



**association of  
educational psychologists**

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**Members' Handbook**

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## CONTENTS

### PART 1: CONSTITUTION OF THE ASSOCIATION

A. NAME AND OFFICE ADDRESS.....	3
B. OBJECTS .....	4
Role of the Association in the workplace .....	5
Services to Members .....	5
Other Activities .....	5
C. REGULATIONS .....	7
D. INTERPRETATION OF THE CONSTITUTION AND REGULATIONS .....	8
E. ALTERATIONS TO THE CONSTITUTION .....	9
F. MEMBERSHIP .....	10
1. Full Membership.....	10
2. Trainee Membership .....	11
3. Affiliate Membership.....	11
4. Retired Membership .....	12
5. Assistant Membership.....	12
6. Special Notes .....	14
7. Code of Professional Practice.....	14
8. Intra-Association Disciplinary Code .....	14
G. LEGAL ADVICE, ASSISTANCE AND BENEFITS .....	15
H. ASSOCIATION GENERAL MEETINGS .....	16
I. NATIONAL EXECUTIVE COMMITTEE .....	19
J. GENERAL SECRETARY.....	25
K. EMPLOYMENT OF STAFF .....	27
L. BRANCHES.....	28
M. LOCAL REPRESENTATIVES .....	29
N. FINANCIAL ARRANGEMENTS, INVESTMENT AND PROPERTY .....	30
O. TRUSTEES.....	33
Appointment of Trustees .....	33
Eligibility for Appointment.....	33
Disqualification from Appointment .....	33
Duties of Trustees.....	34
CODE OF PROFESSIONAL PRACTICE: DISCIPLINARY PROCEDURES.....	35
1. Association Secretary.....	35
2. Investigatory Committee.....	36
3. Disciplinary Committee.....	36
4. Appeal Panel.....	38

5. Written Records .....39

INTRA-ASSOCIATION DISCIPLINARY CODE AND  
CONCILIATION PROCEDURE:

1. PRINCIPLES..... 40

2. PROCEDURES..... 41

    2.1 Action by the Association Secretary or Designated Officer .... 41

    2.2 Offer of Conciliation Procedure ..... 42

    2.3 Intra-Association Investigatory Committee ..... 43

    2.4 Intra-Association Disciplinary Committee ..... 43

    2.5 Appeal Procedure ..... 45

    2.6 Written Records ..... 46

Schedule 1

STANDING ORDERS FOR  
GENERAL MEETINGS OF THE ASSOCIATION..... 47

1. Quorum..... 47

2. Chairperson ..... 47

3. Motions. .... 47

4. Procedural motions ..... 49

5. Votes of Members ..... 49

6. Business of Meeting ..... 49

7. Closure ..... 49

8. Constitution of the Association..... 50

9. Suspension of Standing Orders ..... 50

Schedule 2

STANDING ORDERS FOR  
THE NATIONAL EXECUTIVE COMMITTEE..... 51

1. Quorum..... 51

2. Business ..... 51

3. Chairperson ..... 51

4. Agendas of the National Executive Committee ..... 51

5. Motions and Resolutions ..... 52

6. Points of Order ..... 52

7. Decisions ..... 52

8. Six Months Rule ..... 53

9. Dissemination of National Executive Committee Decisions ... 53

10. Suspension of Standing Orders ..... 53

Schedule 3

CODE OF PROFESSIONAL PRACTICE ..... 54

1. General ..... 54

2.	Professional Responsibility .....	54
3.	Qualifications .....	55
4.	Competence.....	55
5.	Confidentiality .....	55
6.	Research and Publication Precautions .....	56
7.	Advertising Canvassing and Recommendation .....	57
8.	Financial considerations .....	57
9.	Relationships with colleagues.....	58

**PART 2: REGULATIONS OF THE ASSOCIATION**

APPENDIX 1: TABLE OF BENEFITS .....	2
-------------------------------------	---

APPENDIX 2: ELECTORAL REGIONS .....	3
-------------------------------------	---

APPENDIX 3: LEGAL ADVICE AND ASSISTANCE SCHEME .....	5
Regulation 1 .....	5
Regulation 2: Qualifying Members .....	5
Regulation 3: Procedures for Applying .....	7
Regulation 4: Terms of Assistance .....	7
Regulation 5: Disclosure of Information .....	8
Regulation 6: Indemnity .....	8

APPENDIX 4:	
ROLES OF NATIONAL EXECUTIVE COMMITTEE MEMBERS .....	10
Role of the President .....	11
Role of Association Secretary .....	12
Role of Vice-President .....	12
Role of Honorary Treasurer.....	13
Role of the Chair Of Employment Policies Sub-Committee.....	14
Role of Chair of Professional Policies Sub-Committee.....	15
Role of the National Committee Member .....	16
Role of the Regional Representative .....	16
Role of the Newly Qualified Member.....	17
Role of the Trainee EP Member.....	17
Role of the General Member.....	18

APPENDIX 5:	
MANAGEMENT OF THE ASSOCIATION IN TIMES OF NATIONAL EMERGENCY.....	19

APPENDIX 6:  
 PROCEDURE FOR ELECTION OF NATIONAL EXECUTIVE  
 COMMITTEE MEMBERS ..... 20

1. Independent Scrutineer ..... 20
2. Voting Procedure ..... 20
3. Nominations ..... 20
4. Timetable ..... 20
5. Regions..... 20
6. Election Address ..... 21

APPENDIX 7:  
 DUTIES & RESPOSIBILITIES FOR THE POST OF GENERAL  
 SECRETARY ..... 22

APPENDIX 8:  
 PROCEDURE FOR ELECTION OF GENERAL SECRETARY ..... 26

- Nominations and Ballot ..... 26
- Election Addresses ..... 26

APPENDIX 9: MODEL BRANCH CONSTITUTION ..... 29

1. NAME: ..... 29
2. OBJECTIVES: ..... 29
3. MEMBERSHIP: ..... 29
4. BRANCH OFFICERS: ..... 30
5. ELECTION OF OFFICERS: ..... 30
6. MEETINGS: ..... 31
  - a) Annual General Meeting: ..... 31
  - b) General/Ordinary Meetings: ..... 31
  - c) Extraordinary General Meetings: ..... 31
7. FINANCES..... 32

APPENDIX 10:  
 GUIDANCE FOR CONDUCT OF DISCIPLINARY HEARINGS ..... 33

APPENDIX 11: PROTOCOL FOR CONCILIATION MEETINGS ..... 35

APPENDIX 12:  
 PROCEDURE FOR ELECTION OF A LOCAL REPRESENTATIVE ..... 37

APPENDIX 13:  
 PROCEDURE FOR ELECTION OF A TRAINEE REPRESENTATIVE . 38

APPENDIX 14: ROLE AND FUNCTION OF THE EDITORIAL BOARD	39
1. Purpose of Educational Psychology in Practice.....	39
2. Role and function of the Editorial Board.....	39
3. Composition of the Editorial Board.....	39
4. The function of the Editor.....	40
5. Selection of the Editor .....	40
6. The readership .....	41
7. The 'authorship'.....	42
8. Quality of control content.....	42
9. Publisher.....	42
APPENDIX 15: SUBSCRIPTIONS.....	43
1. Subscription Rates .....	43
2. Initial subscriptions and concessions .....	43
(d) Two-member households: .....	43
(e) Maternity Leave and Sick Leave:.....	43
3. Renewal of membership.....	44
GUIDELINES FOR METHODS OF PAYMENT OF SUBSCRIPTIONS.	45
1. Payment by Cheque.....	45
3. Payment by Standing Order .....	45
3. Payment by Direct Debit.....	45
4. Payment by Internet Card.....	46
APPENDIX 16:	
REGULATIONS FOR JOB SHARE POSTS ON THE NATIONAL	
EXECUTIVE COMMITTEE.....	47
APPENDIX 17: GUIDANCE ON CLAIMING EXPENSES .....	48
A. Introduction .....	48
B. General Principles .....	48
C. Travel Expenses .....	50
D. Accommodation Expenses .....	56
E. Subsistence Expenses .....	60
F. Other Expenses and Allowances .....	62
G. Conditions of Reimbursement of Expenses .....	63

## **PART 1**

# **CONSTITUTION OF THE ASSOCIATION OF EDUCATIONAL PSYCHOLOGISTS**





## **A. NAME AND OFFICE ADDRESS**

1. The Association shall be called the:

**ASSOCIATION OF EDUCATIONAL PSYCHOLOGISTS  
(A.E.P.)**

2. The Headquarters are situated at:

4 The Riverside Centre  
Frankland Lane  
Durham  
DH1 5TA

## B. OBJECTS

The objects of the Association shall be as follows:

### **Role of the Association in the workplace**

1. To associate those who work as educational psychologists in the regions defined in Appendix 2.
2. To provide means for the co-operation of educational psychologists and for the expression of their collective opinion upon matters affecting the interests of education and psychology and the profession of educational psychology.
3. To improve the pay and conditions of members and to promote their interests with respect to their employment.
4. To establish good relations between members and their employers, to secure satisfactory working conditions and adequate facilities in all such services, to settle disputes arising from members' employment and to protect the rights of members to be treated with dignity and respect irrespective of race, gender, sexuality, disability, age or creed.
5. To make recommendations on and participate in the training of educational psychologists; to maintain a high standard of qualifications for entry to the profession; to secure an acceptable form of self-government for the profession; to endeavour to raise the status of the profession and to ensure that those working as educational psychologists are fully qualified as such.
6. To afford advice, assistance and protection to members in matters affecting their professional and employment interests. The National Executive Committee reserves the right to consider whether support should be given for any matters relating to commercial or business, as opposed to professional, interests of self-employed members.
7. To promote equality for all including through collective bargaining, representation, organisation and structures (including branches), education and training, organising and

recruitment, the provision of all other services and benefits and all other activities and the Association's own employment practices.

8. To oppose actively all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion or belief, colour, class, caring responsibilities, marriage and civil partnership, sexual orientation, pregnancy or maternity, gender reassignment, disability, age, or other status or protected characteristic under the Equality act 2010.
9. To promote the development and well-being of children and young people.

### **Services to Members**

10. To organise and sponsor courses relevant to the practice of educational psychology.
11. To ensure the production of a professional journal and to disseminate to members of the public general information and data relating to educational psychology.
12. To secure legal advice and assistance to members in legal and regulatory cases arising out of or in the course of their professional life. In every case where legal assistance is granted, the NEC shall determine the form, the extent and the conditions under which it is given.

### **Other Activities**

13. To liaise with all levels of national government, local government and other public or private organisations concerned with psychological or educational affairs. To promote and monitor legislation for the benefit of members and the public and to take such action as is necessary to seek to ensure that government policy, legislation and its interpretation are compatible with the best interests of educational psychologists and their clients.

14. To provide an indemnity (so far as may be lawful) to employees, office holders and trustees of the Association whilst engaged in Association Business.
15. To provide for the acquisition, sale and control of property and for the investment and/or borrowing of money.
16. To make contributions to non-political or charitable bodies (at the discretion of the National Executive Committee).
17. The Association shall be affiliated to the Trades Union Congress and to the General Federation of Trade Unions.
18. To work with all other interested parties, individuals and organisations to maintain and improve the quality of service to the public.
19. To secure adequate financial and other resources for the full development of the publicly provided educational psychology service.
20. To establish and to administer for members of the Association:
  - (a) a Code of Professional Practice and associated disciplinary procedure;
  - (b) an Intra-Association Disciplinary Code and associated disciplinary and conciliation procedure.
21. To perform such other duties and engage in such other lawful actions as are incidental or conducive to the attainment of the above Objects.

## C. REGULATIONS

The National Executive Committee may create Regulations for the administration of the Constitution and in relation to the benefits and assistance afforded to members. The Regulations will be appended to the Constitution.

The National Executive Committee has the power to delete or make any amendment to the Regulations, including those which may be necessary as a result of a resolution of an Annual or Extraordinary General Meeting. Any amendment to the Regulations will be notified in writing to all members.

## **D. INTERPRETATION OF THE CONSTITUTION AND REGULATIONS**

1. The National Executive Committee has the absolute power to provide for any case in which the constitution is silent.
2. The National Executive Committee has the absolute power to interpret the constitution in the event of any doubt, conflict or dispute concerning it.
3. Any question arising from the interpretation by the National Executive Committee of the constitution may be raised by a member as a motion, properly proposed and seconded, to the Annual General Meeting.

## **E. ALTERATIONS TO CONSTITUTION**

1. Any proposed changes to the Constitution of the Association that have been carried at a General Meeting of the Association by at least two thirds of those members voting at that meeting, must be ratified by a ballot of all voting members and shall only take effect if at least two thirds of members voting in the ballot are in favour
2. The National Executive Committee shall have the power to make consequential changes to the Constitution as a result of any changes made to the Rules.

## F. MEMBERSHIP

Membership is open to those who are fully qualified as educational psychologists as defined below and Trainee membership is open to those who are currently following a course of post-graduate professional training in educational psychology accredited by the Health and Care Professions Council. Membership as an Assistant Educational Psychologist is open to those who meet the relevant criteria set out in Paragraph 5 below.

### 1. Full Membership

Full membership shall be open to anyone who

- (a) has been accepted on the register of the Health and Care Professions Council as an educational psychologist, and
  - (b)
    - (i) is employed as an educational psychologist by a local authority in the regions defined in Appendix 2 or is practising as an educational psychologist in the regions defined in Appendix 2 and the National Executive Committee is satisfied that the individual is carrying out the duties of an educational psychologist or
    - (ii) is the Association's General Secretary.
- and (c)
- (i) has acquired qualifications to practise as an educational psychologist following successful completion of a course of professional training in educational psychology approved by the Health and Care Professions Council or
  - (ii) has acquired qualifications to practise as an educational psychologist gained wholly or partly outside the United Kingdom and who satisfies the National Executive Committee that such



qualifications are equivalent to those in (c) above;

**Notes:**

- (i) Tutors to recognised courses of post-graduate training for educational psychologists who meet the entry requirements for full membership above, and who still, as an integral part of their duties, continue to work in the role of an educational psychologist may be full members of the Association.
- (ii) Members seconded from a substantive post defined as in item (b) (i) above shall continue to be eligible for full membership during the period of such secondment up to a period of two years irrespective of the nature of the individual's temporary duties.

## **2. Trainee Membership**

Trainees following approved courses of post-graduate training as educational psychologists, accredited for this purpose by the Health and Care Professions Council, may be considered for membership of the Association in the category of Trainee. Such membership will be for the normal period of the duration of the training course involved.

**Notes:**

- (i) In exceptional circumstances and at the discretion of the NEC, a member may be permitted to remain in the Trainee category of membership beyond the normal duration of the training course,
- (ii) Members in the Trainee category are required to inform the Association immediately of the successful completion of all course requirements.

## **3. Affiliate Membership**

Affiliate membership shall be open to anyone who

- (a) has been a full or affiliate member of the Association but does not fulfil the requirements of Clause F1(b) (i) or (ii). Or

(b) fulfils the requirements of Clause F1(a) and F1 (ci) or (cii) but does not fulfil the requirements of Clause F1(b) (i) or (ii).

Affiliate members are not entitled to legal assistance save as provided for in Appendix 3, Regulation 2 (2.4), and they do not have voting rights. They shall transfer to full membership as soon as they fulfil the requirements of Clause F1(b) (i) or (ii).

**Notes:**

- (i) In the case of educational psychologists seeking affiliate membership registration with the HCPC is not required. However affiliate members who obtain employment as an educational psychologist or who commence practising as an educational psychologist within the regions defined in Appendix 2 must register with the Health and Care Professions Council and will thereupon transfer to full membership.

**4. Retired Membership**

Retired membership shall be available to full and affiliate members who have retired from the profession. Retired members are not entitled to legal assistance or to have voting rights but may hold Branch office.

