

Chartered Banker

# CHARTERED BANKER INSTITUTE

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ROYAL CHARTER, RULES, REGULATIONS AND CODES

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2018

V09/18

For information: The Rules Section 6 (Discipline) was updated in March 2026

Chartered Banker Institute  
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Charitable Body - No. SC013927

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## Letter from Privy Council

At the Court at Buckingham Palace

THE 11th DAY OF JULY 2018

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The following Report of a Committee of the Privy Council dated 5<sup>th</sup> day of July 2018 was today considered:-

"YOUR MAJESTY having been pleased, by Your Order of the 24th day of April 2018, to refer this Committee a Petition of The Chartered Institute of Bankers in Scotland praying for the grant of a Supplementary Charter:

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the Petition into consideration, do this day agree humbly to report, as their opinion, to Your Majesty, that the Supplementary Charter may be granted by Your Majesty in terms of the annexed Draft."

HER MAJESTY, having taken into consideration the Report and the Draft Supplementary Charter accompanying it, was pleased, by and with the advice of Her Privy Council, to approve thereof and to order, and it is hereby ordered, that the Right Honourable the First Minister for Scotland do cause a Warrant to be prepared for Her Majesty's Royal Signature, for passing under Her Majesty's Seal appointed by the Treaty of Union to be kept and used in Scotland in place of the Great Seal of Scotland a Supplementary Charter in conformity with the annexed Draft.

Richard Tilbrook

## Royal Charter

### ELIZABETH THE SECOND

by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME,  
GREETING!

WHEREAS on the 20th day of December, in the year of our Lord One thousand nine hundred and seventy-six, we did by Royal Charter (hereinafter called "the original Charter") constitute a Body Corporate and Politic by the name of "The Institute of Bankers in Scotland".

AND WHEREAS the said Institute has by an humble Petition represented unto Us that it is desirable for the better government of the said Institute and the furtherance of its objects that the original Charter should be revoked, except insofar as it incorporates the said Institute, and has prayed that We might be graciously pleased to grant unto the said Institute a Supplementary new Charter:

NOW, THEREFORE, KNOW YE that We, having taken the said Petition into Our Royal Consideration, and being minded to accede thereto, have, of Our especial grace, certain knowledge and mere motion, been pleased to grant and declare and do by these Presents for Us, Our Heirs and Successors, grant and declare as follows:-

1. The said Institute shall henceforth be known as the "Chartered Banker Institute " (hereinafter referred to as "the Institute") and by the same name shall have perpetual succession and a Common Seal, with power to break, alter and make anew the said Seal from time to time at the will and pleasure of the Institute and by the same name shall and may sue and be sued in all Courts, and in all manner of actions and suits, and shall have power to do all other matters and things incidental or appertaining to a Body Corporate.
2. The provisions of the original Charter (except insofar as they incorporate the Institute) are hereby revoked but nothing in this revocation shall affect the legality or validity of any act, deed or thing lawfully done or executed under the provisions of the original Charter.
3. The object for which the Institute is constituted is to advance education and in the furtherance thereof:
  - (a) to encourage the highest standards of professionalism and conduct amongst its members in the public interest;
  - (b) to improve and extend the knowledge and expertise of those engaged in banking and financial services;
  - (c) to conduct examinations and promote the continued study of banking and financial services in all their aspects and to award certificates to candidates who meet the standards laid down by the Institute;

- (d) to establish links and to co-operate with other professional or educational bodies with a view to the pursuit of common objectives and to represent the banking profession both nationally and internationally;
4. In pursuance of the said objects, the Institute shall have power:
- (a) to provide facilities for students and members in the study of such subjects as are relevant to banking and financial services with a view to completing the examinations prescribed by the Institute;
  - (b) to promote the dissemination and exchange of information on matters of professional interest through the maintenance of a library, the publishing of a journal and other books and pamphlets, the holding of conferences, meetings and seminars all in the interests of promoting the efficiency and raising the standards of members;
  - (c) to accept gifts and endowments in the furtherance of the interests of the Institute;
  - (d) to make gifts or contributions for national, public, educational or charitable purposes;
  - (e) to merge with or absorb any other body whose objects are similar to the objects of the Institute and where the interests of the banking and financial services profession would best be served by such action: provided that the exercise of the powers conferred by this paragraph shall be subject to approval by resolution of the members of the Institute in General Meeting passed by not less than three-fourths of those present, entitled to vote and voting, and to the approval of the Lords of Our Most Honourable Privy Council;
  - (f) to purchase, lease, rent, hold and dispose of any land and premises;
  - (g) to undertake, execute and perform any trusts or conditions affecting any heritable or moveable property of any description acquired by the Institute;
  - (h) to promote the extension of Institute interests and activities throughout the United Kingdom and elsewhere through a regional structure in accordance with the Rules;
  - (i) to invest monies of the Institute in accordance with the Rules;
  - (j) to borrow on such terms and on such security as may be thought fit for the furtherance of the objects of the Institute;
  - (k) to levy fees and subscriptions in accordance with the Rules;
  - (l) to do anything else within the law which is calculated to further the objects set forth in this Our Charter, or any of them, or is conducive or incidental to doing so.
5. The income and property of the Institute shall be applied solely towards the promotion of its objects as set forth in this Our Charter as amended or added to in the manner hereinafter provided and no member shall have any personal claim on any of the said income or property. No part of the income or property

of the Institute shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to its members.

6. There shall be a Chair of the Board of Trustees (the "Chair") and two Vice-Chairs of the Board of Trustees (the "Vice-Chairs") who shall be appointed in accordance with the Rules.
7. The management and administration of the Institute, its property and affairs, shall be under the control of the Board of Trustees of the Institute (hereinafter referred to as "the Board") and all the powers of the Institute shall be vested in the Board except where this Our Charter or the Rules expressly prescribe that approval is required by the Institute in General Meeting.
8. The Board shall consist of such members, with such qualifications and to be appointed in such manner and to hold office for such periods and on such terms as to re-appointment and re-election and otherwise, as may be prescribed by the Rules.
9. The Institute shall have such employees and others providing a service as the Board may determine and shall pay them such salaries, pensions, expenses and other sums as may be permitted within the Rules.
10. The members of the Institute shall consist of such classes of membership as are prescribed in the Rules and shall collectively be referred to as "members".
11. The qualifications for and the method of election to membership and the rights, privileges, obligations and conditions of membership and the manner in which the same may be determined or suspended shall be such as the Rules shall prescribe.
12. The existing Rules of the Institute are hereby revoked and the Rules set forth in the Schedule to this Our Charter shall henceforth be the Rules of the Institute unless and until amended or replaced in accordance with the procedure hereinafter given. The Rules may from time to time be revoked, amended or added to by the Institute in General Meeting (of which meeting not less than twenty-eight clear days' notice in writing shall have been given) by resolution passed by not less than three-fourths of the members entitled to vote and voting on such resolution, provided that no such revocation, amendment or addition shall have any force or effect if it be repugnant to the laws of Scotland or to any of the provisions of this Our Charter or until the same has been submitted to and approved by the Lords of Our Most Honourable Privy Council (of which approval a certificate under the hand of the Clerk of Our said Privy Council shall be conclusive evidence).

13. (a) The Board may from time to time make such regulations as they think fit for the purpose of carrying any Rules into effect or otherwise for regulating the affairs of the Institute and may amend or add to any such regulations provided always that no such regulations shall be in any way inconsistent with any of the provisions of this Our Charter or of the Rules.

(b) Any regulations may be made for all or any of the following purposes:

- (i) prescribing the mode in which the Board is to conduct and transact its duties and business, including the giving of a second or casting vote;
- (ii) prescribing the mode and time of summoning and holding general meetings of the members of the Institute, and the conduct and transaction of business at such meetings, including the giving of a second or casting vote;
- (iii) the appointment, remuneration and conditions of office or service of officers and employees of the Institute;
- (iv) the appointment, resignation and removal of members of the Board, including the reasons for which removals may be made, and the disqualification of members of the Board;
- (v) the appointment and powers of committees of the Board and the conduct of business by such committees;
- (vi) the preparation and keeping and auditing of the accounts of the Institute and the custody of the Institute's assets.

