



# Regulations

October 2024

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# 1 Preliminaries

## 1.1 Citation and commencement

- 1.1.1 These Regulations shall be known as the Royal College of Anaesthetists Regulations and came into force from 16 October 2024.
- 1.1.2 These Regulations will be reviewed on an annual basis by the Board of Trustees.

## 1.2 Interpretation

1.2.1 Unless the context otherwise requires, in these Regulations:

1.2.1.1 The following words and phrases are as described below:

- 1.2.1.1.1 '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.];
- 1.2.1.1.2 '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;
- 1.2.1.1.3 'the Board of Examiners' means any Board of that name constituted in accordance with these Regulations;
- 1.2.1.1.4 '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;
- 1.2.1.1.5 'the Charter' means the Charter granted on 16 March 1992 incorporating the Royal College of Anaesthetists and as amended from time to time;
- 1.2.1.1.6 'Chief Executive Officer' means a member of the College Staff appointed by the Board of Trustees to carry out the functions of a Chief Executive Officer;
- 1.2.1.1.7 'Committee' has the meaning given in Part 7;
- 1.2.1.1.8 'election notice' means the notice required to be published by Regulation 4.3.5;
- 1.2.1.1.9 'the Examination Regulations' means the regulations of 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;
- 1.2.1.1.10 'full registration', 'limited registration' and 'Medical Register' have the meanings attributed to them in the Medical Act 1983 and subsequent amendments;
- 1.2.1.1.11 'Governance Team' means the members of staff working within the governance team of the College;
- 1.2.1.1.12 'intensive care' encompasses critical care and high dependency care, and any reference to critical care in the Ordinances includes the term "intensive care" as used in these Regulations;

- 1.2.1.1.13 Membership and Member refer to that category of College membership and College member defined in Ordinance 2.4(e); member of the College or membership of the College has the meaning ascribed by its use when referring to any category defined in Section 2.4 of the Ordinances;
  - 1.2.1.1.14 'the Ordinances' means the Ordinances scheduled to the Charter and as amended from time to time;
  - 1.2.1.1.15 '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;
  - 1.2.1.1.16 'SAS Council vacancy' means a vacancy on Council to which a Fellow or Member may be elected in accordance with the provisions of Part 4;
  - 1.2.1.1.17 'Specialist Register' means the register maintained by the General Medical Council;
  - 1.2.1.1.18 'Trainee Council vacancy' means a vacancy on Council to which a Fellow may be elected in accordance with the provisions of Part 4; and
  - 1.2.1.1.19 '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.
- 1.2.1.2 Words and phrases defined in the Charter or Ordinances have the meanings there attributed to them.

### 1.3 Role of Council and Board of Trustees

- 1.3.1 The Board of Trustees are the charity trustees of the College for the purposes of charity law. They have the general control and management of the administration of the College, with responsibility for the College's finances and assets, delivering the College's charitable objects, developing and implementing the College's strategy, and ensuring legal and regulatory compliance.
- 1.3.2 Council is the body responsible for the professional aspects of the specialty of anaesthesia, with responsibility for developing and implementing the College's policies on clinical and professional matters, and responding to current issues affecting professional practice and standards. Council also fulfils certain formal and ceremonial matters.
- 1.3.3 Where it considers it to be appropriate, the Board of Trustees may delegate its functions to Council under Ordinance 11.2, in accordance with Regulation 8.3.2.

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

### 2.1 Content of application

- 2.1.1 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.
- 2.1.2 The College reserves the right to review an individual's relevant circumstances and transfer to the appropriate membership category.

### 2.2 Honorary Fellowship

- 2.2.1 Persons in the following categories shall be eligible for election by Council to Honorary Fellowship of the College:
  - 2.2.1.1 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;
  - 2.2.1.2 members of the Royal Family; or
  - 2.2.1.3 other distinguished lay persons and benefactors of the College.
- 2.2.2 A proposal for the election of a candidate to Honorary Fellowship shall be made to the Nominations Committee in the first instance.
- 2.2.3 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 Council Members present at the meeting at which the vote is taken shall be declared to be elected for admission to Honorary Fellowship of the College.
- 2.2.4 An Honorary Fellow shall be admitted in accordance with the following procedure:
  - 2.2.4.1 at a meeting of Council, or on such other occasion as the Council may determine;
  - 2.2.4.2 a Fellow, who should normally be a Council Member designated by the President or a Vice President shall read out the citation of the candidate;
  - 2.2.4.3 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; and
  - 2.2.4.4 the President or Vice President shall welcome the Honorary Fellow who will then or as soon as is practicable be given their Fellowship Certificate.
  - 2.2.4.5 Award of Honorary Fellowship does not of itself indicate any proficiency in the practice of anaesthesia.

### 2.3 Fellowship by Examination

- 2.3.1 A person shall be eligible to become a Fellow of the College by examination who shall:
  - 2.3.1.1 have a qualification entitling them to full or limited registration in the UK Medical Register;
  - 2.3.1.2 comply with the Examination Regulations for eligibility to enter for the Final Part of the Fellowship examination;
  - 2.3.1.3 have passed the Final Part of the Fellowship examination of the College; and
  - 2.3.1.4 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.

- 2.3.2** 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:
- 2.3.2.1** 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;
  - 2.3.2.2** the candidate shall pay the prescribed fee for the Fellowship;
  - 2.3.2.3** 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; and
  - 2.3.2.4** the College shall give or deliver to the candidate the Diploma in the prescribed form as soon as is practicable.

## **2.4 Fellowship ad eundem**

### **2.4.1** Entry route:

- 2.4.1.1** 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:
  - 2.4.1.2** 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,
    - 2.4.1.2.1** In addition the conditions which must be satisfied by an applicant for the Fellowship ad eundem are that:
    - 2.4.1.2.2** the applicant is in practice in the United Kingdom in a substantive or honorary consultant post; and
    - 2.4.1.2.3** Council consider the applicant to have furthered the interests of the College.
- 2.4.2** 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.
- 2.4.3** An application for election to Fellowship ad eundem shall be accompanied by the following documents and such other matters as may be prescribed:
- 2.4.3.1** a declaration, in the prescribed form, signed by the applicant;
  - 2.4.3.2** a curriculum vitae of the applicant; and
  - 2.4.3.3** 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 Regulation 2.4.3.2.

- 2.4.4** 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.

- 2.4.5 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.
- 2.4.6 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 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.