**5. Assistant Membership**

Assistant membership shall be open to anyone who:

- (a) Is employed within an appropriate workplace setting managed and/or supervised by a qualified HCPC registered Educational Psychologist.
- (b) Is paid on Soulbury Scale for Assistant Educational Psychologists or equivalent
- (c) Possesses an honours degree in psychology or an equivalent qualification which would be acceptable to the British Psychological Society as the graduate basis for Chartered Membership (GBC).

**Note:** This category of membership will last for a maximum of 4 years except in exceptional circumstances.

## 6. Special Notes

- (i) An application for membership shall be in a form approved by the National Executive Committee and shall be sent to the Association General Office.
- (ii) Following receipt, membership applications will be processed by the Association General Office as soon as possible and following any necessary checks applicants will then be admitted to the appropriate category of membership. Any applications that are considered not to meet the admission criteria will be referred to the next meeting of the National Executive Committee for this recommendation to be confirmed (or otherwise). Members will be notified of the date on which they were accepted into membership. From the date of their admission new members will be eligible to receive the Association's regular mailings and journals. Eligibility for legal support and advice is as set out in Appendix 3. Legal support and advice to members for matters preceding membership will be at the sole discretion of the National Executive Committee.
- (iii) Former members seeking restoration of membership may be readmitted from the date of receipt of the appropriate subscription, subject to meeting the requirements of the category of membership to which they are seeking admission.

and

The lapsed membership is not the result of expulsion from the Association. Such persons can only re-apply for membership in accordance with the procedures for the Implementation of the Association's Code of Professional Practice.

- (iv) Those refused admission to any category of membership have the right of appeal to the National Executive Committee.

- (v) Upon admission into membership members will be required to observe the rules of the Association and to pay the appropriate subscription by the due date as defined in Appendix 13 of the Regulations.
- (vi) Membership of the Association is subject to the payment of subscriptions as agreed. Where a subscription remains unpaid the member will be notified that their membership will lapse unless their subscription is paid by a given date,
- (vii) Members expelled under Clause 3.8 of the Disciplinary Procedures of the Code of Professional Practice and/or Clause 2.4.7 (f) of the Intra-Association Disciplinary Code will cease to be entitled to any benefit of the Association from the date of their expulsion.
- (viii) Each voting member shall be allocated to the electoral region determined by principal place of work. In the case of members in private practice, place of work will be assumed to be the address for correspondence notified to the Association unless the member specifies otherwise.
- (ix) Alterations to the Constitution will be notified to members via the Association's website.

## **7. Code of Professional Practice**

Members shall follow the Association's Code of Professional Practice as described in Schedule 3. Breaches or alleged breaches of this Code will be dealt with under the appropriate disciplinary procedures as printed in the Handbook.

## **8. Intra-Association Disciplinary Code**

Members shall abide by the Intra-Association Disciplinary Code. Breaches or alleged breaches of this Code will be dealt with under the appropriate disciplinary and conciliation procedures as printed in the Handbook.

## **G. LEGAL ADVICE, ASSISTANCE AND BENEFITS**

The benefits which members are eligible to receive are as described in Table of Benefits (Appendix 1) and Appendix 3.

## H. ASSOCIATION GENERAL MEETINGS

1. Subject to inquoracy as governed by Clause H9, the Annual General Meeting is the supreme decision-making body of the Association.
2. The purpose of the Annual General Meeting is to receive reports of officers and the General Secretary as in Clause H 3 below and to debate motions received from the National Executive Committee and the membership.
3. An Annual General Meeting of the Association shall be held on a date not later than 31st December at which the following business shall be transacted:-
  - (a) Report of Association Secretary, which shall include the record of attendance of members at National Executive Committee Meetings
  - (b) Report of Honorary Treasurer, which shall include the report of the F&O Sub-Committee.
  - (c) Report of General Secretary
  - (d) Report of Chairs of PPSC and EPSC
  - (e) A statement of the election to the National Executive Committee
  - (f) Reports from Branches
  - (g) Report of Editor
  - (h) Motions for debate.
4. At least twenty-one days' notice of each Annual General Meeting and of the business to be transacted shall be given to all members and to the Association's Auditors.

5. Those eligible to attend, speak and vote at an AGM are shown in the Table of Benefits (Appendix 1).
6. An Extraordinary General Meeting of the Association may be summoned at any time by the National Executive Committee or by the President and Association Secretary, and an Extraordinary Meeting of the Association shall be summoned following a request in writing to the Association Secretary of not less than thirty full and/or trainee members, such meeting to be arranged at a time and place to be determined by the National Executive Committee but not later than two calendar months (excluding August) after the next National Executive Committee meeting following the date upon which the request is received.
7. At least fourteen days' notice of an Extraordinary General Meeting and of the business to be transacted shall be given to all members and to the Association's Auditors, as appropriate.
8. All members shall be entitled to receive notice of, to attend and to speak at Annual General and Extraordinary General Meetings of the Association, which shall be private to members. Only full ,trainee and assistant members shall be entitled to vote.
9. The quorum necessary for the transaction of business shall be fifty full members, who shall be full, trainee and assistant members, and no business shall be transacted at any such meeting unless a quorum be present within fifteen minutes of the commencement of the meeting.
10. Voting at General Meetings of the Association shall only be in person. Resolutions passed at General Meetings shall be binding on the Association only if at least two thirds of those voting are in favour and if the motion is subsequently carried by a simple majority in a ballot of all voting members. When a resolution at a General Meeting is passed by a simple majority only, it shall be referred to the National Executive Committee for consideration.

11. The National Executive Committee of the Association may ballot voting members on any issue. Members must be informed of the result of such a ballot.
12. No video or audio recording device shall be used by any member to record all or part of any General Meeting of the Association without informing the Chair who will seek the consent of the meeting.
13. The business of General Meetings shall be conducted in accordance with the Standing Orders of such meetings contained in the Constitution of the Association.
14. In the event of inquoracy of a General Meeting or on the expiry of the time limits specified in Standing Order 7 all outstanding business shall stand referred to the National Executive Committee for determination.



## I. NATIONAL EXECUTIVE COMMITTEE

1. The duties of the National Executive Committee shall consist of the management of the affairs of the Association. The National Executive Committee shall have authority over the Branches of the Association.
2. The National Executive Committee shall comprise the following all of whom must be either full or trainee members of the Association and, in the case of the regional elected members, a full or trainee member of that region (as defined in Appendix 2).
  - (a) President.  
(automatic assumption of two-year term of office following completion of term as Vice-President)
  - (b) Vice-President  
(nationally elected to a two-year term of office)
  - (c) Association Secretary.  
(nationally elected to a four-year term of office)
  - (d) Honorary Treasurer.  
(nationally elected to a four-year term of office)
  - (e) Chairperson of Employment Policies Sub-Committee.  
(nationally elected to a two-year term of office)
  - (f) Chairperson of Professional Policies Sub-Committee.  
(nationally elected to a two-year term of office)
  - (g) Two National members.  
(nationally elected to a two-year term of office)
  - (h) Ten Regionally Representatives  
(regionally elected to a two-year term of office) (These posts may be filled by two members elected jointly)

- (i) One Trainee Member (*This post may be filled by two members elected jointly*)

**Note:** This post is open to anyone who is a trainee member of the Association at the time of the election.

- (j) "One Newly Qualified Member" (This post may be filled by two members elected jointly)

**Note:** This post is open to any member of the Association who at the time of the election has been qualified for no more than 2 years.

- (k) The President, Vice-President, Association Secretary, Honorary Treasurer, Chairperson of Employment Policies Sub-Committee, Chairperson of Professional Policies Sub-Committee shall be the designated Officers of the Association.

The roles of National Executive Committee members are described in Appendix 4.

3. Eligibility for membership of the National Executive Committee shall be as defined in the Table of Benefits (Appendix 1).
4. The procedures governing the election of the NEC shall be as described in Appendix 5.
5. The dates, times and venues of meetings of the National Executive Committee will be determined by the President and Association Secretary subject to Schedule 2, Standing Order 2 for the Conduct of Business of the NEC.

## 6. Sub-Committees

- (a) There shall be three Sub-Committees of the National Executive Committee which shall be the Finance and Organisation Sub-Committee, the Professional Policies Sub-Committee and the Employment Policies Sub-Committee. The Finance and Organisation Sub-Committee shall be chaired by the Honorary Treasurer. Chairpersons of the Professional Policies Sub-Committee and the Employment Policies Sub-Committee shall be as elected by the membership. In addition to the Chairperson each

- Sub-Committee shall consist of at least three members of the National Executive Committee.
- (b) The business of each sub-committee shall be determined by referral by the National Executive Committee and/or the Sub-Committee chair may raise items or accept items referred directly by any member of the NEC that the chair considers relevant or appropriate.
  - (c) The chair of each Sub-Committee shall have responsibility for reporting Sub-Committee recommendations to the NEC. The NEC may endorse the recommendation, refer the matter back to the Sub-Committee for further consideration or decide to take no further action.
  - (d) Each Sub-Committee shall have such executive functions as may be delegated to it by the full National Executive Committee.
7. In circumstances of national emergency, or of national industrial action disrupting normal channels of communication and/or transport, or other national crises which are beyond the control of the Association, an Emergency Action Committee of President, Association Secretary and Honorary Treasurer shall take whatever emergency decisions are required. Such decisions shall be reported to the next meeting of the National Executive Committee.
  8. The Association Secretary and Honorary Treasurer shall be elected for a four-year period. The Vice-President shall be elected for a two-year period to be followed by a two-year period as President. The Association Secretary's four-year term shall begin *on 1 December*, two years after the beginning of the Honorary Treasurer's four-year term of office.
  9. The Chairpersons of the Professional Policies and Employment Policies Sub-Committees shall be elected for a two-year period, such elections to be coincident with the elections of the Association Secretary and Honorary Treasurer.
  10. National members shall be elected for a two-year period, with elections to be held for each post in alternate years.

11. Regional Representatives shall be elected for a two-year period, Five to be elected in any one-year and five the following year.
12. The Trainee and Newly Qualified Members shall each be elected for a two-year period, with elections to be held in alternate years.
13. Any member of the National Executive Committee shall be eligible for re-election at the end of their term of office, i.e. the 30 November at completion of their term.
14. Candidates for election to the National Executive Committee shall be full or trainee members of the Association. The Association Secretary shall notify Association members of the last date for receipt of nominations in accordance with current legislation.
  - (a) Any two full; assistant or trainee members of the Association may nominate candidates for national election as officers or members of the National Executive Committee by depositing with an independent scrutineer the names of such candidates in writing, together with the written consent of the nominees to accept office if elected.
  - (b) Any two full, assistant or trainee members from an electoral region may nominate a candidate (or in the case of members seeking joint election to a post 2 candidates) for election as representative of that same region on the National Executive Committee by depositing with an independent scrutineer the name of such a candidate (or candidates) in writing, together with the written consent of the nominee to accept office, if elected. In the case of joint candidates it is permissible for the candidates to have different proposers and/or seconders.
  - (c) Any two full, assistant or trainee members may nominate a candidate (or in the case of members seeking joint election to a post 2 candidates) for election as a Trainee or Newly Qualified Member on the National Executive Committee by depositing with an independent scrutineer the name of such a candidate (or candidates) in writing, together with the written

consent of the nominee to accept office, if elected. In the case of joint candidates it is permissible for the candidates to have different proposers and/or seconders.

- (d) Each voting member may make only one nomination for each vacancy.
15. The voting for the election of all members of the National Executive Committee shall be by secret postal ballot of full; assistant and trainee members of the Association as shown below. Such an election will be supervised by a qualified independent scrutineer appointed by the Association in accordance with legislative requirements.

At an election to fill vacancies on the National Executive Committee each voting member shall be entitled to cast one vote in respect of

- (a) a candidate (or candidates) to represent the region to which the voting member has been allocated (as specified in Appendix 2)
  - (b) each vacancy for a nationally elected representative
  - (c) each vacancy for an officer.
16. Each election shall be decided by single transferable vote. The number of votes cast for each candidate shall be announced to members of the Association.
17. Vacancies on the National Executive Committee occurring three months or more before the *30 November* shall be filled through by-election to complete the unexpired period of the term of office, unless that itself is less than six months. If, at any election other than a by-election, no nominations are received for a position on the National Executive Committee, then a by-election shall be held immediately; if this still results in no nominations the matter shall stand referred to the National Executive Committee who shall decide on the further course of action in order to fill the vacancy on the National Executive Committee.

18. The National Executive Committee shall meet as and when necessary for the transaction of Association business and there shall be at least four such meetings in each year. All members of the National Executive Committee shall receive at least seven days' notice of meetings of that body. A quorum for the transaction of business at such meetings shall be six National Executive Members.
19. Minutes of the National Executive Committee meetings shall be made available to all members of the Association as soon as practicable following the meeting at which they are approved.
20. The business of meetings of the National Executive Committee shall be conducted in accordance with the Standing Orders (Schedule 2) of such meetings contained in the Constitution of the Association.
21. In between meetings of the National Executive Committee, if an urgent matter arises a decision can be taken on behalf of the National Executive Committee by the Association Secretary with the endorsement of the President, and/or the Vice-President and/or the Honorary Treasurer. Any decision must be subject to the ratification of the National Executive Committee at its next meeting.

## J. GENERAL SECRETARY

1. A General Secretary shall be nationally elected by full, assistant and trainee members of the Association.
2. The General Secretary shall be a full-time paid employee of the Association with salary and conditions of service as determined by the National Executive Committee.
3. The General Secretary will not be a member of the National Executive Committee and shall attend meetings in a non-voting capacity. The General Secretary has a right and an obligation to attend,
4.
  - (a) Nominees for the post of General Secretary shall be qualified educational psychologists with a minimum of 5 years' full membership of the Association within the immediate past 7 years except that time spent in employment as the Association's General Secretary shall be counted towards the required 5-year period of full membership.
  - (b) Nominations for the post of General Secretary shall be supported by the signatures of 20 members who shall be full, assistant or trainee members. A member may only make one such nomination.
  - (c) Nominations shall be received by an independent scrutineer who shall conduct a secret postal ballot of full, assistant and trainee members of the Association in accordance with legislation prevailing at the time of election.
  - (d) The national election of General Secretary shall be by the process of single transferable vote.
  - (e) The period of office for the General Secretary shall be 4 years from the date of the date of election (or re-election) to the position of General Secretary subject to the provisions of Clause J.4(k) below.

- (f) A retiring General Secretary may seek re-election subject to receiving nominations according to Clause J.4 (b).
  - (g) The election of a new General Secretary shall commence with a call for nominations no later than 6 months before the existing period of office expires.
  - (h) The full range of duties and responsibilities and powers are as set out in Appendix 6.
  - (i) The rules for the conduct of the election of the General Secretary are set out in Appendix 7.
  - (j) In the event of a General Secretary leaving office prematurely for any reason a new election shall be called immediately. The period of office for the then-elected General Secretary shall be 4 years the date of election (or re-election) to the position of General Secretary subject to the provisions of Clause J.4(k) below
  - (k) Notwithstanding Clauses J1 & J 4 (e) above, the National Executive Committee is empowered to decide that re-election is not required in circumstances where each of the following criteria are met:
    - i) The incumbent General Secretary would reach state pension age within five years of the date on which (other than by exercise of the power referred to in this clause) his/her term of office would expire;
- and
- ii) Each of the conditions set out in subsections 58 (2) (a)–(f) of the Trade Union and Labour Relations (Consolidation) Act 1992 (Exemption of certain persons nearing retirement) (or any superseding legislation) are met.



## **K. AEP STAFF**

The National Executive Committee (or the General Secretary acting on its behalf) has the power to engage staff and has the responsibility for all staffing matters including, but not limited to determining their salaries and conditions of service. The NEC may delegate to the General Secretary and/or a sub-committee responsibility for decisions on staffing matters.