14. The Institute in General Meeting (of which meeting not less than twenty-eight clear days' notice in writing shall have been given) may from time to time amend, revoke or add to the provisions of this Our Charter by resolution passed by not less than three-fourths of the members entitled to vote and voting on such resolution and any such revocation, amendment or addition shall, when allowed by Us, Our Heirs or Successors in Board, become effectual so that this Our Charter shall thenceforth continue and operate as though it had been originally granted and made accordingly. This provision shall apply to this Our Charter as amended in the manner aforesaid.

15. It shall be lawful for the Institute in General Meeting (of which meeting not less than twenty-eight clear days' notice in writing shall have been given) with the sanction of not less than three-fourths of the members entitled to vote and voting thereat to surrender this Our Charter subject to the sanction of Us, Our Heirs or Successors in Council and upon such terms as We or They may consider fit and to wind up or otherwise deal with the affairs of the Institute in such manner as shall be directed by such General Meeting or in default of such direction as the Board shall think expedient having due regard to the liabilities of the Institute for the time being; And if on the winding up or the dissolution of the affairs of the Institute there shall remain, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the Institute or any of them but shall, subject to any special trusts affecting the same, be given and

transferred to some association or associations having objects similar to the objects of the Institute and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Institute under Article 5 hereof, such association or associations to be determined by the Council at or before the time of dissolution.

IN WITNESS whereof We have ordered the Seal appointed by the Treaty of Union to be kept and used in Scotland in place of the Great Seal of Scotland to be appended hereto.

GIVEN at Our Court at Buckingham Palace the Eighteenth day of October in the Sixty-seventh year of Our Reign.

# Schedule

## **RULES**

### ***Interpretation***

Words used in the Rules bear the same meaning as the same words used in the Charter. "The Charter" means the Charter of the Institute granted in the year 1976 as amended by the Supplemental Charters granted in 1991 and 2018 to which these rules are annexed.

"Chief Executive" means the employee appointed by the Board to be responsible for the management of the Institute under the direction of the Board.

"Firm" means the whole or part of any body corporate, a partnership or a limited liability partnership concerned with the business of banking or providing other related services.

"Chartered Member" means a person in the Chartered Member category of Membership, whilst "member" means a member of the Institute in any category, including a student.

"Nominations Committee" means the committee established by the Board to identify and recommend candidates for appointment as Board members, including the Chair and two Vice-Chairs.

Headings are shown for convenience only and shall not affect the meaning.

Words importing the singular shall include the plural and vice versa; and words importing the masculine gender shall include the feminine and vice versa, unless the context otherwise requires

## **MEMBERSHIP**

1. Membership of the Institute shall be open to employees and former employees of organisations providing banking, financial and associated support services, and other individuals who share the aims and objects of the Institute.

2. The Institute shall consist of voting and non-voting members elected or admitted by the Board as follows:

*(1) Voting members*

(a) Fellows who shall be persons elected by the Board from among those

(i) who are Chartered Members or Associates

or

(ii) who have significant relevant experience at a senior level, accepted by the Board for this purpose.

provided that candidates under (i) and (ii) above shall be considered by the Board to have made a significant contribution to banking and to the objects of the Institute.

Fellows must participate in and annually complete the Institute's Continuing Professional Development (CPD) programme or the CPD programme of a similar institute recognised for this purpose by the Board and shall be entitled to use after their names the following words and designatory letters:

"Fellow of the Chartered Banker Institute"—F.C.B.I.

Fellows who are also Chartered Members as set out in Rule 2(i)(b) below shall be entitled to use after their names the following words:

"Chartered Fellow of the Chartered Banker Institute"

- (b) Chartered Members shall be admitted by the Board from those who have passed the examinations of the Institute, or such other examinations prescribed by the Board for this purpose. Chartered Members must participate in and annually complete the Institute's CPD programme or the CPD programme of a similar institute recognised for this purpose by the Board and shall be entitled to use after their names the following words and designatory letters:

"Chartered Member of the Chartered Banker Institute"—M.C.B.I.

- (c) Associate members shall be admitted by the Board from those who have passed the examinations of the Institute, or such other examinations prescribed by the Board for this purpose. Associates must participate in and annually complete the Institute's CPD programme or the CPD programme of a similar institute recognised for this purpose by the Board and shall be entitled to use after their names the following words and designatory letters:

"Associate member of the Chartered Banker Institute"—A.C.B.I.

- (d) Certificated members shall be admitted by the Board from those who have passed the examinations of the Institute, or such other examinations prescribed by the Board for this purpose. Certificated members must participate in and annually complete the Institute's CPD programme or the CPD programme of a similar institute recognized for this purpose by the Board and shall be entitled to use after their names the following words and designatory letters:

"Certificated member of the Chartered Banker Institute" - C.C.B.I

- (e) Student members shall be admitted by the Board from those who have presented acceptable qualifications for entry to the examinations of the Institute.
- (f) Fellows, Chartered Members, Associates and Certificated members who have retired from business life may be exempted from CPD. The Board shall publish guidance in this area for members.

*(2) Non-Voting members*

- (a) International members shall be admitted by the Board from those who have passed examinations conducted by the Institute or equivalent bodies and prescribed by the Board for this purpose. International members must participate in and annually complete the Institute's CPD programme or the CPD programme of a similar institute recognized for this purpose by the Board.
- (b) Affiliates shall be admitted by the Board from those who do not qualify under any of the foregoing categories of membership but support the objects of the Institute.

**CHARTERED BANKER STATUS**

- 3. (1) In addition to the words and designatory letters permitted by Rules 2(1)(a) and 2(1)(b) above, Fellows and Chartered Members shall be entitled to use the "Chartered Banker" designation, subject to continued participation in and annual completion of the Institute's CPD programme or the CPD programme of a similar institute recognised for this purpose by the Board.  
  
(2) In addition to the words and designatory letters permitted by Rule 2(1)(c) above, Associates shall be entitled to use the "Associate Chartered Banker" designation, subject to continued participation in and annual completion of the Institute's CPD programme or the CPD programme of a similar institute recognised for this purpose by the Board.  
  
(3) The Board may authorise a Firm that is composed wholly or partly of, or employs, members who are entitled to use one of the designations specified in Rule 2 to describe itself using the words "A Firm of Chartered Bankers", subject to that Firm's compliance with such requirements as may be set out in regulations.

## BOARD

4. (1) The Board shall consist of:

(a) the Chair, and two Vice-Chair who shall be elected in accordance with Rules 6 and 7 from among the Board members appointed under (b) to (c) below;

(b) up to 11 individuals who are members of the Institute, appointed in accordance with the Rule 4(2) below.

(c) two or more individuals who are not members of the Institute, appointed in accordance with Rule 4 (2) below,

(2) Nominees for positions on the Board shall be identified by a process of open selection conducted by the Nominations Committee in accordance with such regulations as the Board may from time to time determine. The recommendations of the Nominations Committee shall be approved at the Annual General Meeting and shall be published in advance of the Annual General Meeting.

(3) Each Board member shall hold office for three years from the date of election, following which he or she shall retire.

(4) A Board member retiring from office shall be eligible for re-appointment provided that no Board member shall serve for a consecutive period of more than six years save with the express approval of the Nominations Committee and subsequent approval at the Annual General Meeting.

(5) Any vacancy on the Board arising for whatever reason before the expiry of the term of office may be filled by the Board by co-option of a successor whose tenure shall subsist until the date of the Annual General Meeting following their co-option.