## 2.5 Associate Fellowship

- 2.5.1 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.
- 2.5.2 A person who, in accordance with the provisions of Ordinance 2.4(b) 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.
- 2.5.3 An application for admission as an Associate Fellow shall be accompanied by the following documents and such other matters as may be prescribed:
- 2.5.3.1 a Declaration, in the prescribed form, signed by the applicant;
  - 2.5.3.2 a curriculum vitae of the applicant; and
  - 2.5.3.3 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 Regulation 2.5.3.2

- 2.5.4 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 Council Members 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 the Governance Team approve the applicant's admission, who shall thereby be admitted.
- 2.5.5 The Associate Fellow's name will be entered in the appropriate College register.
- 2.5.6 A Certificate shall be given or sent to the Associate Fellow so admitted as soon as is practicable.

## 2.6 Membership

- 2.6.1 Any person who meets the criteria specified in Ordinance 2.4(e), 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:
- 2.6.1.1 Part 1 of the previous three-part Fellowship examination of the Royal College of Anaesthetists;
  - 2.6.1.2 the Diploma in Anaesthetics of the Faculty of Anaesthetists of the Royal College of Surgeons of England (DA(UK));
  - 2.6.1.3 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);

- 2.6.1.4 European Diploma in Anaesthesiology and Intensive Care issued by the European Academy of Anaesthesiology or the European Society of Anaesthesiology;
  - 2.6.1.5 the primary examination of the Faculty of Anaesthetists of the Royal College of Surgeons;
  - 2.6.1.6 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;
  - 2.6.1.7 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;
  - 2.6.1.8 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.
- 2.6.2 An application for Membership shall be accompanied by the following documents and such other matters as may be prescribed:
- 2.6.2.1 a declaration, in the prescribed form, signed by the applicant;
  - 2.6.2.2 a copy of the diploma or pass letter for any examination not run by the College; and
  - 2.6.2.3 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.

No Fellow who is deprived of privileges, for whatever reason, shall be eligible, while so deprived, to sign a certificate for the purpose of Regulation 2.6.2.2.

- 2.6.3 Any application for Membership of the College shall be submitted to the President, or to one of the Vice Presidents or to such other Council Member 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 the Governance Team approve the applicant's admission, who shall thereby be admitted.
- 2.6.4 The Member's name will be entered in the appropriate College database.
- 2.6.5 A Certificate shall be given or sent to the Member so admitted as soon as is practicable.

## 2.7 Associate Membership

- 2.7.1 Any person who meets the criteria specified in Ordinance 2.4(f) and:
- 2.7.1.1 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 in a training programme recognised by the College or other post approved by Council for the purposes of this Regulation which may be full or part time;
  - 2.7.1.2 is not eligible for any other membership category of the College; and
  - 2.7.1.3 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.
- 2.7.2 An application for Associate Membership shall be accompanied by the following documents and such other matters as may be prescribed:
- 2.7.2.1 a declaration, in the prescribed form, signed by the applicant;
  - 2.7.2.2 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; and



**2.7.2.3** a certificate, signed by two Fellows of the College, (one of whom can be the person completing the signed statement referred to in Regulation 2.7.2.1) 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 Regulation 2.7.2.2.

**2.7.3** 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 Council Member 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 the Governance Team approve the applicant's admission, who shall thereby be admitted.

**2.7.4** The Associate Member's name will be entered in the appropriate College database.

**2.7.5** A Certificate shall be given or sent to the Associate Member so admitted as soon as is practicable.

## **2.8 Affiliate**

**2.8.1** Any person who meets the criteria specified in Ordinance 2.4(h), 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.

**2.8.2** 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:

**2.8.2.1** a declaration, in the prescribed form, signed by the applicant; and

**2.8.2.2** a declaration of their interest in anaesthesia, intensive care, pain medicine or perioperative medicine and reasons for seeking Affiliate membership.

**2.8.3** Any application for Affiliate membership of the College shall be submitted to the President, or to one of the Vice Presidents or to such other Council Member 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 the Governance Team approve the applicant's admission, who shall thereby be admitted.

**2.8.4** The Affiliate's name will be entered on the appropriate College database.

## **2.9 Medical Student or Foundation Year Doctor membership**

**2.9.1** Any person who meets the criteria specified in Ordinance 2.4(j) or (k), 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 Medical Student or Foundation Year Doctor member of the College.

**2.9.2** An application for Medical Student or Foundation Year Doctor membership shall be in the prescribed form, accompanied by the following documents and such other evidence as may be required by Council:

**2.9.2.1** a declaration, in the prescribed form, signed by the applicant; and

**2.9.2.2** a declaration of their interest in anaesthesia, intensive care, pain medicine or perioperative medicine and place of study or work.

**2.9.3** The Medical Student or Foundation Year Doctor member's name will be entered on the appropriate College database.

## **2.10 Senior Fellows and Members Club**

**2.10.1** The Senior Fellows and Members Club is open to all who have membership of the College or Faculties and who meets the criteria specified in Ordinance 2.4(l).

## 3 Rights, privileges, obligations and fees

### 3.1 Fees and Subscriptions

- 3.1.1 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.
- 3.1.2 There shall be no annual subscription payable by Honorary Fellows.
- 3.1.3 Other than those specified in Regulation 3.1.1 above, 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.
- 3.1.4 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.
- 3.1.5 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 Board of Trustees may delegate this power to the Finance and Resources Board.

### 3.2 Rights and Privileges of College members

- 3.2.1 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 Regulation 3.1.4.
- 3.2.2 The rights and privileges of Honorary Fellows shall include the following:
- 3.2.2.1 to use the description Fellow of the Royal College of Anaesthetists and the post-nominal FRCA;
  - 3.2.2.2 to receive copies of the College Bulletin; and
  - 3.2.2.3 to use the facilities of the College buildings.
- 3.2.3 The rights and privileges of Fellows by Examination and Fellows ad eundem shall include the following:
- 3.2.3.1 to use the description Fellow of the Royal College of Anaesthetists and the post-nominal FRCA;
  - 3.2.3.2 to vote in College elections for Consultant Council Members;
  - 3.2.3.3 to attend General Meetings and to speak and vote;
  - 3.2.3.4 to be nominated for election to Council Membership;
  - 3.2.3.5 to be appointed to a Board of Examiners;
  - 3.2.3.6 to be appointed a Regional or a Deputy Regional Anaesthesia Adviser or a College Tutor;
  - 3.2.3.7 to receive copies of publications the College may issue from time to time;
  - 3.2.3.8 to use the facilities of the College buildings; and
  - 3.2.3.9 to benefit from arrangements organised by the College for participating in continuing education and the recording of such participation.