## L. BRANCHES

1. Branches may be created or disbanded by the National Executive Committee. Members can only belong to one Branch.
2. The organisation and operation of each Branch shall be as prescribed in its constitution which shall be adopted from the model constitution as in Appendix 8.
3. Where a Branch exists, members who work in the area covered by that Branch will be deemed to belong to that Branch unless a member indicates in writing to the Association Secretary a wish:
  - (a) to be a member of a Branch as defined by place of residence, or
  - (b) not to be a member of that Branch.
3. Business meetings of Branches shall be private to all members of the Branch. A Branch may invite guests who are not members of the Association, to be present at a meeting for a specific purpose but such guests may not take part in Association business.
4.
  - (a) Approved expenses as determined from time to time by the National Executive Committee shall be met by a grant from the central funds of the Association.
  - (b) Each Branch shall be empowered to raise other funds to be used for furthering the objects of the Branch and the Association.
  - (c) All Branch funds shall be held in the name of the Association.

## **M. LOCAL REPRESENTATIVES**

1. The role of a local representative shall be defined by the National Executive Committee.
2. Association members employed in each local authority or any other organisation (considered appropriate by the National Executive Committee) may elect a member to act as the Association's local representative in accordance with Appendix 12.
3. Trainee members attending each recognised training course may also elect a member to serve as their representative in accordance with Appendix 13.

## **N. FINANCIAL ARRANGEMENTS, INVESTMENT AND PROPERTY**

1. In accordance with the requirements of the relevant Trade Union legislation currently in force, all the property belonging to the Association shall be vested in Trustees in trust for the Association, such Trustees being appointed by the Association as set out in Clause O of the Constitution.
2. The funds available for investment and the investments of the Association shall be under the control of the National Executive Committee and shall only be invested as permitted by law. Whether or not funds of the Association are available for investment shall be the decision of the National Executive Committee. The funds of the Association not required for investment purposes shall be under the control of the National Executive Committee.
3. The National Executive Committee shall have the power to open and maintain such bank accounts as it shall think fit and to determine the signatories to cheques or other documents required to be signed in connection with those accounts.
4. The Association shall participate in the Direct Debiting Scheme as an originator for the purpose of collecting subscriptions for any class of membership and/or any other amounts due to the Association. In furtherance of this object the Association may enter into any indemnity required by the Banks upon whom Direct Debits are to be originated. Such an indemnity may be executed on behalf of the Association by officials nominated in an appropriate resolution.
5. The Association shall have power to borrow or raise money for the purposes of the Association on such terms and on such security as may be deemed fit by the National Executive Committee.
6. The Association may, in the name of the Trustees, purchase, lease or otherwise acquire land, buildings or other assets.

7. The audited financial statements of the Association shall be available at the AGM for inspection by members
8. All monies payable, either by way of subscription or otherwise, to the Association by any member, either in a personal or in a representative or official capacity, shall be dispatched to, and be recoverable by, the Honorary Treasurer on behalf of the Association.
9. All Association funds and properties, including those held by Branches, shall be held or invested in the name of the Association of Educational Psychologists.
10. All property, books and funds held by or for any Branch are the property of the Association and in the event of the dissolution or cessation of any Branch shall be delivered and paid over to such person or body as the National Executive Committee directs.
11. (a) The accounts of the Association shall be audited by a fully qualified auditor under the terms of Section 7/8 of the Industrial Provident and Friendly Societies Act 1968, who should be a member of the Institute of Chartered Accountants in England and Wales. The Auditor shall be appointed annually by the Association following a recommendation of the National Executive Committee.  
  
(b) The Auditor should have right of access to appropriate Association records and the right to report to a responsible officer of the Association on any relevant matter.
12. The Association shall operate as a 'not for profit' organisation. Any financial gains arising from the Association's activities shall be applied solely in the furtherance of the Objects of the Association. There shall be no distribution of any 'profits' to existing or former members of the Association.

13. In the event of the dissolution of the Association, any assets held by, on behalf of or in trust for the Association at that time shall be transferred to another organisation whose objects are similar to or compatible with the Objects of the Association, as determined by a General Meeting of the Association or the National Executive Committee called to wind up the affairs of the Association. If no such organisation is identified, the funds shall be divided equally among those who were members at the date of dissolution. There shall be no transfer of funds until all financial commitments are met.

## **O. TRUSTEES**

### **Appointment of Trustees**

1. There shall be three Trustees of the Association who shall be appointed by the National Executive Committee in accordance with this Rule.
2. Trustees shall hold office for 5 years and upon the expiry of this period the National Executive Committee shall either re-appoint the Trustee or shall appoint a new Trustee to be Trustee in her/his place.
3. If a Trustee wishes to retire as Trustee, ceases to be eligible or dies, the National Executive Committee shall appoint a new Trustee to be a Trustee in her/his place.

### **Eligibility for Appointment**

4. A member shall be eligible to be appointed as Trustee if she/he has been a full member of the Association for at least five years preceding the date of appointment.
5. A Trustee shall not be a member of the National Executive Committee or an employee of the Association.

### **Disqualification from Appointment**

6. A member shall be disqualified from being or becoming a Trustee if she/he shall:
  - (a) become bankrupt or enter into any composition with her/his creditors; or
  - (b) become legally incapable of carrying out her/his duties as Trustee; or
  - (c) cease to be eligible to be a Trustee under Rules 4 and 5 above;
  - (d) cease to be a full member of the Association.

7. If a Trustee becomes disqualified from being a Trustee, the National Executive Committee shall remove her/him from office and shall appoint a new Trustee to be a Trustee in her/his place whereupon all the property of the Association real or personal shall vest in the new Trustee.

### **Duties of Trustees**

8. All property, assets and funds of the Association shall be vested in the names of the Trustees.
9. The Trustees shall obey all lawful directions of the National Executive Committee and shall sign all documents and do all acts and things which may be necessary to carry out those directions.
10. A Trustee who refuses or neglects to carry out any lawful direction of the National Executive Committee in accordance with the provisions of Rule 8 above within 28 days of being requested in writing to do so by the National Executive Committee shall be disqualified from being a Trustee. Such a person may not be re-appointed at any future date.
11. The National Executive Committee may indemnify the Trustees and lawful "office holders" of the Association against proceedings, losses, costs, damages, claims and demands incurred by reason of her/his accepting office or acting in execution of her/his functions under these Rules, unless the same shall happen through that person's lack of good faith or wilful neglect or default.



## CODE OF PROFESSIONAL PRACTICE

### DISCIPLINARY PROCEDURES

#### 1. Association Secretary

- 1.1 Notification of an alleged infringement of the Code of Professional Practice should be forwarded in writing to the Association Secretary who shall seek in writing from the complainant:-
  - a) the full name and home or work address of the member concerned
  - b) precise details, including dates, of the alleged act or omission by the member
  - c) copies of any relevant papers to support the complaint
  - d) names and addresses of any witnesses to the alleged events or of any other persons who could support the complainant from their own personal knowledge.
- 1.2 The Association Secretary shall inform the member about whom a complaint is made of the nature of the complaint and invite the member to submit observations within 28 days, except in circumstances where to do so would put the complainant at risk of harm.
- 1.3 At this stage separate files should be established that are strictly confidential to the Association Secretary, members of the Investigatory Panel, Disciplinary Panel or Appeals Panel as required.

## **2. Investigatory Panel**

- 2.1 The Investigatory Committee shall consist of three members of the National Executive Committee, one of whom shall be from the following list:-Honorary Treasurer, Chair of PPSC, Chair of EPSC.
- 2.2 The Association Secretary shall convene an Investigatory Panel whose aim shall be to decide if there is a case to be put before a Disciplinary Panel.
- 2.3 To do this the Investigatory Panel may seek additional written information from the member concerned, the complainant, witnesses or other interested parties.
- 2.4 If a member is convicted of a serious criminal offence the Association Secretary shall refer the matter automatically to an Investigatory Panel whether or not a formal complaint has been made.
- 2.5 If the Investigatory Panel concludes that the complaint does not warrant being dealt with under the Association's Code, the member and the complainant shall be notified of this in writing as soon as possible.
- 2.6 The Investigatory Panel may offer conciliation if this is considered appropriate and is acceptable to all parties concerned.

## **3. Disciplinary Panel**

- 3.1 The membership of the Disciplinary Panel shall consist of the President (or other officer), one other member of the National Executive Committee not included in Paragraph 1 or 2 above, and one lay representative selected according to guidelines as determined from time to time by the NEC. The Chair of the Panel will be responsible for setting the date on which the Panel will meet.
- 3.3 If the Investigatory Panel concludes that the complaint is appropriately dealt with under the Association's Code of Professional Practice, the matter shall be referred for

consideration by the Disciplinary Panel. The complainant and the member concerned shall be notified of this in writing.

- 3.4 A hearing of the complaint shall be arranged within four months of the notification to the complainant and the member about whom a complaint is made, that the case has been referred to the Disciplinary Panel.
- 3.5 The hearing should be conducted according to the guidelines as determined from time to time by the NEC. (These guidelines must be published to all members.)
- 3.6 Both the complainant and the member about whom a complaint is made shall be invited to attend a hearing and may be accompanied subject to the agreement of the Chair of the Panel. Other involved parties may be called by either party or the Disciplinary Panel to give relevant information again subject to the agreement of the Chair of the Panel.
- 3.7 The Disciplinary Panel may need to adjourn to obtain further information. In such circumstances, the hearing should reconvene at the earliest possible date and no later than two months from the date of the original hearing where practicable.
- 3.8 The Disciplinary Panel shall then determine whether or not there has been a breach of the Code of Professional Practice, and if so, what action should be taken. This might include
  - (a) take no further action under this Code;
  - (b) offer access to the Conciliation Procedure;
  - (c) issue written guidance to the member or members concerned regarding their future conduct;
  - (d) issue a written reprimand to the member about whom a complaint has been made;
  - (e) remove the member from office of the Association if appropriate;

- (f) remove the member from membership of the Association for a determined period or permanently;
  - (g) take such other action as may be appropriate in the circumstances.
- 3.9 The decision shall be notified in writing to the member about whom a complaint is made, the complainant, members of the Investigatory Panel and members of the Disciplinary Panel as soon as possible after a decision has been reached.

#### **4. Appeal Panel**

- 4.1 Should the complainant wish to appeal against the decision of the Investigatory Panel or should the complainant or the member who was the subject of the complaint wish to appeal against the decision of the Investigatory Panel or Disciplinary Panel they should lodge this request in writing with the Association Secretary within four weeks of the receipt of the written notification of the Investigatory Panel or Disciplinary Panel decision, stating the grounds on which the appeal is made.
- 4.2 This request shall be considered by the Appeal Panel which shall consist of the Vice-President, one other member of the NEC who has not been involved in the Investigatory or Disciplinary Committees and one lay representative.
- 4.3 The membership of the Appeal Panel shall be determined annually at the first NEC meeting following an Annual General Meeting.
- 4.4 The Appeal Panel will have all the original documents, plus the written report of the Investigatory Committee and the written record of the Disciplinary Hearing as applicable in order to decide whether there are bona fide grounds for an Appeal.
- 4.5 If the Appeal Panel considers there are sufficient grounds then arrangements will be made to hear the Appeal. The Appeal Panel will make arrangements for organising and hearing the

appeal. If the Appeal Panel considers there are no such grounds it shall communicate this to both parties.

- 4.6 The Appeal hearing will be arranged within four months of the date on which the request for the appeal was lodged with the Association Secretary. The Appeal Panel will hear the grounds for appeal, any acceptable new evidence, and will grant right of reply to the other party.
- 4.7 The decision of the Appeal Panel is final.

## **5. Written Records**

- 5.1 The General Secretary or the Senior Administrative Officer shall attend all meetings in order to make a written record of the proceedings.
- 5.2 Such written records are confidential to members of the Investigatory Committee, Disciplinary Committee and Appeal Panel.

January 1996

## **INTRA-ASSOCIATION CODE OF CONDUCT AND DISPUTE RESOLUTION PROCEDURE**

### **1. PRINCIPLES**

- 1.1 Members shall act in accordance with the objects and rules of the Association, as set out in Section B of the Association's Constitution.
- 1.2 Members shall not act in a manner which may bring the Association into disrepute, or which may be detrimental to the Association or its members.
- 1.3 If a member acts, or is alleged to have acted, in breach of (1.1) or (1.2) above, he/she will be subject to the procedures set out in the following sections of this Code.
- 1.4 Members in dispute shall take all reasonable steps to resolve their dispute in a manner which does not bring the Association into disrepute, and will be expected to participate in the Association's Conciliation Procedure if it is offered.
- 1.5 Nothing in these principles shall prevent members from seeking to modify the Constitution or Rules of the Association in accordance with agreed process.
- 1.6 No member party to the dispute will participate in the procedures as set out in Section 2.

## 2. PROCEDURES

### 2.1 Action by the Association Secretary or Designated Officer

2.1.1 Notification of an alleged breach of the Code by a member, or of a dispute between members, ~~as in 1.4 above~~, should be made in writing to the Association Secretary, or to another officer of the Association designated for this purpose by the NEC.

- i. The Association Secretary, or designated officer, shall as soon as possible inform the member about whom a complaint has been made of the nature of the complaint. The Association Secretary or designated officer shall also seek further information as appears necessary from the complaining member(s) and the member(s) complained of, to establish the appropriate course of action to be taken. Members shall respond in writing within 14 days of receipt of any such enquiries.
- ii. Where the complaint concerns members' behaviour or a dispute between members in their workplace, the members involved may in the first instance be expected to make use of their employers mediation or dispute resolution services where this appears to be appropriate.

2.1.4 If it is considered appropriate for the complaint to be dealt with under this Code. Separate files should be established that are strictly confidential to the Association Secretary, members of the Investigatory Panel, Disciplinary Panel or Appeals Panel as required.

2.1.5 On receipt of the initial notification, the Association Secretary or designated officer shall either:

- (a) offer, to all the members directly involved in the complaint or dispute, access to the Association's Conciliation Procedure;

or:

- (b) refer the matter to an investigatory panel.

- 2.1.5 Where the Conciliation Procedure has been offered but not accepted by all the parties concerned, the Association Secretary or designated officer shall immediately refer the matter to an Investigatory Panel.
- 2.1.6 Where a Conciliation Procedure has failed to bring about a satisfactory resolution of the complaint or dispute, the Association Secretary or designated officer shall refer the matter to an Investigatory Panel-

## **2.2 Offer of Conciliation Procedure**

- 2.2.1 Members who are in dispute may, if it is considered appropriate, be offered access to the Association's Conciliation Procedure. This procedure may be recommended by the Association Secretary or designated officer, or by an Investigatory Panel convened to consider a complaint against a member or members under the Intra-Association Disciplinary Code or the Code of Professional Practice.
- 2.2.2 Members who have been offered Conciliation shall inform the Association Secretary in writing within fourteen days of the date of the Association Secretary's letter whether they accept the procedure.
- 2.2.3 Where all parties to the dispute agree to conciliation, the Association Secretary shall then notify the immediate Past President of the Association, who in conjunction with the Association Secretary, shall appoint two other members of the National Executive Committee to act with the immediate Past President as conciliators. If the immediate Past President is not available to participate in the conciliation arrangements another member of the National Executive Committee shall be appointed by that Body to undertake this role.
- 2.2.4 As soon as is reasonably practicable the conciliators shall make contact with all the parties to the dispute and invite them to meet with the conciliators in order to effect conciliation (see Appendix 10).



## 2.3 Investigatory Panel

2.3.1 The Investigatory Panel shall consist of three members of the National Executive Committee, one of whom shall be from the following list:-

Honorary Treasurer, Chair of PPSC, Chair of EPSC.

2.3.2 Upon receipt from the Association Secretary or designated officer of details of an alleged breach of the Code, the Investigatory Panel shall decide, if possible within 28 days, whether there is a case to be put before a Disciplinary Panel.

2.3.3 To do this the Investigatory Panel may seek additional written information from the members concerned, witnesses or other interested parties. Such written information must be supplied within 28 days.

