) preparing and implementing Electronic Votes of the Plenary;
- d) implementing the decisions taken by the Plenary;

- e) taking reasonable steps to secure funding for the programs and activities of the YAS;
- f) approving programs and activities, as well as their budgets in line with any budgets agreed by the Plenary;
- g) ensuring that actual spending is in accordance with these budgets; and
- h) advertising to the Plenary, and appointing (following agreement amongst respondents, or an Electronic Vote of the Plenary if required) representatives to external committees or bodies as may be requested of the YAS.

6.3 Facilitating Group Processes

- a) The Facilitating Group may set up standing or ad hoc committees and may appoint a secretary and other officers as it deems necessary for the discharge of its tasks and responsibilities.
- b) The Facilitating Group shall arrange its business in terms of correspondence and meetings in a manner that a majority of its members agree from time to time.
- c) The Facilitating Group shall decide by a majority vote, abstentions not considered a vote. In the interval between meetings a vote may be taken by email, conference call or other virtual means.
- d) Any member of the Facilitating Group may require any decision of the Facilitating Group to be put to an Electronic Vote of the Plenary within 7 days of the circulation of the minute of the Decision.
- e) The discussions and resolutions of the Facilitating Group shall be recorded in a minute and made available for the inspection electronically by Members within 14 days of any decision.
- f) As many members of the YAS Facilitating Group as may be required by the RSE Scotland SCIO (Section 3) to represent the YAS from time to time will be proposed to the Council of the RSE to serve as Trustees of the RSE Scotland SCIO.
- g) Any Member who ceases to be a member of the Facilitating Group may resign their Trusteeship of the RSE Scotland SCIO.

6.4 Facilitating Group Membership & Elections

6.4.1 Co-Chairs

- a) The Plenary shall elect four Co-Chairs to be members of the Facilitating Group and serve for a term of two years (subject to Section 6.4.3).

- b) It is desirable for the membership of the Facilitating Group to reflect the diversity of the full YAS membership.
- c) The Co-Chairs shall preside over the meetings of the Plenary and the Facilitating Group in rotation with a partition of tasks to be agreed between them.
- d) The Co-Chairs represent the YAS on a day to day basis, and supervise the function of any administrative staff.
- e) Should a Co-Chair resign before a date 3 months prior to the end of his or her term or become otherwise unable to continue as a Co-Chair, the Facilitating Group shall instigate the Election Procedure for a replacement to serve for the remainder of the term of the original Co-Chair.

6.4.2 Treasurer

- a) The Plenary shall elect a Treasurer to be a member of the Facilitating Group and serve for two years.
- b) The Treasurer shall have day-to-day responsibility for managing budgets and authorising expenditure on behalf of the YAS within budgets agreed by the Plenary.
- c) Should the Treasurer resign before a date 3 months prior to the end of his or her term or become otherwise unable to continue as treasurer, the Facilitating Group shall instigate the Election Procedure for a replacement to serve for the remainder of the term of the original Treasurer.
- d) If, at any time, there is no Treasurer in place, the Facilitating Group shall elect one of its members to act as Treasurer, or co-opt a Treasurer from the Membership until such a time as a replacement is elected.

6.4.3 Election Procedures & Handover

- a) Election to the position of Co-Chairs and Facilitating Group will take place in advance of each Annual General Meeting in order that incoming post holders are confirmed not less than 14 days prior to the Meeting.
- b) The Facilitating Group shall manage Election cycles to give continuity of membership such that normally two Co-Chairs are elected every year, and the Treasurer is elected every two years. Should it be necessary to extend or shorten any Facilitating Group member's term by up to one year in order to deliver such continuity, or to align terms to varying Annual General Meeting dates, the Facilitating Group shall decide amongst itself how to do so.
- c) The Facilitating Group shall advertise the vacancies to Members in writing stating the eligibility according to 6.4.1.

- d) Members may nominate themselves for Facilitating Group roles as long as the term of office would complete prior to the end of their Membership and subject to this requirement shall be able to stand for re-election.
- e) If, within a period of 14 days of advertisement:
 - i. no eligible Member nominates themselves for any of the available roles, the Facilitating Group shall continue with the members it has and place the matter on the agenda for the Annual General Meeting;
 - ii. as many eligible Members nominate themselves as there are vacancies, these Members shall take up the vacancies and become Co-Chairs or Treasurer as if appointed by the Plenary; or
 - iii. more eligible Members nominate themselves than there are vacancies, the Co-Chair(s) or Treasurer will be appointed by the Plenary by way of Electronic Voting.
- f) Facilitating Group members Elected in the normal course of business shall take on their roles at a point during the business of the following Annual General Meeting as is determined by the incumbent Facilitating Group. Facilitating Group members Elected following a resignation shall take on their roles immediately following Election.

7. Groups and Committees

The YAS is committed to encouraging its members to work collaboratively and collectively to pursue its objectives. Members are encouraged to form groups or committees on an ad-hoc basis at any time. Examples might include event planning, regional networking or planning for the creation of a Working Group.