(6) Disqualification, Resignation or Removal of Board members

The office of a Board member shall be vacated if:

(a) he or she becomes prohibited by law from being a charity trustee;

(b) in the case of a member, he or she ceases to be a member of the Institute;

(c) he or she resigns by notice to the Board (but only if at least eight Board members remain in office when the notice of resignation is to take effect);

(d) the Board reasonably believe he or she is suffering from mental or physical disorder and is incapable of acting as a trustee and they resolve that he or she be removed from office;

(e) he or she fails to attend three consecutive meetings of the Board and in the opinion of the Board there are no mitigating circumstances for that failure and the Board resolve that he or she be removed for this reason; or

(f) a resolution is passed by at least two thirds of the Board members present at a meeting of the Board, provided that:

- (i) the Board member proposed to be removed shall have received at least 14 clear days' notice in writing of the proposed resolution and the reasons for the proposal;
- (ii) the Board member or, at the option of the Board member, the Board member's representative, who need not be a Board member or a member of the Institute, has been permitted to make representations to the meeting; and
- (iii) the Board members passing the resolution determine that it is in the best interests of the Institute to do so.

## **5. Powers of Board**

In addition to any powers and duties conferred on the Board by the Charter or elsewhere in these Rules, the Board shall in particular have power:

- (a) to determine the content of the syllabus for the examinations of the Institute, to have full responsibility for and ultimate control over those examinations, including the power to grant exemptions from parts of the examinations on educational grounds; and to make regulations in pursuance of these powers;
- (b) to determine the subscriptions payable by members in accordance with Rule 23;
- (c) to determine the criteria for admission or re-admission of members;
- (d) to make provision in respect of the Institute's obligations under any relevant legislation or regulation;
- (e) to establish, regulate and dissolve such committees as may be required for the conduct of its business, and to delegate to those committees such powers and functions as it may think fit, provided that the exercise by any committee of any power or function delegated to it shall be reported to the Board as soon as practicable. Such committees may include persons who are not members of the Board or of the Institute, and shall have power to establish sub-committees where necessary.

## **OFFICE BEARERS AND EMPLOYEES**

### **6. Appointment of Chair and Vice-Chairs**

At each Annual General Meeting there shall be appointed a Chair, and two Vice-Chairs, and members of the Board. Those elected shall hold office for two years following the Annual General Meeting at which they were elected and shall not be eligible for re-election.

### **7. Nominations**

Nominations for the position of Chair and the positions of Vice-Chair shall be sought and considered by the Nominations Committee, and the recommendations of that Committee published in advance of the Annual General Meeting.

### **8. Annual General Meetings**

- (1) The Institute shall each year hold a general meeting as its Annual General Meeting in addition to any other meetings that year, and shall specify the meeting as such in the notices calling it.
- (2) Not more than 15 months shall elapse between the date of one Annual General Meeting of the Institute and the next.
- (3) The Annual General Meeting shall be held at such time and place as the Board shall appoint.
- (4) The business of the Annual General Meeting shall include the submission of the annual report and audited statement of accounts for the previous financial year, the election of office bearers and members of the Board when appropriate, the appointment of auditors for the ensuing year and any other business competent to be dealt with at a General Meeting.

## **GENERAL MEETINGS AND MEETINGS OF THE BOARD**

### **9. General meetings**

The Board may at any time call a general meeting of the Institute to consider any question that may arise; and it shall be bound to do so within thirty days after receiving a requisition signed by not less than fifty voting members of the Institute, specifying the business to be transacted.

### **10. Notice of general meetings**

- (1) Not less than 14 clear days' notice shall be given in advance of a general meeting. A notice convening the meeting shall state the nature of the business to be transacted and shall be sent to all voting members of the Institute.
- (2) The Institute may deliver a notice to a member:
  - (a) by delivering it by hand or sending it by post or other delivery service to an address provided by the member for that purpose; or
  - (b) in electronic form to an address notified by the member for that purpose.
- (3) If a notice is:
  - (a) delivered by hand, it is treated as being delivered at the time it is handed to or left for the member;
  - (b) sent by post or other delivery service it is treated as being delivered 48 hours after it was posted or given to delivery agents, provided that it can be proved that the notice was properly addressed and sent with postage or delivery paid;
  - (c) sent in electronic form it is treated as being delivered at the time it was sent, provided that it can be shown that it was sent to the electronic address provided by the member.

### **11. Proceedings at general meetings**

- (1) The chairman of a general meeting shall be the Chair of the Board, or in his or her absence the one of the Vice-Chairs, or in their absence, a member of the Board to be chosen by those present at the meeting.
- (2) The quorum for a general meeting shall be fifteen voting members entitled to vote upon the business to be transacted. In the event of a quorum not being present within half an hour after the time appointed for the meeting, it shall stand adjourned to such time as the voting members present shall determine. At least seven days' notice in writing of such adjourned meetings shall be given.

### **12. Attendance and speaking at general meetings**

- (1) A person is able to exercise the right to speak at a general meeting when that person is in a position, during the meeting, to communicate to all

those attending the meeting any information or opinions which that person has on the business of the meeting.

- (2) A person is able to exercise the right to vote at a general meeting when:
  - (a) that person is able to vote, during the meeting, on resolutions put to the vote at the meeting; and
  - (b) that person's vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other persons attending the meeting.
- (3) The Board may make whatever arrangements it considers appropriate to enable those attending a general meeting to exercise their rights to speak or vote at it.
- (4) In determining attendance at a general meeting, it is immaterial whether any two or more members attending it are in the same place as each other.
- (5) Two or more persons who are not in the same place as each other attend a general meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

### **13. Voting at general meetings**

- (1) Except where otherwise provided in the Charter or these Rules, all questions brought before general meetings of the Institute shall be determined by a majority of those voting members present and voting by a show of hands unless a poll is demanded either by the Chairman or by not fewer than ten voting members present at the meeting. Unless a poll is duly demanded, a declaration by the Chairman as to the result of the vote by a show of hands shall be final.
- (2) If a poll is duly demanded, it shall be conducted in such manner (including the use of voting papers) as the Chairman may direct, and the Chairman may adjourn the meeting to some other place and time for the purpose of declaring the result of the poll, and the result shall be deemed to be the decision of the meeting at which the poll was demanded.

- (3) Every voting member not attending a general meeting shall be entitled to appoint another voting member as his or her proxy for the purpose of any general meeting and in respect of any or all resolutions tabled for any general meeting, provided that a proxy notice, a copy of which shall be made available to each voting member, shall have been delivered to the Institute at least two days before the meeting in question. The proxy notice shall be in such form as the Board may from time to time determine.
- (4) Proxies shall not be used where a vote is taken by a show of hands. In respect of a poll, a proxy holder shall have one personal vote and one additional vote for each voting member for whom he holds a proxy in respect of the resolution before the meeting.
- (5) In the event of an equality of votes, whether on a show of hands or a poll, the Chairman shall have a second and casting vote.
- (6) International members and Affiliates may attend and speak at General meetings but shall not be entitled to vote.

#### **14. Proceedings and decisions of the Board**

- (1) Subject to the Charter and these Rules, the Board may regulate its proceedings as it thinks fit.
- (2) Seven days' notice of a meeting of the Board shall be given to each Board member, but need not be in writing. Notice of any meeting of the Board shall indicate the nature of the business to be transacted.
- (3) Any Board member may participate in a meeting of the Board by means of video conference, telephone or any suitable electronic means agreed by the Board whereby all persons participating in the meeting can communicate with all the other participants and participation in such a meeting shall constitute presence in person at that meeting.
- (4) The quorum for decision-making by the Board shall be seven. A Board member shall not be counted in the quorum present at a meeting in relation to a resolution on which he or she is not entitled to vote.
- (5) The Chair, or, in his or her absence, one of the Vice-Chairs or, in their absence, a member of the Board to be chosen by those present, shall chair the meeting.
- (6) Questions arising at a meeting shall be decided by a majority of votes. In the event of an equality of votes, the person chairing the meeting shall have a casting as well as a deliberative vote.

#### **15. Minutes**

The Board shall ensure that the Institute keeps records, in writing, comprising minutes of all proceedings at general meetings, and minutes of meetings of the Board and committees of the Board, including the names of the Board members present at the meeting.