2.3.4 The Investigatory Panel shall determine whether to:

(a) take no further action under this Code;

or:

(b) offer the members concerned access to the Conciliation Procedure;

or:

(c) refer the matter to the Intra-Association Disciplinary Panel.

or:

(d) refer the matter to a Disciplinary Panel under the rules of the Association's Code of Professional Practice;

and shall as soon as possible notify in writing all the members concerned of its decision.

## 2.4 Intra-Association Disciplinary Panel

2.4.1 If the Intra-Association Investigatory Panel concludes that the allegation(s) can be appropriately dealt with under the

Intra-Association Code of Conduct Code, the matter shall be referred for consideration by the Intra-Association Disciplinary Panel. The members concerned shall be notified of this in writing by the Association Secretary together with copies of any written material or correspondence to be considered in relation to the charge.

- 2.4.2 The Intra-Association Disciplinary Panel shall be convened by the Association Secretary and shall consist of the President, one other member of the National Executive Committee not included in sections 2.1 or 2.3 above, three full members of the Association who: have been in continuous membership for at least three years; are not members of the NEC; and have not been members of the NEC within 12 months preceding notification of the complaint, selected according to guidelines as determined from time to time by the NEC.
- 2.4.3 A hearing of the complaint shall be arranged within four months of the notification to the members concerned that the case has been referred to the Intra-Association Disciplinary Panel.
- 2.4.4 The hearing shall be conducted according to the procedures as in Appendix 9.
- 2.4.5 A member about whom a complaint is made shall be invited to attend a hearing and may be accompanied by a representative or friend of his/her choice subject to the approval of the Panel Chair ~~NEC~~, such approval not to be unreasonably refused. Other involved parties may be called by either party or by the Disciplinary Panel to give relevant information.
- 2.4.6 The Disciplinary Panel may need to adjourn to obtain further information. In such circumstances; the hearing shall reconvene at the earliest possible date and no later than two months from the date of the original Disciplinary hearing.
- 2.4.7 The Disciplinary Panel shall then determine whether or not there has been a breach of the Intra-Association Code of

Conduct, and determine a course of action from the following options:

- (a) take no further action under this Code;
- (b) offer access to the Conciliation Procedure;
- (d) issue written guidance to the member or members concerned regarding their future conduct;
- (d) issue a written reprimand to the member about whom a complaint has been made;
- (e) remove the member from office of the Association if appropriate;
- (f) remove the member from membership of the Association for a determined period or permanently;
- (g) take such other action as may be appropriate in the circumstances.

2.4.8 The decision shall be notified in writing by the Association Secretary to the member(s) concerned, members of the Investigatory Panel and members of the ~~Intra-Association~~ Disciplinary Panel as soon as possible after a decision has been reached.

## 2.5 Appeal Procedure

2.5.1 A member who is subject to a disciplinary sanction by a Disciplinary Panel may appeal against it.

If such a member wishes to appeal they should lodge this request in writing with the Association Secretary within 28 days of the receipt of the written notification of the Investigatory Panel or Intra-Association Disciplinary Panel decision.

2.5.2 An Appeal Panel comprising: the Vice-President, one other member of the NEC who has not been involved in the Investigatory or Disciplinary Panels relevant to these matters,

and three full members of the Association who: are not members of the NEC; have not been members of the NEC within 12 months preceding notification of the complaint; and have not been members of the Disciplinary Panel relevant to these matters (selected according to guidelines as determined from time to time by the NEC) shall meet to consider the appeal.

- 2.5.3 The appeal hearing will be by way of a re-hearing and will follow the procedures as in Appendix 9.
- 2.5.4 The Appeal hearing will be arranged within four months of the date on which the request for the appeal was lodged with the Association Secretary.
- 2.5.5 The Appeal Panel will determine a course of action from the options listed in Section 2.4.7 and its decision shall be final.

## **2.6 Written Records**

- 2.6.1 All meetings will be clerked in order to make a written record of decisions taken.
- 2.6.2 Such written records are confidential to members of the Investigatory Panel Committee, Disciplinary Panel Committee and Appeal Panel.

## Schedule 1

### STANDING ORDERS FOR THE CONDUCT OF GENERAL MEETINGS OF THE ASSOCIATION

#### 1. Quorum

The provision of Clause H 9 of the Constitution shall apply to the conduct of all general meetings of the Association.

#### 2. Chairperson

The Chair of any General Meeting will be determined by the membership of that meeting. It will normally be the President for the time being of the Association; who failing, the Vice-President; who failing, a member of the National Executive Committee chosen by that Committee, shall take the chair. If none of these be present within fifteen minutes after the time appointed for the holding of the meeting, the full; trainee and assistant members who are present shall choose one of their number to be Chairperson of the meeting. The Chairperson's decision in any matters of business of a meeting shall be final.

#### 3. Motions.

- (i) Notice of motions shall be delivered in writing to the Association Secretary not later than six weeks before the date appointed for the Annual General Meeting.

A motions sub-committee of the National Executive Committee shall co-ordinate motions in consultation with the proposers.

- (ii) A motion put to the meeting shall be decided on a show of hands, by a simple majority of those voting in person. In the case of an equality of votes, the Chairperson will have a second or casting vote. A declaration by the Chairperson that a motion has been carried or lost and an entry to that effect in the minutes of the proceedings of the meeting shall be conclusive evidence of the fact.

- (iii) In the event that an original motion seeks the adoption by an Annual General Meeting of proposals sectionalised on the agenda for the meeting, amendments shall be taken to each section in the order in which the sections appear on the agenda paper prior to any debate on the main motion. The main motion, being the sum of each section as amended, shall then be taken as a whole. The mover of the main motion would retain the right to reply.
- (iv) After a motion has been proposed and seconded, an amendment to it may be moved. An amendment, duly moved and seconded and accepted as proper by the Chairperson, shall be debated and voted upon before consideration of the substantive motion. A decision by the Chairperson as to the admissibility of an amendment shall be final. The order of debate shall be as follows:-

Mover of Motion  
 Secunder of Motion  
 Other speakers to Motion  
     Mover of first Amendment  
     Secunder of first Amendment  
     Other speakers to first Amendment  
     Voting on first Amendment

Further speakers to Motion\*  
     Mover of second Amendment  
     Secunder of second Amendment  
     Other speakers to second Amendment  
     Voting on second Amendment

Further speakers to Motion\*  
     etc. until  
 Voting on last amendment  
 Further speakers to Motion\*  
     Mover to Motion\* in reply  
     Voting on Motion\*

Note Motion\* describes the original motion incorporating all amendments carried up to that stage.

- (v) At the discretion of the Chairperson no member shall speak more than once during the debate on any motion, except that

the proposer shall have a right of reply to the debate on any motion or amendment. No speech shall be of longer duration than three minutes except that of the opening speech by a proposer which may last five minutes. Members may raise questions of fact outside these limits.

- (vi) If a member raises a point of order, that shall be taken immediately and without debate.

#### **4. Procedural motions**

The following procedural motions may be taken in the order given below:

- (1) Point of order
- (2) Point of information
- (3) The question be now put
- (4) The question be not put
- (5) The motion lie on the table
- (6) Next business.

#### **5. Votes of Members**

No member shall be entitled to vote unless all sums payable by that member to the Association have been paid before the date of the meeting.

#### **6. Business of Meeting**

No business other than that which appears on the Agenda shall be raised at a general meeting of the Association.

#### **7. Closure**

A General Meeting of the Association shall last no longer than three hours and business not disposed of by the end of that period shall stand referred to the National Executive Committee of the Association.

**8. Constitution of the Association**

Section H of the Constitution of the Association shall be deemed to be incorporated in these Standing Orders.

**9. Suspension of Standing Orders**

A resolution for the suspension of these Standing Orders shall be required to be passed by a majority of two-thirds of the members present and entitled to vote, otherwise it shall be declared lost.

First adopted April 1974  
Amended April 1976  
Amended September 1977  
Amended September 1978  
Amended December 1984  
Amended June 1988  
Amended October 1992  
Amended January 1995  
Amended 2002



## **Schedule 2**

# **STANDING ORDERS FOR THE CONDUCT OF THE BUSINESS OF THE NATIONAL EXECUTIVE COMMITTEE**

### **1. Quorum**

A quorum for the transaction of business shall be six National Executive Committee Members. (see also Constitution Clause I 18)

### **2. Business**

The National Executive Committee shall meet as and when necessary for the transaction of Association business and there shall be at least four such meetings in each year. All members of the National Executive Committee shall receive at least seven days' notice of meetings of that body. (see also Constitution Clause I 18)

### **3. Chairperson**

The Chair of any National Executive Meeting will be determined by the membership of that meeting. It will normally be the President for the time being of the Association; who failing the Vice-President; who failing a member of the National Executive Committee chosen by the members present shall take the chair. The Chairperson's decision in any matters of business of a meeting shall be final.

### **4. Agendas of the National Executive Committee**

The business of the Association shall be conducted by the National Executive Committee. The Agendas shall be agreed by the President and Association Secretary. Any member of the Association may place items on the Agenda for a meeting of the National Executive Committee. These shall be considered by the National Executive Committee provided that the President and Association Secretary consider them to be within the objects of the Association. Such matters should be deposited in writing with the Association Secretary for attention. All Agenda papers are

confidential before the meeting of the National Executive Committee at which they are discussed.

## **5. Motions and Resolutions**

Except as provided for in Clause 10 of these Standing Orders, a motion put to the National Executive Committee shall be decided on a show of hands, by a simple majority of those voting in person, except that any voting member of the NEC may require that the names of those voting for and against the motion be recorded in the minutes. The Chairperson will not vote except to have the casting vote in the case of an equality of votes. A declaration by the Chairperson that a motion has been carried or lost and an entry to that effect and noting the voting figures in the minutes of the proceedings of the National Executive Committee meeting shall be conclusive evidence of the fact. Resolutions of the National Executive Committee shall be so minuted to provide a complete, accurate and comprehensible record of the business conducted on behalf of the Association.

After a motion has been proposed and seconded an amendment to it may be moved. An amendment, duly moved and seconded and accepted as proper by the Chairperson shall, if accepted by the proposer and seconder of the original motion, become part of the substantive motion in their names. If the proposed amendment is not so accepted it shall be debated and voted upon before consideration of the substantive motion. An amendment which is carried becomes part of the substantive motion, in the names of the proposer and seconder of the amendment, but is open to further amendment. The proposer of a motion shall have the right of reply immediately before the vote is put unless such vote is forced by an appropriate procedural motion. A decision by the Chairperson as to the admissibility of an amendment shall be final.

## **6. Points of Order**

If a member rise upon a point of order that shall be taken immediately and without debate.

**7. Decisions**

Decisions of the National Executive Committee reached as above, shall be binding upon members of that body.

**8. Six Months Rule**

A motion once debated and voted upon, shall not be discussed again within a period of six months.

**9. Dissemination of National Executive Committee Decisions**

Confirmed minutes of decisions of the National Executive Committee shall be circulated to members on request (according to clause I 19 of the Constitution).

**10. Suspension of Standing Orders**

A motion for the suspension of these Standing Orders shall incorporate the number(s) of the Standing Order(s) to be suspended and the reason for the proposal and shall be required to be passed by at least two-thirds of the NEC members present, otherwise it shall be declared lost.

First adopted April 1974  
Amended April 1976  
Amended September 1977  
Amended September 1978  
Amended December 1984  
Amended June 1988  
Amended October 1992  
Amended January 1995  
Amended October 1999  
Amended 2002

### **Schedule 3**

## **CODE OF PROFESSIONAL PRACTICE of the ASSOCIATION OF EDUCATIONAL PSYCHOLOGISTS (AEP)**

### **1. General**

Educational psychologists aim to promote the welfare of any person who may seek their service or be the subject of their study. They shall not use their professional position or relationships nor shall they knowingly permit their services or knowledge to be used by others for purposes inconsistent with this aim. They also seek to maintain public confidence in the profession through competence, fairness and integrity in their professional practice. The following specific principles provide a framework for their professional practice.

### **2. Professional Responsibility**

- 2.1 In the course of their professional practice educational psychologists will actively seek to promote equality of opportunity regardless of religion, gender, sexual orientation, ethnicity, social standing, disability or political persuasion.
- 2.2 In considering the advice to be given in the course of their professional work, educational psychologists will reach a decision independently of any concern for their own professional prospects or pecuniary interests.
- 2.3 If educational psychologists employed by an organisation find themselves involved with an activity which they consider detrimental to the well-being of children, young persons or their families, they will take every step to inform the organisation of their opinion, and, if the activity continues, they will consult with the Association.
- 2.4 Educational psychologists shall not exploit the special relationship of trust and confidence that can exist in

professional practice to further the gratification of their personal wishes.

### **3. Qualifications**

- 3.1 Educational psychologists will only claim qualifications and membership of any learned bodies to which they are legitimately entitled.
- 3.2 An educational psychologist who is a member of a professional body or learned society will make use of the fact only within the limits set out by the rules of that professional body or learned society.<sup>1</sup>

### **4. Competence**

- 4.1 Educational psychologists will only carry out, recommend or endorse courses of action or interventions that are within their sphere of professional competence.
- 4.2 If educational psychologists believe that a client is in need of help, treatment or advice, which they themselves are not competent to give, they will inform the client, or the client's parents or carers, of this fact, and, if necessary, give every assistance towards obtaining this advice.

### **5. Confidentiality**

- 5.1 Subject to the law of the land, any information obtained by educational psychologists from anyone with whom they deal on a professional basis will be treated as confidential. Except with the express consent of the person from whom it was obtained, it will be communicated only to other workers who stand in a professional relationship to the person concerned. Even in these cases, care will be taken to ensure that the client's right to privacy is respected. For the purposes of this paragraph, and subject to the rules of evidence, a report legally requested by a court of justice may be supplied without infringing

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<sup>1</sup> Guidance concerning minimum qualifications for admission to membership of the Association of Educational Psychologists, in force at the time, is available to any enquirer who requests this.

confidentiality. However, in exceptional circumstances, where there is sufficient evidence to raise serious concern about the safety or interests of recipients of services, or about others who may be threatened by the recipient's behaviour, educational psychologists should take such steps as are judged necessary to inform appropriate third parties without prior consent.

- 5.2 Educational psychologists shall take all reasonable steps to safeguard the security of any records they make, including those records held on computer.
- 5.3 Whilst educational psychologists are expected to work in partnership with parents and carers, they will exercise care to ensure that information given is conducive to the well-being of the child or young person.
- 5.4 Where case studies are published the identity of the subject will be adequately protected.
- 5.5 Educational psychologists will always be prepared to justify the passing of confidential information to third parties.
- 5.6 Educational psychologists who maintain data on computers will have regard to the provisions of the Data Protection Act.

## **6. Research and Publication Precautions**

- 6.1 Educational psychologists employed in a research capacity by an organisation will make every effort to ensure that their findings are published in an unbiased manner. If they consider that this stipulation has not been met, they will attempt to rectify the matter with the organisation concerned, or, if they cannot obtain satisfaction, report the matter to the Association. Research will be carried out with due regard for the safety and well-being of the client. The first duty of the investigators will be to ensure to the limits of their competence that no harm will come to any client through the conduct of the investigation.
- 6.2 Parents and/or carers should normally be informed of research work and its nature if it involves their children. Normally, children will not be used as subjects of any investigation unless

the permission of their parents and/or carers has been obtained. However:-

- (a) parental permission may not be necessary where investigations of a survey nature are planned; that is to say, investigations that aim to collect information about groups of people and do not aim directly to modify their behaviour or personality. An example would be an attempt to identify a relationship between educational attainment and some personality characteristic
- (b) parental permission may not be necessary where the independent variable is a legitimate modification of the normal function of a school or institution. An example would be a study of the effects on attainment of the introduction of a new teaching method.

6.3 All publication of research must contain proper and accurate acknowledgement of the work of others involved either directly or indirectly.

