



# BAPRAS

British Association of Plastic  
Reconstructive and Aesthetic Surgeons

# Code of Conduct 2021



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## Purpose

To set out the responsibilities and behaviours expected of individuals whilst in pursuit of the aims and work of BAPRAS. To provide guidance for all BAPRAS members, trustees and employees, regarding professional behaviour during Association activities, including social events. Procedures for reporting, and the algorithm for investigating and managing unprofessional behaviour are included.

All individuals covered by this document have a duty to behave in a responsible manner, with standards of conduct that support our common values, and to comply with this code at all times. This extends beyond the requirements of employment law and the professional guidelines of GMC. By joining BAPRAS, in any of the above capacities, the individual implies that they will abide by this code and will be expected to sign up to comply with it.

The code should engender confidence that the organisation genuinely cares about developing and maintaining an appropriate work environment for all concerned, that is mutually supportive and consistent with achievement of the Society's charitable aims.

## Scope

This code applies to all BAPRAS members, employees, trustees, and officers when involved in Association business. This does not address patient-doctor interactions or personal behaviour outwith the remit of BAPRAS work or activities.

Association business includes but is not limited to, all meetings, written and verbal communications, social events, educational activities, website or social media activity.

Lay members, course faculty and other individuals interacting with the society would be expected to behave in similar fashion although it is not practical to expect them to formally sign up. and, if not compliant, will be asked to discontinue in their role for the Association.

## Introduction

BAPRAS is a Company Limited by Guarantee (not having any share capital), governed by company law, and a Charity, subject to the jurisdiction of the Charity Commission of England and Wales. As the voice of plastic surgery in the UK, we aim to raise awareness of the breadth of plastic surgery, to promote innovation in teaching, learning and research and to increase overall understanding of the profession

BAPRAS welcomes open debate and free exchange of ideas and is committed to creating a culture that is inclusive of all members and staff. We want every member or employee to feel able to contribute, knowing that their points of view will be valued and differences of opinion will be respected. We want to attract and retain members and staff who reflect and represent the wider association we serve and build a sustainable future for our association

This code applies to all members and employees of BAPRAS who must conduct themselves so as to promote the success of the Association and maintain the individual and collective reputation of the Association and its members. They must also, at all times, comply with relevant laws.

Article 28 of BAPRAS Memorandum and Articles of Association highlights expectations for conduct of Members of Council and Officers:

28. (1) Officers and other elected members of Council shall be held to a standard of behaviour and ethical performance appropriate to a medical practitioner, and shall not act in a way that risks bringing the Association into disrepute, or contravenes generally accepted standards of fairness, equality or probity. If such circumstances occur a disciplinary hearing panel may be convened and that hearing shall have the option of terminating immediately the term of office of that member of Council.
- (2) Such a hearing shall be held before a quorate body of Trustees constituted as a Hearing Panel, and shall normally be called on the request of any two members of Council. The Hearing Panel shall normally be chaired by the President (or their Deputy if the President is the subject of the hearing). The member who is the subject of the hearing may attend only to defend themselves, and may not sit as a member of the Hearing Panel nor take part in the voting procedure. The Hearing Panel may ask the member whose conduct is under scrutiny to leave the room after all evidence has been heard to allow deliberation and voting in camera.
- (3) There is no higher authority within the Association than the Hearing Panel and so in normal circumstances no appeal is appropriate. However, at the discretion of the President (or their Deputy if the President is the subject of the hearing) and with the support of one other member of Council, the Hearing Panel may be reconvened to hear new evidence either in refutation of the allegations or in mitigation. The Hearing Panel shall have full power to investigate the allegations. During such hearings the member whose conduct is under scrutiny may defend themselves or may be represented or accompanied by an advocate or next friend who shall have the right to address the Hearing Panel. However, the Hearing Panel is not a legally constituted court, but a Committee of the Association acting in good faith on behalf of and in the best interests of the Association as a whole whilst balancing its duty to the individual member, and so legal representation will not be allowed.
- (4) The Hearing Panel shall have full power to suspend or terminate the membership of Council of the member under consideration, to recommend to the Association in General Meeting termination of the member's membership of the Association and if appropriate to suspend their membership until the Association meets in General Meeting, either at the next Annual General Meeting or at an Extraordinary General Meeting especially called.
- (5) The Hearing Panel may recommend to the Association reporting the member to an appropriate authority, or in serious and urgent cases may make such referral itself.

BAPRAS gratefully acknowledges the help and support of the BMA in allowing us to draw

substantially from the BMA's own code of conduct (May 2018) and the BMA's resolution process (December 2019), as well as the BSSH, who have adopted a similar code.

This code will ensure that there is parity between staff and members, with each being held to an equitable standard of conduct. Every BAPRAS member is bound by this code of conduct when conducting BAPRAS business. The code should be reviewed 6 months after adoption by HR and Council and then annually and, as a document every five years.

## BAPRAS Behaviour Principles

It is our responsibility as BAPRAS members to act as role models, to promote positive behaviours and to challenge poor behaviours.

Our behaviour principles are:

- Be Professional
- Be Accountable
- Be Kind
- Be Representative
- Respect Others

These behaviour principles were developed by the BMA during an extensive consultation with this membership in 2017 and are endorsed and gratefully acknowledged by BAPRAS (with the BMA's permission- British Medical Association BMA code of conduct May 2018).

No set of guidance can cover all eventualities, but to aid understanding, some examples of these principles in practice are described. These were identified by BMA members and examples of positive and poor behaviours are in Appendix 1.

