

# Royal Society: Code of Conduct and Disciplinary Regulations

## Code of Conduct for Royal Society Fellows and Foreign Members

The Royal Society (“Society”)’s fundamental purpose, reflected in its founding Charters of the 1660s, is to recognise, promote, and support excellence in science and to encourage the development and use of science for the benefit of humanity. The credibility of the Society’s work in pursuit of these objectives rests in large part upon its reputation. This in turn rests upon the reputation of the Fellows and Foreign Members of which the Society is composed, and their upholding of high standards in their work and conduct both inside and outside of the Society.

Fellowship and Foreign Membership of the Society is a privilege predicated on adherence to particular standards of conduct. Fellows and Foreign Members, by joining the Society, agree to abide by this Code of Conduct.

### Section 1 – Principles

1. Fellows and Foreign Members shall support the Society and its charitable purposes.
2. Fellows and Foreign Members shall adhere to the provisions within the Society's governing document relating to them and their role and responsibilities, and shall adhere to all of the Society's policies that at any time are relevant to Fellows and Foreign Members.
3. The Society strives to act in accordance with the highest standards of public life. In their work with the Society, all Fellows and Foreign Members are expected to follow the Nolan principles of public life, namely: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
4. Fellows and Foreign Members shall have due regard for the statement of values developed from time to time by Society from time to time (the current version of which is outlined below in the Appendix), and shall use their best endeavours to promote these values.
5. Fellows and Foreign Members shall not act or fail to act in any way which would undermine the Society's mission or bring the Society into disrepute.

### Section 2 – Scientific conduct

6. Fellows and Foreign Members shall carry out their scientific research with regard to the Society's statement on research integrity and to the highest standards.
7. Fellows and Foreign Members shall not commit scientific misconduct, defined as fabrication, falsification, or plagiarism. Scientific error or incorrect interpretation of research data that may occur as part of the scientific process does not constitute scientific misconduct.
8. Fellows and Foreign Members shall disclose all private interests and relevant relationships, financial or otherwise, that might be perceived to influence the outcome of their research.
9. Fellows and Foreign Members shall be fair and objective peer reviewers, maintain confidentiality when requested, promptly move to correct the literature when errors in their own work are detected, include all deserving authors on publications, and give appropriate credit to prior work in citations.

10. Fellows and Foreign Members shall treat all individuals in the scientific enterprise collegially and with courtesy, including supervisors, colleagues, other Society Fellows and Foreign Members, Society staff, students and other early-career colleagues, technical and clerical staff, and interested members of the public.
11. Fellows and Foreign Members shall not engage in any form of discrimination, harassment, or bullying.

### Section 3 – Within the Society

12. Fellows and Foreign Members shall work with others in the Society in a spirit of openness, courtesy and co-operation.
13. Fellows and Foreign Members shall take an active interest in the Society's work and public image.
14. Fellows and Foreign Members shall not use any confidential information obtained through their role with the Society for their own benefit or to the detriment of the Society (including but not limited to confidential information relating to potential candidates and voting).
15. Fellows and Foreign Members shall engage in voting in or at meetings in accordance with the provisions in the Society's governing document and with the Society's relevant policies, and shall conduct Society business (including making decisions) mindful of their fiduciary duties to the objects of the Society and based on what is in the best interest of the Society.
16. Fellows and Foreign Members shall pay any fees due by them to the Society under the Society's governing document within the timeframes specified by the Society.

### Section 4 – Outside of the Society

17. Fellows and Foreign Members may only speak or make a statement on behalf of the Society if they have first obtained the prior approval of the Society's Council to do so.
18. When speaking in any capacity about the Society's activities, policies, positions or aims, Fellows and Foreign Members must strive to represent these accurately.
19. When speaking or publicising statements in a personal capacity, Fellows and Foreign Members must still strive to uphold the reputation of the Society and those who work in it, and be mindful that what is said or stated in a personal capacity could still impact the Society.
20. When acting in other capacities (for example, as an employee of another organisation), Fellows and Foreign Members must be mindful that what is done in other capacities may still reflect on the Society.

### Section 5 – Commitment to the Code

21. Fellows and Foreign Members acknowledge the responsibility and right of the Society to ensure this Code of Conduct is adhered to, and accept that if a breach of the Code of Conduct has occurred this may trigger enforcement action (including temporary or permanent suspension as a Fellow or Foreign Member or Foreign Member) in accordance with the Society's Disciplinary Regulations.

