



# Regulations

December 2019

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# PART 1: Preliminaries

## (1) Citation and commencement

- (1) These regulations shall be known as the Royal College of Anaesthetists Regulations and came into force from July 2018 Council meeting.
- (2) These regulations will be reviewed on an annual basis by Council.

## (2) Interpretation

- (1) Unless the context otherwise requires, in these regulations:
  - a The following words and phrases are as described below:
    - I 'the Charter' means the Charter granted on 16 March 1992 incorporating the Royal College of Anaesthetists and subsequent amendments
    - II 'the Ordinances' means the Ordinances scheduled to the Charter and as they may be amended from time to time
    - III 'approved training' means training in a post approved by the GMC for the purpose of qualifying for the grant of a Certificate of Completion of Training
    - IV 'the Board of Examiners' means any Board of that name constituted in accordance with these regulations
    - V 'Certificate of Completion of Training' (or any statutory modification of this) means a certificate by that name granted by the General Medical Council (or any new statutory body) qualifying the recipient for inclusion in the Specialist Register;
    - VI 'prescribed seniority' has the meaning assigned to Part 2 (10)
    - VII 'election notice' means the notice required to be published by Part 4 (1) (4)
    - VIII 'the Examination Regulations' means the regulations of the Council regulating eligibility for examinations for Fellowship of the College and the content and conduct of such examinations and all other related matters and as they may be amended from time to time
    - IX 'fixed day' has the meaning attributed to it in Ordinance 1.1
    - X 'full registration', 'limited registration' and 'Medical Register' have the meanings attributed to them in the Medical Act 1983 and subsequent amendments
    - XI 'SAS Council vacancy' means a vacancy on Council to which a Fellow or Member may be elected in accordance with the provisions of Ordinance 5.1(1)(b)
    - XII 'prescribed' means prescribed in the Ordinances, in these regulations, in the Examination Regulations or in such other regulations as may from time to time be made by Council, as appropriate
    - XIII 'Specialist Register' means the register maintained by the General Medical Council
    - XIV 'Trainee Council vacancy' means a vacancy on Council to which a Fellow may be elected in accordance with the provisions of Ordinance 5.1(1)(c)
    - XV 'training' means training in the specialty of anaesthesia or intensive care or pain medicine forming part of an approved course for the purpose of qualifying for the grant of a Certificate of Completion of Training or accepted by the College as equivalent to such training
    - XVI Membership and Member refer to that category of College Membership and College Member defined in Ordinance 2.4; member of the College or membership of the College has the meaning ascribed by its use when referring to any category defined in Section 2 of the Ordinances
    - XVII 'Committee' means as described in Part 7

- XVIII** 'Chief Executive Officer' means a member of the College Staff appointed by the Board of Trustees to carry out the functions of an Chief Executive Officer where specified in regulations
  - XIX** 'A fit and proper person' is somebody who is of good character. Consideration must be given to previous convictions and removal from a professional register when assessing this; and have the qualifications, competence, skills and experience necessary; and is capable (once reasonable adjustments have been made) of performing tasks intrinsic to their job by reason of their health. [Note: This is based on the 2017 CQC's fit and proper person test.]
  - XX** 'Intensive Care' encompasses critical care and high dependency care.
- b** Words and phrases defined in the Charter or Ordinances have the meanings there attributed to them.

# PART 2: Criteria and procedures for admission or election to categories of College membership

## (1) Content of application

- (1) Any data or statement provided in support of any application for any category of College membership that is found to be false or materially inaccurate shall invalidate any membership awarded.
- (2) The College reserves the right to review an individual's relevant circumstances and transfer to the appropriate membership category.

## (2) Honorary Fellowship

- (1) Persons in the following categories shall be eligible for election by the Council to Honorary Fellowship of the College:
  - a those having made an outstanding contribution to the advancement of anaesthesia, intensive care, pain medicine, or any other related field of medicine or science of relevance to the College
  - b members of the Royal Family, or
  - c other distinguished lay persons and benefactors of the College.
- (2) A proposal for the election of a candidate to Honorary Fellowship shall be made to the Nominations Committee in the first instance.
- (3) Any such proposal shall be considered by Council. If there is not a clear consensus, a candidate who receives a majority of two thirds or more of the votes of members of the Council present at the meeting at which the vote is taken shall be declared to be elected for admission to Honorary Fellowship of the College.
- (4) An Honorary Fellow shall be admitted in accordance with the following procedure:
  - a at a meeting of the Council, or on such other occasion as the Council may determine;
  - b a Fellow, who should normally be a member of the Council designated by the President or a Vice President shall read out the citation of the candidate
  - c the Fellowship Declaration shall be administered to the candidate who shall sign their name in the Roll of the College and thereby be admitted to the Fellowship
  - d the President or Vice President shall welcome the Honorary Fellow who will then or as soon as is practicable be given their Fellowship Certificate.
- (5) Award of Honorary Fellowship does not of itself indicate any proficiency in the practice of anaesthesia.

## (3) Fellowship by Examination

- (1) A person shall be eligible to become a Fellow of the College by examination who shall:
  - a have a qualification entitling them to full or limited registration in the UK Medical Register
  - b comply with the Examination regulations for eligibility to enter for the Final Part of the Fellowship examination
  - c have passed the Final Part of the Fellowship examination of the College
  - d have complied with the requirements relating to the form of applications, submission of documents and certificates, payment of fees and any other related matters which may be specified in the Examination regulations or otherwise by the College.

- (2) A candidate who has passed the examinations and satisfied the other conditions prescribed, including payment of the appropriate examination fees, shall be admitted to Fellowship in accordance with the following procedure:
  - a Fellows will be notified of the declaration in the prescribed form and will also be notified that their name will be included in the roll of fellows of the College. If candidates feel that they are unable to comply with the requirements of this paragraph at the time of the examination, such requirements as shall not have been complied with may subsequently be satisfied in the presence of the President or Vice President, or such other methods as defined by Council
  - b the candidate shall pay the prescribed fee for the Fellowship
  - c at the next appropriate meeting of the Council or appropriate Board after the candidate's success, the Council shall approve the candidate's admission to Fellowship, who shall thereby be admitted
  - d the College shall give or deliver to the candidate the Diploma in the prescribed form as soon as is practicable.

#### (4) Fellowship ad eundem

- (1) Entry route:
  - a any person in bona fide practice of the specialty of anaesthesia, intensive care or pain medicine in the United Kingdom, who satisfies the conditions specified in this Regulation, may apply for admission to Fellowship of the College ad eundem, provided that they hold one of the following qualifications:
    - i any specialist qualification in anaesthesia, intensive care or pain medicine for the time being accepted under the terms of the European Specialist Medical Qualifications Order for admission to the Specialist Register in the United Kingdom.
  - b In addition the conditions which must be satisfied by an applicant for the Fellowship ad eundem are that:
    - i the applicant is in practice in the United Kingdom in a substantive or honorary consultant post
    - ii Council consider the applicant to have furthered the interests of the College.
- (2) A person who is eligible to be admitted a Fellow ad eundem shall submit their application for election to the College, which may also, in any case in which it thinks fit, invite such an application to be made.
- (3) An application for election to Fellowship ad eundem shall be accompanied by the following documents and such other matters as may be prescribed:
  - a a Declaration, in the prescribed form, signed by the applicant
  - b a curriculum vitae of the applicant
  - c a certificate, signed by six Fellows of the College, to the effect that the applicant is a fit and proper person to be admitted to the Fellowship.

No Fellow who is deprived of privileges, for whatever reason, shall be eligible, while so deprived, to sign a certificate for the purpose of sub-paragraph (c) of this regulation.