## **7. Advertising Canvassing and Recommendation**

7.1 If a brochure is published for circulation to colleagues, members of other professions, schools, colleges or similar institutions, the information given should be factual. On no account should testimonials be included, and evaluative statements should be avoided. Where services are to be given by several psychologists, the names and qualifications of each should be given together with the names and qualifications of members of other professions associated with the team. The scale of fees, where appropriate, should be clearly indicated.

7.2 An educational psychologist will not attempt to solicit any testimonial or personal recommendation from a client.

## **8. Financial considerations**

8.1 Educational psychologists who are salaried workers in a public service will not accept fees for private consultation from persons who are entitled to their services as members of the public, without first informing them of this fact. In particular,

they will not suggest to them that by paying a fee they will obtain priority or a better standard of service.

- 8.2 Educational psychologists will refuse to accept any consideration for recommending any publication or commercial product by an institution from which they accept a fee or salary.
- 8.3 Educational psychologists will refuse to accept any consideration for recommending any publication or commercial product for use by clients or their families.
- 8.4 Educational psychologists will refuse to accept any consideration from an educational institution for recommending a child's placement there.

## **9. Relationships with colleagues**

- 9.1 Educational psychologists shall not malign the character or competence of professional colleagues. Where educational psychologists suspect misconduct by a professional colleague which cannot be resolved or remedied after discussion with the colleague concerned, they should take steps to bring that alleged misconduct to the attention of those charged with the responsibility to investigate it, doing so without malice and with no breaches of confidentiality other than those necessary to the proper investigatory processes.
- 9.2 An educational psychologist whose character and competence is brought into question by a client or member of the public will inform that person of the channels through which complaints may be made if the matter is not resolved.



## **PART 2**

### **REGULATIONS OF THE ASSOCIATION**

The following appendices constitute the regulations of the Association as referred to in Clause C of the Constitution.

**APPENDIX 1  
TABLE OF BENEFITS**

	FULL	AFFILIATE	TRAINEE	RETIRED	ASSISTANT
Academic Journal	X	X	X	X	X
Regular Mailings and emails	X	X	X	X	X
Vacancy Alerts	X	X	X	X	X
Notice of courses and events	X	X	X	X	X
Legal Support	X		X	X	X
Employment Advice	X		X		X
Professional Advice	X	X	X	X	X
Union Support	X	X	X	X	X
CPD / Annual Course	X	X	X	X	X
Stand for Executive office	X		X		
Stand for the Editorial Board	X	X			
Postal Voting Rights	X		X		X
Attendance at AGM	X	X	X	X	X
Speaking at AGM	X	X	X	X	X
Voting in Person at AGM	X		X		X
Propose & second AGM motions	X		X		X
Branch Membership	X	X	X	X	X
Stand for Branch office	X		X	X	X
Maternity Leave Discounts	X		X		X

## **APPENDIX 2**

### **ELECTORAL REGIONS**

#### Region 1

Barnsley, Bradford, Calderdale, Darlington, Doncaster, Durham, East Riding of Yorkshire, Gateshead, Hartlepool, Kingston-upon-Hull, Kirklees, Leeds, Middlesbrough, Newcastle-upon-Tyne, North Lincolnshire, North East Lincolnshire, North Tyneside, North Yorkshire, Northumberland, Redcar & Cleveland, Rotherham, Sheffield, South Tyneside, Stockton-on-Tees, Sunderland, Wakefield, York

#### Region 2

Blackpool, Blackburn with Darwen, Bolton, Bury, Chester and Cheshire West, Cheshire East, Cumbria, Halton, Isle of Man, Knowsley, Lancashire, Liverpool, Manchester, Oldham, Rochdale, Salford, Sefton, St Helens, Stockport, Tameside, Trafford, Warrington, Wigan, Wirral.

#### Region 3

Bath & North East Somerset, Bournemouth, Bristol, Cornwall, Devon, Dorset, Gibraltar, Gloucestershire, North Somerset, Plymouth, Poole, Service Children's Education, Somerset, South Gloucestershire, Swindon, Torbay, Wiltshire.

#### Region 4

Birmingham, Coventry, Derby, Derbyshire, Dudley, Herefordshire, Leicester, Leicestershire, North Northamptonshire, Nottingham, Nottinghamshire, Rutland, Sandwell, Shropshire, Solihull, Staffordshire, Stoke-on-Trent, Telford & Wrekin, Walsall, Warwickshire, West Northamptonshire, Wolverhampton, Worcestershire.

Region 5

All London boroughs.

Region 6

Bedford Borough, Cambridgeshire, Central Bedfordshire, Essex, Hertfordshire, Lincolnshire, Luton, Norfolk, Peterborough, Southend-on-Sea, Suffolk, Thurrock.

Region 7

Bracknell Forest, Brighton & Hove, Buckinghamshire, East Sussex, Guernsey, Hampshire, Isle of Wight, Jersey, Kent, Medway, Milton Keynes, Oxfordshire, Portsmouth, Reading, Slough, Southampton, Surrey, West Berkshire, West Sussex, Windsor & Maidenhead, Wokingham.

Region 8

Education Authority of Northern Ireland,

Region 9

All unitary authorities in Wales

Region 10

All unitary authorities in Scotland.

## APPENDIX 3

### LEGAL ADVICE AND ASSISTANCE SCHEME

#### Regulation 1

- 1 These regulations are made by the NEC in accordance with Clause G of the Constitution.
- 2 The NEC has decided that at all times expenditure on legal casework must be proportionate to the objectives sought in the case.
- 3 Factors taken into account in addition to that stated in Regulation 1.2 include, but are not limited to the following:
  - a. the objectives of the casework and the suitability of legal processes to achieving them,
  - b. the legal merits,
  - c. the legal complexity,
  - d. any policy considerations,
  - e. the significance of the case to the affected member,
  - f. the significance of the case to the wider membership,
  - g. the implications of the case for the Association's resources.

#### Regulation 2

##### Qualifying Members

1. All members of the Association may seek to obtain legal advice and assistance ("legal assistance") from the union.
2. An application for legal assistance will not save in exceptional circumstances be considered until the member has completed 90 days of membership commencing from the day after the day of Registration of membership under Clause F 5 ii ("the waiting period"); or, in the case of a member whose membership lapsed for any reason, until 90 days after the day of restoration of membership under Clause F 5 iii.

3. Legal assistance will not be granted save in exceptional circumstances in relation to a claim, injury, dispute or other matter which began or occurred during the waiting period, or before membership started; or, in the case of lapsed membership, during the period when membership was lapsed or within the period of 90 days after the day of restoration of membership.
4. Legal assistance is not available to affiliate members or to retired members save in relation to matters directly arising in connection with the termination of their last relevant employment, or in connection with seeking new employment as an educational psychologist within the regions specified in Appendix 2.
5. Eligibility for legal assistance is dependent upon paying the appropriate level of subscriptions. Those who are found to be paying a lower level of subscriptions than appropriate may render themselves ineligible for legal assistance. Cessation of membership terminates legal assistance save in exceptional circumstances.
6. Applications are considered without regard to the fact that the person or persons against whom complaints are made by the member applying for legal assistance are or are not themselves members of the Association.
7. All members are expected to have arrangements in place to provide cover in the event of third party claims for damages, compensation and/or negligence etc. In the case of employed members we would expect this to be provided by employer's vicarious liability insurance and in the case of self-employed members through a professional indemnity insurance policy.

In the absence of such cover the Association will not provide legal assistance other than in exceptional circumstances.

## **Regulation 3**

### **Procedures for Applying**

In all cases where legal assistance is sought, the following procedure applies:

1. All applications for legal assistance must be made in writing and sent to the Association's Headquarters.
2. Upon receipt of the application, a sub-committee of the NEC shall decide what assistance (which shall include non-legal assistance), if any, can be given to the member. The Sub-Committee may decide that, taking all the circumstances into account, legal assistance shall not be made available. Such a decision does not preclude the offer of non-legal assistance being made.
3. The decision of the Sub-Committee should be communicated in writing to the member as soon as possible.
4. Any request for a review of the decision must be received within 10 days of the date on which the written notification from the sub-committee was sent out to the member. Late applications will not be considered.
5. The NEC shall determine procedures for the consideration of such reviews. The NEC's decision in the matter shall be final.

## **Regulation 4**

### **Terms of Assistance**

1. In every case where legal assistance is granted, the NEC determines in what form and to what extent legal assistance shall be given. The NEC shall decide which legal representative shall have conduct of the case. A caseworker shall be assigned to the casework.
2. Legal assistance may be limited or be made subject to conditions being satisfied by the member. Legal assistance may be withdrawn at any time, and the conditions upon which legal assistance is offered may be varied from time to time.

This may happen if, for example, the NEC is advised by the legal representative that the case appears to have less than reasonable prospects of success, or if the member fails to cooperate fully, or if the Respondent/Defendant makes an offer to settle which, taking all the circumstances into account, the NEC considers is a reasonable one which should be accepted.

3. Legal assistance is not available to a member for the purpose of pursuing a complaint against the Association. In cases where a conflict of interest exists or is thought to exist between the member seeking legal assistance and the Association, the legal assistance (if any is granted at all) shall be limited to pursuing claims against third parties only.
4. In consideration of the granting of legal assistance the member shall be asked to agree to the deduction of 10% ("the contribution") of any payment of money, compensation or damages obtained with the assistance of the Association. However, it shall not be a valid ground for refusing legal assistance that the applicant member declines to agree to this voluntary contribution.
5. Where a member or members decide to pursue a claim at an employment tribunal the Association will lend the cost of submitting the application to the member and this will be repayable if the member's case is successful.

## **Regulation 5**

### **Disclosure of Information**

Assistance is granted on the understanding that the member agrees to the disclosure of confidential matters relating to their case to the National Executive Committee and appropriate full-time officials.

## **Regulation 6**

### **Indemnity**

- a) Whilst legal assistance under these regulations is being given, the Association will indemnify the member against all legal costs and disbursements incurred (except any out of pocket or



travelling expenses incurred by the member). This indemnity does not extend to any such costs and disbursements incurred without the authority of the NEC.

- b) However, where in the opinion of the NEC such liability arose:
- (1) as a result of the failure of the member to give full and frank disclosure of all material facts and information; or
  - (2) as a result of the failure of the member to co-operate fully with their legal or other advisers appointed by the member; or
  - (3) as a result of the failure of the member to accept or act in accordance with the professional advice of the legal or other advisers appointed by the NEC; or
  - (4) without, or in excess, of the authority of the NEC;

then the member hereby acknowledges and agrees that the NEC may, at its sole discretion, recover all or any part of the said legal costs and expenses from the members, and such amounts to be recovered shall constitute a debt owed by the member to the Association and recoverable as such at law.

- c) The indemnity as to costs ceases when the Association terminates legal assistance. Notice of termination by the Association may be given orally and later confirmed in writing (in which case termination is effective on the date of the oral notification); or by letter sent by ordinary first class post to the member's home address held on the Association's membership computer (in which case termination is effective on the first day after the date of posting).
- d) In any case where it is established that the member knowingly made a false statement to the Association, legal assistance shall be terminated and the member hereby agrees that all legal costs and expenses incurred in connection with their casework shall become repayable by the member to the Association. Any sums repayable constitute a debt and recoverable as such in law.

## APPENDIX 4

### ROLES OF NATIONAL EXECUTIVE COMMITTEE MEMBERS

As a member of the National Executive Committee, each post holder would be expected to attend all NEC Meetings. This would normally include serving on one of the three Sub-Committees, F & O, PPSC or EPSC, with the exception of the President and Association Secretary, who may expect to attend a Sub-Committee for particular items of relevant business.

All NEC Members shall be expected to attend the Annual General Meeting and any other General Meetings of the Association.

In addition, all committee members may be asked from time to time to undertake additional representational duties and casework on behalf of the NEC.

#### **Role of the President**

The President is a member of the NEC and would be expected to undertake the following duties on behalf of the Association:

Act as the figurehead and principal spokesperson of the Association.

Act as Chairperson of all NEC Meetings and any General Meetings of the Association.

Participate in such discussions and take such decisions (in consultation with the other Committee Members as appropriate) as are both necessary and/or required by the Constitution for the day to day running of the Association, ensuring that these decisions are notified to the full NEC.

Act together with the Association Secretary and Honorary Treasurer as a member of an Emergency Action Committee in special circumstances (as detailed in the constitution).

Promote involvement of all members of the Association by attending Regional and Branch Meetings where appropriate and possible.

Take primary responsibility for liaising with the Association's Parliamentary Adviser.

On behalf of the full NEC, the President together with the Association Secretary and the Honorary Treasurer should exercise and oversee the contractual obligations in respect of the staff employed by the Association.

Convene and chair any disciplinary and intra-Association disciplinary committee of the Association.

Actively seek to keep abreast of developments across the full range of professional and trade union issues related to the practice of Educational Psychology.

Undertake to see that long-term policy development is given due consideration.

### **Role of Association Secretary**

The Association Secretary is a member of the NEC and would be expected to undertake the following duties on behalf of the Association:

Oversee the administration of the Association's business and provides advice to the Senior Administrative Officer as required.

Act as the principal public correspondent for the Association.

Consult with the Senior Administrative Officer and other officers as appropriate in determining the business to be brought before the NEC.

Liaise with the Senior Administrative Officer in the preparation of minutes for presentation to the NEC.

Undertake the writing of correspondence and reports on behalf of the NEC.

Provide support and advice directly for members in difficulties and support other NEC members involved in casework and where necessary

refer to the Association's legal advisors.

Advise the NEC on matters of public relations.

Oversee the production of general circulars.

Prepare an Annual Report for the AGM.

Act together with the President and the Honorary Treasurer as a member of an Emergency Action Committee in special circumstances (as detailed in the constitution).

Undertake to see that long-term policy development is given due consideration.

### **Role of Vice-President**

The Vice-President is a member of the NEC and undertakes the following duties on behalf of the Association:

Represent for the President when necessary and represents the Association as requested by the NEC.

Act as mentor for new NEC members.

The Vice-President is expected during the term of office to prepare for the role of President by experiencing all aspects of NEC business and participating in long-term policy development.

Convenes and chairs the formal meetings of the Editorial Board.

### **Role of Honorary Treasurer**

The Honorary Treasurer is a member of the NEC and undertakes the following duties on behalf of the Association:

In consultation with the Association's Auditor, Accountant and Banker, manage the Association's funds.

Present a financial report at each NEC meeting.

Advise the NEC and Membership of the financial implications of their recommendations.

In consultation with the Auditor produce Annual Accounts to be submitted to the Annual General Meeting of the Association.

Prepare an Annual Report for the AGM.

Advise the NEC of appropriate subscription rates.

Act as a financial adviser to the Editorial Board.

Arrange for the payment of all accounts.

Arrange for the payment of all approved expenses claims.

Arrange the payment of all staff salaries.

Arrange for the appropriate payments to be made to the Inland Revenue and Customs and Excise.

Arrange for appropriate funds to be made available to Branches and monitor Branch Accounts.

Offer financial advice to Course Organisers and arrange for the production of Course Accounts.

Arrange for the collection of Annual Subscriptions and any other charges.

Advise the NEC on appropriate charges for the Appointments Broadsheet and other publications.

Arrange for the appropriate financial record keeping to be made in the Association's office.

Perform any other duties as described in the Handbook or as directed by the NEC.

Act together with the President and the Association Secretary as a member of the Emergency Action Committee in special circumstances

(as detailed in the constitution).

Convene and chair all meetings of the Finance and Organisation Sub-Committee.

- (a) Be responsible for the production of an Agenda and for the arrangements regarding the taking of minutes, at such meetings.
- (b) Accept business on behalf of the Sub-Committee and arrange for its discussion with the Sub-Committee with a view to formulating appropriate recommendations and reporting these back to the NEC.
- (c) Along with other members of the Sub-Committee, is expected to be proactive in bringing to the NEC's attention matters affecting the finance or organisation of the Association.

### **Role of the Chair Of Employment Policies Sub-Committee**

The Chair of Employment Policies Sub-Committee is a full member of the NEC and would be expected to undertake the following duties on behalf of the Association:

Convene and chair all meetings of the Employment Policies Sub-Committee.