7.1 Working Groups

Working Groups have a formal status within the YAS. They are established by the Plenary, and have certain rights and responsibilities.

The Plenary may establish Working Groups of Members to pursue its Objectives through:

- a) working together towards a single stated objective;
- b) exploring opportunities for collaboration and / or collaborating on a single broad or narrow topic;
- c) organising an individual event or series of events;
- d) responding to consultations and / or other policy initiatives; or
- e) any other activity that the Plenary may see fit from time to time.

Working Groups may either have fixed end points either in time or through achieving stated objectives, or may be ongoing.

7.2 Establishing Working Groups

- a) A Working Group on any subject may be proposed by any Member, with the support of at least three other Members, in order to pursue the Objectives of the YAS.
- b) Proposals for a new Working Group should be made in writing to the Facilitating Group giving clarity over the objectives and high-level work plan for the Working Group along with the names of the proposed Working Group Lead (or up to two Co-Leads) and its initial supporters.
- c) The Facilitating Group must put the proposal for the new Working Group to the Membership in writing and if there are no objections to the proposal within 14 days, the Working Group shall be considered established. If an objection is received in writing to the Facilitating Group, the establishment of the Working Group shall be decided by the Plenary by way of Electronic Vote.

7.3 Rights of Working Groups

Working Groups may:

- a) organise their business as they see fit in order to meet their stated objectives;
- b) apply for YAS funding for any activity;
- c) raise funds independently for their activities;
- d) call on Staff time to support their activities subject to availability decided by the Facilitating Group; and
- e) issue statements or communications in the name of the Working Group of the YAS, or empower their Lead or Co-Leads to do so.

7.4 Responsibilities of Working Groups

Working Groups have responsibility for:

- a) reporting on a six-monthly basis to the Facilitating Group their achievements and ongoing activities, and including an up-to-date list of their members;
- b) where the Working Group is intended to exist for longer than one year, preparing an annual work plan to be incorporated into the wider YAS work plan prepared by the Facilitating Group;
- c) delivering the outcomes that the Working Group was established to deliver;
- d) reporting in a timely manner to the Membership on any significant outcomes, publications or events and copying any external statements or communications made in the name of the Working Group to the Facilitating Group;

- e) liaising with the Facilitating Group prior to seeking external funding from any party in order to prevent clashes or overlaps and to ensure funding is appropriate to the aims of YAS.
- f) selecting a Lead (or Co-Leads) annually by a process of their choice and notifying the Facilitating Group of the selection .
- g) involving Emeritus YAS members where Working Group members consider it to be appropriate and notifying the Facilitating Group of Emeritus Member involvement.

7.5 Termination of Working Groups

- a) A Working Group shall cease to exist once it has met its stated objectives. The Lead of such a Working Group should notify the Facilitating Group when this has been achieved.
- b) Should any Working Group not adhere to the Responsibilities of Working Groups then the Facilitating Group shall communicate the failure to the Working Group Lead. Should the failure not be rectified within 14 days, the Working Group shall receive no more YAS funding, and the Facilitating Group should communicate the failure in writing to the Membership suggesting termination of the Working Group. If the failure is not rectified within a further 30 days, the Working Group shall be terminated.

8. Staff

The YAS shall not be an employer but may engage staff (Subject to Section 5.2) through other employers in particular the RSE.

The terms and conditions of employment of any staff member engaged shall be a matter for their employer, with their management in the YAS being undertaken by the Facilitating Group.

The YAS shall recognise the principles of a living wage in its engagement of staff.

9. Disciplinary

9.1 Disciplinary Process

Members should, and any member of the public may, report to the Young Academy of Scotland Manager any instance where they consider that a fellow Member has committed misconduct by not upholding their responsibilities as a member of the YAS (section 4.2). An address and email address shall be clearly specified on the YAS website for this purpose.

When a complaint is received, the member against whom the complaint has been made will be informed that a complaint has been made and the terms of that complaint, but will not necessarily be asked to respond at this stage unless he or she wishes to do so. The identity of the reporter will not normally be disclosed to the member.

The YAS Manager will bring the complaint to a member of the Facilitating Group, who has previously agreed to take on this role. The FG member, in consultation with the YAS Manager, will decide, on the basis of the information presented by the reporter, whether the allegations are of such seriousness that they should be dealt with under the Disciplinary Process.

The reporter and the member against whom the complaint has been made will be informed of the outcome of the initial assessment within 14 days of receipt of the complaint. Where this is not practicable, they will, within 14 days, be informed of progress and the timetable envisaged for dealing with the matter.

If it is decided that no action should be taken, the reporter and the member against whom the complaint has been made will nevertheless be entitled to request that the case be considered by the full Facilitating Group. This request must be received within 14 days of the initial outcome being communicated.

If the FG Member and YAS Manager decide that there is a case for further consideration, then the details of the complaint will be passed to the Facilitating Group.