## **FINANCE**

16. (a) The Board shall have complete control of all the assets and liabilities of the Institute and shall exercise that control in promoting and protecting the objects of the Institute by such means as it may consider suitable.
- (b) The Chief Executive shall be responsible for keeping proper accounts and records.
- (c) All monies of the Institute not immediately required for the purposes of the Institute shall be placed on deposit with a Bank, Building Society, Public Authority or such other organisation in the United Kingdom as authorised by the Board and which includes the acceptance of such deposits as part of its normal business. Where monies are not required in the short term by the Institute or where a prize fund is involved the Board may authorise other investments.
- (d) The accounts of the Institute shall be made up annually as at the 28th day of February or such other date as the Board may decide and, having been audited by the auditor appointed under the following Rule, shall be submitted for approval at the subsequent Annual General Meeting.

### **17. Auditor**

The auditor shall be qualified to act as an auditor in accordance with the Companies Acts and shall be appointed annually by the members at the Annual General Meeting. His or her report shall be read before the Institute in General Meeting and shall be open to inspection by any member. The auditor shall be eligible for re-appointment. If a vacancy for an auditor should occur between two General Meetings the Board may appoint an auditor to the vacancy. The Board shall have authority to fix the auditor's remuneration.

## PROFESSIONAL CONDUCT

18. (1) The Institute shall maintain a Code of Professional Conduct setting out the ethical and professional attitudes and behaviours expected of members. All members, including student and affiliate members, are bound by the Code.
  - (2) The Code of Professional Conduct and related guidance shall be published by the Institute and will be periodically updated by Board.
  - (3) The Institute may investigate members alleged to have breached the Code of Professional Conduct and take disciplinary action against members found to have breached the Code.
19. (1) A complaint in relation to an alleged breach of the Code of Professional Conduct by a member shall be investigated in the first instance by the Chief Executive, or his or her nominated deputy.
  - (2) Where the complaint falls within the jurisdiction and competence of the Institute, and appears to be substantiated by *prima facie* evidence that a member has breached the Code of Professional Conduct, the Chief Executive, or his or her nominated deputy, shall investigate the matter in accordance with the Institute's Disciplinary Regulations.
  - (3) Where the Chief Executive, or his or her nominated deputy, is satisfied that there is sufficient evidence to determine that a complaint involves only a minor breach of the Code of Professional Conduct, this will be managed through the 'Minor Breaches' section of the Institute's Disciplinary Regulations.
  - (4) Where the complaint does not fall within the jurisdiction and competence of the Institute, or there is a lack of *prima facie* evidence that a member has breached the Code of Professional Conduct, the Chief Executive, or his or her nominated deputy, may determine that no further action should be taken.
20. Sanctions may be imposed on members who are found to have breached the Code of Professional Conduct. Details of sanctions shall be set out in the Institute's Disciplinary Regulations.
21. In certain circumstances members may appeal against the findings of a Disciplinary Committee, and any sanctions imposed, in accordance with the Processes set out in the Institute's Disciplinary Regulations.

22. (1) The Code of Professional Conduct sets out Board's expectations of Institute members' conduct, and requires members to avoid conduct that could bring the Institute, and the banking profession more widely, into disrepute.

(2) All members (including student members) are required to inform the Institute within 14 days if they are known to be the subject of an investigation by their employer, a regulator, legal authority, or other competent body, relating specifically to their personal conduct, that could, if proven, lead to a finding that they have committed an offence and/or breached the PRA and FCA's Individual Conduct Rules<sup>1</sup> In addition, members are required to inform the Institute within 14 days of being informed of the outcome(s) of any such investigation, and any sanctions that may have been, or expect to be imposed.

(3) Members are not required to inform the Institute where an investigation relates to more general matters of an institutions' policies, procedures and actions, except where issues of the member's personal conduct are likely to form a specific and personal part of such an investigation.

(4) The Institute may, in circumstances where an individual is under personal investigation for an offence and/or breach of the PRA and FCA's Individual Conduct Rules<sup>2</sup>, suspend an individual from membership (charging no subscription fees for the period of suspension) whilst an investigation is ongoing. In such cases, suspension will be considered by a disciplinary Executive Committee convened for that purpose.

(5) Failure to inform the Institute of an investigation and/or failure to inform the Institute of the outcome(s) of any investigation within 14 days, will be considered a major breach of the Chartered Banker Code of Conduct, and will be managed through the Institute's Disciplinary Regulations.

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<sup>1</sup> Or national equivalents, where members are regulated by non-UK financial services regulators

<sup>2</sup> Or national equivalents.

## **OTHER MATTERS**

### **23. Subscription and Fees**

(1) Every member shall be required to pay an annual subscription fee appropriate to his or her class of membership. The subscription rates and the period applicable shall be such as may from time to time be prescribed by regulations made by the Board.

(2) Examination and other fees shall be fixed by the Board.

### **24. Resignation**

Any member of the Institute may resign at any time by giving notice in writing to the Chief Executive. A resigning member shall not be entitled to reimbursement in respect of any unexpired portion of his or her subscription.

### **25. Non-Payment of Subscription**

Any member who has failed to pay the appropriate subscription shall cease to be a member and his or her name shall be removed from the Roll of Members of the Institute.

### **26. Restoration of Membership**

The Board shall have power at its sole discretion to reinstate to membership any person who has resigned or whose membership has ceased through non-payment of subscriptions, provided that such member makes payment of the subscription due on the date of re-admission together with such proportion of any unpaid subscriptions due as the Board may deem appropriate in each particular case.

### **27. Indemnity**

The members of the Board and officers of the Institute shall be indemnified by the Institute from all losses and expenses incurred by them in or about the discharge of their respective duties, except in consequence of wilful default or deceit, provided they have acted in good faith for the benefit of the Institute. No member of the Board or officer of the Institute shall be liable for the actions of any other member of the Board or officer of the Institute.

### **28. Transition Provisions**

The members of the Board holding office at the time this Rule 28 comes in to force shall remain in office (subject to the provisions of Rule 4(6)) until the end of the Annual General Meeting following the adoption of this Rule, when the Board shall be constituted in accordance with Rule 4. The members currently serving shall be eligible for election to the Board in accordance with Rule 4.

## **Board Regulations**

Words used in these regulations shall have the same meanings assigned to them as are applicable under the "Interpretation" clause in the Rules.

### **1. Procedure for Election or Admission**

#### *Voting Members*

##### (a) Fellows

Nominations for Fellowship shall be submitted to the Chief Executive of the Institute in such form and at such time as the Board may require. Nominations shall be signed by two existing Fellows of the Institute. Nominations shall be considered by the Nominations Committee, which shall submit to the Board those nominations recommended for Fellowship, ensuring that these meet the requirements of Rule 2. The Board shall then vote on whether to approve nominations received. Voting shall be by ballot or otherwise as the Board may determine and no person shall be elected unless three-fourths of those present at the meeting have voted in favour. Those who have been nominated for election and approved by the Board shall then be invited to become Fellows.

##### (b) Members and (c) Associates

Individuals who have passed the relevant examinations of the Institute or such other examinations of at least equivalent standard, as prescribed by the Board, shall be elected to membership of the Institute. A list of members admitted will be prepared by the Chief Executive for submission to the Board, on an annual basis.

##### (d) Certificated members

Individuals who have passed the relevant examinations of the Institute or such other examinations of at least equivalent standard, as prescribed by the Board, shall be elected to membership of the Institute.

Certificated members holding such qualifications who participate in and annually complete the relevant CPD programme of the Institute, or the CPD programme of a similar institute recognized for this purpose by the Board, and who pay the appropriate annual subscription shall be entitled to use after their names any words and designatory letters agreed by the Board.

##### (b) Student members

#### *Non Voting Members*

##### (f) International members, and (g) Affiliates

All applications for International, Student and Affiliate membership shall have satisfied the conditions specified by the Charter and Rules in such a manner as the Board shall require.