Be responsible for the production of an Agenda and for the arrangements regarding the taking of minutes at such meetings.

Accept business on behalf of the Sub-Committee and arrange for its discussion within the Sub-Committee with a view to formulating appropriate recommendations and reporting these back to the NEC.

Along with other members of the Sub-Committee is expected to be proactive in bringing to the NEC's attention matters affecting the employment of educational psychologists.

Act as an Association representative at Soulbury meetings of the Officers' Panel and full Soulbury Committee. The Chair of Employment Policies Sub-Committee would also normally act as a member of the National Soulbury Grading's Appeal Sub-Committee.

Attend meetings with other organisations or government departments when employment issues are being discussed.

Prepare an annual report for the AGM.

### **Role of Chair of Professional Policies Sub-Committee**

The Chair of Professional Policies Sub-Committee is a full member of the NEC and would be expected to undertake the following duties on behalf of the Association:

Convene and chair all meetings of the Professional Policies Sub-Committee.

Be responsible for the production of an agenda and for the arrangements regarding the taking of minutes at such meetings.

Accept business on behalf of the Sub-Committee and arrange for its discussion within the Sub-Committee with a view to formulating appropriate recommendations and reporting these back to the NEC.

Along with other members of the Sub-Committee is expected to be proactive in bringing to the NEC's attention matters of professional concern to Educational Psychologists.

Together with the Sub-Committee, consider and prepare draft responses to any research findings, circulars from government departments and other consultation documents which reflect the professional interests of Educational Psychologists.

Ensure effective liaison between Professional Policies Sub-Committee and any working party or sub-group of the Association established by the NEC, and to consider any matters of professional interest.

Seek to ensure that the content of educational psychology training courses is relevant to the current needs and practice of educational psychologists.

Attend meetings of government departments when professional issues are being discussed.

Prepare an annual report for the AGM.

### **Role of the National Committee Member**

The National Committee Member undertakes various duties when it is not considered appropriate for the Regional Representative, e.g. when the LEA concerned is the LEA of the Regional Representative and the Regional Representative has indicated that it would be more constructive for another Representative to be chosen.

The National Committee Member should be available to assist with the organisation and running of courses presented by the Association.

The National Committee Member should provide support to Regional Representatives, and whenever a region is without representation should provide support to that region as far as is practicable.

As Committee Member "without portfolio", respond to tasks which do not readily fall to one of the Officers, Chairpersons of Sub-Committees or Regional Representatives.

### **Role of the Regional Representative**

Attend Branch Meetings.

Provide feedback from NEC Meetings to members of that Region.

Be aware of problems and issues in the Region and to report to the full NEC where appropriate.

Act as a focal point for the views of members in that region on all matters relating to the Association's business, and to report these views within the NEC.

Be accessible to Regional Members and LEA Representatives where members are experiencing professional or employment difficulties, provide information, initial advice and support where this is clear and, when necessary, involve other NEC Members,

Attend recruitment meetings in the region.



Contribute to the in-service training of LEA Representatives as agreed.

Co-ordinate meetings of LEA Representatives within the region.

Be familiar with the Association's Handbook, the Green Book, the Soulbury Report and the AEP Local Representatives' Handbook.

### **Role of Newly Qualified Educational Psychologist Member**

1. The Newly Qualified Educational Psychologist Member of the NEC is elected nationally for a two year period. Their principal role is to provide a voice for new entrants to the professions on the NEC.
2. The Newly Qualified Educational Psychologist Member may be asked to undertake various duties when it is considered appropriate. This might include speaking about the Association to groups of trainees or others.
3. As a Committee Member "without portfolio", to be available to respond to tasks which do not readily fall to one of the Officers, Chairpersons of Sub-Committees or Regional Representatives.
4. The Newly Qualified Educational Psychologist Member will be a member of one of the Association's Sub-Committee.

### **Role of Trainee Educational Psychologist Member**

1. The Trainee Educational Psychologist Member of the NEC is elected nationally for a two-year period. Their principal role is to provide a voice for those training to become educational psychologists on the NEC.
2. The Trainee Educational Psychologist Member may be asked to undertake various duties when it is considered appropriate. This might include speaking about the Association to groups of trainees.
3. As a Committee Member "without portfolio", to be available to respond to tasks which do not readily fall to one of the Officers, Chairpersons of Sub-Committees or Regional Representatives.

4. The Trainee Educational Psychologist Member will be a member of one of the Association's Sub-Committee.

### **Role of a General Committee Member**

1. The General Committee Member posts are used on an infrequent basis when a NEC post (usually a Regional Post) remains unfilled for an extended period. They are partly intended to allow members to experience being on the NEC without committing to a specific role. The post will normally be elected on a national basis for a one year period.
2. The General Committee Member may be asked to undertake various duties when it is considered appropriate. This might include providing support to a Region without a representative (depending on location).
3. The General Committee Member should be available to assist with the organisation and running of AEP conferences.
4. As a Committee Member "without portfolio", to respond to tasks which do not readily fall to one of the Officers, Chairpersons of Sub-Committees or Regional Representatives.
5. The General Committee Member will be a member of one of the Association's Sub-Committee.

## APPENDIX 5

### MANAGEMENT OF THE ASSOCIATION IN TIMES OF NATIONAL EMERGENCY

In relation to Section I 7 of the Constitution the National Executive Committee (or where it may not be possible or impracticable for the Committee to meet the Emergency Action Committee) can take such actions as are necessary to ensure that the effective operation of the Association can be continued. This can include (although not limited to):

1. Holding National Executive Committee Meetings and Sub Committee Meetings on a “virtual basis” using appropriate technology.
2. Holding the Association’s Annual General Meeting or any Emergency General Meetings on a “virtual basis” using appropriate technology.

## APPENDIX 6

### PROCEDURE FOR ELECTION OF NATIONAL EXECUTIVE COMMITTEE MEMBERS

Please also see Constitution Section I

#### 1. Independent Scrutineer

Elections to the National Executive Committee shall be conducted for the Association by a qualified, independent scrutineer engaged for the purpose. The National Executive Committee will appoint a scrutineer for each election to the National Executive Committee from the list of scrutineers approved by the Certification Officer for Trade Unions and Employers' Organisations, current at the time of the election.

#### 2. Voting Procedure

Elections of the National Executive Committee shall be by the process of single transferable vote.

#### 3. Nominations

Nomination forms will be sent to full and Trainee members. Nominations forms must be signed by the candidate and be proposed and seconded by two full members of the Association and when completed should be sent to the independent scrutineer.

#### 4. Timetable

The timetable for NEC elections will be agreed with the independent scrutineer and will be notified to members at the time of calling for nominations.

#### 5. Regions

The Electoral Regions will be notified to members at the time of seeking nominations in the case of a Regional Election. In accordance with Clause F Special Note 5 viii, electoral region is

determined by place of work and not home address. Members are therefore required to notify the Association Secretary immediately of any change in employing authority.

## 6. Joint Candidates

In the case of regional, trainee and newly qualified posts two members may stand jointly for the post subject to the requirements of clauses I 14 b and c of the Association's Constitution.

## 7. Election Address

Section 13 of the Employment Act 1988 gives candidates in elections to an Executive Committee the right to prepare an election address and have it distributed free of charge with voting papers. Candidates have a right to submit an election address in their own words. Candidates may, however, wish to take note of a resolution of the 1981 Annual General Meeting of the Association which stated that candidates should include within their election address their views on the major professional issues of the day, a delineation of the areas of their professional and trade union interests and a statement on any long-term strategic policies they would wish the Association to pursue. Candidates may also wish to consider including within their election address, so as to assist members in more easily identifying candidates for election, the full title of the present post and the name of their employing LEA. Candidates wishing to have an election address distributed with voting papers are asked to note that the election address **must:-**

- (i) not exceed 250 words in length;
- (ii) be submitted to the independent scrutineer by the deadline given for the submission of nominations;
- (iii) not contain photographic material.

## APPENDIX 7

### DUTIES & RESPONSIBILITIES FOR THE POST OF GENERAL SECRETARY

See also Section J of the constitution.

The General Secretary is responsible to the National Executive Committee through the President or through the Vice-President, deputising for the President.

It should be noted that the General Secretary will be a full-time employee of the Association and will therefore need to resign, or negotiate an appropriate period of absence, from his/her current employment. The post is a four-year term usually taking office on 1 November.

The General Secretary will not be a member of the National Executive Committee but will be expected to attend all its meetings in a non-voting capacity as well as attending all General Meetings of the Association.

#### **Key Responsibilities and tasks:-**

- 1. The promotion of the role of the Association as an effective trade union**
  - 1.1 Monitor Trade Union and other relevant legislation having implications for case law and other relevant documentation.
  - 1.2 Lead the Association's delegation to the Soulbury Committee, its Panels and Working Parties and to prepare relevant documentation.
  - 1.3 Monitor issues relating to salaries and conditions of service both nationally and locally and to take such action as may be determined by the National Executive Committee.
  - 1.4 Undertake appropriate investigations and preparation of information relating to salaries, conditions of service and related issues as required by the National Executive Committee.

- 1.5 Ensure that the NEC is briefed on significant issues arising from the role of the Association as a Trade Union.
- 2. *Oversee and ensure support of individual members and groups of members in issues relating to salaries, conditions of service and employment***
  - 2.1 Determine how casework is allocated according to policies as determined from time to time by the National Executive Committee.
  - 2.2 Bring to the attention of the National Executive Committee matters which should be communicated to members and LEA representatives concerning the conduct of local casework.
  - 2.3 Contribute to the induction, development and training of AEP local representatives, Regional Representatives and new NEC members in matters relating to individual and LEA casework.
  - 2.4 Provide the NEC with regular reports on developments in casework involving individual members and groups of members
- 3. *The active promotion of the role and work of educational psychologists through the promotion of the AEP as a Professional Association***
  - 3.1 Promote the policies of the Association and the public image of educational psychologists as agreed by the NEC.
  - 3.2 Respond positively and constructively to specific requests for information about the policies of the Association as appropriate.
  - 3.3 Monitor Acts of Parliament, Court decisions, Government briefings and circulars and other relevant documentation.
  - 3.4 Represent the Association on outside bodies, working groups and conferences as requested by the National Executive Association.

3.5 To ensure that the Association's views and advice on matters of concern to the profession of educational psychology are made known at all levels of national government; local government and other public and private bodies concerned psychological and educational matters.

#### **4. Working with Officers and the National Executive Committee on key areas of policy and development**

4.1 Draft documents for members, government departments and others as determined by the National Executive Committee.

4.2 Arrange for research to be undertaken and for responses to be made to specific enquiries for information on key professional issues as agreed by the National Executive Committee.

4.3 Contribute to the maintenance of the Association's databases and other information systems as appropriate; arrange for them to be updated and kept fit for purpose.

4.4 Inform and advise the National Executive Committee on key areas of policy and development relevant to the profession and employment of educational psychologists.

4.5 Keep Officers, Regional Representatives and other members of the National Executive Committee informed of work undertaken falling within each individual's areas of responsibility as determined by the National Executive Committee.

4.6 Undertake any other duties appropriate to the post as determined by the National Executive Committee.

#### **5. Management of the Association's Resources**

5.1 Ensure that the Association's day to day business is conducted efficiently with an appropriate use of available resources.

5.2 Liaise with the Honorary Treasurer in the setting and monitoring of budgets relating to staffing and other resources.



- 5.3 Overall responsibility for the management and supervision of the Association's paid staff.
- 5.4 Oversee the effective implication of general policies for example in relation to health and safety issues.
- 5.5 Undertake as appropriate a role in investigating complaints and disciplinary matters involving the Association's staff.

## APPENDIX 8

### PROCEDURE FOR ELECTION OF GENERAL SECRETARY

#### **Nominations and Ballot**

Elections to the post General Secretary of the Association shall be conducted for the Association by a qualified, independent scrutineer engaged for the purpose. A timetable for the election will be agreed with the independent scrutineer and will be notified to members at the time of issuing nomination papers.

Each nomination must be supported by the signatures of twenty full members of the Association [see Section J 4 (b)]. As a precaution each nominee may submit more than twenty signatures, but only the names of the first twenty signatures confirmed to the independent scrutineer as being currently full members of the Association will be printed on the voting papers. Nomination forms can be photocopied as necessary, but the name and signature, in ink, of the nominee must appear at the top of each form submitted.

Nomination forms must be sent to the independent scrutineer to be received by the specified closing date for nominations to be received and any forms received after the deadline will be declared invalid. The independent scrutineer will confirm receipt by recorded delivery; any candidate not receiving such confirmation should contact the independent scrutineer immediately.

Full members cannot nominate more than one candidate for General Secretary [see Clause J 4(b)].

#### **Election Addresses**

Candidates have a right to submit an election address in their own words. Candidates may, however, wish to take note of a resolution of the 1981 Annual General Meeting of the Association which stated that candidates should include within their election address their views on the

major professional issues of the day, a delineation of the areas of their professional and trade union interests and a statement on any long-term strategic policies they would wish the Association to pursue. Candidates may also wish to consider including within their election address, so as to assist members in more easily identifying candidates for election, the full title of their present post and the name of their employer. Candidates wishing to have an election address distributed with voting papers are asked to note that the election address must:-

- (i) not exceed 1,000 words in length in typescript;
- (ii) not contain photographic material;
- (iii) reach the Independent scrutineer by the given date for close of nominations.



## APPENDIX 9

### MODEL BRANCH CONSTITUTION

#### 1. NAME:

#### 2. OBJECTIVES:

To promote the aims of the Association of Educational Psychologists.

To discuss any trade union business pertinent to members belonging to the Branch, and where appropriate to take relevant action.

To discuss professional matters, and foster the cross fertilization of ideas between members from *the region*

To discuss any relevant legislation and inform the NEC of the views of the Branch members.

To provide a forum for discussion of relevant matters and where appropriate make those views known to the NEC via the *Regional Representative* or other NEC member who will act as a liaison officer between the Branch and NEC.

To form a local pressure group for the transmission of the policy of the Association of Educational Psychologists to Local Authorities, Social Services Departments, Area Health Authorities, Members of Parliament, and any other relevant local bodies.

#### 3. MEMBERSHIP:

Those eligible for membership shall be full members, retired members, affiliate members; Trainee members and Assistant Members. Membership of the Branch shall be determined by the principal place of work for each member, and/or their home address.

#### **4. BRANCH OFFICERS:**

A Chairperson who will act as Chairperson for ordinary, extraordinary and Annual General Meetings. In the absence of the Chairperson, a member of the meeting shall be elected by all other members present, to chair that particular meeting.

A secretary/treasurer whose duties may be undertaken by one person or two, according to the wishes of members at an Annual General Meeting. The duties of a secretary will include calling meetings, taking minutes, record keeping, dealing with Branch correspondence, and any other Branch business.

The officers named above may be assisted in their duties by any other officers elected for that purpose, as the Branch membership decides.

#### **5. ELECTION OF OFFICERS:**

- a) Officers shall be elected annually at the Annual General Meeting; or for a period up to the next Annual General Meeting at an Extraordinary meeting called for that purpose.
- b) Nominations in writing to be deposited with the secretary/treasurer not less than three weeks before the date of the Annual General Meeting or Extraordinary General meeting called for that purpose.
- c) Nominees must signify their willingness for nomination in writing and must be fully paid up members of the Association.
- d) If insufficient nominations are received for the posts of Branch officials, then verbal nominations at the Annual General Meeting may be accepted, provided the person/s nominated are present at the meeting and accept nomination.
- e) Voting shall be restricted to members of the Association.
- f) In the event of any dispute the matter should be referred to the NEC whose decision will be final.

## **6. MEETINGS:**

### **a) Annual General Meeting:**

The Annual General Meeting shall take place after 1 January and not later than six weeks prior to the date set for the AGM of the Association to ensure that Branch annual reports and any motions from the Branch can be lodged with the Association Secretary for distribution before the AGM.