**3.2.4** The rights and privileges of Associate Fellows shall include the following:

- 3.2.4.1** to describe themselves without abbreviation as an Associate Fellow of the Royal College of Anaesthetists;
- 3.2.4.2** to vote in College elections for Consultant and SAS Council Members;
- 3.2.4.3** to attend General Meetings and to speak and vote;
- 3.2.4.4** to receive copies of publications the College may issue from time to time;
- 3.2.4.5** to use the facilities of the College buildings;
- 3.2.4.6** to benefit from the arrangements organised by the College for participating in continuing education and the recording of such participation; and
- 3.2.4.7** to be appointed a College Tutor.
- 3.2.4.8** For the avoidance of doubt, membership in this category does not carry the right or entitlement to use any post-nominal letters

**3.2.5** The rights and privileges of Members shall include the following:

- 3.2.5.1** to describe themselves as a Member of the Royal College of Anaesthetists and to use the post-nominal of MRCA;
- 3.2.5.2** to be nominated for election to a SAS Council vacancy;
- 3.2.5.3** to vote in College elections for Consultant and SAS Council Members;
- 3.2.5.4** to attend General Meetings and to speak and vote;
- 3.2.5.5** to receive copies of publications the College may issue from time to time;
- 3.2.5.6** to receive advice and guidance with regard to training and a career in anaesthesia, intensive care or pain medicine;
- 3.2.5.7** to use the facilities of the College buildings; and
- 3.2.5.8** to benefit from the arrangements organised by the College for participating in continuing education and the recording of such participation.

**3.2.6** The rights and privileges of Associate Members shall include the following:

- 3.2.6.1** to describe themselves without abbreviation as an Associate Member of the Royal College of Anaesthetists;
- 3.2.6.2** to vote in College elections for Consultant and SAS Council Members ;
- 3.2.6.3** to attend General Meetings and to speak and vote;
- 3.2.6.4** to receive copies of publications the College may issue from time to time;
- 3.2.6.5** to receive advice and guidance with regard to training and a career in anaesthesia, intensive care or pain medicine;
- 3.2.6.6** to use the facilities of the College buildings; and
- 3.2.6.7** 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.

**3.2.7** The rights and privileges of Affiliates shall include the following:

- 3.2.7.1** to describe themselves without abbreviation as an Affiliate of the Royal College of Anaesthetists;
- 3.2.7.2** to receive copies of publications the College may issue from time to time;
- 3.2.7.3** 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;
- 3.2.7.4** to use the facilities of the College buildings; and

**3.2.7.5** 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.

**3.2.8** The rights and privileges of Medical Student and Foundation Year Doctor membership shall include the following:

**3.2.8.1** to describe themselves without abbreviation as a Medical Student or Foundation Year Doctor member of the Royal College of Anaesthetists;

**3.2.8.2** 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;

**3.2.8.3** to use the facilities of the College buildings; and

**3.2.8.4** 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.

**3.2.9** The rights and privileges of the individual members of the Senior Fellows and Members Club shall be the same as those to which the individual concerned was entitled under their previous category of membership held immediately prior to their admission to the Senior Fellows and Members Club, irrespective of whether or not the individual concerned continues to meet the criteria for admission to that particular category of membership.

### **3.3 Obligations of College members**

**3.3.1** All College members have the duty to observe the provisions of the College's Charter, Ordinances and Regulations.

**3.3.2** 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.

### **3.4 Modification, suspension or removal of rights and privileges**

**3.4.1** 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 these Regulations or in Ordinance 3.

**3.4.2** 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:

**3.4.2.1** 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;

- 3.4.2.2** 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 Council Member 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; and/or
- 3.4.2.3** 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 Council Member 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.

### **3.5 Register of members**

- 3.5.1** The Register of Fellows and Members and other membership categories is a matter of public record.

## 4 Election to and tenure and termination of membership of College Council

**4.1** Council shall have delegated responsibility from the Board of Trustees under Ordinance 11.2 and 13.1 for clinical, professional and health policy matters relating to the management of medical and other appropriately qualified healthcare practitioners in the practice of anaesthesia, and for such other matters as the Board of Trustees shall from time to time decide.

**4.2** Council shall consist of:

**4.2.1** The President, who shall be an elected Council Member, elected to the role of President in accordance with Part 5;

**4.2.2** The Vice Presidents, who shall be elected Council Members, elected to the role of Vice-President in accordance with Part 5;

**4.2.3** Normally, 20 Consultant members elected in accordance with this Part 4;

**4.2.4** Normally, two SAS members elected in accordance with this Part 4;

**4.2.5** Normally, four Trainee members elected in accordance with this Part 4; and

**4.2.6** co-opted Council Members, the number of which to be decided by Council in accordance with this Part 4.

### 4.3 Election to Council

**4.3.1** The Governance Team will invite all existing Council Members, who are not in the last year of their term of office, to confirm by (normally) June 30th that they wish to continue in post.

**4.3.2** The election of Council Members will be completed in December each year (providing there are vacancies to be filled).

**4.3.3** Any vacancies for Consultant, SAS and Trainee Council Members shall be filled by election, providing there are more eligible candidates than vacancies. Eligibility criteria for election to Council are specified in Ordinance 2.7 and Part 3 of these Regulations.

**4.3.4** If the number of eligible candidates for a Consultant, SAS or Trainee Council vacancy, or for any other Council vacancy, equals the number of vacancies for those roles, the candidates will automatically be elected to Council and take office as elected Council Members.

**4.3.5** Notice of election to Council:

**4.3.5.1** notification of all Council vacancies will be advertised on the College website and applications invited. The notification will also provide details concerning the relevant application procedure;

**4.3.5.2** the election process will be conducted by an independent organisation using a web based system;

**4.3.5.3** the College website and ballot information will clearly state the closure date for the election.

**4.3.6** Intention to stand:

**4.3.6.1** the receipt, hard copy or electronic, of a correctly completed application form, which must be signed by the candidate (an electronic signature is acceptable), at or before the specified closure date constitutes an intention to stand;

**4.3.6.2** all candidates will be invited to submit a personal statement. This would normally contain relevant autobiographical information as well as any other details the candidate may feel is relevant. Candidates will be invited to submit this statement electronically for inclusion in the ballot paperwork and thus there will be a defined submission date;

- 4.3.6.3 all candidates will be required to submit details of any conflicts of interest and confirmation of good standing with the General Medical Council, and any other information deemed essential;
  - 4.3.6.4 all candidates will be invited to submit other information deemed relevant by the College, e.g. a CV and recent photograph;
  - 4.3.6.5 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 Council Member while so deprived.
- 4.3.7 Nomination forms:
- 4.3.7.1 all candidates must obtain the support of three Fellows of the College (an electronic signature is acceptable);
  - 4.3.7.2 no Fellow who is deprived of any of their rights and privileges, for whatever reason, shall be eligible to signify their support, while so deprived;
  - 4.3.7.3 the College will not publish or otherwise make known the names of the Fellows supporting the candidates.
- 4.3.8 The Governance Team will validate the applications and prepare a final list of candidates. The list(s) (by vacancy type) will be ordered by date of receipt of valid application and contain candidates' full names, dates of fellowship (if appropriate) and current places of work.
- 4.3.9 The Governance Team 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.
- 4.3.10 A list of candidates and their election statements will be posted on the College website in support of the formal election process.