### **2. Examinations**

The Board shall have full responsibility for and ultimate control over the examinations of the Institute including the power to make, alter, amend or revoke the rules appertaining to the examinations. The Board also has authority to grant exemptions from parts of the examinations on educational grounds.

The Chief Executive shall keep records of candidates and their results.

### **3. Continuing Professional Development (CPD)**

The Board shall have full responsibility for and ultimate control over the Institute's CPD schemes for members, including the power to make, alter amend or revoke the rules appertaining to these.

Fellows, Members, Associates and Certificated members who have retired from business life may be exempted from CPD. Such members shall be entitled to describe themselves with the appropriate membership grade and designatory letters, but may not use any associated professional designations e.g. Chartered Banker.

Retirement from business life shall be taken to mean that a member is no longer working in a professional capacity on a full or part-time basis as an employee, business partner, contractor or self-employed consultant. Unpaid voluntary work shall not be viewed as employment.

Business life shall not be restricted to financial services and a member who takes up an occupation outside of financial services shall not be considered retired or be eligible to pay the retired member subscription.

A retired member who takes up new employment shall be expected to notify the Institute which will apply the standard subscription rate for their grade of membership with effect from the next renewal date. Such individuals shall become subject to the standard CPD requirements for their grade of membership and shall be eligible to use the professional designation and designatory letters associated with their grade of membership.

A retired member who has chosen to opt out of the CPD scheme may, upon application to the Institute, opt back in to the scheme and regain eligibility to use the professional designation and designatory letters associated with their grade of membership.

A retired member who opts back into the CPD scheme shall provide evidence that they have met the Institute's CPD requirements during the previous 12 months.

### **4. Graduation, Awards, Prizes and Scholarships**

The Board may use the funds belonging to or held by the Institute to award certificates, prizes, scholarships or such other suitable forms of recognition to individuals who have passed or distinguished themselves in the examinations of the Institute.

The Board has overall responsibility for the administration and allocation of prizes including the ultimate decision on how the awards are granted and presented.

## 5. Code of Professional Conduct

Members should abide by the basic principles laid down in the Code of Professional Conduct. The Code and related guidance is published by the Institute and will be periodically updated by the Board.

## 6. Discipline

The following sets out the processes for the Chartered Banker Institute's ('the Institute') Disciplinary Process ('the process'). The process may be used for both Academic Misconduct cases and Member Misconduct complaints and cases.

For alleged Member Misconduct cases, it is important to note that the Institute is not a regulator and its powers to investigate and apply sanctions are limited. The Institute is only able to consider complaints that relate to individuals who are members of the Institute, rather than complaints against banks themselves or individuals who are not members of the Institute.

Please see related documents, such as the *Academic Misconduct Policy*, the *Member Conduct process* and the *Rules and Regulations for Membership and Qualifications* for additional support.

Both Academic Misconduct cases and Member Misconduct cases are recognised as being potential breaches of the Chartered Banker Code of Professional Conduct ('the Code of Professional Conduct').

Where complaints are received through the Member Conduct Complaints process or cases are identified that are alleged to be breaches of the Code of Professional Conduct, an Investigating Officer (IO) for the case is nominated by the Institute's Chief Executive (CEO). Who is appointed as IO will differ depending as to the nature of the potential breach.

The IO's role is to investigate and assess (and if appropriate, to determine sanctions and whether any publicity or external communications are appropriate).

For a list of potential sanctions available to the Institute please refer to *Appendix B*. For details of publicity or external communications please refer to *Appendix C*.

It is for the IO to determine whether there is a valid case where a member of the Institute is alleged to have committed a breach of the Code of Professional Conduct. The IO must assess whether the case is within the competence (and jurisdiction<sup>3</sup>) of the Institute to investigate. The IO must also determine whether the complaint is of a vexatious or frivolous nature (seeking further evidence or external evidence, if necessary, to determine this) and/or unworthy of further investigation by the Institute.

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<sup>3</sup> There may be cases where the Institute would not initially investigate if an alternative body would be better placed to do so e.g. potential criminal matters, those requiring to be reported to a regulatory body e.g. Financial Conduct Authority, those better considered by another professional body or those better considered by the member's Employer (in line with their own Code of Professional Conduct).

There may also be instances advised to the Institute, where an investigation is currently being (or has previously been) conducted into an Institute member's conduct by an external body. If the investigation by an external body is ongoing, the Institute would usually await the outcome of that investigation before proceeding. Potentially, the findings of these external cases may mean that the Institute's member has also breached the Institute's Code of Professional Conduct. In these instances, where sanctions have been imposed on an Institute member or the findings of the external investigation may lead to a potential reputational risk for the Institute, these would be managed as an Alleged Breach (see Section 6.1).

The IO may communicate with the member initially, to establish the facts of the case. Throughout the process, the member has the opportunity to admit or to deny the alleged breach.

Should the IO determine, in their professional opinion and on the balance of probabilities, that a breach of the Code of Professional Conduct has been committed, they can determine and propose appropriate sanctions. The IO would communicate these sanctions to the member.

Should the member not accept the sanctions, or continue to deny the Alleged Breach, the next steps of the process are invoked (see Section 6.1).

#### *6.1 Alleged Breaches (and categorisation)*

For Alleged Breaches, the Institute categorises these as being either Minor or Major.

Examples of Minor Breaches are: poor referencing (including undeclared referencing that Artificial Intelligence (AI) tools have been used for research/reference), plagiarism, minor collusion (e.g. sharing your work with others), minor breaches of examination conditions, falsification, non-completion of required Continuous Professional Development (CPD) etc. *Please note this list is not exhaustive.*

Examples of Major Breaches are: fraud, criminal convictions (where related to Financial Services, or these may bring a reputational risk to the Institute), deceit (e.g. cheating in an examination), major breaches of examination conditions, major collusion (e.g. copying material from colleagues), personation, use of 'Essay Mills' or AI tools to write your assignment etc. *Please note this list is not exhaustive.*

Since each investigation is conducted on a case-by-case basis, professional judgement is required to determine whether the alleged breach is defined as Minor or Major. This determination is made at the Institute's discretion, with reference to the guidance in related policies.

For a list of potential sanctions available to the Institute please refer to *Appendix B*.

### *6.1.1 Managing Alleged Minor Breaches*

For alleged Minor Breaches, where the member has either not accepted the sanctions proposed by the IO, or they continue to deny the alleged breach, the case is passed to the Senior Manager Panel to review the case.

The Senior Manager Panel consists of two Senior Managers (as determined by the CEO) from the Institute with appropriate skills. Notes are taken at the panel hearing and retained in line with The General Data Protection Regulation (GDPR) requirements.

The member would be provided with details of the evidence considered by the IO and would be able to submit relevant additional evidence for consideration by the Senior Manager Panel.

The Senior Manager Panel would review all evidence in the case. The Senior Manager Panel would determine, on the balance of probabilities, an outcome of 'No Breach' or 'Breach Upheld'.

#### *'No Breach' determination for Alleged Minor Breach case*

If the outcome was 'No Breach' this would be communicated to the member and no further action would be taken.

#### *'Breach Upheld' determination for Alleged Minor Breach case*

If the outcome was 'Breach Upheld' this would also be communicated to the member along with details of any sanctions to be applied.

In exceptional circumstances, for example if the member had evidence that the process had not been correctly followed, then this could be referred to the Institute, requesting that an Executive Panel meeting be convened (refer to Section 6.2).

The member should submit a Disciplinary Panel request within 28 days of receiving the 'Breach Upheld' determination from the Senior Manager Panel. Any requests made outside of this timescale would be rejected. The Disciplinary Panel Request Form to be used is in *Appendix D*.

### *6.1.2 Managing Alleged Major Breaches*

Where the IO has investigated, and may have had correspondence with the member, the IO may have determined that the case is an Alleged Major Breach of the Institute's Code of Professional Conduct. In this instance, the case will be heard by the Institute's Executive Team, where an Executive Panel meeting would be convened (refer to *Section 6.2*).