At least four weeks' notice of the date of the Annual General Meeting shall be given to Branch members.

At least three weeks' notice of the business to be transacted at the Annual General Meeting shall be given to Branch members.

The Business of the Annual General Meeting shall include: The annual report of the secretary/treasurer; the accounts for the year; election of officers.

Seven members shall constitute a quorum.

Voting shall be as stated in section 5 (e)

### **b) General/Ordinary Meetings:**

In addition to the Annual General Meeting there shall be at least one General Meetings for which the Branch secretary/treasurer can claim finance. The number of meetings in any one year is to be determined by the Branch officials elected at the Annual General Meeting.

Seven members shall constitute a quorum.

Members shall be given at least one week's notice of such a meeting.

### **c) Extraordinary General Meetings:**

These may be called at the discretion of the Branch officers or at the request six Branch members, deposited with the secretary in writing.

Seven members shall constitute a quorum.

Members shall be given at least one week's notice of such a meeting.

## **7. FINANCES**

- a) Each Branch shall submit an annual financial statement to the Honorary Treasurer of the Association for approval by the Association's auditors and any tax due on such money should be deducted from Branch Funds.



## APPENDIX 10

### GUIDANCE FOR CONDUCT OF DISCIPLINARY PANEL HEARINGS

The following guidelines relate to the procedures laid down in the Constitution and relate to the operation of disciplinary panels.

1. Members of the disciplinary panel shall be selected from the membership of the National Executive Committee at the discretion of the Association Secretary and President and will have been entirely unconnected with the dispute at any prior stage (applies to Intra-Association Disciplinary Procedure only).
2. The lay representative may be selected at the discretion of the Association Secretary and President from a reserved panel of members of the public (i.e. non-psychologists) with a union and/or professional background.
3. A senior employee of the Association will act as clerk, make arrangements for hearings, advise on procedure, answer queries and communicate with the complainant and the accused member.
4. The parties to the complaint will be expected to cooperate with the clerk regarding the arrangements for the procedures.
5. Each party will be given prior disclosure of documentation submitted by the other party as being relevant to the accusation, and details of witnesses to be called at the Hearing.
6.
  - a) Where possible hearings will be held at a venue convenient for all the parties involved in the hearing.
  - b) Reasonable travel costs will be paid where appropriate.
  - c) In the event of the Association being unable to arrange a local venue for the Hearing, consideration will be given to meeting travel costs.

7. a) A representative or friend may be a work colleague, a relative, a friend or solicitor.  
b) The representative or friend may not be an employee of the Association or a member of the NEC.
8. Hearings will be formal and evidence will be taken separately from the complainant and the accused (or the members in dispute) and each party will also be offered the opportunity to question the other about the accusations and to question any witnesses called for either party.
9. In the event of one or more the parties to the complaint being unavailable or unwilling to attend a hearing the President and Association Secretary may at their discretion instruct that the hearing should go ahead in the absence of the party or parties concerned.
10. All documentation held by NEC members, full members and lay representatives in relation to their participation in any of the above procedures should be returned to the Association office as soon as is reasonably practicable following a final outcome.
11. Hearings shall not be open to the press or public.

## APPENDIX 11

### PROTOCOL FOR CONCILIATION MEETINGS

1. The main objective of the process is to arrive at a course of action that is agreeable to both parties by the end of the day OR reach an agreement that the two sides cannot be reconciled.
2. Three AEP representatives are needed (one to represent the views of each party to the "Centre" and one as the impartial "Chair" of the process). More will be needed if there are more than two parties.
3. Three rooms are needed (one for each party to stay in and one for discussions at the "Centre", otherwise time is lost in juggling the parties and rooms).
4. Both parties are welcomed individually by the Chair and escorted to a separate room until everyone has arrived.
5. Both parties are brought to the "Centre", introduced to their representatives and have the process explained to them. They are given the opportunity to query details of the process.

The process itself is as follows:

7. One representative goes with each member to establish a personal link with that member and discuss the negotiating positions, i.e. the expectations of the conciliation process, what responses each would be prepared to accept, or offer, and the position from which the negotiations can begin.
8. The Chair remains apart from these individual discussions and, once allocated to a party, the representative continues to support that party throughout. The Chair should be responsible for ensuring that refreshments and lunch arrangements are in hand so that unnecessary delays can be avoided in what might be a lengthy process.
9. Both representatives join the Chair to present the negotiating positions of each party, discuss any issues involved and determine the next step. The parties remain in their rooms.

10. The outcomes of these discussions are relayed back to each party and further discussions held with the aggrieved party to see how acceptable the proposals are.
11. Both representatives go back to the "Centre" for further discussions on the revised proposals and take back further proposals to both parties.
12. This last step is repeated as often as needed until there is a resolution acceptable to both parties.
13. The Chair brings together both parties and summarises the course of action that has been agreed by both parties, or indicates that conciliation cannot be achieved.
14. The Chair then closes the meeting and communicates the outcome of the conciliation process to the General Office in writing for the record. If the conciliation process fails, the decision on whether to take further action rests with the parties concerned, not with the meeting itself.

## APPENDIX 12

### PROCEDURE FOR ELECTION OF A LOCAL REPRESENTATIVE

1. Association members employed in each LA (as defined in Appendix 2) or other workplace recognised by the Association shall elect a member to act as an Association representative.
2. Each local representative shall be elected for a period of one year commencing on the 1 September each year.
3. Elections for local representatives shall be held in July. Nominations signed by a proposer (who is also a member working in the same LA or workplace) shall be deposited with the Principal Educational Psychologist (if a member of the Association), or other mutually agreed member by 1 July.
4. Voting shall be by secret ballot. Each election shall be decided by a simple majority of the votes cast in the election. In the event of a tie the election shall be determined by lot. The number of votes cast for each candidate shall be announced to members in the LEA. The name and contact details of the newly elected representative shall be communicated to the Association Secretary as soon as possible upon election.
5. Any disputes regarding the election of a local representative should be referred to the Association Secretary who shall arrange an election. The decision of such an election shall be final.
6. Casual vacancies of local representatives shall be filled through by-election to complete the unexpired period of the term of office.

## APPENDIX 13

### PROCEDURE FOR ELECTION OF A REPRESENTATIVE FOR TRAINEES ATTENDING A RECOGNISED TRAINING COURSE

1. Association trainee members attending each recognised training course shall elect a member to act as an Association representative.
2. Each trainee representative shall be elected for a period of one year commencing on the 1 December each year.
3. Elections for trainee representatives shall be held in November. Nominations signed by a proposer (who is also a trainee on the same training course) shall be deposited with the Course Director (if a member of the Association), or other mutually agreed member by 1 November.
4. Voting shall be by secret ballot. Each election shall be decided by a simple majority of the votes cast in the election. In the event of a tie the election shall be determined by lot. The number of votes cast for each candidate shall be announced to members attending the training course. The name and contact details of the newly elected representative shall be communicated to the Association Secretary as soon as possible upon election.
5. Any disputes regarding the election of a trainee representative should be referred to the Association Secretary who shall arrange an election. The decision of such an election shall be final.
6. Casual vacancies of trainee representatives shall be filled through by-election to complete the unexpired period of the term of office.

## APPENDIX 14

### ROLE AND FUNCTION OF THE EDITORIAL BOARD

#### 1. Purpose of *Educational Psychology in Practice*

*Educational Psychology in Practice* shall have the following mission statement:

“The Editorial policy of *Educational Psychology in Practice* is to publish refereed articles representing theory, research and practice which is of relevance to practising educational psychologists in the UK and beyond. In its focus on applied psychology it occupies an important complementary position to those journals which emphasise the experimental work of academic psychologists. Whilst the majority of articles submitted to the journal are written by practising psychologists in the UK, submissions are welcomed from outside the profession and from outside the UK. Content also includes book and software reviews”.

#### 2. Role and function of the Editorial Board

The function of the Editorial Board is to manage and steer the production and development of the journal and to assist the Editor by acting as anonymous referees in respect of submitted papers. Final decisions concerning publication rest with the Editor.

As the journal is the major publication of the Association of Educational Psychologists, the National Executive Committee is represented on the Editorial Board of the journal. The Vice-President convenes and chairs meetings of the Board. The Treasurer attends meetings when appropriate and one other member of the NEC is appointed by the NEC to attend Board meetings.

#### 3. Composition of the Editorial Board

The Editorial Board consists of elected and appointed members as follows:

2 members of the NEC, plus the Treasurer as appropriate (appointed by the NEC)

6 ordinary members (elected by full members for 3 years)

1 Review Editor (elected by full members for 3 years)

1 Editor (appointed by the NEC)

The Review Editor and ordinary members may be either full or affiliate members of the AEP. In standing for election, members will make clear whether they are full or affiliate members. Only full and trainee members will be eligible to vote in these elections. When electing candidates to these posts, AEP members should be provided with a brief description of the duties of Editorial Board members and candidates should be asked to present a brief account describing their suitability for such a post. All members of the Editorial Board should undertake to comply with the description of duties.

#### **4. The function of the Editor**

The Editor shall have day-to-day responsibility for editorial content within agreed editorial policy which shall remain the responsibility of the NEC.

The main tasks of the Editor are:

- To maintain an overview of the workings of the journal;
- To solicit, receive and process papers for possible publication;
- To coordinate and manage the refereeing process;
- To seek specialist opinion where necessary and appropriate;
- To pass anonymous referees' comments and feedback to authors, and to liaise with authors about suggested amendments;
- To ensure prompt delivery of final manuscripts to publishers in the agreed format;
- To prepare an annual report for presentation at the Association's AGM;



- To maintain communication links with nominated representatives of the National Executive Committee and with the Association's Senior Administrative Officer;
- To maintain liaison with the software and book review editor;
- To manage and monitor expenses associated with the editorial board in liaison with the Association's Honorary Treasurer;
- To promote the journal in liaison with the publishers and the National Executive Committee;
- To act as mentor to the incoming editor designate.

## 5. Selection of the Editor

- a) The NEC will advertise the post of Editor and shortlisting and appointment will be made by a delegated committee comprising NEC members and the Editorial Board.
- b) An Editor shall be appointed for a fixed term of five years.
- c) The Editor shall be paid an honorarium in order to purchase their time for around 30 days per year as a contribution towards the total time required to discharge duties efficiently and effectively.
- d) The Editor must be either a full or affiliate member of the Association.

## 6 The readership

All members of the Association currently receive *Educational Psychology in Practice* as part of their membership. There is also a smaller international readership and an audience in Higher Education establishments. Rapid developments in the publishing world are likely to lead to significant developments in terms of future readership.

The NEC shall cost *Educational Psychology in Practice* into AEP membership and, with the Editorial Board, receive from the publisher an annual breakdown of trends in, and categories of readership.

## **7. The 'authorship'**

The Editorial Board should rigorously apply the publication criteria embodied within the above mission statement, with the proviso that previously unpublished practising educational psychologists will be given additional support and guidance in preparing articles for publication.

The Editorial Board should take an active role in monitoring the 'authorship' profile.

## **8. Quality of control content**

The Editor and Editorial Board should continue to operate the mechanisms which have been successful in raising and maintaining the quality of the journal.

## **9. Publisher**

The Editorial Board should meet at least annually with the publisher to consider issues of common interest.

## APPENDIX 15

### SUBSCRIPTIONS

#### 1. Subscription Rates

The annual subscription for each category of membership shall be determined by the National Executive Committee.

#### 2. Initial subscriptions and concessions

An initial payment, or completed direct debit mandate, must accompany the completed form of application for membership and this shall be the appropriate subscription for the year in which the application is made except that:

- (a) Members admitted into Association membership part way through the membership year, either as full or affiliate members, will pay a reduced subscription for that year, proportionate to the number of whole or partially completed months remaining in that year.
- (b) Trainee members joining after 1st July of the year in which they start their course may:
  - (i) pay the whole annual Trainee membership fee for that year, which will be deemed also to be payment for the following year,
  - or
  - (ii) pay by direct debit in twelve monthly instalments starting in January of the following year (at the annual Trainee rate applicable for that year).
- (c) Trainee members who become full members in the year immediately following completion of their course will receive 3 months free membership.

(d) Maternity Leave and Sick Leave:

Members whose salary has been reduced as a result of absence from work on maternity leave, adoption leave, or sick leave of 6 months or more, may claim a refund of 25% of the subscriptions paid during one membership year. Only one such claim for any single period of absence or leave is allowed.

### 3. Renewal of membership

Except as provided for in paragraphs 2(a) and 2(b), membership shall be renewed annually by payment of the appropriate subscription, in advance, for the membership year commencing on the 1st January each year.

- (a) The whole annual subscription may be paid as one amount, or in monthly instalments, as determined by the National Executive Committee. The due date for the single annual payment is the 1st January of the membership year. Monthly instalments are due on the first banking day of each calendar month, with the first instalment being due in January of the membership year.
- (b) If payment of the full amount or the agreed instalment is not received by the due date, membership shall be deemed to have ceased, whether or not a notice of resignation has been received from the member. However, at the discretion of the National Executive Committee, membership benefits may be continued for a maximum period of three months from the due date to enable the outstanding subscription to be paid.
- (c) Subject to the provisions of Section F 5(iii), former members whose membership has lapsed by reason of non-payment of subscriptions must pay the whole annual subscription if re-admitted within the same membership year. Former members re-admitted in subsequent years will normally be expected to pay any subscriptions outstanding from their previous period of membership.

## GUIDELINES FOR METHODS OF PAYMENT OF SUBSCRIPTIONS

Annual subscriptions are due on January 1st each year, unless the member has elected to pay in monthly instalments by means of direct debit payments. The following methods of payment are possible.

### 1. Payment by Standing Order

This is not to be confused with payment by direct debit (q.v.). If you elect to pay by standing order, you must ensure that the amount of the standing order is updated if subscription rates change OR if you change your category of membership. Also, in order to enable the Treasurer to identify the Standing Order payments received, it is essential that these are made in the name by which you are known to the Association.

Standing orders must be paid to:-

National Westminster Bank plc  
8, Park Row  
Leeds  
LS1 5HD  
(56-00-54)

for the credit of

The Association of Educational Psychologists  
A/C No. 00557862

and must **be for one single payment of the full membership fee.**

### 2. Payment by Direct Debit

You may pay your subscription by means of 'direct debit' payments. You will need to complete a direct debit mandate in favour of the Association, and thereafter the Association will be responsible for debiting the correct amount each year. Changes in the amounts due, e.g. as a consequence of alterations in subscription rates or a change in your category of membership, will be made automatically

by the Association. You will be notified in advance of proposed changes in the amount of the direct debit.

Two forms of mandate are available which allow for payment of either the whole annual subscription by single payment in January, or by 12 equal monthly instalments commencing on January 1st, and around the 1st day of each subsequent month. Further information is available on request from the Association Office.

It is the responsibility of members paying subscriptions by this method to notify the Association Office of any changes to their bank account details, to enable a new direct debit mandate to be processed in good time. Where for any reason the Association is unable to collect a direct debit instalment on the due date, the member must, if requested, pay the instalment(s) due by means of a cheque or cash in order to remain in membership.

### **3. Payment by Internet Card Payments**

You may pay your subscription by means of "Internet Card" payment subject to systems being set up.

## APPENDIX 16

### REGULATIONS FOR JOB SHARE POSTS ON THE NEC

In the case of two members who are elected jointly to a Regional Representative Post on the National Executive Committee the following will apply:

1. Only one of the two members will be entitled to attend and vote at any meeting of the National Executive Committee. It will be for the two members to agree who will represent their Region at any particular meeting of the NEC.
2. A place will be allocated on one of the Association's sub-committees which again will be shared jointly by the two members. Again, it will be for the two members to agree who will attend any particular meeting.
3. Travel and other expenses will be payable in respect of only one of the two members for attendance at NEC meetings or any other meetings for which the NEC are reimbursed for their attendance.
4. In exceptional circumstances the NEC can agree to pay the expenses of both members to attend a particular meeting where it is considered their joint attendance would be beneficial to the Association.
5. Both members will be entitled to claim travel expenses for attending meetings of local representatives in their area.
6. In the event that one of the two members elected to a job share post resigns from the NEC during their term of office, the remaining member will remain in the post until the next scheduled election.