- (4) An application, with accompanying documents, shall be submitted to Council through the Nominations committee, which if satisfied that it meets the requirements of the Charter and these regulations and is otherwise acceptable may recommend to Council that it should be granted.
- (5) Council shall consider a recommendation for admission to Fellowship ad eundem. If there is not a clear consensus a candidate's application receiving the votes of two thirds or more of the elected Council members present shall be duly approved.
- (6) An applicant whose application for admission to the Fellowship ad eundem has been approved by Council shall be required to attend the College or other such location as the Council may determine for the Declaration of Fellowship to be administered in the presence of the President or Vice President whereupon, having signed their name in the Roll of Fellows, they shall be admitted to the Fellowship. The President or Vice President shall welcome the Fellow who will then or as soon as is practicable be given their Diploma Certificate.

## (5) Associate Fellowship

- (1) Any person on the GMC Specialist Register holding a substantive or honorary consultant post in the UK with sessions in anaesthesia, intensive care or pain medicine and is not already a Fellow of the College and is willing and able to comply with all of the specified conditions may apply for admission to Associate Fellowship of the College.
- (2) A person who, in accordance with the provisions of Ordinance 2.2 and the relevant regulations, is eligible to be admitted as an Associate Fellow shall submit their application to the College, which may also, in any case in which it thinks fit, invite such an application to be made.
- (3) An application for admission as an Associate Fellow shall be accompanied by the following documents and such other matters as may be prescribed:
  - a a Declaration, in the prescribed form, signed by the applicant
  - b a curriculum vitae of the applicant
  - c a certificate, signed by two Fellows of the College, to the effect that the applicant is a fit and proper person to be admitted to the Fellowship.

No Fellow who is deprived of privileges, for whatever reason, shall be eligible, while so deprived, to sign a certificate for the purpose of sub-paragraph (c) of this regulation.

- (4) Any application for Associate Fellowship of the College shall be submitted to the President, or to one of the Vice Presidents or to such other Member of Council as the President or a Vice President may have designated for this purpose who, on being satisfied that the applicant is admissible as an Associate Fellow, shall together with an Executive Officer approve the applicant's admission, who shall thereby be admitted.
- (5) The Associate Fellow's name will be entered in the appropriate College register.
- (6) A Certificate shall be given or sent to the Associate Fellow so admitted as soon as is practicable.

## (6) Membership

- (1) Any person who meets the criteria specified in Ordinance 2.4, who is not eligible for any other membership category of the College, who has completed twelve months in a recognised training post within the UK or any other post designated by Council and who has passed the Primary Fellowship examination of the Royal College of Anaesthetists or one of the following examinations:
  - a part 1 of the previous three-part Fellowship examination of the Royal College of Anaesthetists
  - b the Diploma in Anaesthetics of the Faculty of Anaesthetists of the Royal College of Surgeons of England (DA(UK))
  - c the conjoint Diploma in Anaesthetics of the Royal College of Surgeons of England and the Royal College of Physicians of London (pass must be prior to 1985)
  - d European Diploma in Anaesthesiology and Intensive Care issued by the European Academy of Anaesthesiology or the European Society of Anaesthesiology
  - e the primary examination of the Faculty of Anaesthetists of the Royal College of Surgeons
  - f the Final examination of the Faculty of Anaesthetists of the Royal College of Surgeons in Ireland or the College of Anaesthetists of Ireland provided that the examination occurred in Ireland
  - g the Primary examination of the Faculty of Anaesthetists of the Royal College of Surgeons in Ireland or MCAI examination of the College of Anaesthetists of Ireland provided that the examination occurred before April 2015
  - h any other examination that Council considers sufficient for the purpose and which are in line with current GMC guidance on approved tests of knowledge for UK practice.

and who is willing and able to comply with all of the specified conditions, shall be entitled to apply for admission as a Member of the College. The College may also invite such an application to be made.

- (2) An application for Membership shall be accompanied by the following documents and such other matters as may be prescribed:

- a a Declaration, in the prescribed form, signed by the applicant
  - b a copy of the diploma or pass letter for any examination not run by the College
  - c a certificate, signed by two Fellows of the College, to the effect that the applicant is a fit and proper person to be admitted to the Membership
  - d no Fellow who is deprived of privileges, for whatever reason, shall be eligible, while so deprived, to sign a certificate for the purpose of sub-paragraph (d) of this regulation.
- (3) Any application for Membership of the College shall be submitted to the President, or to one of the Vice Presidents or to such other Member of Council as the President or a Vice President may have designated for this purpose who, on being satisfied that the applicant is admissible as a Member, shall together with an Executive Officer approve the applicant's admission, who shall thereby be admitted.
- (4) The Member's name will be entered in the appropriate College database.
- (5) A Certificate shall be given or sent to the Member so admitted as soon as is practicable.

## (7) Associate Membership

- (1) Any person who meets the criteria specified in Ordinance 2.5 and
- a who is employed in the UK in a career grade post (Specialty Doctor, Associate Specialist, Staff Grade, Clinical Assistant, Hospital Practitioner) or Trust Grade or other post approved by Council for the purposes of this regulation which may be full or part time and
  - b is not eligible for any other membership category of the College and
  - c is a person who is willing and able to comply with all of the specified conditions, shall be entitled to apply for admission as an Associate Member of the College.
- (2) An application for Associate Membership shall be accompanied by the following documents and such other matters as may be prescribed:
- a a Declaration, in the prescribed form, signed by the applicant
  - b a signed statement from a current supervising Consultant who is a Fellow of the College in good standing confirming that the applicant complies with requirements for appraisal and revalidation to the best of the signatory's knowledge and belief
  - c a certificate, signed by two Fellows of the College, (one of whom can be the person completing (b)) to the effect that the applicant is a fit and proper person to be admitted.

No Fellow who is deprived of privileges, for whatever reason, shall be eligible, while so deprived, to sign a certificate for the purpose of sub-paragraph (d) of this regulation

- (3) Any application for Associate Membership of the College shall be submitted to the President, or to one of the Vice Presidents or to such other Member of Council as the President or a Vice President may have designated for this purpose who, on being satisfied that the applicant is admissible as an Associate Member, shall together with an Executive Officer approve the applicant's admission, who shall thereby be admitted.
- (4) The Associate Member's name will be entered in the appropriate College database.
- (5) A Certificate shall be given or sent to the Associate Member so admitted as soon as is practicable.

## (8) Affiliate

Any person who meets the criteria specified in Ordinance 2.6, who is not eligible for any other membership category of the College and who is willing and able to comply with all of the specified conditions shall be entitled to apply for admission as an Affiliate of the College.

- (1) An application for Affiliate membership shall be in the prescribed form, accompanied by the following documents and such other evidence as may be required by Council
- a a declaration, in the prescribed form, signed by the applicant
  - b a declaration of their interest in anaesthesia, intensive care, pain medicine or perioperative medicine and reasons for seeking affiliate membership.



- (2) Any application for Affiliate of the College shall be submitted to the President, or to one of the Vice Presidents or to such other Member of Council as the President or Vice President may have designated for this purpose who, on being satisfied that the applicant is admissible as an Affiliate, shall together with an Executive Officer approve the applicant's admission, who shall thereby be admitted.
- (3) The Affiliate's name will be entered on the appropriate College database.

## **(9) Student and Foundation Membership**

Any person who meets the criteria specified in Ordinance 2.7 or 2.8, who is not eligible for any other membership category of the College and who is willing and able to comply with all of the specified conditions shall be entitled to apply for admission as a Student or Foundation member of the College.