#### 4.4 Voting in Council elections

- 4.4.1 Entitlement to vote is:
- 4.4.1.1 as specified in Ordinance 2.7 and Part 3 of these Regulations; and
  - 4.4.1.2 no member of the College who is deprived of any rights or privileges for whatever reason shall be entitled to vote while so deprived.
- 4.4.2 Voting papers shall be sent electronically to all those entitled to vote:
- 4.4.2.1 a covering letter, signed by the Governance Team;
  - 4.4.2.2 a ballot paper; and
  - 4.4.2.3 details of completion of online ballot.
- 4.4.3 The covering letter shall include the following information:
- 4.4.3.1 the opening and closing dates of the election, which will be at least a calendar month apart;
  - 4.4.3.2 the list of candidates;
  - 4.4.3.3 a statement of the length of the term of service which the candidates if elected will be eligible to serve; and
  - 4.4.3.4 instructions as to the method of voting.
- 4.4.4 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:
- 4.4.4.1 the name of the College;
  - 4.4.4.2 the nature and date of the election;



- 4.4.4.3 the number of vacancies and which election the ballot relates to: Consultant, SAS or Trainee Council vacancies;
  - 4.4.4.4 the instructions as to the method of completing the ballot paper; and
  - 4.4.4.5 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.
- 4.4.5 Instructions to voters shall indicate:
- 4.4.5.1 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;
  - 4.4.5.2 it shall be permissible to vote for a smaller number of candidates than there are vacancies; and
  - 4.4.5.3 any other mark on the paper may invalidate the vote.
- 4.4.6 The counting of votes submitted will commence following closure of the ballot and be conducted by the designated independent organisation.
- 4.4.7 At the conclusion of the count the result of the election shall be transmitted by the independent organisation to the Governance Team who will inform the President or, in their absence, either of the Vice Presidents.
- 4.4.8 Candidates shall be elected in order of the most votes received. In the event that two or more candidates receive the same number of votes and there are insufficient vacancies for all to be elected (or if insufficient candidates receive any votes such that one or more vacancies remain), the College shall, as soon as reasonably practicable, repeat the election for the remaining vacancies in accordance with this Part 4.
- 4.4.9 At the conclusion of the count the result of the election shall be transmitted by the independent organisation to the Governance Team who will inform the President or, in their absence, either of the Vice Presidents.
- 4.4.10 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.

## 4.5 Tenure and termination of elected Council Membership

- 4.5.1 Except for the President and Vice Presidents, applicants who are elected in accordance with this Part 4 will become elected Council Members from the first Council meeting of the calendar year immediately following their election and shall hold office for the periods calculated in accordance with Ordinance 14 and with the relevant provisions of this Part 4. For the avoidance of doubt, a year shall be defined as the period of approximately a calendar year starting on the day of a Council Meeting and ending on the day before the following Council Meeting.
- 4.5.2 The President and Vice Presidents shall take office from the commencement of the Council meeting to be held in the September following their election and shall hold office for the periods calculated in accordance with Ordinance 15 and with the relevant provisions of Parts 4 and 5 of these Regulations.
- 4.5.3 Resignations
- 4.5.3.1 an elected Council Member may at any time tender their resignation before the date on which the completion of the term of office being served would take effect; and
  - 4.5.3.2 it is expected that any Council Member who ceases the clinical practice of anaesthesia, intensive care or pain medicine would normally demit office at the next election of Council.



**4.5.4** If any Council Member is absent from 50% or more of Council meetings held over a 12-month period, they may be asked to discuss the reasons for their absence. If, after this discussion, the other Council Members cannot satisfy themselves that there is good reason for the absence, they may bring a recommendation to the Board of Trustees that the individual's Council Membership be terminated in accordance with Ordinance 17.1.4 or 17.1.5.

## **4.6 Co-opted Council Members**

**4.6.1** Co-opted Council Members may be appointed to Council under Ordinance 16.

**4.6.1.1** Organisations entitled to representation on Council via a co-opted Council Member shall choose how they select that Council Member.

**4.6.1.2** Council may decide upon (and shall publish) the criteria and process for selecting a co-opted Council Member in order to meet a particular need.

**4.6.2** A co-opted Council Member shall hold office for as long as their role requires, subject to annual renewal.

**4.6.3** Subject to Regulations 4.6.4 and 4.6.5 below, co-opted Council Members shall not be permitted to vote on any issues before Council.

**4.6.4** Council Members co-opted to fill a vacancy will have the same voting rights as the Council Member whose absence created the vacancy would have held were they not absent.

**4.6.5** Elections for President, Vice-President and to the Board of Trustees

**4.6.5.1** Chairs of the Devolved Nations Boards shall be entitled to vote on all matters before Council except they shall not be entitled to vote in elections for President and Vice Presidents of the College or in elections of elected Council Members to the Board of Trustees, or in any matters relating to such elections.

**4.6.5.2** The Dean of the Faculty of Intensive Care Medicine and the Dean of the Faculty of Pain Medicine shall be entitled to vote on all matters before Council including elections of elected Council Members to the Board of Trustees, but shall not be entitled to vote in elections for President and Vice Presidents of the College or in any matters relating to such elections.

## 5 Election of President and Vice Presidents

- 5.1 The President and Vice Presidents of the College shall all be elected Council Members.
- 5.2 The elections shall take place in May. The President and Vice Presidents elected or re-elected shall take or resume office, as the case may be, at the commencement of either the Council or Board meeting, whichever is earlier, to be held in the September following their election and shall serve for a term of office as set out in Ordinance 15. If not re-elected, the current President and/or Vice Presidents shall stand down at the Council or Board meeting at which the new President and/or Vice Presidents take office.
- 5.3 The election of the President and Vice Presidents shall be by secret ballot, which may be conducted electronically.
- 5.4 The election for the office of President shall take place first and shall be followed by the election for the offices of Vice President.
- 5.5 In each election all elected Council Members are eligible to be nominated provided always that they have at least one year left of the maximum permitted term of office as set out under Ordinance 14.
- 5.6 In each election the voting shall be by single transferable vote (STV), by the method recommended by the College's independent scrutineers and circulated to Council Members in advance.
- 5.7 For the election of the President, the process is as follows:
  - 5.7.1 when the votes have been counted, if one candidate has received an outright majority that candidate shall be declared elected.
  - 5.7.2 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.
  - 5.7.3 If there is no outright majority at the end of this process, the candidate will be selected by drawing lots.
- 5.8 For the election of Vice Presidents, the process is as follows:
  - 5.8.1 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.
  - 5.8.2 The Governance Team shall calculate a quota, which shall be:
    - 5.8.2.1  $(\text{the number of validly submitted votes divided by (the number of vacancies plus one)})$ ;
  - 5.8.3 the votes shall be sorted according to the first preference votes;
  - 5.8.4 any single candidate who receives a number of first preference votes that equals or exceeds the quota shall be elected as Vice President;
  - 5.8.5 if no single candidate reaches the quota, votes will be transferred according to the STV rules circulated to Council in advance until all Vice Presidents have been elected;
  - 5.8.6 If there is no outright majority at the end of this process, the candidate will be selected by drawing lots.