## *6.2 The Executive Panel*

The Executive Panel hears two types of case:

- For Minor Breach cases where the member had submitted a successful request for an Executive Panel hearing (following the Senior Manager

- Panel and in exceptional circumstances (e.g. if the member had evidence that the process had not been correctly followed)) (refer to *Section 6.2.1*).
- For alleged Major breaches (refer to *Section 6.2.2*).

The Executive Panel consists of three participants. It must be chaired by an Executive Director of the Institute; other Executive Panel members can either be Executive Directors, or members of the Institute's Senior Leadership Team (as determined by the CEO). A representative from the Institute would act as Secretariat. A member of the Institute's staff, potentially the IO, with knowledge of the case could attend, but they would purely be there for reference purposes only and would not form part of the panel.

Each panel participant would be asked to confirm at the start of the Executive Panel hearing that they have not had a previous connection with, or any personal interest in the case.

The member may wish to attend the Executive Panel hearing, which would be held online. The member may also invite a representative to attend, however this would need to be agreed in advance of the hearing.

Notes are made of discussions at the Executive Panel hearing and held by the Institute in line with GDPR requirements.

Following the Executive Panel hearing, the outcome of the meeting would be communicated to the member in writing.

#### *6.2.1 Executive Panel Hearing Minor Breach cases following receipt of Disciplinary Panel Request Form*

A request for an Executive Panel hearing must be made within 28 days of receipt of the Senior Manager Panel outcome decision communication. Any Executive Panel requests made outside of this timescale would be rejected.

The member must set out as clearly and concisely as possible the grounds for their request for an Executive Panel meeting, using the form in *Appendix D* and must include evidence to support this.

When an application for an Executive Panel is received, the context and grounds for the request and the supporting evidence are checked for their validity. The Institute may decide that the case in support of an Executive Panel request is not sufficiently strong. In this situation, the request shall be rejected and there is no further right of recourse.

If the case in support of an Executive Panel request is accepted, the Executive Panel hearing would be convened.

The Executive Panel would review all evidence in the case. The Executive Panel would determine, on the balance of probabilities, an outcome of 'No Breach' or 'Breach Upheld'.

#### *'No Breach' determination for Minor Breach case*

If the outcome was 'No Breach' this would be communicated to the member and no further action would be taken.

### *'Breach Upheld' determination for Minor Breach case*

If the outcome was 'Breach Upheld' this would also be communicated to the member along with details of any sanctions to be applied. Please be aware that any sanctions awarded by the Executive Panel may differ from those previously awarded by the Senior Manager Panel.

For a Minor Breach case, the decision of the Executive Panel is final and no further submissions may be made by the member or other third party acting on behalf of the member.

### *6.2.2 Executive Panel Hearing Alleged Major Breach cases*

For an alleged Major Breach, the Executive Panel would review all evidence in the case. The Executive Panel would determine, on the balance of probabilities, an outcome of 'No Breach' or 'Breach Upheld'.

### *'No Breach' determination for Alleged Major Breach case*

If the outcome was 'No Breach' this would be communicated to the member and no further action would be taken.

### *'Breach Upheld' determination for Alleged Major Breach case*

If the outcome was 'Breach Upheld' this would also be communicated to the member along with details of any sanctions to be applied.

In exceptional circumstances, for example if the member had evidence that the process had not been correctly followed, then an Independent Disciplinary Panel (IDP) Hearing could be requested (refer to *Section 6.3*). The member should submit a Disciplinary Panel request within 28 days of receiving the 'Breach Upheld' determination from the Executive Panel. Any requests made outside of this timescale would be rejected. Please see *Appendix D* for the form to be used.

### *6.3 The Independent Disciplinary Panel*

For Major Breach cases only<sup>4</sup>, should the member wish to appeal against the decision of the Executive Panel, in exceptional circumstances (e.g. if the member had evidence that the process had not been correctly followed), they can submit a request for an Independent Disciplinary Panel (IDP) hearing.

An IDP hearing is designed to ensure that the member has a formal opportunity to present their case to an impartial body. The IDP consists of three participants; Two Independent panel members, drawn from a larger pool of individuals who are not directly employed by the Institute plus an Executive of the Institute who had not been part of any related Executive Panel Hearing. A representative from the Institute would act as Secretariat. A

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<sup>4</sup> Please note that for Minor Breach cases, an appeal for an IDP hearing is not permitted, since these cases would have already passed through a formal review by Senior Managers Panel following the IO's investigation, with the possibility of an 'appeal' only in exceptional circumstances to the Executive Panel.

member of the Institute's staff (either the IO or an Executive who attended the Executive Panel hearing) with knowledge of the case could attend, but they would purely be there for reference purposes only and would not form part of the panel.

A request for an IDP hearing must be made within 28 days of receipt of the Executive Panel outcome decision communication, using the Disciplinary Panel Request form in *Appendix D*. Any IDP requests made outside of this timescale would be rejected.

The member must set out as clearly and concisely as possible the grounds for their IDP request and must include evidence to support this. When an application for an IDP Hearing is received, the context and grounds for the request and the supporting evidence are checked for their validity.

The Institute may decide that the case in support of an IDP hearing request is not sufficiently strong. In this situation, the request shall be rejected and there is no further right of recourse.

No charge would be made to the member for initially requesting the IDP Hearing.

If the case in support of an IDP Hearing request is accepted, the IDP hearing would be convened.

Please note that a fee of £200 would be charged to the member for scheduling and running an IDP hearing, however this would be refunded if the IDP determined an 'Appeal Upheld' outcome.

Each Panel participant would be asked to confirm at the start of the hearing that they have not had a previous connection with, or any personal interest in the case.

The member may wish to attend the IDP hearing, which would be held online. The member may also invite a representative to attend, however this would need to be agreed in advance of the hearing.

Notes are made of discussions at the IDP hearing and held by the Institute in line with GDPR requirements.

The IDP would review all evidence in the case. The outcome of the IDP hearing, determined on the balance of probabilities, would be 'Appeal Upheld' or 'Appeal Rejected'.