- (1) An application for Student or Foundation membership shall be in the prescribed form, accompanied by the following documents and such other evidence as may be required by Council
  - a a declaration, in the prescribed form, signed by the applicant
  - b a declaration of their interest in anaesthesia, intensive care, pain medicine or perioperative medicine and place of study or work.
- (2) The Student or Foundation member's name will be entered on the appropriate College database.

## **(10) Seniority of Fellows and Members**

- (1) The seniority of all categories of membership shall be determined by:
  - a the date of admission to membership. A member with an earlier date shall be senior to a member with a later date. Those admitted on the same day shall be determined by
  - b the date of their primary medical qualification. A member with an earlier date shall be senior to a member with a later date. Those qualified on the same day shall be determined by
  - c the casting of lots by completing slips of paper with the candidates' names on them, placed in sealed envelopes, shuffled and then drawn by the CEO or their deputy

## **(11) Senior Fellows and Members Club**

- (1) The Senior Fellows and Members Club is open to all who have membership of the College or Faculties and who have come to the end of a career in substantive employment.

# PART 3: Rights, privileges, obligations and fees

## (1) Fees and Subscriptions

- (1) The fees payable for entry to the respective Parts of the Fellowship examination and to other categories of College membership, shall be recommended to the Board of Trustees by the Finance and Resources Board from time to time and will then be approved by the AGM and shall be published in such manner as the Board of Trustees may direct.
- (2) There shall be no annual subscription payable by Honorary Fellows.
- (3) Other than those specified in Part 3, Section 1, regulation 2, the subscriptions payable for the retention of all categories of College membership shall be as determined by a general meeting from time to time and shall be published in such manner as the Board of Trustees may direct.
- (4) Subscriptions shall be payable on 1st April or 1st October each year, whichever of these two dates shall first fall after the date of seniority of the member. Any member whose subscription is more than three months in arrears and after the sending of a final notice of reminder, shall be liable to be directed by the Board of Trustees to forfeit all, or such as may be specified, rights and privileges of membership other than the right to retain any Diploma. On payment in full of all sums overdue any rights and privileges so forfeited shall forthwith be restored.
- (5) Notwithstanding the foregoing, the Board of Trustees may in any particular case remit for one year or for such longer period as it sees fit the whole or part of any subscription payable. The the Board of Trustees may delegate this power to the Finance and Resources Board.

## (2) Rights and Privileges of College Members

- (1) The enjoyment of the rights and privileges of all College members will be dependent upon the payment of the prescribed subscription unless it has been waived under Part 3, Section 1, regulation 5.
- (2) The rights and privileges of Honorary Fellows shall include the following:
  - a to use the description Fellow of the Royal College of Anaesthetists and the post-nominal FRCA
  - b to receive copies of the College *Bulletin*
  - c to use the facilities of the College buildings.
- (3) The rights and privileges of Fellows by Examination and Fellows ad eundem shall include the following:
  - a to use the description Fellow of the Royal College of Anaesthetists and the post-nominal FRCA
  - b to vote in relevant College elections provided that, where appropriate, they have any necessary residential qualification (such as devolved nation boards see Annex 3)
  - c to attend General Meetings and to speak and vote
  - d to be nominated for election to membership of the Council
  - e to be appointed to a Board of Examiners
  - f to be appointed a Regional or a Deputy Regional Anaesthesia Adviser
  - g to be appointed a College Tutor
  - h to receive copies of publications the College may issue from time to time
  - i to use the facilities of the College buildings
  - j to benefit from arrangements organised by the College for participating in continuing education and the recording of such participation.
- (4) The rights and privileges of Associate Fellows shall include the following:
  - a to describe themselves without abbreviation as an Associate Fellow of the Royal College of Anaesthetists

- b** to vote in College elections for Consultant and SAS members of Council
- c** to attend General Meetings and to speak and vote
- d** to receive copies of publications the College may issue from time to time
- e** to use the facilities of the College buildings
- f** to benefit from the arrangements organised by the College for participating in continuing education and the recording of such participation
- g** to be appointed a College Tutor.

For the avoidance of doubt, membership in this category does not carry the right or entitlement to use any post-nominal letters.

- (5) The rights and privileges of Members shall include the following:
- a** to describe themselves as a Member of the Royal College of Anaesthetists and to use the post-nominal of MRCA
  - b** to be nominated for election to a SAS vacancy of Council
  - c** to vote for the election of a SAS Member of Council
  - d** to attend General Meetings and to speak and vote
  - e** to receive copies of publications the College may issue from time to time
  - f** to receive advice and guidance with regard to training and a career in anaesthesia, intensive care or pain medicine
  - g** to use the facilities of the College buildings
  - h** to benefit from the arrangements organised by the College for participating in continuing education and the recording of such participation.

- (6) The rights and privileges of Associate Members shall include the following:
- a** to describe themselves without abbreviation as an Associate Member of the Royal College of Anaesthetists
  - b** to vote for the election of an SAS Member of Council
  - c** to attend General Meetings and to speak and vote
  - d** to receive copies of publications the College may issue from time to time
  - e** to receive advice and guidance with regard to training and a career in anaesthesia, intensive care or pain medicine
  - f** to use the facilities of the College buildings
  - g** to benefit from the arrangements organised by the College for participating in continuing education and the recording of such participation.

For the avoidance of doubt, membership in this category does not carry the right or entitlement to use any post-nominal letters.

- (7) The rights and privileges of Affiliates shall include the following:
- a** to describe themselves without abbreviation as an Affiliate of the Royal College of Anaesthetists
  - b** to receive copies publications the College may issue from time to time
  - c** to receive, as is relevant to them, advice and guidance with regard to training and a career associated with anaesthesia, intensive care or pain medicine
  - d** to use the facilities of the College buildings
  - e** to benefit from the arrangements organised by the College for participating in continuing education and the recording of such participation.

For the avoidance of doubt, membership in this category does not carry the right or entitlement to use any post-nominal letters, vote in College elections or to speak or vote at an AGM.

- (8) The rights and privileges of Student and Foundation Membership shall include the following:
- a** to describe themselves without abbreviation as a Student or Foundation Member of the Royal College of Anaesthetists
  - b** to receive, as is relevant to them, advice and guidance with regard to training and a career associated with anaesthesia, intensive care or pain medicine

- c to use the facilities of the College buildings
- d to benefit from the arrangements organised by the College for participating in continuing education and the recording of such participation.

For the avoidance of doubt, membership in this category does not carry the right or entitlement to use any post-nominal letters, vote in College elections or to speak or vote at an AGM.

### **(3) Obligations of College Members**

- (1) All College members have the duty to observe the provisions of the College's Charter, Ordinances and Regulations;
- (2) All College members have the duty to pay within the specified time any fees, subscriptions or other dues prescribed under the Charter or Ordinances or Regulations or in any other lawful manner.