The identity of the reporter will not normally be disclosed to the member against whom the complaint is made unless the Facilitating Group considers that the member's ability to respond to the complaint would be prejudiced by such non-disclosure or that considerations of fairness otherwise require that disclosure should take place. In such cases, the reporter will be notified of the Facilitating Group's decision and will be entitled to withdraw the complaint if they so wish before it is notified to the member.

The member against whom the Complaint has been made will be entitled to submit any written comments to the Facilitating Group within 7 days of notification of the Complaint. This deadline may be extended by the Facilitating Group, on cause shown following a request by the member against whom the Complaint has been made.

The Facilitating Group may resolve that the matter complained of:

- a) should be considered under section 4.3.5 (lapse of membership) and not as an issue of misconduct;
- b) does not amount to misconduct or is too trivial to warrant further action; or
- c) should be investigated on behalf of the Facilitating Group.

Where the Facilitating Group resolves at this further stage that no further action is required, it shall notify this decision to the reporter. The reporter may, within 14 days, appeal this decision to the SCIO Trustees in writing. The SCIO Trustees may uphold the Facilitating Group's decision or resolve that the matter should be investigated. For the purposes of considering the matter, any member of the Facilitating Group who is

also a member of the SCIO Trustees, must reclude themselves from the SCIO Trustees' review of the Facilitating Group's decision.

Where the Facilitating Group or SCIO Trustees resolve that the matter should be investigated, the Facilitating Group shall appoint another member of the YAS to investigate the complaint and submit a written report to the Facilitating Group.

In the course of their investigations, the investigator appointed may receive written comments from the member against whom the Complaint has been made. The investigator may also, if necessary, convene a meeting to discuss the Complaint with the member against whom the Complaint has been made. At any meeting, the member against whom the Complaint has been made shall be entitled to make oral submissions. The member against whom the Complaint has been made shall be entitled to be accompanied to the meeting by a supporter.

The Facilitating Group shall consider the report of the investigator and shall decide whether to make a finding of misconduct against the member concerned and, if so, whether to impose a sanction on that member.

9.2 Conflicts of Interest

The Facilitating Group shall inform the reporter and the member against whom the complaint has been made of this decision.

Any member of the FG who has a conflict of interest with regard to either the reporter or the member against whom the complaint has been made should declare this to the FG, and should play no part in the investigatory or decision-making process. Similarly, any person invited to act as the Investigator who has a conflict of interest must declare this and decline the invitation.

In the case of an appeal, any SCIO Trustee who has a conflict of interest with regard to either the reporter or the member against whom the complaint has been made should declare this to the SCIO, and should play no part in the appeal.

Where the complaint is directed against any member of the FG or SCIO, that person shall take no part in the proceedings (other than as respondent).

9.3 Sanctions

The following sanctions are available to the Facilitating Group.

- a) immediate termination of membership of the YAS; (any unpaid subscriptions are still due for payment)
- b) suspension of membership for a period of no more than six months; (any subscriptions due for payment during this time will still be due for payment)
- c) a requirement that the member present a written apology to the Plenary; or

- d) a written admonition from the Facilitating Group to the member.

In determining the appropriate sanction, the Facilitating Group may take into account any previous findings of misconduct made against the member.

Where the Facilitating Group requires that a member present a written apology to the Plenary, the member must provide the Facilitating Group with a satisfactory text for circulation to the Plenary within 14 days. If no text is received, or if the Facilitating Group considers the text to be unsatisfactory, the Facilitating Group shall instead impose a suspension of membership under 9.2(b) for such a period as it considers appropriate.

9.4 Appeals

Where the Facilitating Group has made a finding of misconduct against a member, that member may, within 21 days of being notified of the Facilitating Group's decision, submit a written appeal to the SCIO Trustees. This deadline may be extended by the SCIO Trustees, on cause shown following a request by the member against whom the Complaint has been made.

For the purposes of considering the appeal, any member of the Facilitating Group who is also a member of the SCIO Trustees, must reclude themselves from the SCIO Trustees' review of the Facilitating Group's decision. The written letter must specify clearly the grounds of appeal. The member may appeal either against the finding of misconduct, the appropriateness of any sanction imposed, or both. Where an appeal is submitted, the execution of any sanction shall be suspended pending the outcome of the appeal.

Appeals may be submitted only on the grounds of (a) improper procedure or (b) disproportionate sanction. The SCIO Trustees will not substitute their judgment on questions of fact for that of the Facilitating Group. The SCIO Trustees may uphold the Facilitating Group's decision, modify it, or remit the matter to the Facilitating Group for reconsideration. Except where the matter is remitted for reconsideration, the decision of the SCIO Trustees shall be final.

10. Children and Vulnerable People

The YAS is not established in particular to assist or care for children or those who are particularly vulnerable, perhaps because of their age, physical or mental ability or ill health. No member should work with such individuals on YAS business unless under the policies and procedures of a partner organisation properly established to do so. In which case, it is the Member's responsibility to familiarise themselves with, and follow the relevant policies and procedures of the partner organisation.