## 6 Election to the Board of Trustees

- 6.1 The Board of Trustees shall have the composition as set out in Ordinance 7.2.
- 6.2 The election of Trustees from amongst elected Council Members shall take place between the first and third Council meetings of the year (which would usually be between March and July), in accordance with the following process:
  - 6.2.1 the process, timeline and vacancies shall be agreed each year by Trustees (usually at their December meeting) and communicated to Council as soon as possible thereafter;
  - 6.2.2 role descriptions will be approved by Trustees;
  - 6.2.3 election of Trustees will take place by secret ballot, which may be conducted electronically;
  - 6.2.4 eligible Council Members shall vote by single transferable vote (STV), by the method recommended by independent scrutineers and circulated to eligible Council Members in advance;
  - 6.2.5 if the number of vacancies is the same as the number of candidates, then no election will be called and each candidate shall be appointed to the role of Trustee;
  - 6.2.6 if the number of vacancies is more than the number of candidates, then no election will be called, each candidate shall be appointed to the role of Trustee, and a further process of election to the remaining places will be carried out;
  - 6.2.7 results of the elections shall be declared simultaneously to elected Council Members and the Board of Trustees;
  - 6.2.8 the start and duration of the elected Trustee's term of office shall be notified to them in a letter of appointment and they shall normally be offered an induction and training within the first three months of their term of office;
  - 6.2.9 Elected Council Members are not eligible to stand if they have already been elected as a Council Member for the maximum term of office or are in the last year of their maximum term of office;
  - 6.2.10 Chairs of Boards are eligible to stand. If elected, their term of office as Chair of a Board will terminate at the same time that their term of office as a Trustee begins.
- 6.3 Lay Trustees shall be appointed by the following process:
  - 6.3.1 vacancies shall be notified on the College website and advertised nationally;
  - 6.3.2 applications will be invited from individuals across the UK;
  - 6.3.3 candidates will be interviewed by a panel, chosen by the President, and consisting of:
    - 6.3.3.1 The President;
    - 6.3.3.2 One Vice-President;
    - 6.3.3.3 One other Trustee;
    - 6.3.3.4 One Elected Council Member who is not a Trustee;
    - 6.3.3.5 One or more Faculty Deans or deputies chosen by Faculty Deans;
    - 6.3.3.6 If invited by the President, the Chief Executive Officer and Relevant Director, who will not be voting members of the Panel;
  - 6.3.4 successful candidates may not start their term of office unless and until their appointment has been ratified by the current Board of Trustees, such ratification to be made either at their next Board meeting or in writing; and
  - 6.3.5 ratified candidates will be notified and appointed to the Board of Trustees, and their date of appointment and term of office shall be set out in a letter of appointment.
- 6.4 A Trustee's term of office shall be as set out in Ordinance 8.

- 6.5** The President's, Vice Presidents' and Treasurer's terms of office as ex officio Trustees shall run concurrently with their terms of office as President, Vice Presidents and Treasurer as the case may be.
- 6.6** A Trustee's term of office ends automatically if any one of the circumstances set out in Ordinance 9.1 arises. A Trustee may also be obliged to vacate their office under Ordinance 10.7.2 in the following circumstances:
- 6.6.1** the Trustee or a person connected to the Trustee (as defined under the relevant section of the Charities Act 2011) assumes a role which gives rise to an ongoing conflict of interest or loyalty which would be difficult or impossible to manage;
  - 6.6.2** a situation develops or circumstances arise under which the Trustee or a person connected to the Trustee (as defined under the relevant section of the Charities Act 2011) becomes aware of an ongoing conflict of interest or loyalty which would be difficult or impossible to manage;
  - 6.6.3** the Trustee or a person connected to the Trustee becomes a politically exposed person ('PEP'); or
  - 6.6.4** the Trustee or a person connected to the Trustee is placed on the UK Sanctions List.

## 7 Meetings of Council and its Procedures

### 7.1 Meetings and order of business

- 7.1.1 In accordance with Ordinance 18.1, there shall be at least six meetings of Council each year and the dates of the meetings of Council shall normally be communicated with a minimum of six weeks' notice.
- 7.1.2 Meetings shall be chaired by the President or, in their absence, a Vice President or, in the absence of any of these, the participating Council Members shall appoint one of their number to chair the meeting.
- 7.1.3 No business other than that included in the agenda shall be conducted at a meeting except at the discretion of the chair.
- 7.1.4 Co-opted Council Members may, on an exceptional basis, and with the prior approval of the President, be represented at a Council meeting by another individual, who shall be entitled to the same voting rights as the co-opted Council Member whom they are representing.
- 7.1.5 All Board and Committee minutes and all other reports to be received, and every notice of a resolution shall be submitted to the Governance Team not later than ten days before the date of the meeting. Any notice of a resolution submitted by a Council Member shall be in writing.
- 7.1.6 The chair shall include in the agenda all business submitted by the date specified in the preceding Regulation. Items submitted after that date may be included in the agenda at the chair's discretion.
- 7.1.7 Copies of the agenda and accompanying papers shall be sent to Council Members seven days in advance of the meeting.
- 7.1.8 Subject to the agreement of the President, the minutes of the meeting of a Board or Committee which are included in the agenda may include recommendations in the form of draft resolutions and, where they do, the submission of the minutes to the Governance Team shall be deemed to include the submission of draft resolutions which shall be included in the agenda as formal business.
- 7.1.9 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 executive team to introduce the item.
- 7.1.10 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 shall be adopted as a resolution for approval by Council.
- 7.1.11 When an amendment to an original resolution has been moved and seconded, no other amendment shall be moved until the first amendment shall have been disposed of. If an amendment is carried, the resolution as amended shall become the substantive resolution in place of the original resolution, and upon which a further amendment may be moved.
- 7.1.12 Council may adjourn a meeting to any day or any hour. Notice of the adjourned meeting shall be sent to every Council Member as appropriate.

### 7.2 Consideration of agenda items

- 7.2.1 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 conflict of interest or loyalty of any kind (e.g. financial, professional or otherwise) arising in relation to any item on the agenda. Where a relevant item has been disclosed the conflicted individual may, subject to the chair's discretion, remain during consideration of the item and participate in any debate concerning it, but may not vote.
- 7.2.2 Whenever possible, the chair should try to obtain a decision by consensus.