### **(4) Modification, suspension or removal of rights and privileges**

- (1) A member of the College may be subject to a modification, suspension or removal of rights and privileges if they do not meet their obligations as set out in the Regulations or in Section 8 of the Ordinances.
- (2) When a member of the College is subject to decisions taken by a national regulatory body, the following principles will guide the actions of Council:
  - a if it becomes known to the College that any person in any grade of College membership is found to be deficient in the standards of their practice or conduct by a national regulatory body but remains on that country's Medical Register (or its equivalent) subject to conditions, the College will offer to assist that practitioner to help them rectify their shortcomings. Council will be notified of the situation and keep the case under review
  - b if it becomes known to the College that a person in any grade of College membership is found to be sufficiently deficient in the standards of their practice or conduct by the General Medical Council of the United Kingdom that they are removed from the Medical Register, the College will regard them as having failed to maintain the standards inherent in membership of the College. Following presentation of the case to Council to confirm the details, the President, Vice President or a member of Council appointed by Council will contact the College member and indicate that some or all of the rights and privileges of College membership and professional use of the College's name are suspended until the right to practice (with or without conditions) is restored. Council will keep the case under review
  - c if it becomes known to the College that a person in any grade of College membership is found to be sufficiently deficient in the standards of their practice or conduct in a country other than the UK by that country's regulatory body that they are removed from that country's Medical Register (or its equivalent), the College will accept that there is a prima facie case for regarding them as having failed to maintain the standards inherent in membership of the College. Following presentation of the case to Council to confirm the details, unless there are highly unusual circumstances, the President, Vice President or a member of Council appointed by Council will contact the College member and indicate that some or all of the rights and privileges of College membership and professional use of the College's name are suspended until the right to practice (with or without conditions) is restored by the national regulatory body of the country that removed them. Council will keep the case under review.

### **(5) Register of members**

- (1) The Register of Fellows and Members and other categories is a matter of public record.

# PART 4: Election to and tenure and termination of seats on College Council

## (1) Election to Council

- (1) After the election of officers the College Chief Executive will invite all existing Council Members, who are not in the last year of their term of office, to confirm that they wish to continue in post.
- (2) The election of Council members will complete in December each year (providing there are vacancies to be filled).
- (3) Vacancies for Consultant, SAS and Trainee council members shall be filled by election, providing there are more eligible candidates than vacancies. Eligibility criteria are specified in College Ordinance 5.
- (4) Notice of election to Council:
  - a notification of all council vacancies will be advertised on the College website and applications invited. There will be a designated closure date. The notification will also provide details concerning the relevant application procedure
  - b the election process will be conducted by an independent organisation using a web based system. The College website and ballot information will clearly state the closure date for the election.
- (5) Intention to stand:
  - a the receipt, hard copy or electronic, of a correctly completed application form, which must be signed by the applicant (an electronic signature is acceptable), at or before the specified closure date constitutes an intention to stand
  - b all candidates will be invited to submit a personal statement. This would normally contain relevant autobiographical information as well as any other details the applicant may feel is relevant. Applicants will be invited to submit this statement electronically for inclusion in the ballot paperwork and thus there will be a defined submission date
  - c all candidates will be invited to submit other information deemed relevant by the College, e.g. conflicts of interest, good standing with the GMC, CV and recent photograph
  - d no Fellow or Member who is deprived of any of their rights and privileges, for whatever reason, shall be eligible to stand as a candidate for election to Council or to become or remain a co-opted member of Council while so deprived.
- (6) Nomination forms:
  - a all applicants must seek the nomination of three Fellows of the College (an electronic signature is acceptable)
  - b no Fellow who is deprived of any of his or her rights and privileges, for whatever reason, shall be eligible to sign a nomination, while so deprived.
- (7) The Chief Executive or nominated deputy will validate the applications and prepare a final list of applicants. The list(s) (by vacancy type) will be ordered by date of receipt of valid application and contain applicants' full name, date of fellowship (if appropriate) and current place of work.
- (8) The Chief Executive will similarly validate the candidates' election statements and any other information submitted and providing they comply with the designated criteria, consolidate for inclusion in the election material.
- (9) A list of candidates and their election statements will be posted on the College website in support of the formal election process.

## (2) Voting in Council elections

- (1) Entitlement to vote is:
  - a as specified in Ordinance 5.1.3(1)
  - b no member who is deprived of any rights or privileges for whatever reason shall be entitled to vote while so deprived.
- (2) Voting papers shall be sent electronically to all those entitled to vote:
  - a a covering letter, signed by the Chief Executive
  - b a ballot paper
  - c details of completion of online ballot;
- (3) The covering letter shall include the following information:
  - a the opening and closing dates of election, which will be at least a calendar month apart
  - b the list of candidates
  - c a statement of the length of the term of service which the candidates if elected will be eligible to serve
  - d instructions as to the method of voting.
- (4) Such reasonable measures as Council may determine, designed to enhance the probity and security of the election process, shall be taken including the numbering of the ballot papers and include the following information:
  - a the name of the College
  - b the nature and date of the election
  - c the number of vacancies and which election the ballot relates to: Consultant, SAS or Trainee vacancies
  - d the instructions as to the method of completing the ballot paper
  - e the names of the candidates, in the order given in the list of candidates, set out in such manner as to enable voters to indicate their votes.
- (5) Instructions to voters shall indicate:
  - a In any election to fill a vacancy each voter shall be entitled to vote for as many candidates as there are vacancies to be filled by putting a cross against the name of each candidate for whom they are voting
  - b It shall be permissible to vote for a smaller number of candidates than there are vacancies
  - c Any other mark on the paper may invalidate the vote.
- (6) The counting of votes submitted will commence following closure of the ballot and be conducted by the designated independent organisation.
- (7) At the conclusion of the count the result of the election shall be transmitted by the independent organisation to the Chief Executive who will inform the President or, in their absence, either of the Vice Presidents. The College shall make every endeavour to ensure candidates will be informed of the result of the election prior to it being posted on the College website.

### (3) Tenure and termination of membership of Council

- (1) Elected Members of Council shall hold office for the periods calculated in accordance with the relevant provisions of Ordinance 5.
- (2) Resignations
  - a an elected member of Council may at any time tender his or her resignation before the date on which the completion of the term of office being served would take effect, provided that no such resignation shall be effective until accepted by the Council
  - b it is expected that any member of Council who ceases the clinical practice of anaesthesia, intensive care or pain medicine would normally demit office at the next election of Council.
- (3) If any Council member is absent from 50 per cent or more Council meetings over a 12 month period, they may be asked to discuss the reasons for their absence with the Officers. If, after this discussion, the Officers cannot satisfy themselves that there is good reason for the absence, they may bring a recommendation to Council that the individual's Council membership be terminated.

# PART 5: Election of President and Vice Presidents

- (1) The elections shall take place after the meeting of Council in May. The President and Vice Presidents elected or re-elected shall take or resume office respectively at the commencement of the meeting to be held in September following their election.
- (2) The election of the President and Vice Presidents shall be by secret ballot, this may be conducted electronically.
- (3) The election for the office of President shall take place first and shall be followed by the election for the offices of Vice President.
- (4) In each election all elected members of Council are eligible to be nominated unless they have already been elected for the maximum term of office.
- (5) In each election the voting shall be by single transferable vote (STV), by the method recommended by our independent scrutineers and circulated to Council members in advance. However, if it is not possible to transfer votes due to an equality of votes the candidate who is most senior, as defined in Part 2, Section 10 shall be declared elected.
- (6) For the election of president this is as follows:
  - a when the votes have been counted, if one candidate has received an outright majority that candidate shall be declared elected
  - b if no candidate receives an outright majority the candidate or candidates with the least votes shall be removed from the election and their votes transferred to the next preference, where stated, and all votes will be counted again. This will be repeated until one candidate has received an outright majority of those who have voted.
- (7) For the election of Vice Presidents this is as follows:
  - a Council Members will vote by ranking the candidates in order of preference. When voting, Council Members must indicate their first preference candidate, but need not allocate preferences to more than one candidate if they do not wish to do so
  - b the Chief Executive (or his or her nominee) shall calculate a Quota, which shall be the number of validly submitted votes divided by the number of vacancies plus one
  - c the votes shall be sorted according to the first preference votes
  - d any single candidate who receives a number of first preference votes that is equal to or exceeds the Quota shall be elected as Vice President
  - e if no single candidate reaches the Quota, votes will be transferred according to the STV rules circulated to the Council in advance until all Vice Presidents have been elected.