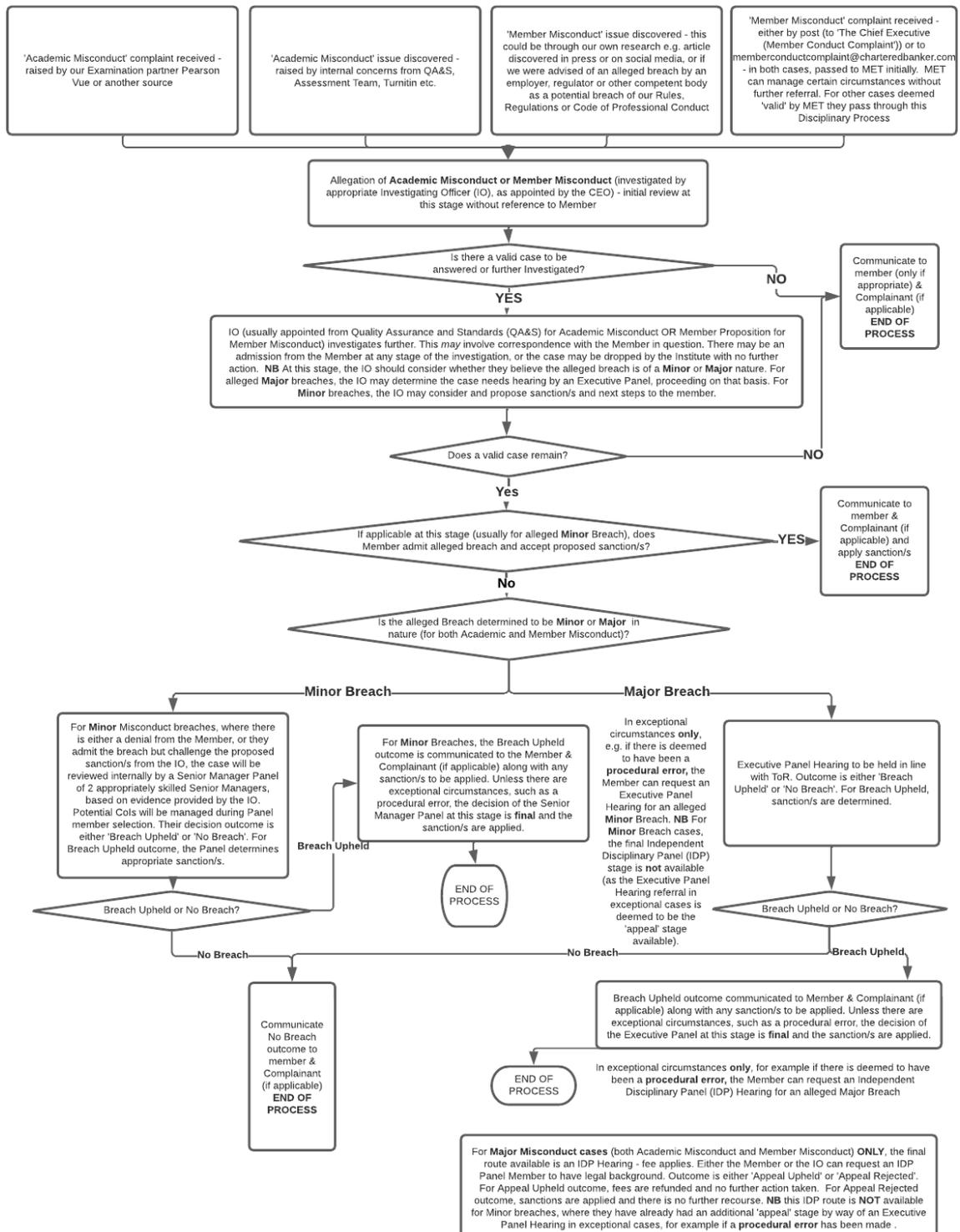
If the outcome of the IDP hearing was 'Appeal Upheld' this would be communicated to the member and the £200 IDP fee would be refunded. No further action would be taken.

If the outcome of the IDP hearing was 'Appeal Rejected', this would be communicated to the member along with details of any sanctions to be applied. Please be aware that any sanctions awarded by the IDP may differ from those previously awarded by the Executive Panel.

The decision of the IDP is final and no further submissions may be made by the member or other third party acting on behalf of the member.

# Appendix A – Disciplinary Process Flowchart

## Disciplinary Process Flowchart



## Appendix B – List of Potential Sanctions

Where a breach of the Chartered Banker Institute's Code of Professional Conduct (Code of Professional Conduct) has been admitted by a member, or determined against a member following investigation (for either an Academic Misconduct case or a Member Misconduct case), the following sanctions are available to the Institute:

- the member may be admonished (for example issued with a Warning Letter);
- the reduction of any mark awarded by the Institute to the member;
- the requirement that the member resubmits or resits any assessment;
- the requirement that the member undertakes a new assessment;
- a record of the member's breach of the Code of Professional Conduct may be noted for a specified period on the member's record of membership of the Institute;
- all or any of the member's benefits and privileges of membership of the Institute may be withdrawn for a specified period;
- the member may be required at the member's own expense to attend such additional training or to complete such additional tests, examinations or assessments as directed;
- any passes by the member of examinations or assessments of the Institute may be cancelled;
- the member may be required to resit one or more examinations or assessments of the Institute at the member's own expense;
- the member may be suspended from membership of the Institute for a specified period during which the benefits of membership of the Institute, including the use of professional titles and designatory letters, shall be withdrawn from the member;
- the member may be expelled from membership of the Institute (it will be advised to the member whether they may be permitted to re-apply for membership of the Institute at some future date and, if so, what (if any) conditions should apply to the member's application for re-admission as a member of the Institute); and/or
- such other sanction that is considered reasonable, proportionate and appropriate may be imposed on the member. <sup>5</sup>

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<sup>5</sup> The Institute also reserves the right to make a financial charge to the member (for proven cases), for any expenses &/or fees incurred by them as a result of the Disciplinary case.

## Appendix C – Publicity and External Communications

Where a breach of the Chartered Banker Institute's Code of Professional Conduct (Code of Professional Conduct) has been admitted by a member, or determined against a member following investigation (for either an Academic Misconduct case or a Member Misconduct case), whether or not any publicity or external communications should be issued should be determined:

- whether any details should be shared by the Institute with regulators and other professional bodies consistent with the obligations of the Institute should be considered. If it is determined that this should be shared, information should include:
  - the name of the member;
  - the nature of the relevant complaint made against the member;
  - the disciplinary decision made in respect of the member;
  - the sanctions (if any) imposed; and
  - such other information and details as deemed necessary and appropriate.
- whether any details should be shared by the Institute with the member's employer should be considered.

***NB Sanctions will not be applied, nor any publicity &/or External communications carried out, until the period during which a potential appeal may be submitted by the member has elapsed.***

## Appendix D – Disciplinary Panel Request Form

# Chartered Banker

### Disciplinary Panel Request Form

Please read the guidance document to assist with completion of this form. All **Disciplinary Panel Requests** must be made within **28 days** of receiving the outcome determination from the Institute.

This form is to be used when, as a result of a Disciplinary investigation / case, the member believes there are exceptional circumstances where a request for a relevant Panel hearing (either the **Executive Panel** or **Independent Disciplinary Panel** (IDP)) is appropriate.

Name:	
Chartered Banker Institute membership number:	
Address:	
Contact Telephone Number:	
Email Address:	
Grounds for <b>Disciplinary Panel Request</b> :  <i>(It is in the interest of all parties that all grounds for a Disciplinary Panel request are clearly stated in this form. Please state these, continuing overleaf as necessary, and attach all supporting documentation).</i>	

Continuation page:



Please send the completed form to: [info@charteredbanker.com](mailto:info@charteredbanker.com)

Your application should be acknowledged within 5 working days.

Chartered Banker Institute  
**Email:** [info@charteredbanker.com](mailto:info@charteredbanker.com) **Website:** [www.charteredbanker.com](http://www.charteredbanker.com)  
Charitable Body No SC013927.

## Appendix E – Glossary of Key Terms

### Definitions

In relation to the Institute’s Disciplinary Regulations and Process the following terms and meanings apply:

Term	Meaning
<b>Academic Misconduct</b>	<b>Academic Misconduct</b> is defined by the Institute as the use of unfair means in any Institute assessment. Examples of misconduct include (but are not limited to) plagiarism (including use of Generative Artificial Intelligence [AI] tools), collusion, falsification, cheating, deceit, and personation. Academic Misconduct is considered as a breach of the Code of Professional Conduct.
<b>Alleged Breach</b>	<b>Alleged Breach.</b> This is an allegation, or information, that a member of the Institute has breached the Code of Professional Conduct and includes both a complaint and Disciplinary Action.
<b>Appeal Rejected</b>	<b>Appeal Rejected (IDP).</b> In the context of an IDP hearing, this means that the decision of the Executive Panel is allowed to stand and the appeal has been denied.
<b>Appeal Upheld</b>	<b>Appeal Upheld (IDP).</b> In the context of an IDP hearing, this means that the appeal has been successful and the decision of the Executive Panel is set aside.
<b>Board</b>	<b>Board</b> means the Board of Trustees of the Institute.
<b>Breach Upheld</b>	<b>Breach Upheld</b> is a determination by either the Senior Manager Panel or Executive Panel, where a member has been determined to have committed a breach of the Code of Professional Conduct.
<b>Chief Executive</b>	<b>Chief Executive</b> means the Chief Executive of the Chartered Banker Institute.
<b>Complainant</b>	<b>Complainant.</b> A person who makes a formal complaint to the Institute about a member of the Institute, where they have a belief, information or evidence that the member has breached the Code of Professional Conduct.
<b>Complaint</b>	<b>Complaint</b> means a complaint or allegation that there is or has been a Disciplinary Breach (or that there are or have been Disciplinary Breaches) of the Code of Professional Conduct by or in respect of a member of the Institute.
<b>Code of Professional Conduct</b>	<b>Code of Professional Conduct</b> means the Chartered Banker Institute’s Code of Professional Conduct, which is approved by the <b>Board</b> and published on the website of the Institute.
<b>Declined Complaint</b>	<b>Declined Complaint.</b> In certain circumstances, the Investigating Officer (IO) may determine there are not sufficient grounds for a complaint to be taken

