

# **RCPsych Annual General Meeting 20<sup>th</sup> June 2022**

## **Amendments to Supplemental Charter and Bye Laws**



The Board of Trustees are pleased to present proposed amendments to the Supplemental Charter and Bye Laws of the College.

These amendments are proposed following the members survey and consultation with Council and others to help further the objectives of the College and publicly recognise the value and increase the engagement of practising psychiatrists who are not Members or Fellows of the College and allied mental health professionals and also ensure full involvement of members around the world. The introduction of new postnominals allows Specialist Associates, Affiliates and International Associates to publicly demonstrate their links to the College.

The major proposed changes are set out below:

1. The UK Council is to be renamed the Council of the College to recognise that that College has members around the world.
2. That Chairs of International Divisions become members of the Council of the College. They are expected to attend online, minimising cost and environmental impact while allowing them to have a full voice at Council representing their divisions.
3. Specialist Associates will become entitled to apply for Fellowship of the College after 10 years membership and will also have the right to use the postnominal SpARCPsych. Specialist Associates already have the right to vote at general meetings and in elections of the College. This publicly recognises the significant contribution Specialist Associates make to psychiatry and the College. As a result of this proposed change, consequential changes are needed – in particular, it will no longer be accurate for Fellowship to be considered as a subcategory of Membership. Rather, Fellowship will be a distinct category in its own right (made up of eligible Members and Specialist Associates).
4. Affiliates will become entitled to vote in general meetings and elections of the College and the use of the post nominal AffRCPsych.
5. International Associates will become entitled to vote in general meetings and elections of the College and the use of the post nominal ARCPsych.
6. Only medical students who are currently studying at a UK medical schools recognised by the GMC are currently entitled to become Student Associates. Students at international medical schools recognised by the equivalent of the GMC in other countries and by the Council of the College will become eligible to become Student Associates.
7. There are currently annual and total limits on the numbers of people who can be Mental Health Associates at the College. These caps are proposed to be

removed so that the College can increase its engagement with allied mental health professionals who work in multi-disciplinary teams with psychiatrists.

8. Introducing a power for the Board of Trustees to adopt a Code of Conduct to apply to all Trustees, Council members, Officers, Members, Associates, Affiliates etc. Breaches of the Code will be grounds for terminating membership etc. of the College or Council, office or trusteeship.
9. Introducing a provision that annual elections during an Honorary Officers tenure of office are only called following a vote of the Council of the College to hold such an election. The tenure of the President remains 3 years and for the other Honorary Officers 5 years following their election by the membership. This change reflects how annual elections have worked in practice.
10. Provision is made for virtual meetings of the College including General and Special Meetings.

These amendments have been approved by the Board of Trustees.

In particular, at the Board meeting on 20<sup>th</sup> May 2022 it was RESOLVED that the Board approve the amendments to the Supplemental Charter and Byelaws and that a resolution be put to the Annual General Meeting that the amended Supplemental Charter and Bye Laws be approved by Members and Specialist Associates at that meeting subject to any amendments that the Privy Council may recommend and that the Board of Trustees be authorised to agree any such amendments and any other minor amendments.

As required by the Supplemental Charter, the amendments to the Supplemental Charter and Byelaws are now subject to the approval of the Members and Specialist Associates of the College at General Meeting. The proposed amendments to the Supplemental Charter are set out in Appendix 2 and the proposed amendments to the Byelaws are set out in Appendix 3. The Members and Specialist Associates are now asked to consider and, if thought fit, approve the resolutions to make those amendments as set out in Resolutions 1 and 2.

The resolutions contain provision for the Board of Trustees to agree any minor changes required to the Supplemental Charter and Byelaws on behalf of the College (i.e. on behalf of the Members and Specialist Associates) in case any requisite changes are identified post-AGM and to agree any further changes required by the Privy Council as it is possible that the Privy Council may require changes to be made before giving its approval.

The amendments will only become effective when agreed by the Privy Council. The intention is that the changes will not come into effect immediately but will come into effect on the later of 1<sup>st</sup> December and the date the Privy Council approves them. This is to provide certainty in relation to the date the changes become effective given the upcoming presidential election.

## **Resolution 1 – Supplemental Charter**

In exercise of the power set out in Article 14 of the Supplemental Charter dated 30 April 1971 (as amended by Order in Council in 2014) and any other powers (if any), the Members of the College and Specialist Associates in General Meeting RESOLVED:

- 1.1 to approve and confirm the resolution of the Board of Trustees dated 6th May 2022 to the effect that the provisions of the Supplemental Charter be added to, amended or revoked in the manner set out in Appendix 2 presented to the General Meeting subject to the following;
- 1.2 that the Board of Trustees may resolve to make non-substantive alterations to the additions, amendments or revocations to the Supplemental Charter set out in Appendix 2 on behalf of the College (which shall not require confirmation by the College in General Meeting);
- 1.3 that the Privy Council may require changes to the additions, amendments and revocations to the Supplemental Charter which may be approved by the Board of Trustees on behalf of the College (which shall not require confirmation by the College in General Meeting); and
- 1.4 that such additions, amendments and revocations to the Supplemental Charter shall take effect with effect from the date when allowed by the Privy Council or 1st December 2022 (whichever is later).

## **Resolution 2 – Byelaws**

In exercise of the power set out in Article 13 of the Supplemental Charter dated 30 April 1971 (as amended by Order in Council in 2014) and any other powers (if any), the Members of the College and Specialist Associates in General Meeting RESOLVED:

- 2.1 to make, revoke and amend the current Bye-laws of the College (being the Byelaws adopted at Annual General Meeting on 25 June 2018 as approved by Order of the Privy Council dated 13 August 2018) in the manner set out in Appendix 3 presented to the General Meeting subject to the following;
- 2.2 that the Board of Trustees may resolve to make non-substantive alterations to the Byelaws, revocations and amendments to the Bye-laws set out in Appendix 3 on behalf of the College (which shall not require confirmation by the College in General Meeting);
- 2.3 that the Privy Council may require changes to the Byelaws, revocations and amendments to the Byelaws which may be approved by the Board of Trustees on behalf of the College (which shall not require confirmation by the College in General Meeting); and
- 2.4 that such Byelaws, revocations and amendments to the Byelaws shall take effect with effect from the date when approved by the Privy Council or 1st December 2022 (whichever is later).

## **Appendices**

- Appendix 2 - Marked up copy of the Supplemental Charter showing proposed changes
- Appendix 3 - Marked up copy of the Bye Laws showing proposed changes