- 7.2.3** If a consensus is not possible and a decision is needed, voting shall be by a show of hands of voting Council Members present. Any matter so voted on shall be decided by a simple majority of the eligible voting Council Members present and voting unless the Regulations stipulate a different threshold. When, after a vote, if any voting Council Member so requires, the names of Council Members voting for or against any resolution shall be recorded in the minutes.
- 7.2.4** In the event of an equality of votes, the chair shall have a second, or casting, vote, except in the following cases:
- 7.2.4.1** a ballot for election to the office of President or Vice President; and
- 7.2.4.2** elections to the Board of Trustees,
- when the vote shall be dealt with in accordance with Part 5 and Part 6 of these Regulations respectively.
- 7.2.5** In the case of any question relating to a Council Member present being discussed, the Council Member concerned shall normally withdraw until the question has been determined or ceases to be under consideration, provided always that the Council Member concerned shall not be required to withdraw before they have been given an opportunity, if they so wish, of speaking on the matter.
- 7.2.6** The ruling of the chair on a point of order shall be final.
- 7.2.7** Every matter which may be determined by Council under this Regulation at a meeting, may alternatively be decided by a written resolution of the Council Members who would have been eligible to vote on the matter at a Council meeting. Such written resolution must:
- 7.2.7.1** be circulated to all of the elected Council Members and any co-opted Council Members who would have been eligible to vote on the matter if it were being decided at a meeting; and
- 7.2.7.2** be approved by a simple majority of the elected Council Members and co-opted Council Members who were eligible to receive the written resolution under Regulation 7.2.7.1 above.

## 8 Meetings of the Board of Trustees and its procedures

### 8.1 Meetings and order of business

- 8.1.1 In accordance with Ordinance 10.1, there shall be at least four meetings of the Board of Trustees each year, the dates of which shall normally be communicated with a minimum of six weeks' notice.
- 8.1.2 Meetings shall be chaired by the President or, in their absence, the Vice President or, in the absence of any of these, the Trustees shall appoint from amongst themselves someone to chair the meeting.
- 8.1.3 It shall be open to any Trustee to submit a resolution for consideration at a meeting. Any notice of resolution submitted by a Trustee shall be in writing.
- 8.1.4 No business other than that included in the agenda shall be conducted at a meeting except at the discretion of the chair.
- 8.1.5 All Board and Committee minutes and all other reports to be received by the Board of Trustees, and every notice of a resolution shall be submitted to the Governance Team not later than ten days before the date of the meeting.
- 8.1.6 The chair shall include in the agenda all business submitted by the date specified in the preceding Regulation. Items submitted after that date may be included at the chair's discretion.
- 8.1.7 Copies of the agenda and accompanying papers shall be sent to Trustees seven days in advance of the meeting.
- 8.1.8 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 Governance Team shall be deemed to include the submission of resolutions embodying draft resolutions which shall be included in the agenda of the meeting as formal business.
- 8.1.9 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 executive team, to introduce the item.
- 8.1.10 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 shall be adopted as a resolution for approval by the Board of Trustees.
- 8.1.11 When an amendment to an original resolution has been moved and seconded, no other amendment shall be moved until the first amendment shall have been disposed of. If an amendment is carried, the resolution as amended shall become the substantive resolution in place of the original resolution and upon which a further amendment may be moved.
- 8.1.12 The Board of Trustees may adjourn a meeting to any day or any hour. Notice of the adjourned meeting, if on another day, shall be sent to every Trustee.

### 8.2 Consideration of agenda items

- 8.2.1 Any Trustee, or any other person attending a Board of Trustees meeting in an observer capacity, shall disclose to the chair any relevant conflict of interest or loyalty of any kind and such conflict shall be dealt with in accordance with Ordinance 10.3, provided always that the Chair has discretion to exclude any person who is not a Trustee from the discussion of the topic in respect of which they have a conflict of interest.

- 8.2.2** All matters considered at a meeting of the Board of Trustees shall be decided by a simple majority of votes cast by the Trustees present at that meeting, in accordance with Ordinance 10.4 and 10.5, unless the matter concerns the removal of a Trustee, in which case a two-thirds majority of Trustees present at the meeting is required to vote in favour of the removal, in accordance with Ordinance 9.1. After a vote, if any Trustee so requires, the names of Trustees voting for or against any resolution shall be recorded in the minutes.
- 8.2.3** In the event of an equality of votes, the Chair shall have a second, or casting, vote, in accordance with Ordinance 10.5.
- 8.2.4** The ruling of the Chair on a point of order shall be final.

### **8.3 Delegation to Council**

- 8.3.1** The Board of Trustees are the charity trustees of the College for the purposes of charity law. They have the general control and management of the administration of the College, with responsibility for the College's finances and assets, delivering the College's charitable objects, developing and implementing the College's strategy, and ensuring legal and regulatory compliance.
- 8.3.2** The Board of Trustees may exercise all the powers of the College pursuant to paragraph (8) of the Charter and Ordinance 11.1. The Board of Trustees may delegate to the Council any of its functions relating to clinical, professional and policy matters in respect of the management of medical and other appropriately qualified healthcare professionals in the practice of anaesthesia, in accordance with Ordinances 11.2 and 13.1, and such delegation shall be recorded in a Scheme of Delegation.



## 9 Appointment of Chairs of Boards, and Meetings of Boards, Committees and Committee procedures

### 9.1 Chairs of Boards shall be appointed by the following process:

- 9.1.1 All elected Council Members shall be eligible.
- 9.1.2 Lay Trustees shall be eligible on an exceptional basis, subject to the agreement of Council.
- 9.1.3 Those who wish to stand for the role shall submit a statement of no more than 650 words (without hyperlinks) explaining their relevant skills and experience, based on the Role Description.
  - 9.1.3.1 Staff will draft (or update) the Role Description, including the qualities required.
  - 9.1.3.2 The current Board Chair and the President will amend and/or clear the Role Description.
- 9.1.4 An Appointment Panel will be convened. This should normally comprise:
  - 9.1.4.1 The President or a Vice President, who will chair the Panel;
  - 9.1.4.2 One extra elected Council Member;
  - 9.1.4.3 The current Board Chair (who will be an elected Council Member); and
  - 9.1.4.4 The Chief Executive Officer or relevant Director (non-voting).
- 9.1.5 If this combination of people is not available, the President may identify other Panel members whom they deem suitable.
- 9.1.6 The Panel will interview the candidates (unless there is only one candidate, in which case the Panel may nominate the candidate to Council without an interview, if they consider that the candidate is suitable) and then decide on the recommendation to be made to Council. In the event of a tied vote, the Chair of the Panel will have a second, casting vote.
  - 9.1.6.1 Interview questions will be based on good practice in recruitment, advised by the People Team.
  - 9.1.6.2 Interview notes will be kept by the Chief Executive's Office, following the College's information security policy.
- 9.1.7 Council may resolve to accept or reject this recommendation in a meeting or by email between meetings.
  - 9.1.7.1 If Council does not approve the Panel's recommendation, the Panel may offer another recommendation from amongst the candidates.
  - 9.1.7.2 If it is not possible to appoint a candidate, Council may, in their absolute discretion, choose between re-running the process or co-opting an individual who otherwise would have been ineligible. In the latter case, the appointment will be for one year only.