The procedure that the Royal Society should follow in the event of an alleged breach of the Code of Conduct is set out in the Disciplinary Regulations that accompany this document.

Agreed by the Royal Society Council

8 February 2022

## **Appendix: Royal Society Staff Values**

- **We make a difference**

We draw on our Fellowship of scientists for inspiration to make a positive impact. Our integrity, independence and long-term perspective help our work make a difference.

- **We strive for excellence**

Creativity and curiosity in our work and our desire to do the best we can encourage us to continuously improve as we seek to achieve our goals.

- **We respect each other**

Our teams are stronger when we are inclusive, encouraging diversity in all its forms. We recognise and value each other's skills, expertise and experience. Respect, empathy and advocacy for one another builds an open and constructive environment.

- **We are collaborative**

Supporting colleagues and building broad networks help us to develop our work in new and exciting ways. Collaboration is at the core of what we do – we are one Royal Society team.

# Royal Society Disciplinary Regulations

## 1. Purpose of these Regulations

- 1.1 The purpose of these Regulations is to enable the Royal Society (“**the Society**”), in pursuit of its charitable objects, to protect its reputation should any Fellows or Foreign Members of the Society fail to maintain sufficient standards of professional or relevant personal conduct, as outlined in the Code of Conduct for Royal Society Fellows and Foreign Members.
- 1.2 The Council of the Society has the duty to oversee all disciplinary decisions to ensure that the principles of fairness and natural justice are followed, which will in particular include ensuring that steps are taken to establish the facts and that Fellows and Foreign Members are given the opportunity to respond before any decision as to formal action is taken. Council has ultimate responsibility for disciplinary matters and has delegated its powers through these Regulations to the President, Officers, Conduct Committee and the Appeal Panel, as appropriate, in accordance with the Society’s Statute 22.
- 1.3 The President may order any procedure under these Regulations to be suspended at any stage pending the outcome of an investigation should the courts, any other appropriate regulator, or a Fellow’s or Foreign Member’s employer, commence proceedings against a Fellow or Foreign Member on the same or related grounds.
- 1.4 These Regulations may be amended and this procedure may be varied as appropriate to the matter at hand, including for example in relation to time limits.

## 2. Misconduct

For the purposes of these Regulations, “**Misconduct**” means all and any behaviour by a Fellow or Foreign Member which Council shall in its reasonable discretion consider to be seriously injurious to the reputation or interests of the Society. Such behaviour may include (but is not limited to):

- 2.1 undertaking any research in a manner that is deemed unacceptable, as determined by reference to any guidelines published by the Society and/or any regulatory body from time to time;
- 2.2 involvement in commercial fraud or malpractice;
- 2.3 academic offences such as research fraud, fabrication or plagiarism;
- 2.4 acting in a personal or professional capacity in such a manner as is likely to bring the Society into disrepute or to endanger a Fellow’s own professional standing or that of their colleagues;
- 2.5 making any form of statement in the public domain which is purported to be either on behalf of the Society or endorsed by the Society, without appropriate authorisation from the Society;

2.6 damaging or misusing any Society property or resources in breach of applicable Society policies;

2.7 abusing any privilege enjoyed by virtue of holding any official Society position, whether elected or unelected;

2.8 being convicted of a criminal offence resulting in a custodial sentence of three months or more (or is charged with an offence of a character that would be likely to breach the spirit or the letter of the Society's safeguarding policy and procedures);

2.9 behaving towards any employee of the Society, another Fellow, Foreign Member or any visitor to the Society, in a violent, indecent, threatening, disorderly or offensive manner, or subjecting them to racial, sexual or religious harassment or any other form of harassment or abuse, including but not limited to in relation to the Protected Characteristics contained in Chapter 1 of the Equality Act 2010, being: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

### **3. Stage 1 - Initial Investigation**

3.1 The Executive Director shall be notified of:

- (a) any allegations of Misconduct made against a Fellow(s) received by the Society, whether from the general public, elected officers of the Society, other Fellows and Foreign Members or employees of the Society; or
- (b) any matter of which the Society becomes aware from publicly available sources which may require investigation under these Regulations.

**NOTE:** Minor conduct issues can often be resolved informally by discussions between the Fellow or Foreign Member and an appropriate member of the Council or the Executive Director. Such discussions shall be held in private and without undue delay and a note kept of such discussions. Formal steps may need to be taken under these regulations if the matter is not resolved, or if it is decided during discussions that informal resolution is not appropriate.