Any disagreements which arise between the two members in relation to the undertaking of duties relating to the post to which they have been elected will be referred to the President to resolve. The President's decision on any such matter will be final.

## APPENDIX 17

### GUIDANCE ON CLAIMING EXPENSES

#### A. Introduction

1. This document provides guidance to NEC members and other authorised members undertaking approved duties on behalf of the Association.
2. Members are expected to act at all times in accordance with this guidance. Where circumstances arise that are not fully covered here, members must exercise their own judgment about what is reasonable; if in any doubt, or if exceptional costs are involved, members should obtain authorisation from a designated officer of the NEC before incurring expenses.
3. It is the responsibility of members to familiarise themselves with current guidance and scales of allowances before incurring expenses that they intend to claim from the Association. Ignorance of these facts will not entitle a member to reimbursement of expenses that exceed the set allowances and/or which are not authorised by the NEC.

#### B. General Principles

1. A general principle is that members will be reimbursed the **actual expenses** that they incur in the performance of their duties for the Association. Such duties should be commensurate with a member's office or assigned role within the NEC, or else



explicitly authorised by the NEC or by designated officers of the NEC.

2. It is also presumed that where members have some control or discretion about the extent of the expenses they incur, such expenses will not exceed a '**reasonable**' amount. The NEC, advised by the Honorary Treasurer, will from time to time determine what expenses are deemed reasonable, and issue guidance accordingly to members.
3. Members are required to provide proof of the expenses incurred wherever possible. Amongst other reasons this is essential for audit purposes of the Association's accounts. Claims may be disallowed if not supported by valid receipts or other evidence.
4. It is not intended that members should make a financial gain from claiming expenses. However, where the possibility of gain arises, members are personally responsible for determining and dealing with any consequent liability to income tax – this is not the responsibility of the Association.
5. The sum to be reimbursed in respect of any individual claim will normally be determined by the Honorary Treasurer, by reference to the prevailing rules and guidance and at his/her discretion. However, in exceptional circumstances authorisation for payment may be sought from, and determined by, the NEC.

## C. Travel Expenses

1. Reimbursement of travel expenses may be claimed in respect of journeys that are **necessarily** and **primarily** undertaken on Association business. Expenses should not normally be claimed for journeys that are undertaken primarily for a member's personal reasons or in the course of his/her own business or employment, and where any duties for the Association are of an incidental and minor nature.
2. In circumstances where a journey pertains to duties on behalf of the Association and also to significant duties for an employer or another organisation, the member should seek to recover those travel expenses, or an appropriate proportion, from the employer/organisation concerned wherever this is feasible.
3. Similarly, where the journey deviates from the most appropriate, direct route for the purpose of a member's personal business or convenience, the expense claim should be correspondingly reduced (i.e. by the difference in cost between the actual and direct journeys).
4. When Association business extends over two or more consecutive days, members may opt to stay in temporary accommodation near the place of business (subject to the guidance in Section D), or to return home overnight. In the latter case, if the additional cost of travel exceeds the cost of suitable overnight accommodation and subsistence, the member will be entitled to

reimbursement of a sum equivalent to the prevailing accommodation and subsistence rates only, unless the Honorary Treasurer or the NEC considers that there are exceptional circumstances justifying reimbursement of the full travel costs.

5. Members may elect to travel by whatever means they choose, but should be mindful of the limits on reclaimable expenses in operation at the time of undertaking the journey.

### **Travel by Public Transport**

6. Subject to the limitations set out below, the actual and full cost of travel by public transport will normally be eligible for reimbursement. In this context, 'public transport' means: bus, coach, tram, taxi/cab, train, underground train, aircraft and ferry/hovercraft.
7. Reimbursement of costs incurred on public transport will be subject to the following conditions:
  - (a) The journey takes the most practicable direct route at the time (otherwise an appropriate reduction will be made).
  - (b) The means of transport is appropriate to the journey undertaken (e.g. a long journey by taxi would not be appropriate if it could be completed largely by train or coach at substantially lower cost).
8. Claims will be assessed against the cost of a Reference Fare for the relevant journey.

The Reference Fare will normally be taken to be the cost of the Standard, Second Class, and least restrictive, combination of return rail/ferry/plane fare(s), plus connecting tube or bus fares where necessary, applicable on the 'business day' or day of travel, as deemed appropriate by the Honorary Treasurer.

9. The reclaimable cost of a rail/ferry/plane journey will normally be limited to the lower of actual price paid, or the price of the Reference Fare applicable at the time of the journey.
10. Members are encouraged to make use of any available 'cheap rate' and 'discount' rail/coach/plane fares to minimise travel costs where this is practicable. However, there is no expectation on members to do so if it would entail travelling at inconvenient (or unduly restricted) times, excessively long journeys, or having to book fares well in advance of travel.
11. Members who are eligible may claim for the cost of an annual railcard to obtain rail tickets for 'cheaper travel'. The full cost of the railcard will be reimbursed providing the savings to the Association during the currency of the railcard are equal to or greater than the cost of the card. Members are at liberty to use their railcard towards the cost of any personal travel they undertake.
12. The cost of a Second Class/Standard Class sleeping berth or couchette may be claimed where a journey requires overnight rail or ferry travel. This would not usually be

considered necessary unless the total journey time (in one direction) exceeds eight hours and necessarily includes travelling after 11.00 pm.

13. The additional cost of 'upgrading' to a superior standard of accommodation (e.g. First Class, Club Class, Business Class or other designation) may, exceptionally, be reimbursed for that part of the journey when no seats are available in Second Class/Standard Class accommodation at the time of travel.
14. The cost of travelling in a superior standard of accommodation (as above) will be reimbursed in full if, by virtue of a special promotion, inclusive package etc., it does not exceed the Reference Fare for the same journey on the date of travel.
15. When air travel is the only practicable means of transport (e.g. for overseas journeys, or long-distance inland journeys where travel time would otherwise be excessive), members should obtain prior authorisation from the NEC if possible, or otherwise from two designated NEC officers (one of whom should normally be the Honorary Treasurer), before booking. They should obtain at least two competitive quotes from travel/booking agents in good time, and endeavour to use the most economical flights, operators, departure/landing points etc. to minimise costs, so long as this does not create undue inconvenience.

16. If a member elects to travel by air for his/her own convenience when a practicable alternative is available, he/she may claim reimbursement of the actual cost of the fare or the cost of the equivalent Reference Fare, whichever is the lower.
17. If a member claims the equivalent of a Second Class/Standard Class rail/ferry/plane fare but actually travels by other means (or in a different 'class'), the member must ascertain the prevailing Second Class/Standard Class fare for that journey and include this information on the claim form.

### **Travel by Private Vehicle**

18. Members may opt to use their own, private vehicles when travelling to, from, or in the course of Association business, but there is no expectation or requirement on members to do so. Members using their vehicles for this purpose are responsible for ensuring that they carry appropriate insurance cover. The Association will not indemnify a member for any costs or damages, direct or consequential, that he/she may sustain, or for any claims from third parties in respect of damage or injury caused in or by the member's vehicle, or for any fines incurred by the member (e.g. for motoring offences), when using the vehicle whilst travelling to, from, or in the course of Association business.
19. The costs of travel by private vehicle will be reimbursed on a scale determined from time to time by the Honorary Treasurer or by the

NEC. The NEC has confirmed the principle for the time being that the scale should be so constructed that, for a given journey, the amount reimbursed will be comparable to the cost of the equivalent journey when undertaken largely by public transport. Moreover, the scale should be set at a level such that members would not normally make a 'profit' from the reimbursement of travel costs.

20. Reasonable incidental costs necessarily incurred in using a private vehicle in the course of Association business, such as car parking charges and bridge tolls, will also be reimbursed ~~at the discretion of the Honorary Treasurer.~~
21. A member using a private vehicle for Association business may instead elect to claim reimbursement of travel costs on the basis of the public transport fare for the equivalent journey on the same date. In that case the member must ascertain the actual and relevant fare in force at the time, and include that information in the travel claim. Such a claim will normally be paid in full, subject to the Honorary Treasurer's agreement that it is a more appropriate and accurate estimate of the actual travel costs incurred by the member.
22. Where there would be a saving to the Association from a member purchasing a "pay as you go" advance travel card such as an "Oyster Card", the costs of purchasing the card and any subsequent "topping up" can be re-claimed in advance of its use where applicable.

23. If a member uses a credit/debit card to pay for travel on London underground then this can be reimbursed without the need for a receipt up to the maximum daily amount that is payable.

#### **D. Accommodation Expenses**

1. In general, reasonable costs of overnight accommodation in a hotel, guest house, inn or similar establishment, may be reimbursed in circumstances where the member undertakes duties on behalf of the Association at a location and at a time such that it would be unreasonable for the member either to travel from, or return to, his/her home (or current place of residence) on the same 'business day'. Accommodation expenses are not payable in circumstances where a member stays overnight in the home of a relative or friend.
2. Temporary accommodation may be taken for the night immediately preceding the business day if:
  - (a) travelling on the business day would necessarily entail the member leaving home before 7.00 am, or
  - (b) the cost of travelling on the business day would exceed the combined cost of travel and overnight accommodation on the preceding day.
3. Temporary accommodation may be taken on the actual business day if the member would not be able to return home before 11.00 pm of that day.



4. Where a member would have to spend more than 16 hours on Association duties (inclusive of travelling) on a business day, but neither of the circumstances specified in paragraphs 2 and 3 above applied, one night's temporary accommodation may be permitted, either on the business day or the preceding night.
5. Where the member performs duties for the Association on two or more consecutive days, overnight accommodation will be justified where any of the above relevant circumstances apply on the relevant business day, or where
  - (a) returning home overnight between consecutive business days would entail additional travel exceeding five hours in total, or
  - (b) the additional cost of such travel would exceed the cost of accommodation and subsistence
6. In the circumstances described in paragraph 5(b) above, if a member chooses to travel home overnight between business days, the additional travel costs reimbursed may be limited to the maximum allowable cost of overnight accommodation, unless there are special circumstances preventing the member taking overnight accommodation (see Section C4).

### Reimbursement of accommodation expenses

7. Where a member, in person, books accommodation directly with a hotel or booking agent, the actual and full cost of the accommodation will be reimbursed, up to a maximum amount as determined from time to time by the NEC. When making individual bookings, members are encouraged if possible to make use of specialist agencies offering discounted rates, and to book sufficiently well in advance to be sure of obtaining rooms at the most economical rates – especially in central London.
8. Where a company or agency charges a booking fee this will be reclaimable providing the total cost does not exceed the relevant allowance. Any voluntary donations made by a member at the time of booking are not repayable by the Association.
9. Where a member takes accommodation at a cost exceeding the applicable maximum allowance, part or all of the additional costs may be reimbursed, at the discretion of the Honorary Treasurer, if no suitable alternative accommodation is available within the allowance limits. However, in such circumstances members should normally **seek prior authorisation** from the Treasurer before making a firm booking. In all other circumstances the member will be personally responsible for meeting any additional accommodation costs.
10. If accommodation for a member or group of members can be arranged by the

Association Office, e.g. as a 'block-booking' or meal-inclusive package, at more economical rates than members booking individually could obtain, members will normally be expected to take that accommodation. If a member elects to make separate arrangements for accommodation, the costs reimbursed will normally not exceed the cost of the accommodation booked by the Association Office, unless there are exceptional circumstances (e.g. the member requires special facilities because of a disability).

11. Where the conditions requiring overnight accommodation (as defined above) do not apply, but a member wishes to take temporary accommodation for his/her personal convenience or preference, he/she should whenever possible seek prior agreement from the Honorary Treasurer before making such an arrangement. The expenses reimbursed will normally be either the equivalent Reference Fare for travel on the business day, or the actual expenses incurred (including travel, accommodation and any additional subsistence costs), whichever is lower.
12. Where a member takes overnight accommodation in any of the circumstances described above and shares that accommodation with any person(s) not engaged on Association business, only the proportion of the costs attributable to the member will be reimbursed. In such circumstances no allowance will be given for any supplementary charge that might

otherwise apply for single occupancy of the room.

## E. Subsistence Expenses

1. The reasonable cost of meals and refreshments necessarily taken whilst a member is engaged on Association business (including periods of travel between the member's home or current place of residence and the place of business, or whilst in temporary accommodation in circumstances described in Section D) will be reimbursed subject to a maximum allowance as determined by the NEC.
2. Members may claim the costs of one or more of the following meals:
  - (a) **Breakfast:** A member may claim the cost of a breakfast when he/she:
    - i Stays overnight in temporary accommodation in the circumstances described in Section D above (although the cost will usually be included in, and reimbursed as part of, the accommodation allowance), or
    - ii Is away from home at or before 7.00 am on Association duties, and is engaged on such duties (including travelling to or from the place of business) for more than 3 hours on that day. (including the period 7.00 am – 9.00 am).

- (b) **Lunch:** A member may claim the cost of a lunch when he/she:
    - i Is undertaking Association duties away from home (including travelling to or from the place of business) for a time exceeding 4 hours, including the period 12 – 2 pm.
  - (c) **Tea:** A member may claim the cost of a tea when he/she:
    - i Is undertaking Association duties away from home (including travelling to or from the place of business) for a time exceeding 4 hours, and including the period 3 – 6 pm.
  - (d) **Dinner:** A member may claim the cost of a dinner when he/she:
    - i Is undertaking Association duties away from home (including travelling to or from the place of business) for a time exceeding 4 hours and ending after 8 pm.
    - ii Stays overnight in temporary accommodation in the circumstances described in Section D above, and is necessarily away from home from 7.00 pm onwards on that night.
3. A member may not claim the costs of both a 'Tea' and a 'Dinner' for the same day.
  4. A member may claim the cost of reasonable refreshment taken during a journey to or from the place of business, where the

duration of that journey exceeds 3 hours but does not otherwise entitle the member to claim for a meal specified in paragraph 2 above.

5. A member may not normally claim for the cost of a separate meal if this has already been included in an accommodation or travel 'package', the full cost of which is also being claimed or charged to the Association (e.g. where the overnight accommodation tariff includes 'dinner, bed and breakfast'). If a member orders a meal which costs more than the sum allowed for in the inclusive package, the member will be responsible for meeting the additional cost.
6. Where the Association makes arrangements to cater for a group of members, no separate claim may be made by an individual member who elects to purchase his/her own meal, other than in exceptional circumstances (e.g. arising from the member's special dietary requirements).
7. A member who necessarily takes a meal in the course of travel on a train, ferry or aircraft, the cost of which exceeds the current subsistence allowance, may claim the full cost of the meal if no suitable alternative is available.

## **F. Other Expenses and Allowances**

1. Members may claim reimbursement of incidental costs of e.g. postage, stationery,

telephone calls etc. incurred on Association business.

2. A 'Care for Dependants' allowance may be claimed by eligible members. Full details are set out in a separate document available from the Association Office on request.

## **G. Conditions of Reimbursement of Expenses**

1. Members should claim reimbursement of expenses on the appropriate, current claim forms and should provide sufficient details and proof of the expenses and their circumstances, to show that they meet the criteria set out in this guidance (specifically having regard to Section B). Claims should be submitted within a reasonable time of incurring an expense, to assist in the maintenance of accurate accounts and to facilitate verification of claims where there may be insufficient supporting documentation.
2. Members should be aware that claims are subject to audit. It is the responsibility of members to ensure the accuracy of claims they make and reimbursements received. The Association reserves the right to reclaim any overpayment made to a member as result of an error on the part of the Association or of the member. A member who obtains or seeks to obtain payment from the Association for expenses which he/she has not incurred, or has incurred without legitimate authority, may be considered to be in breach of the

Association's code of conduct and will be liable to repay any such sums obtained.