# PART 6: Meetings of the Board of Trustees and Council and their Procedures

## (1) Meetings and order of business

- (1) The dates of the meetings shall normally be communicated with a minimum of six weeks' notice.
- (2) Meetings shall be chaired by the President or, in their absence, a Vice President or, in the absence of any of these, the most Senior Member of Council present.
- (3) At meetings of the Board of Trustees, it shall be open to any Trustee to submit a motion and at meetings of Council it shall be open to any elected member of Council to submit a motion. In both cases in the form of a draft resolution, for consideration at a meeting.
- (4) No business other than that included in the Agenda shall be conducted at a meeting except, at the discretion of the Chair.
- (5) All Board and Committee minutes and all other reports to be received, and every notice of motion shall be submitted to the Board of Trustees or Council Secretary not later than ten days before the date of the meeting. Any notice of motion submitted by a Trustee or member of Council shall be in writing.
- (6) The Chair shall include in the Agenda all business submitted by the date specified in the preceding regulation. Items submitted after that date can be included at the Chair's discretion.
- (7) Copies of the Agenda and accompanying papers shall be sent to members seven days in advance of the meeting.
- (8) Subject to the agreement of the president the minutes of the meeting of a Board or Committee which are included in the agenda of a meeting may include recommendations in the form of draft resolutions and, where they do, the submission of the minutes to the Board of Trustees or Council Secretary shall be deemed to include the submission of motions embodying draft resolutions which shall be included in the agenda of the meeting as formal business.
- (9) An item on the agenda comprising the minutes of a Board or Committee meeting shall normally be introduced by the Board or Committee Chair. In their absence, the chair may designate a member of the Board or Committee, including a relevant member of the senior management team to introduce the item.
- (10) When consideration of the recommendations in a report has been completed the Chair of the Board or Committee shall move that the recommendations in the report (or the amended regulations as the case may be) shall be adopted as a motion for approval by the Board of Trustees or Council.
- (11) When an amendment to an original motion has been moved and seconded, no other amendment shall be moved until the first amendment shall have been disposed of. If an amendment be carried, the motion as amended shall become the substantive motion in place of the original motion, and shall be the question upon which a further amendment may be moved.
- (12) The Board of Trustees or Council may adjourn a meeting to any day or any hour. Notice of the adjourned meeting, when the adjournment is to another day, shall be sent to every Trustee or Member of Council as appropriate.

## (2) Consideration of agenda items

- (1) Any person, either elected, appointed, co-opted, or employed by the College or acting in an observer capacity should disclose to the Chair any relevant conflicting interest of any kind (financial, professional or otherwise) arising in relation to any item on the agenda. Where a relevant item has been disclosed the member may, subject to the Chair's discretion, remain during consideration of the item, partake in any debate concerning it but not vote.
- (2) Whenever possible, the Chair should try to obtain a decision by consensus.
- (3) If a consensus is not possible and a decision is needed, voting shall be by a show of hands of Trustees in the case of Board of Trustee meeting or the elected members present in the case of Council meetings. Any matter so voted on shall be decided by a simple majority of the members present and voting unless the regulations stipulate a different threshold. When, after a vote, if any Trustee or elected Council member so requires, the names of members voting for or against any motion shall be recorded in the minutes.
- (4) In the event of an equality of votes for or against a motion, the Chair shall have a second, or casting, vote, except in the case of a ballot for election to the office of President or Vice President.
- (5) Any decision taken by Council in any disciplinary matter under Ordinance 8 or Part 3, Sections 3 and 4, or any other decision required to be so determined by these regulations and, if a quarter of the elected Council members present so require, any other question under consideration by Council shall, if it cannot be decided by consensus, be decided by ballot.
- (6) In the case of any question relating to a member present being discussed, such a member shall normally withdraw until such question be determined, or cease to be under consideration; provided always that such member shall not be required to withdraw before they have been given an opportunity, if they so wish, of speaking on the matter.
- (7) The ruling of the Chair on a point of order shall be final.

# PART 7: Meetings of Boards, Committees and Committee procedure

## (1) Meetings and order of business

- (1) For the whole of Part 7 each body (for which The Board of Trustees or Council is wholly or partly responsible) as described in Part 7, Section (1), regulation (2), including (a) and (b) will be referred to as a 'committee', with the exception of four Boards which shall be referred to as Boards, covering the following areas and their generic terms of reference can be found in Annex 2:
  - Education, Training and Examinations
  - Clinical Quality and Research
  - Communications and External Affairs (including membership issues)
  - Finance and Resources
- (2) The constitution, terms of reference, functions and powers of individual Committees, Sub-Committees, working parties and other subordinate bodies of the Board of Trustees or Council or College shall be as prescribed by The Board of Trustees or Council, as appropriate. This shall not necessarily apply to:
  - a any committee or similar body on which the College has a joint membership with any other College, Faculty or Association, or
  - b any committee or similar body in respect of which the Council has delegated the appointment or election of some or all of its Members to Fellows residing in a particular country. Terms of reference for Devolved Nations' Boards appear in Annex 3.
- (3) The members of boards and committees shall normally be Trustees and/or members of Council but it shall be open to The Board of Trustees or Council to co-opt such additional members, whether or not Fellows or Members of the College, to any committee as it may determine provided that such members shall have no power to vote in the proceedings of the committee (unless specified by the Board of Trustees or Council).
- (4) The President and Vice Presidents shall be ex officio members of every board and committee except the Audit and Internal Affairs Committee.
- (5) The quorum of every committee shall normally be three elected Council members, unless otherwise agreed by the Board of Trustees or Council, this may include ex-officio members, provided that the terms of reference of individual committees may make different provision in respect of each such committee.
- (6) Dates of meetings of Boards and committees, other than those fixed annually for the purpose of the College calendar, shall be determined by the Board or committee itself or by the Chair in consultation with the senior management team member provided that, if circumstances so require, the Board of Trustees or Council (as appropriate), President or Vice President shall have power to summon a meeting of any committee.
- (7) In the event of the number of members attending a meeting of a committee being insufficient to form a quorum, the member or members present shall have power to fix a new date for that committee to meet. At the Chair's discretion business can still be conducted but any decisions will have to be ratified by the next quorate meeting/appropriate Board or Council.
- (8) It is the responsibility of the committee Chair or other person nominated for the purpose to report the working of the committee in a Board, The Board of Trustees or Council meeting so as to make it clear what the recommendations of the committee are to the Board, The Board of Trustees or Council.
- (9) For the recommendations of Boards or committees to become College policy they must be presented to and approved by The Board of Trustees or Council in formal business.

## (2) Consideration of agenda items

- (1) Any person, either elected, co-opted, employed by the College or acting in an observer capacity should disclose to the Chair of a Board or committee any relevant conflicting interest of any kind (financial, professional or otherwise) arising in relation to any item on the agenda. Where a relevant item has been disclosed the member may, subject to the Chair's discretion remain during consideration of the item and partake in any debate concerning it but not vote.
- (2) Whenever possible, the Chair of a Board or committee should try to obtain a decision by consensus.
- (3) If a consensus is not possible and a decision is needed, voting shall be by a show of hands of those with voting rights present, as defined in the committee's terms of reference. Any matter so voted on shall be decided by a simple majority of the members present and voting. When, after a vote, any elected member so requires, the names of members voting for or against any motion shall be recorded in the minutes.
- (4) In the event of an equality of votes for or against a motion, the Chair shall have a second, or casting, vote.
- (5) In the case of any question relating to a member present being discussed, such a member shall normally withdraw until such question be determined, or cease to be under consideration; provided always that such member shall not be required to withdraw before they have been given an opportunity, if they so wish, of speaking on the matter.
- (6) The ruling of the Chair on a point of order shall be final.