3.2 The Executive Director shall inform the President that an investigation into alleged Misconduct is required and the President shall appoint an appropriate Officer of the Society to oversee the investigation into the allegation or report of Misconduct (the "Investigating Officer"). The Investigating Officer may seek assistance to carry out the investigation from the Executive Director, who may in turn recommend further support from the staff of the Society and/or the Society's legal advisers, as appropriate. The Investigating Officer may also seek advice from other relevant experts (whether Fellows or Foreign Members or not) in, for instance, specific relevant areas of scientific research. The Fellow or Foreign Member who is the subject of the investigation shall be informed (i) of the nature of the allegation, and (ii) that these regulations have been invoked to investigate the issues raised. The confidentiality of the investigation will be observed at all stages by those involved.

3.3 The purpose of the investigation shall be to establish a fair and balanced view of the facts relating to the alleged Misconduct, before deciding whether to proceed with a hearing in front of the Conduct Committee. The investigation will be in such detail as is appropriate to the nature of the allegations. The investigation may involve interviewing the Fellow, taking statements from relevant witnesses, and reviewing relevant documents. Investigative interviews are solely for the

purpose of fact-finding and will not lead to disciplinary action without a hearing before the Conduct Committee.

3.4 If, following initial investigation, the Investigating Officer finds that there is no prima facie case to answer, or that the allegation of Misconduct is frivolous or vexatious and therefore not in the interests of the Society to pursue, the Investigating Officer shall consult with the President and, if the President agrees, take no further action beyond noting in the Society's records that the allegation or report was unfounded, frivolous or vexatious. The Fellow or Foreign Member who is the subject of the investigation shall also be informed of this outcome. The President shall also decide whether the investigation and the decision to take no further action shall be reported to Council.

3.5 If the Investigating Officer finds that there is sufficient evidence of possible Misconduct to warrant an investigative hearing, the Investigating Officer shall recommend to the President that the allegation will be referred to:

(a) the Conduct Committee;

and may, if appropriate, also be referred to:

(b) an appropriate regulator (which might include, for instance, the General Medical Council or the police); and/or

(c) the employer of the Fellow or Foreign Member about whom the allegation has been made.

3.6 The Investigating Officer should inform the Fellow, and the source of the allegation, in general terms, of the outcome of the initial investigation and whether the matter has been referred to the Conduct Committee.

#### **4. Stage 2 – Hearing by the Conduct Committee**

4.1 The "Conduct Committee" shall be a standing committee of the Society, comprising at least five members of Council, including one of the Society's Officers (who may not be the Investigating Officer in any case) selected by the Council from time to time.

4.2 The Conduct Committee may, from time to time, co-opt up to two Fellows or Foreign Members who have expertise relevant to any specific allegation of Misconduct being investigated by the Conduct Committee, to sit on the Conduct Committee as full members for the duration of that investigation.

4.3 If any member of the Conduct Committee has any conflict of interest or loyalty (including any personal friendship, relationship or animosity) with either the source of the allegation or the Fellow or Foreign Member who is being investigated, they shall declare their interest to the President and shall not sit on the Conduct Committee in relation to that allegation of Misconduct. In such a situation Council shall elect a substitute member of Council to sit on the Conduct Committee.

4.4 If the courts, any other appropriate regulator, or the Fellow's employer has already investigated the allegations of Misconduct brought against the Fellow or Foreign Member and has passed judgment, the Conduct Committee shall have regard to the findings of that body and rely upon

them unless, in their discretion, the Conduct Committee considers it is necessary or appropriate in the circumstances to depart from those findings, although it is anticipated that it would do so only in exceptional circumstances.