### 9.2 Meetings and order of business

- 9.2.1 For the whole of this Part 9 each body established under Ordinance 21 (for which the Board of Trustees or Council is wholly or partly responsible) as described in Regulation 9.2.2 including sub-paragraphs 9.2.3.1 and 9.2.3.2 of Regulation 9.2.3 will be referred to as a 'Committee', with the exception of the bodies which shall be referred to as Boards, covering the following areas:
  - 9.2.1.1 Education, Training and Examinations;
  - 9.2.1.2 Clinical Quality and Research;
  - 9.2.1.3 Membership, Media & Development;
  - 9.2.1.4 Finance and Resources.

- 9.2.2** The constitution, terms of reference, functions and powers of individual Boards, Committees, Sub-Committees, working parties and other subordinate bodies of the Board of Trustees or College shall be as prescribed by the Board of Trustees or Council, as appropriate, and shall be published and maintained on the College website.
- 9.2.3** The provisions of Regulation 9.2 shall not necessarily apply to:
- 9.2.3.1** any Committee or similar body on which the College has a joint membership with any other College, Faculty or Association; or
  - 9.2.3.2** any Committee or similar body in respect of which Council has delegated the appointment or election of some or all of its members to Fellows residing in a particular country.
- 9.2.4** The members of Boards and Committees shall normally be Trustees and/or Council Members but it shall be open to the Board of Trustees or Council to co-opt such additional Board or Committee members, whether or not Fellows or Members of the College, as it may determine provided that such co-opted Board or Committee members shall have no power to vote in the proceedings of the Board or Committee (unless specified by the Board of Trustees or Council).
- 9.2.5** The election or appointment of the Chair of each Committee of Board will be as set out in the relevant Committee or Board's terms of reference as published in accordance with Regulation 9.2.2.
- 9.2.6** The President and Vice Presidents shall be ex officio members of every Board and Committee.
- 9.2.7** The quorum of every Committee shall normally be three Committee members who are elected Council Members or Trustees, which may include ex-officio Committee members, provided that the terms of reference of individual Committees may make different provision in respect of each such Committee.
- 9.2.8** 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 executive team member provided that, if circumstances so require, the Board of Trustees or Council (as appropriate), President or Vice President shall have the power to summon a meeting of any Committee or Board.
- 9.2.9** In the event of the number of Board or Committee members attending a meeting of a Committee or Board being insufficient to form a quorum, the member or members of the Board or Committee present shall have power to fix a new date for that Committee or Board 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 of the appropriate Board or Committee.
- 9.2.10** It is the responsibility of the Board or Committee chair, or other person nominated for the purpose, to report the working of the Committee or Board to the Board of Trustees or Council meeting (as appropriate) and make clear what the recommendations of the Committee or Board are to the Board of Trustees or Council (as appropriate).
- 9.2.11** 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 (as appropriate) as part of the formal business of that body.

### **9.3 Consideration of agenda items**

- 9.3.1** 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 conflict of interest or loyalty of any kind (e.g. financial, professional or otherwise) arising in relation to an item on the agenda. Where a relevant item has been disclosed the conflicted individual may, subject to the chair's discretion, remain during consideration of the item and participate in any debate concerning it, but may not vote.

- 9.3.2 Whenever possible, the chair of a Board or Committee should try to obtain a decision by consensus.
- 9.3.3 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 or Board's terms of reference. Any matter so voted on shall be decided by a simple majority of the Board or Committee members present and voting. When, after a vote, any member of the Board or Committee so requires, the names of the Board or Committee members voting for or against any resolution shall be recorded in the minutes.
- 9.3.4 In the event of an equality of votes for or against a resolution, the Chair of the meeting shall have a second, or casting, vote.
- 9.3.5 In the case of any question relating to a Board or Committee member present being discussed, such member shall normally withdraw from the meeting until the question has been determined, or ceases to be under consideration, provided always that the Board or Committee member concerned shall not be required to withdraw before they have been given an opportunity, if they so wish, to speak on the matter.
- 9.3.6 The ruling of the Chair on a point of order shall be final.

## 10 Procedure at General Meetings

**10.1** All general meetings (whether annual general meetings or otherwise) shall be convened under Ordinances 5.3 and 5.6 by giving written notice in accordance with Ordinance 5.1 to each voting member at least 21 clear days before the date of the meeting.

**10.2** A general meeting requisitioned by voting members under Ordinance 5.7 shall normally be convened by the Board of Trustees by giving at least 7 clear days' written notice to each voting member of the meeting to be held on a specified date within 21 clear days of the date of delivery of the requisition.

### 10.3 Motions

**10.3.1** Notices of motion in accordance with Ordinances 5.5 and 5.8 shall include 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, subject to Regulation 10.3.2 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.

**10.3.2** Pursuant to Ordinance 6.11, motions dealing with any of the following matters shall be drafted as binding resolutions on the Board of Trustees or Council:

**10.3.2.1** any motion to remove a Trustee;

**10.3.2.2** any motion to remove a Council Member;

**10.3.2.3** any matters concerning the level of annual subscription; and

**10.3.2.4** any proposal to amend the Charter or Ordinances or to wind up the College.

**10.3.3** Notices of motion shall be signed by the Mover, or by the Mover and other members, in accordance with Ordinance 5.12, and shall be submitted to the Governance Team not later than the date specified in the Notice of Meeting given in accordance with Ordinance 5.1.

**10.4** Where a meeting is requisitioned by voting members pursuant to Ordinance 5.7, the Board of Trustees and the Council may submit their own motions for consideration at that meeting pursuant to Ordinance 5.13, or suggest any alterations or amendments to the motions submitted by the members requisitioning the meeting.

### 10.5 Conduct of Business

**10.5.1** Business at a General Meeting shall be in accordance with Charter 12 and 13, and Ordinances 5 and 6.

**10.5.2** Motions submitted by the Board of Trustees or Council or the Governance Team shall take precedence over notices of motion submitted by members, unless the meeting has been requisitioned by members under Ordinance 5.7.