# PART 8: Procedure at General Meetings

## (1) Submission of Motion

- (1) Notices of motion in accordance with Ordinance 9.1 shall comprise a draft of a Resolution to be adopted, if approved, by the Meeting. No such Resolution shall seek to deal with more than a single subject matter and all shall be drafted in terms of advising the Board of Trustees or Council, whichever is most applicable, to take an appropriate course of action.
- (2) Notices of motion shall be submitted to the Chief Executive Officer of the College not later than the date specified in the Notice of Meeting given in accordance with Ordinance 9.4 and shall be signed by the Mover in accordance with Ordinance 9.8.

## (2) Conduct of Business

- (1) Business at a General Meeting shall be in accordance with Charter 12 and Ordinance 9.
- (2) Resolutions submitted by The Board of Trustees or Council or any Officer of the College shall take precedence over notices of motion submitted by Members.
- (3) No member shall speak more than once on any Motion provided that the Mover and any Seconder of a motion shall have a right of reply and that any Officer of the Council, and any Chair of Committee to whose responsibilities a motion may relate, may intervene at any time in the discussion.

## PART 9: College Seal

- (1) The College Seal shall be in the form of the Arms of the College and shall be kept securely in the College premises.
- (2) The Seal shall be affixed only to such documents as is required by law or as may be directed by The Board of Trustees or Council or the President or Vice President.

## PART 10: College Medals, awards and prizes

- (1) The Nominations Committee will be responsible for the College's guidance for 'Medals, Awards and Prizes' Subject to Council's approval. A document will be published and maintained on the College website

# PART 11: Making, alteration and repeal of regulations

- (1) The making, amendment and repeal of the Regulations by the Council shall be effective as follows:
  - a any elected member of Council wishing to propose the making, alteration or repeal of a regulation, may submit to the Chief Executive Officer a draft Resolution for Council containing their proposal. Such a Resolution shall be signed by the Mover and by a Secunder, who shall also be an elected member of Council
  - b if the Resolution is passed by consensus or if voted on, by two thirds of the elected Council members present, where this number exceeds half the total of all elected Council members, the alteration to the Regulations shall forthwith take effect
  - c alternatively, Council may amend the Resolution, also by consensus or by a simple majority, but to take effect on being voted for will need to comply with Part 11 Section 1 regulation b
  - d Council may determine to postpone a decision on the Resolution pending receipt of further advice or information about the matters to which it relates and may resume consideration of the Resolution at such later date as it determines.
- (2) The most up to date version of the regulations shall be kept on the RCoA website and such copy shall be the authoritative copy of the Regulations.



## PART 12: Tenure of appointment to designated College roles

- (1) The College may from time to time appoint to roles outside of committee and board structures to further the work of the organisation. All such appointments should normally be (unless stated elsewhere and approved by the Board of Trustees or Council eg examinations regulations):
  - a working to an agreed job description
  - b initially for a period of three years
  - c subject to a maximum extension of a further three years, and
  - d subject to satisfactory performance, which is regularly (at least annually) reviewed by the relevant Board or Committee chair, working with the relevant director
- (2) Council will remain the final arbiter of all matters relating to the appointment and dismissal for such College roles.
- (3) For the avoidance of doubt, the above does not apply to members of staff.

# PART 13: Schedule of declarations and certificates

## (1) Forms of declaration, diplomas, certificates etc

- (1) Formal declarations necessary for admission to the College and for undertaking duties on behalf of the College are set out in the Schedule of Declarations. The wording of other documents and approval of other duties will be determined by the Council and Officers from time to time.
- (2) The form prescribed in the Schedule of Declarations gives the minimum statement which must be present.
- (3) A Diploma or other Certificate issued by the College confirming admission to a category of College membership is valid only when it carries the College Seal.
- (4) In the absence of the President, a Vice President can sign Diplomas, Certificates and any other documents referred to in these Regulations in their stead.

## (2) Wording of declarations, diplomas, certificates etc

- (1) Declaration of admission to any category of membership of the College (as set out in Section 2 of the Ordinances)

‘I do solemnly and sincerely declare that, while a Fellow/Associate Fellow/Member/Associate Member of the Royal College of Anaesthetists, I will observe the provisions of the Charter, Ordinances and Regulations of the College and will obey every lawful summons issued by Order of the Council, having no reasonable excuse to the contrary, and will to the utmost of my power maintain the welfare and dignity of the College’

- (2) Declaration of a Fellowship Examiner on admission to office

‘I do declare that, so long as I shall remain in the office of Examiner for the Fellowship of the Royal College of Anaesthetists, I will diligently maintain the honour and welfare of the said College; and in all things relating to my office, and with all manner of persons, act equally and impartially according to the best of my skill and knowledge.’

- (3) Declaration of a Member of Council on admission to office

‘I do declare that, so long as I shall remain as a Council Member of the Royal College of Anaesthetists, I will diligently maintain the honour and welfare of the said College; and in all things relating to my office, and with all manner of persons, act equally and impartially according to the best of my skill and knowledge.’

- (4) Declaration of the President or a Vice President on admission to office

‘I do declare that, according to the best of my skill and knowledge, I will discharge the several trusts and powers vested in me as President (Vice President) of the Royal College of Anaesthetists, and that I will diligently maintain the honour and welfare of the said College; and in all things which shall in any sort concern my office, I will act faithfully and honestly and without favour or affection, prejudice or partiality to any person or persons whomsoever.’

- (5) Certificate of Diploma of Honorary Fellow

Know all persons by these presents that We the Royal College of Anaesthetists do hereby admit [name of recipient] an Honorary Fellow As witness our Common Seal this [day, month, year] [signatures of President and Vice Presidents] Enrolled by [signature of Executive Officer].

**(6)** Certificate of Diploma of Fellowship by Election

Know all persons by these presents that [name of Fellow] is hereby admitted a Fellow of the Royal College of Anaesthetists dated this [day, month, year] [signatures of President and Vice Presidents] Enrolled by [signature of Executive Officer].

**(7)** Certificate of Diploma of Fellowship by Examination

We the Board of Examiners for the Fellowship of the Royal College of Anaesthetists have examined and found [name of candidate] qualified for the Fellowship of the Royal College of Anaesthetists as witness our hands this [day, month, year].

Chair of the Examinations Committee

We the Royal College of Anaesthetists do hereby admit the above a Fellow of the Royal College of Anaesthetists Given under our Common Seal this [day, month, year] [signatures of President and Vice Presidents] Enrolled by [signature of Executive Officer] [signature of Fellow].

**(8)** Certificate of Diploma of Fellowship ad eundem

Know all persons by these presents that [name of Fellow], holding the qualification of [qualification and name of Fellow's College or certifying organisation] is hereby admitted a Fellow of the Royal College of Anaesthetists ad eundem. Dated this [day, month, year] Enrolled by [signature of Executive Officer] [signatures of President and Vice Presidents] [signature of recipient of Diploma].

**(9)** Certificate of Diploma of Associate Fellowship

Know all persons by these presents that [name of Associate Fellow] is hereby admitted as an Associate Fellow of the Royal College of Anaesthetists [signatures of President, Vice President and Executive Officer] [Date].

**(10)** Certificate of Diploma of Membership

Know all persons by these presents that [name of Member] is hereby admitted as a Member of the Royal College of Anaesthetists [signatures of President, Vice President and Executive Officer] [Date].

