



PROCEDURE FOR DEALING WITH NON-COMPLIANCE WITH THE SEAP CODE OF CONDUCT

This procedure is limited to instances of alleged non-compliance with the code of conduct. Those eligible to register complaints (hereinafter “the complainant”) are

- Officials and members of the EU institutions;
- SEAP members; or
- An impacted third party that can demonstrate legitimate concern about a SEAP member’s conduct

The procedure is as follows:

1. The complainant will contact the President of SEAP in writing by e-mail (secretariat@seap.eu) or by post (address).
2. The complaint shall outline:
 - a. name and contact details of the complainant;
 - b. name of the person to whom the complaint relates;
 - c. nature of the alleged breach of the code of conduct and which article(s) of the code has allegedly been infringed; and
 - d. evidence to support the complaint.
3. Subject to the provisions of articles 5 the complaint shall be dealt with confidentially.
4. Should the complaint relate to a SEAP member’s declaration under any of the EU institution’s registration procedures, the investigation of the complaint will be limited to the alleged infringement of the relevant article(s) of the SEAP code but will not investigate, nor accept evidence concerning, the declaration itself.

Examination of the complaint

5. On receipt of the complaint, the President shall consult with the Policy and Codes Committee, which is responsible for the investigation of the complaint ordinarily within 7 working days.
6. The Policy and Codes Committee shall first assess the admissibility of the complaint. This includes the examination which articles of the SEAP code have been infringed.
7. Any member of the Policy and Codes Committee or the Board must withdraw from the proceedings if they feel that this may lead to a conflict of interest.
8. The Policy and Codes Committee shall adopt its decisions by at least three quarters of votes cast.

9. If the Policy and Codes Committee finds that the complaint is inadmissible due to being irrelevant, it shall make a recommendation to the Board to dismiss the complaint.
10. If the Policy and Codes Committee finds that there was an infringement of the SEAP code, the committee shall:
 - a. notify the SEAP member who is subject to the complaint that the complaint has been received;
 - b. if the committee finds it appropriate, invite the person to discuss the allegations; and
 - c. if the committee finds it appropriate, contact the complainant and other relevant parties to discuss the complaint.
11. The investigation shall be carried out in a reasonable period of time but not exceeding 40 working days.
12. The Policy and Codes Committee, with the support of the President, shall ensure the investigation is carried out in a fair and impartial manner.

Decision by the Policy and Codes Committee

13. Following this investigation, the Policy and Codes Committee shall make a draft recommendation which will be communicated by the committee to the SEAP member.
14. If the member decides to submit the response to the committee's draft recommendation they will do so within 10 working days from the date of the receipt of the recommendation. The committee will then have 10 working days to examine the response.
15. If the member does not submit their response within the timeframe indicated in Article 14, the committee shall issue its final recommendation to the Board.
16. The final recommendation to the Board shall include:
 - a. the conclusions of the investigation (upholding or dismissing the complaint);
 - b. proposed sanctions to be imposed; and
 - c. justification for the proposed sanctions.
17. The Board will decide within 10 working days whether to:
 - a. dismiss; or
 - b. to uphold the recommendation.
18. The sanctions are:
 - a. in case the complaint is dismissed, no action.
 - b. in case the complaint is upheld:
 - i. a private written warning from the President; or
 - ii. a written warning from the President published on the Society's web site for three months; or
 - iii. a three-month suspension of membership which will be published on the Society's web site; or
 - iv. expulsion from the Society which will be published on the Society's web site.
19. In cases referred to in Article 18 (a) and (b) (i) (ii) and (iii), the Board will vote by simple majority. In the case of a proposed expulsion according to Article 18(a)(iv) the Board will vote by three-quarter majority according to Article XX of the Statutes.

20. The President will communicate the decision of the Board and the grounds for it to the SEAP member and the complainant within 5 working days.
21. If the member does not appeal against the decision, the decision will be executed as soon as the appeal period referred to in Article 22 has passed.

Appeal procedure

22. The member will have 10 working days from the date of the receipt of the decision to lodge an appeal. The member may appeal to the President within 10 working days of the date of the receipt of the decision. Such a request must state the reasons for the appeal.
23. The President will put the request for an appeal to the General Assembly for a decision within 7 days working days of its receipt.
24. Subject to Article X of the Statutes, the General Assembly will take a decision whether to allow or dismiss the request for an appeal.
25. If the General Assembly decides to dismiss the request, the Board's decision is final.
26. If the General Assembly decides to allow the request, it will refer it to the Board.
27. The Board will have 10 working days to re-examine the request.
28. If the Board decides to uphold its initial decision, it will vote in accordance with the procedure set out in Article 19.
29. If the Board decides to reject its original verdict, it will vote unanimously.

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