**10.5.3** Where the Ordinances make no specific provisions, the Board of Trustees may prescribe the method of conducting the business of any general meeting, including the consideration of alterations, amendments or additions to any resolutions to be moved at the meeting.

## 11 Disciplinary process

- 11.1** A member shall be subject to disciplinary proceedings in accordance with Ordinance 4 if they are alleged to have:
- 11.1.1** been convicted of any criminal offence which in the opinion of Council or the Board of Trustees is inconsistent with the conduct required of members;
  - 11.1.2** failed to observe the Charter, Ordinances or Regulations of the College;
  - 11.1.3** engaged in any activity inconsistent with membership of the College;
  - 11.1.4** acted in a manner detrimental to the reputation of the College;
  - 11.1.5** been found guilty of any act or omission which might bring the profession of Anaesthetists into disrepute; or
  - 11.1.6** been involved in, subject to or otherwise engaged in such other matters as the Board of Trustees or Council considers from time to time is inconsistent with membership of the College.
- 11.2** Ordinance 4.1 sets out the procedure to be followed for disciplinary proceedings. The process for investigations, hearings and resolution of complaints against members shall be published and maintained on the College's website.

## 12 College Seal

- 12.1 The College Seal shall be in the form of the Arms of the College and shall be kept securely in the College premises or by approved suppliers.
- 12.2 The Seal shall be affixed only to such documents as is required by law or as may be directed by the Board of Trustees.

## 13 College medals, awards and prizes

- 13.1** 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.

## 14 Making, alteration and repeal of Regulations

- 14.1** The making, amendment and repeal of the Regulations by the Board of Trustees shall, in accordance with Ordinance 22, be effective as follows:
- 14.1.1** any elected Council Member, any Trustee or the Governance Team (as authorised representatives of the CEO) wishing to propose the making, alteration or repeal of a Regulation, may submit to the Governance Team, or the Board of Trustees in the case of the Governance Team, a draft resolution containing their proposal. Such a resolution, if made by an elected Council Member or Trustee, shall be signed by the mover and by a seconder, who shall be an elected Council Member or Trustee;
  - 14.1.2** if the resolution is passed by the Board of Trustees in accordance with Ordinance 22.1, 10.4 and 10.5, the alteration to the Regulations shall take immediate effect (unless otherwise specified);
  - 14.1.3** alternatively, the Board of Trustees may amend the resolution by a simple majority, and in order for the amendment to take effect it will need to be voted for in accordance with the procedure set out in the previous Regulation; and
  - 14.1.4** the Board of Trustees 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.
- 14.2** The most up to date version of the Regulations shall be kept on the College's website and this shall be the authoritative copy of the Regulations.



## 15 Tenure of appointment to designated College roles

- 15.1** The College may from time to time appoint to roles outside of Committee and Board structures to further the work of the College. All such appointments should normally (unless stated elsewhere and approved by the Board of Trustees or Council eg Examinations Regulations) be:
- 15.1.1** working to an agreed job description;
  - 15.1.2** initially for a period of three years;
  - 15.1.3** subject to a maximum extension of a further three years; and
  - 15.1.4** subject to satisfactory performance, which is regularly (at least annually) reviewed by the relevant Board or Committee chair, working with the relevant director of the College.
- 15.2** The Board of Trustees or Council will remain the final arbiter of all matters relating to the appointment to and dismissal from such College roles.
- 15.3** For the avoidance of doubt, the above does not apply to members of staff.

## 16 Schedule of declarations and certificates

### 16.1 Forms of declaration, diplomas, certificates etc

- 16.1.1 Formal declarations necessary for admission to the College and for undertaking duties on behalf of the College are set out in this Schedule of Declarations. The wording of other documents and approval of other duties will be determined by Council and the Governance Team from time to time.
- 16.1.2 The form prescribed in this Schedule of Declarations gives the minimum statement which must be present.
- 16.1.3 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.
- 16.1.4 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.

### 16.2 Wording of declarations, diplomas, certificates etc

- 16.2.1 Declaration of admission to any category of membership of the College (as set out in Ordinance 2.1):

'I do solemnly and sincerely declare that, while a [insert the type of 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 Council, having no reasonable excuse to the contrary, and will to the utmost of my power maintain the welfare and dignity of the College'

- 16.2.2 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.'

- 16.2.3 Declaration of a Council Member 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.'

- 16.2.4 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.'

- 16.2.5 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] as an Honorary Fellow As witness our Common Seal this [day, month, year] [signatures of President and Vice Presidents] Enrolled by [signature of the Chief Executive Officer or their representative],

**16.2.6 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 the Chief Executive Officer or their representative]],

**16.2.7 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].

**16.2.8 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 the Chief Executive Officer or their representative] [signature of Fellow],

**16.2.9 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 the Chief Executive Officer or their representative] [signatures of President and Vice Presidents] [signature of recipient of Diploma],

**16.2.10 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 the signature of the Chief Executive Officer or their representative] [Date],

**16.2.11 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 signature of the Chief Executive Officer or their representative] [Date],

**16.2.12 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 signature of the Chief Executive Officer or their representative] [Date]

## 17 Faculties and Joint Faculties

The status of Fellows and Honorary Fellows in any Faculty or joint Faculty instituted or established pursuant to Article 10 of the Charter, and the rights, privileges, conditions and restrictions applicable to such status shall be prescribed by the Board of Trustees or Council as appropriate and shall be subject to Ordinance 20.

Such status, rights, privileges, conditions and restrictions shall be published and maintained on the College website.

## 18 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 Council Member 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 the Chief 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 the Chief Executive Officer] [signatures of President and Vice Presidents] [signature of recipient of Diploma],
- Version 5** 16 October 2002  
Part XVII 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 ad Eundem 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 Council Member 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 Council Member 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.
- Version 24** 7 July 2021  
Part 6, Regulation 2 amended to permit written resolutions
- Version 25** 10 November 2021  
Part 2, paragraph (7)(1)(a) amended. Part 3, paragraph (2) amended and extended to clarify Trainee and SFMC status, rights and privileges.
- Version 26** 15 February 2023  
Updated to bring in line with the changes to the Charter and Ordinances agreed at the 2020 AGM and in particular to distinguish the different roles of the Board of Trustees and Council and to update the membership categories.
- Version 27** 15 January 2024  
Updated to correct minor historic drafting errors in the Rights, Privileges, Obligations and Fees section: (Part 3, paragraph (2)(3)(b)), Part 3, paragraph (2)(5)(c) and Part 3, paragraph (2)(6)(b)).
- Version 28** 16 October 2024  
Further substantive updates throughout to reflect current procedures and align with the provisions of the Charter and Ordinances, as amended in 2023, resulting from the College's governance review.

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