

**THE CHARTERED INSURANCE INSTITUTE**  
**Disciplinary Regulations**

*(Approved by the Board on 4<sup>th</sup> December 2019)*

1) Preliminary

These Regulations are made in accordance with the Charter and Bye-laws (“the Laws”) of the Chartered Insurance Institute (“the Institute”) with which they should be read and are part of the Institute’s Board Regulations. Derived from these Regulations are the Institute’s Disciplinary Procedure Rules (“DPR”) and both documents should also be read together. In the event of any inconsistency or conflict between the provisions of the Charter and Bye-laws and these Regulations and/or the DPR, the provisions of the Charter and Bye-laws shall prevail. In the event of any inconsistency or conflict between these Regulations and the DPR, these Regulations shall prevail.

2) Appointment of Case Investigator and Committees

- a) The Board of the Institute delegates authority to the Professional Standards Committee (“the PSC”) to designate a person or persons, who shall not be a member of the Board nor of any Committee which is the subject of these Regulations, to undertake the preliminary investigation and determination of disciplinary complaints under the DPR (“the Case Investigator”). The Case Investigator will be bound by the authority outlined in the DPR and/or the Sanctions Matrix.
- b) The PSC shall also appoint an Independent Review Pool (“the IRP”) to consider and determine, by way of a Disciplinary Panel or Appeal Panel, any disciplinary complaints referred to it under the DPR. The PSC shall make such other arrangements as are necessary to empower members of the IRP to form hearing Panels as necessary.
- c) A person appointed to a Panel may not sit as a member of that Panel in any case where they have participated previously in the consideration (unless sitting as a member of the Disciplinary Panel reconvened following a direction from an Appeal Panel under the DPR) or where they have a personal connection with the Respondent or Complainant or witnesses.

3) Quorum and chairmanship

The quorum for a meeting of both a Disciplinary Panel and an Appeal Panel shall be as prescribed in the DPR.

#### 4) Procedure

A disciplinary complaint in relation to an alleged breach of the Laws of the Institute against a person who is or was a Member or Student of the CII at the time the alleged breach of the Laws took place shall be investigated and determined pursuant to the DPR.

#### 5) Contents of DPR

The DPR shall, in particular, detail the process for the consideration, progression and determination of disciplinary complaints. The DPR shall include confirmation that: -

- a) where a disciplinary complaint is to proceed under the DPR, a Member must receive notification in writing of the complaint made against them;
- b) the Member is notified of any potential hearing in relation to the disciplinary complaint and is entitled to attend and/or be represented;
- c) the Member is entitled to call and cross-examine witnesses;
- d) the Member has the right to appeal against the findings made and/or sanctions imposed in relation to a disciplinary complaint, on satisfaction of the grounds of appeal outlined under the DPR; and
- e) hearings should be held in public save as prescribed under the DPR.

#### 6) Sanctions

A Case Investigator, Disciplinary Panel or Appeal Panel shall decide, having considered the evidence in the case, whether the complaint is upheld. If so, and after taking into account any mitigating or aggravating features of the case (and any applicable restrictions in the Sanctions Matrix), a Case Investigator, Disciplinary Panel or Appeal Panel shall have authority to direct that any one or more of the sanctions outlined in the DPR be imposed and the date from which any sanction(s) will take effect.

#### 7) Notification

Decisions of the Case Investigator, Disciplinary Panel and/or Appeal Panel (as applicable) shall be notified to the Respondent and such other parties as are appropriate or that the DPR may prescribe in writing.

#### 8) Publication

- a) Such details of disciplinary complaint decisions dealt with by the Institute shall be published in the Journal of the Institute and in such other of the Institute's publications (whether printed or electronic) as the Disciplinary and/or Appeal Panel and/or the Case Investigator may determine.
- b) A Disciplinary and/or Appeal Panel (and/or in appropriate cases a Case Examiner) may in exceptional circumstances decide that publication is inappropriate.
- c) The details to be published will not usually extend beyond the name of the Respondent, the offence alleged, the outcome and sanction (if any), the name of the Respondent's employer or trading name at the time of the hearing and the Respondent's professional address or such other details of the Respondent's location as may be appropriate but subject to such data protection legislation as may from time to time apply to records held by the Institute.

#### 9) Costs

The Disciplinary Panel or Appeal Panel may make a costs award in the circumstances prescribed in the DPR.

#### 10) Miscellaneous

- a) Any matter of disciplinary procedure may be further prescribed by the DPR.
- b) Save where expressly reserved to the Board under the Laws of the Institute, the Board of the Institute delegates authority for the future appointment of Case Investigators and Independent Review Pool members and for the Disciplinary Procedure Rules to the Professional Standards Committee.