**(11)** Certificate of Diploma of Associate Membership

Know all persons by these presents that [name of Associate Member] is hereby admitted as an Associate Member of the Royal College of Anaesthetists [signatures of President, Vice President and Executive Officer] [Date].

# Annex 1: Log of amendments to College Regulations

**Version 1**      **Original**

**Version 2**      **17 October 2001**

Part II Section 2 Paragraph 4 (b) and Part II Section 3 Paragraph 5 (b) amended to:

A Fellow, who should normally be a member of the Council designated by the President or a Vice President shall read out the citation of the candidate;

**Version 3**      **19 December 2001**

Part XVII (4) amended to:

We the Board of Examiners for the Fellowship of the Royal College of Anaesthetists have examined and found [name of candidate] qualified for the Fellowship of the Royal College of Anaesthetists as witness our hands this [day, month, year].

[signatures of Examiners]

We the Royal College of Anaesthetists do hereby admit the above a Fellow of the Royal College of Anaesthetists Given under our Common Seal this [day, month, year] [signatures of President and Vice Presidents] Enrolled by [signature of Executive Officer] [signature of Fellow].

**Version 4**      **19 March 2002**

Part XVII (5) amended to:

Know all Men by these Presents that [name of Fellow], holding the qualification of [qualification and name of Fellow's College or certifying organisation] is hereby admitted a Fellow of the Royal College of Anaesthetists ad eundem. Dated this [day, month, year] Enrolled by [signature of Executive Officer] [signatures of President and Vice Presidents] [signature of recipient of Diploma].

**Version 5**      **16 October 2002**

Part XVIII added:

Schedule of College annual functions identifying invitees etc added to provide clarification.

**Version 6**      **21 May 2003**

Three year revision of all regulations

**Version 7**      **4 June 2004**

Fellowship ad Eundem and Voluntary Register regulations clarified re UK requirement.

**Version 8**      **15 December 2004**

Fellowship ad Eundem entry route 2 amended.

Reference to Non Consultant Career Grade (NCCG) amended to Staff and Associate Specialist (SAS).

**Version 9**      **7 December 2005**

Fellowship ad Eundem route 2 amended and date restriction lifted.

- Version 10**     **16 May 2007**  
Amended to not contravene age discrimination legislation. Resigning from Council wording changed from ‘...retiring or losing regular contact with Trainees.’ to ‘...ceasing clinical practice...’, Fellowship and Eudem route 2 deleted, Examination section now covered by Examination Regulations. AAC section now covered by AAC Regulations. UK requirement added to Affiliate category.
- Version 11**     **19 November 2008**  
Amended to move election of President and Vice Presidents from March to June.
- Version 12**     **13 April 2011**  
Associate Fellow criteria amended to include being on GMC Specialist Register rather than employed in NHS.
- Version 13**     **20 September 2011**  
Membership section amended to allow the College to transfer individuals to correct membership categories.
- Version 14**     **17 October 2011**  
Membership section amended to include eligibility criteria for Senior Follows Club.
- Version 15**     **8 February 2012**  
Wording related to the removal of a member of Council deleted from College Regulations as now included in ‘Removal of College Officers’ document.
- Version 16**     **18 September 2013**  
Part V amended to allow electronic ballot using Single Transferable Vote (STV). Part II amended to add third differentiator for seniority.
- Version 17**     **15 October 2014**  
Part IV rewritten.
- Version 18**     **19 April 2017**  
Part V amended to reflect vice presidents being elected in the same STV ballot conducted by our independent scrutineer.
- Version 19**     **16 May 2017**  
Part IV amended to allow the option of only voting online in Council elections and to reflect the change in the Ordinances allowing all trainees to vote in electing the Trainee member of Council and the change in eligibility for those standing for the Trainee places on Council.
- Version 20**     **15 November 2017**  
An extensive governance review resulted in a thorough overhaul of the Regulations.
- Version 21**     **18 July 2018**  
Updated to bring in line with the changes agreed at the 2018 AGM, and in particular creating a Board of Trustees separate to Council and establishing the Student and Foundation membership categories.
- Version 22**     **9 October 2019**  
Part IV amended to reference Ordinance 5.1.3(1) which sets out who can vote in Council elections.
- Version 23**     **20 December 2019**  
Part II (10)(1) c amended third differentiator for seniority.

# Annex 2: Board terms of reference

## Version control and review

<b>Version</b>	2017/1.0
<b>Owner</b>	<<Director's name>>
<b>Board approval</b>	<<Date>>
<b>Council approval</b>	<<Date>>
<b>Review due</b>	<<Date>>

## Purpose

<<Set out in succinct form the reason why the Board exists, its link to organisational strategy and interrelationships with other Boards>>

- Approving and inputting into directorate operational plans/budget setting/approving budget and staffing requests for next year/overseeing the operational plan/having reports from Directors and Managers/ having reports from committees/similar format agendas
- Scheme of Delegation

## Accountability to Council/Board of Trustees

The Board is accountable to and reports to the Council and Board of Trustees of the RCoA. The terms of reference for the Boards, and any subsequent amendments, will be reviewed and approved by Council/Board of Trustees.

## Groups reporting to the Board

The Board can create groups that are accountable to and report to it or its committees subject to the approval of both the Board and Council/Board of Trustees. The establishment of all committees can only be done with the approval of Council. They should have Terms of Reference that are compatible with the College's generic Terms of Reference for Committees, and that are reviewed annually. All groups reporting to a Board should provide regular reports to Board meetings. Groups should be one of three types:

- Standing Committee – a permanent group created to conduct or supervise work in an established and enduring area of College activity that forms a formal part of published College strategy. The activities of Standing Committees will be subject to annual financial review and formal performance review every three years.
- Working Group – a medium to long term group created to conduct or supervise work in an area of College activity that is supported by the Board and Council/Board of Trustees. The activities of Working Groups will be subject to financial and performance review every year, or at scheduled target completion date if less than one year.
- Task-and-Finish Group – a short to medium term group created to conduct or supervise work in a specified area of College activity that has a finite remit and a target completion date. The creation of the Group should be supported by the Board with Council/Board of Trustees being informed of its creation. The work of Task-and-Finish Groups will be subject to financial and performance review at its scheduled target completion date.
- Other groups can only be created with the express approval of Council/Board of Trustees, to include approval of its Terms of Reference and finances.

## Membership and Decision-Making

The Board shall comprise:

- A Chair and Vice Chair who are current RCoA elected Council members nominated by the President and approved by Council.
- No more than three additional RCoA Council Members nominated by the President and approved by Council.
- Officers and the CEO are *ex officio* members of the Board.
- The relevant Director, and other directorate managers as necessary for the conduct of Board meetings.
- All RCoA elected Council members and Trustees have the right to attend Board meetings.
- A lay representative.
- Others may be co-opted as necessary for the conduct of the Board meetings and approved by the Chair in consultation with the relevant Director. Tenure of membership of co-opted members should be reviewed annually and have a maximum term of 3+3 years.
- A member of the secretariat in attendance.
- Trainee and SAS member (if not covered in the above roles)

Chairs of the Board's Standing Committees, Working Groups and/or Task-and-Finish Groups may, from time to time, be invited to attend Board meetings.

The quorum for the Board shall be three RCoA elected Council members and Trustees. Decisions shall be made by consensus when possible. When this is not possible, the Chair may call for a vote in which only RCoA elected Council members and Trustees may participate. In the event of a tied vote, the Chair will have either the casting vote or the casting decision to be ratified by Council/BoT.

The tenure of membership for the Chair, Vice Chair and other Council members will be while they remain an elected Council member and up to three years, renewable for a second and final period of three years,.