- 4.5 Prior to any hearing by the Conduct Committee, the Investigating Officer shall inform the Fellow or Foreign Member who is being investigated of the allegation of Misconduct made against them and, by written notice, of not less than five working days, inform them of the timetable for the investigation and proposed hearing (if any) by the Conduct Committee, including (where appropriate):
- (a) the date, time and place of the hearing;
  - (b) a detailed summary of the allegation or report, including the details of the case against the Fellow;
  - (c) copies of evidence that will be presented and/or the names of any witnesses who will be called to give evidence at the hearing (if any); and
  - (d) the dates by which the Fellow or Foreign Member must file documentary material and/or witnesses in his or her defence or mitigation.
- 4.6 No evidence may be relied on or referred to at a hearing or witnesses called by the Fellow or Foreign Member or by the Society if copies of that evidence and/or names of those witnesses referred to the Conduct Committee have not been provided to the Fellow or Foreign Member or the Investigating Officer (as the case may be) within the timetable set by the Conduct Committee.
- 4.7 A decision by the chair of the Conduct Committee on any point of procedure at any hearing of the Conduct Committee shall be binding. Provided that the proceedings are fair to the Fellow or Foreign Member and the principles of natural justice have not been compromised, no objection relating to a minor defect in the procedure of the investigation of the allegation or report or of the convening and process of the hearing shall be upheld.
- 4.8 Subject to Regulation 4.7, the Fellow or Foreign Member being investigated has the right to be present during the hearing and may be accompanied by a companion or a representative of their union. If the Fellow's preferred companion is unavailable at the time the hearing is scheduled and will not be available for more than five further working days, the Fellow or Foreign Member will be asked to choose an alternative companion.
- 4.9 If the Fellow or Foreign Member or their companion cannot attend the hearing they should inform the Conduct Committee immediately and another time should be arranged. If the Fellow or Foreign Member fails to attend on three occasions, the Conduct Committee may hold the hearing in the absence of the Fellow.
- 4.10 The Conduct Committee shall make decisions by a majority vote but the votes of the individual Fellows or Foreign Members on the Conduct Committee shall be confidential. In order to find that a Fellow's behaviour is considered to be Misconduct, the Conduct Committee must conclude that the evidence against the Fellow or Foreign Member is true on the balance of probabilities.
- 4.11 The Conduct Committee shall send a report of its decision, together with the reasons for that decision, to the Executive Director, who will make a report to Council. If the Conduct Committee concludes that there is sufficient evidence of Misconduct, the Conduct Committee's report shall include a recommendation as to which of the sanctions in Regulation 5.1 it considers most appropriate.

4.12 If the Conduct Committee has concluded that there is sufficient evidence of Misconduct, Council shall, prior to any consideration and discussion of a report received from the Executive Director, nominate one Officer and two other members of Council (who may not also be the President or the Investigating Officer) to hear any appeal which may be brought by that Fellow or Foreign Member (the “**Appeal Panel**”). For the avoidance of doubt, the Appeal Panel shall not be present during Council’s deliberations and decision as to whether to impose one or more of the sanctions set out in Regulation 5.1.

## 5. Sanctions

5.1 The Conduct Committee may recommend to Council that it imposes any one or more of the following sanctions should a decision be made that misconduct has occurred:

- (a) order the Fellow or Foreign Member who was the subject of the allegation or report to pay compensation in respect of Society property that has been damaged, misused or lost or in respect of any privilege that has been abused;
- (b) require the Fellow or Foreign Member who was the subject of the allegation or report to make a written or oral apology to any other Fellow, person or employee of the Society;
- (c) issue a formal written warning to the Fellow or Foreign Member who was the subject of the allegation or report;
- (d) suspend the Fellow or Foreign Member from the Society pending the outcome of an on-going investigation by another regulatory body, the Fellow’s employer, or the police/criminal proceedings; and/or
- (e) that Council require the Fellow or Foreign Member to resign from the Society, as described in Statute 17 of the Society;
- (f) another sanction appropriate to the case.

5.2 Any formal written warning issued under Regulation 5.1(c) above must include the following information:

- (a) the nature of the allegation or report against the Fellow;
- (b) the Conduct Committee’s conclusion from its investigation;
- (c) what conduct the Fellow or Foreign Member needs to address for the future; and
- (d) any consequences of failing to comply with the formal written warning.

5.3 Subject to Regulation 4.11, Council shall consider the Executive Director’s report and the recommendations of the Conduct Committee and shall:

- (a) impose any one or more of the sanctions set out in Regulation 5.1; or
- (b) decide that no sanction shall be imposed.

5.4 Council shall make decisions by a majority vote but the votes of individual members of Council shall be confidential.

5.5 In the event of a suspension, the Conduct Committee may recommend which rights of Fellowship or Foreign Membership shall be withdrawn from the Fellow or Foreign Member while the suspension remains in force.