	forward or accepted by the Institute.
<b>Disciplinary Breach</b>	<b>Disciplinary Breach.</b> This is a breach of the Institute's Code of Professional Conduct by a member. A Disciplinary Breach will usually result in sanction/s being applied to the member. The list of potential sanctions is shown in <i>Appendix B</i> .
<b>Disciplinary Panel Request</b>	<b>Disciplinary Panel Request.</b> In exceptional circumstances, for example if the member had evidence that the process had not been correctly followed, then this could be referred to the Institute, requesting that the relevant Panel meeting be convened. There are rules about submission circumstances and timings. A form for this purpose is shown in <i>Appendix D</i> .
<b>Executive Panel</b>	<b>Executive Panel.</b> The Executive Panel consists of two participants who are Executive Directors of the Institute. A representative from the Institute would act as Secretariat.
<b>Independent Disciplinary Panel</b>	<b>Independent Disciplinary Panel.</b> For Major Breach cases only, should the member wish to appeal against the decision of the Executive Panel, in exceptional circumstances (e.g. if the member had evidence that the process had not been correctly followed), they can submit a request for an Independent Disciplinary Panel (IDP) hearing. An IDP hearing is designed to ensure that the member has a formal opportunity to present their case to an impartial body. Please note that a fee of £200 would be charged to the member for scheduling and running an IDP hearing, however this would be refunded if the IDP determined an 'Appeal Upheld' outcome.
<b>Institute</b>	<b>Institute</b> means Chartered Banker Institute.
<b>Investigating Officer (IO)</b>	<b>Investigating Officer</b> means (i) the Chief Executive or (ii) any other person (whether or not being an employee of the Institute) nominated by the Chief Executive to investigate and assess (and if appropriate to determine sanctions) for an Alleged Breach.
<b>Legal Professional</b>	<b>Legal Professional</b> means someone who is or has been a solicitor, advocate or barrister.
<b>Major Breach</b>	<b>Major Breach</b> refers to the severity of the breach or alleged breach. The two types of breach or alleged breach that the Institute refers to are Major and Minor. The determination as to whether a breach or alleged breach is Major or Minor is made at the Institute's discretion. Examples of <b>Major Breaches</b> are: fraud, criminal convictions (where related to Financial Services, or these may bring a reputational risk to the Institute), deceit (e.g. cheating in an examination), major breaches of examination conditions, major collusion (e.g. copying material from colleagues), personation, use of 'Essay Mills' or AI tools to write your

	assignment etc. <i>Please note this list is not exhaustive.</i>
<b>Member</b>	<b>Member</b> means (unless otherwise stated) a member of the Institute.
<b>Member Conduct Complaints Process</b>	<b>Member Conduct Complaints Process.</b> Where an individual has a belief, information or evidence that a member of the Institute may have breached the Code of Professional Conduct they can raise this as a formal Member Conduct Complaint.
<b>Member Misconduct</b>	<b>Member Misconduct.</b> All members are bound by the Code of Professional Conduct. Where members fail to live up to the high standards expected of them, the Institute may investigate. Member Misconduct is considered as a breach of the Code of Professional Conduct. For alleged Member Misconduct cases, it is important to note that the Institute is not a regulator and its powers to investigate and apply sanctions are limited. The Institute is only able to consider complaints that relate to individuals who are members of the Institute, rather than complaints against banks themselves or individuals who are not members of the Institute.
<b>Minor Breach</b>	<b>Minor Breach</b> refers to the severity of the breach or alleged breach. The two types of breach or alleged breach that the Institute refers to are Major and Minor. The determination as to whether a breach or alleged breach is Major or Minor is made at the Institute's discretion. Examples of <b>Minor Breaches</b> are: poor referencing (including undeclared referencing that Artificial Intelligence (AI) tools have been used for research/reference), plagiarism, minor collusion (e.g. sharing your work with others), minor breaches of examination conditions, falsification, non-completion of required Continuous Professional Development (CPD) etc. <i>Please note this list is not exhaustive.</i>
<b>No Breach</b>	<b>No Breach</b> is a determination by either the Senior Manager Panel or Executive Panel, where a determination has been made that the member did not commit a breach of the Code of Professional Conduct.
<b>Sanctions</b>	<b>Sanctions.</b> Where a breach of the Code of Professional Conduct has been admitted by a member, or determined against a member following investigation (for either an Academic Misconduct case or a Member Misconduct case), sanctions may be applied. The list of potential sanctions is shown in <i>Appendix B</i> .
<b>Senior Manager Panel</b>	<b>Senior Manager Panel.</b> The Senior Manager Panel consists of two Senior Managers from the Institute with appropriate skills.

**Valid Case**

**Valid Case.** In certain circumstances, the Investigating Officer (IO) may determine there are not sufficient grounds for a complaint to be taken forward or accepted by the Institute.

# Appendix F

## Code of Professional Conduct

### Introduction

All individuals working in the banking industry are required to act in a fair and honest manner. This is to help protect the interests of customers, colleagues and counterparties; and the wider interests of society. As a minimum, compliance with legislation, regulation and industry/employer codes and standards is required.

The Chartered Banker Institute believes that to enhance public confidence and trust in banks and bankers, and pride within the banking profession, individuals working in banking should make a personal commitment to a higher standard of professionalism, such as that set out in the Chartered Banker Code of Professional Conduct (the Chartered Banker Code).

### Making a Personal Commitment to the Chartered Banker Code

Individuals can develop and demonstrate the values, attitudes and behaviour set out in the Chartered Banker Code by gaining a relevant professional qualification from the Chartered Banker Institute, becoming a member of the UK's professional body for bankers, and making an annual commitment to be bound by the Chartered Banker Code and to meet the Institute's Continuing Professional Development (CPD) requirements.

The Chartered Banker Institute provides support and guidance to members wishing to develop and demonstrate the values, attitudes and behaviour set out in the Chartered Banker Code through its wide range of CPD and other materials, including an extensive Ethics, Culture and Conduct Toolkit.

### Membership of the Chartered Banker Institute

The Chartered Banker Code sets out the ethical and professional values, attitudes and behaviour expected of all professional bankers by the Chartered Banker Institute.

Membership of the Chartered Banker Institute brings with it additional responsibilities. All members (including Fellows, Members, Associates, Certificated Members and Students) are expected to act as role models to others working in the banking industry, leading by example and displaying high standards of professionalism and a commitment to ethical conduct and the public interest at all times. Members are also expected to conduct their affairs in a manner that upholds the name and reputation of the Chartered Banker Institute, and the banking profession more broadly.

### The Chartered Banker Code of Professional Conduct

I will demonstrate my personal commitment to professionalism in banking by:

1. Treating all customers, colleagues and counterparties with respect and acting with **integrity**;
2. Developing and maintaining my professional knowledge and acting with **due skill, care and diligence**; considering the risks and implications of my actions and advice, and holding myself accountable for them and their impact;

3. Being **open** and **cooperative** with the **regulators**; complying with all current regulatory and legal requirements;
4. Paying **due regard to the interests of customers and treating them fairly**;
5. **Observing** and demonstrating **proper standards of market conduct** at all times;
6. Acting in an honest and trustworthy manner, being alert to and managing potential conflicts of interest; and
7. Treating information with appropriate confidentiality and sensitivity.

The Code is consistent with the terminology in the PRA and FCA Individual Conduct Rules (published in July 2015), with the wording used by the regulators highlighted above in bold.