The membership of co-opted members (including external representatives) is subject to annual renewal by the Board and will be up to three years, renewable for a second and final period of three years.

## Frequency of meetings

The Board will meet three to four times a year; additional meetings may take place under exceptional circumstances with the approval of the Board Chair and Director. Meetings can be held in person at the RCoA, although participation via audio or video is encouraged.

## Expenses

The reasonable travel, accommodation and subsistence expenses of those invited to attend Board meetings shall be met in accordance with published RCoA guidance. Those attending Board meetings as representatives of external organisations will not be offered expenses except with the Chair's and Director's prior knowledge and approval.

# Annex 3: Devolved nation boards terms of reference

*These terms of reference were agreed as the standard terms of reference for any national Board by Council in November 2016*

## TERMS OF REFERENCE

### Royal College of Anaesthetists [Insert name of Nation] Board

#### 1 Introduction

These Terms of Reference are to guide the workings of the Royal College of Anaesthetists [Insert name of Nation] Board ('the Board'). 'Anaesthesia' is used to include intensive care and pain medicine. In promoting high standards of training and practice in Anaesthesia, the Board will maintain a cohesive and consistent approach to all aspects of College core business across the UK, while acknowledging and ensuring active engagement in interacting with the increasingly divergent healthcare system in [Insert name of Nation].

#### 2 Responsibilities

- 2.1 To keep under review matters relating to training in, and the practice of, anaesthesia in [Insert name of Nation], and to make recommendations to Council in regard to any matter of direct relevance to [Insert name of Nation].
- 2.2 To undertake discussions and consultation with the health department of the [Insert name of Nation] Government on matters relating to training in, and the practice of, anaesthesia in [Insert name of Nation].
- 2.3 To arrange direct communication between the President of the RCoA with the Chief Medical Officer, the ministers and other officials of the [Insert name of Nation] Government and its subsidiary organisations.
- 2.4 Chair to attend Council either by election or by co-optation and to facilitate liaison between the specialty in [Insert name of Nation] and the College
- 2.5 Requests for representatives to relevant organisations in [Insert name of Nation] concerned with matters relating to training in, or the practice of, anaesthesia will be forwarded to Council with an appropriate nomination for approval by Council. The representative will provide reports of their activity to the Board and Council. This process will give the Board full access to administrative support by the Royal College without limiting effective representation.
- 2.6 The representation provided to the Academy of Medical Royal Colleges and Faculties in [Insert name of Nation] and to the [Insert name of Nation] Joint Consultants' Committee shall normally be by the Chair of the Board. [Delete/amend clause dependent on local circumstances].
- 2.7 To carry out any function associated with the delivery or monitoring of training of anaesthetists, or associated with the maintenance of professional standards in anaesthesia, in [Insert name of Nation] as are assigned and delegated to the Board by Council.
- 2.8 To liaise with the Offices of the President and the Chief Executive regarding the organisation of Elections to the Board.
- 2.9 To coordinate the process of RCoA nominations for any awards in [Insert name of Nation] on behalf of the President of the Royal College of Anaesthetists.



### 3 Constitution

- 3.1 The Board shall, subject to the resolution of Council, comprise some or all of the following members:
- a Any elected Member of Council working in [Insert name of Nation].
  - b Up to five elected Consultant members being Fellows working in [Insert name of Nation] who are on the specialist register of the GMC, elected by Fellows and Associate Fellows working in [Insert name of Nation].
  - c One elected member being a Fellow or Member working in [Insert name of Nation], who is a Staff or Associate Specialist (SAS), elected by SAS doctors working in [Insert name of Nation] if they can be identified failing that Fellows, Associate Fellows, Members and Associate Members working in [Insert name of Nation].
  - d One Trainee training in [Insert name of Nation] registered with the College holding the FRCA. To be elected by Anaesthesia Trainees training in [Insert name of Nation].

#### **Ex Officio Members**

- e The President, who may be represented by a Vice President.
- f The [Insert name of Nation] Regional Adviser(s) to the College.
- g One representative of the [Insert name of Nation] Intensive Care Regional Advisers nominated by those Regional Advisers and approved by the Chair of the Board.
- h One representative of the [Insert name of Nation] Pain Medicine Regional Advisers nominated by those Regional Advisers and approved by the Chair of the Board.
- i The Convenor of the [Insert name of Nation] Committee of the AAGBI.
- j The Honorary Secretary of the [Insert name of Nation] Society of Anaesthetists. [Delete if not applicable.]
- k The Anaesthetic Adviser to the Chief Medical Officer for [Insert name of Nation].
- l One lay member of the Patient Liaison Committee, normally resident in [Insert name of Nation], and selected in such a manner as shall be determined by College Council.
- m A Clinical Director or equivalent representative normally resident in [Insert name of Nation], and selected in such a manner as shall be determined by the Board.

#### **Co-opted Members**

- n The Board may co-opt such members or observers as it deems appropriate to assist it in its function.

#### **In attendance**

- o A representative of the College senior management (usually the Chief Executive or a director).
- p Administrative and secretarial support.

- 3.2 Members shall serve on the Board for the following periods:

- a The President and Regional Advisers shall serve for the duration of their terms in those offices.
- b Elected Members of Council shall serve for the duration of their term of office on Council so long as they remain working in [Insert name of Nation].
- c Elected members shall serve for a term of three years and shall be eligible for re-election for one further term of three years. The elected Specialty Trainee shall serve for a single term of up to three years. The elected Specialty Trainee will normally be expected to resign within one year of appointment as a consultant. Terms of office will normally commence in March.
- d A co-opted member or observer shall serve for the period prescribed by the Board.
- e Those present 'In attendance' as appropriate.

- 3.3 The Chair of the Board shall be appointed by the Board after consultation with the members of the Board, following a process approved by Council. The Chair shall normally be an elected member of the Board or an elected member of Council.

- 3.4 The term of office of the Chair shall normally be three years, subject to annual re-appointment. Extension beyond three years may be allowed at the discretion of Council.
- 3.5 The Board shall elect, from among its members, a Vice Chair to support the Chair and to deputise for the Chair where required. The Vice Chair shall be elected annually for a maximum of three years.
- 3.6 The Board shall elect from among its members an Honorary Secretary to provide professional support in organising, minute taking and discharging actions of its meeting. The Honorary Secretary shall be elected annually for a maximum of three years.
- 3.7 The quorum of the Board shall be 50 per cent or more of those board members identified in 3.1 a, b, c and d.

#### **4 Procedure**

- 4.1 The Board shall meet a normally a maximum of four times per year. Expenditure on any additional meeting must have the prior written sanction of the Finance Committee of the College.
- 4.2 The Board should be aware of the College's overarching strategy and look to implement it in [Insert name of nation].
- 4.3 The minutes of the meeting must go to Council for approval. Where any decision impinges upon the work or jurisdiction of another College committee, the views of that committee must be sought before the matter is brought to Council for approval.
- 4.4 The Chair will present minutes of Board meetings and other relevant workings of the Board to Council.
- 4.5 Any conflicts of interest must be asked for and declared at the start of each meeting.
- 4.6 The Board may, subject to the College's Charter, Ordinances and Regulations, make any standing order regulating its own procedure provided that these (or any subsequent amendments thereto) shall not take effect until approved by Council.
- 4.7 Subcommittees – Subject to the provisions of Section 15 of the Financial Regulations of the College, the Board may establish any sub-committee or sub-group with such terms of reference and so constituted as the Board may determine, to consider any matter falling within the Group's terms of reference and to report on that matter to the Group.
- 4.8 The Board shall review these Terms of Reference at the first meeting of each year and any changes must be ratified by Council.

#### **Royal College of Anaesthetists**

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