- 5.6 A Fellow or Foreign Member who consents to a requirement to resign, or is or expelled following the procedure described in Statute 17 should they decline to do so, shall lose all rights of Fellowship or Foreign Membership.
- 5.7 Council shall have the discretion to refuse any expelled or suspended Fellow access to any Society premises and/or to any Society event, including those which are open to non-Fellows and non-Foreign Members.
- 5.8 The Investigating Officer shall send a copy of the decision made by Council, together with:
- (a) the reasons for the decision;
  - (b) any sanction imposed; and
  - (c) how the Fellow or Foreign Member can appeal the decision, and any time limits for doing so.

to the Fellow or Foreign Member within seven days of Council's decision. The Investigating Officer may also send a copy of the decision, any sanction imposed and the reasons for it to the Fellow's employer and the source of the allegation, where this is appropriate.

## **6. Stage 3 – Appeals**

- 6.1 A Fellow or Foreign Member wishing to appeal against a sanction imposed by Council must submit a written appeal request to the President supported by a statement and any relevant documentation or evidence setting out the reasons for the appeal, within 30 days of receiving the letter from the Investigating Officer informing the Fellow or Foreign Member of the decision of Council.
- 6.2 Upon receipt of an appeal request the President must decide either to dismiss the appeal or to allow the appeal to be heard. The President shall allow an appeal to be brought if either:
- (a) the Fellow or Foreign Member has fresh evidence that could not have been, or for good reason was not, made available at the time of the hearing;
  - (b) the Fellow or Foreign Member provides evidence of significant procedural error on the part of the Investigating Officer or the Conduct Committee before or during the hearing; and/or
  - (c) the Fellow or Foreign Member provides evidence of significant procedural error on the part of the Council following the hearing;

provided that the President has the discretion to take into account any other relevant grounds when deciding whether or not to allow the appeal to be heard.

- 6.3 If the President decides to allow the appeal to be heard, the Appeal Panel shall be convened. The Appeal Panel shall make decisions by a majority vote but the votes of individual members of the Appeal Panel shall be confidential.
- 6.4 The Investigating Officer shall write to the Fellow or Foreign Member and inform them of the outcome of their request for an appeal and, if the appeal is to be heard, the date, time and place on/at which the hearing of the Appeal Panel will be held. The Fellow or Foreign Member shall be given reasonable notice of not less than 14 days of the date of the Appeal Panel..

6.5 No evidence may be relied on or referred to at the hearing of the Appeal Panel, or witnesses called by either the Society or the appellant Fellow, if copies of that evidence and names of those witnesses have not been provided to the other party at least seven days before the hearing. The procedures and process set out in Regulations 4.7 and 4.8 shall also apply to any hearing by the Appeal Panel.

6.6 The Appeal Panel shall have the delegated authority of Council to:

- (a) dismiss the appeal; or
- (b) allow the appeal and remove any one or more of the sanctions imposed; or
- (c) remove any one or more of the sanctions imposed and/or impose a different sanction or sanctions from among those listed in Regulation 5.1.

6.7 The Appeal Panel shall send its decision, together with the reasons for that decision, to the Executive Director who will make a report to Council on the matter. The Investigating Officer shall send a copy of the Appeal Panel's decision, together with reasons, to the appellant Fellow or Foreign Member within seven days of the date of the hearing UNLESS the Appeal Panel has imposed a sanction of suspension or expulsion in place of a lesser sanction, in which case the Appeal Panel's decision must be ratified by Council prior to its communication to the Fellow or Foreign Member by the Investigating Officer.

6.8 The Investigating Officer may, where appropriate, send a copy of the Appeal Panel's decision (with or without the reasons given for that decision) to the appellant Fellow's employer and/or the source(s) of the allegation or report.

6.9 The decision of the Appeal Panel shall be final (subject to any ratification required by Council in accordance with Regulation 6.7) and there shall be no further right of appeal.

## **7. Miscellaneous**

7.1 The Society may seek legal advice to advise and support the Investigating Officer, President, Conduct Committee and/or the Appeal Panel in relation to any alleged Misconduct being investigated in accordance with these Regulations, provided that the Chief Finance Officer is informed of the estimated level of legal fees to be incurred.

7.2 Fellows and Foreign Members shall have the right to view all information held by the Society in respect to any allegation or report in which they are named in accordance with Data Protection law.

7.3 These Regulations may be amended from time to time by resolution of Council provided that any disciplinary matter arising under them shall be adjudicated by reference to the Regulations in force at the date of the conduct giving rise to the allegation or report.

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### **Note:**

The Society seeks to protect complainants from victimisation or harassment as a result of bringing a complaint. The Society will, where possible, investigate all complaints received by it in confidence and protect the identity of the complainant if a complainant wishes to remain anonymous.