# Code of Conduct

## 1. Responsibilities of BAPRAS towards members and staff

- BAPRAS recognises that it has a reciprocal duty of care towards members and staff.
- This code of conduct will not be applied inequitably, unreasonably or disproportionately.
- BAPRAS will support members and staff who challenge poor conduct and behaviours
- Appropriate pastoral support should be available to all parties to a complaint. This support is available through, for example, access to the BMA Doctors for Doctors service (BMA members) and DocHealth. The Staff Handbook will be updated to give details of support available to staff.

## 2. Responsibilities as a member

### 2.1 Familiarisation

Members are required to familiarise themselves with BAPRAS' Memorandum and Articles of Code of Conduct, and Code of Practice as set out in the Memorandum and Articles of Association.

Members must act within the Memorandum and Articles of Association and promote the success of the Association for the benefit of its members, and exercise reasonable care, skill and diligence in all their duties.

### 2.2 Attendance

Members who undertake work for the Association should be able to allocate sufficient time to the Association to enable them to discharge their responsibilities effectively, and should inform the Officers in a timely fashion if circumstances, such as ill health, preclude this. Officer and Committee Chair and Member role profiles provide further detail.

### 2.3 Election behaviour

BAPRAS can only function with the contributions of those members who seek election as officers, committee chairs and members. In order that elected representatives work together effectively, on standing for election, members agree to uphold the principles outlined in this Code of Conduct.

Candidates will abide by electoral rules, and respect other candidates. Members will not canvas other members or staff to favour a particular candidate.

### 2.4 Conflicts of interest

A conflict of interest is the risk that an individual's ability to apply judgement could be influenced by a secondary interest.

BAPRAS Council and Committee Members are required to complete and update a form yearly registering their interests.

Members must also declare any relevant conflict of interest before a debate or a decision is made. Where a potential conflict of interest exists, this may limit their participation in debate and/or decision-making.

### 2.5 Suspension and exclusion

When an elected officer, committee chair or member becomes aware of allegations made

against them that may result in disciplinary or regulatory action by third parties (including but not limited to, being excluded from employment or suspended from medical practice by the GMC), they should consider notifying the President, who will be able to advise on the different ways BAPRAS may be able to support. You may also have a confidential conversation about whether it may impact on your BAPRAS role.

## **2.6 BAPRAS staff**

Members must respect and support staff and other team members who assist them in their work, in any interaction with staff, and should be aware of the contents of the BAPRAS 'Staff Handbook' and associated policies.

## **2.7 Overseas work**

This Code of Conduct will apply to members engaged in work overseas representing BAPRAS, despite the differences in environment. Members will be expected to conduct themselves as a positive example in both training and behaviour and to respect the beliefs, values and cultures of the country where they are working. Where this conflicts with UK law, it is appropriate to raise this issue with the team locally, decline to be involved if considered inappropriate, but not to impose the member's views upon them.

# **3. Responsibilities as a member or employee**

## **3.1 Personal conduct**

Members and staff are expected to maintain a high standard of personal conduct and treat all employees and other members with respect. In particular, Members are required to promote and model the behaviour principles outlined in this code of conduct. All Members should display the same duty of care towards one another as they should towards patients and in the workplace.

Bullying and harassment, including sexual harassment, will not be tolerated and cases will be taken extremely seriously.

Bullying includes behaviour that is intimidating, malicious, offensive, undermining or insulting. It is an abuse or misuse of power and is unwarranted and unwelcome.

Harassment is against the law. In the Equality Act 2010, it is defined as conduct that is related to one of the protected characteristics (age, race, religion or belief, gender reassignment, disability, sex, or sexual orientation). It is unwanted by the recipient and it has the purpose or the effect of violating their dignity or creating a hostile, intimidating, offensive, degrading or humiliating environment for them.

Sexual harassment is separately defined in the Equality Act 2010 as unwanted conduct of a sexual nature which has the same purpose or effect.

## **3.2 Boundaries between Professional and Personal Matters**

Clear boundaries will always be maintained between professional and personal matters. Individuals also need to avoid putting themselves in a position where an abuse of power or breach of professional boundaries might occur, or could be perceived to occur.

Whilst consensual relationships are understood, nevertheless, a power gradient often exists between medical and non-medical Association personnel, as well as between senior and more junior individuals of the same professional background.

Such boundaries will be respected at all times, including at Association social functions. Relevant events include but are not limited to conferences, meetings, working away on Association business, events where one is the guest of a third party as a representative of the Association, office parties or Association related social occasions.

Appropriate and responsible behaviour is expected, including after drinking alcohol when on Association business.

Any unacceptable behaviour, intimidation or humiliation is generally that defined by the recipient, not by the intentions of the person behaving in this way.

### **3.3 Confidentiality**

Information about, or held by BAPRAS, that is not expressly put into the public domain by the Association, may only be given to others if they are entitled to receive it and must not be used except for the benefit of the Association.

Members should take all reasonable steps to seek and follow the advice of the relevant chairs of committees and Council and their relevant communications leads before accepting, in a BAPRAS capacity, meetings, interviews or requests for information from the media or members of UK parliaments or assemblies. For UK-wide issues, this will be the President, another officer, the Chair of the Communications Committee or their appointed deputy.

### **3.3 Information technology and social media**

Members must observe BAPRAS confidentiality, GDPR and GMC guidance for the use of email and other means of electronic communications

Members and staff must observe the BAPRAS Communications Committee's social media policy (when available) for the use of social media when acting in a BAPRAS capacity. BAPRAS is not responsible for any content not owned or published by BAPRAS

### **3.4 BAPRAS resources and property**

Members and staff must take good care of, and return on demitting office, any BAPRAS equipment that is made available to them. BAPRAS is a Charity, funded in part by member subscriptions. Members and staff should ensure that they are making best use of funds by being mindful of expenses, travel costs and staff time, as well as making a contribution to the meetings that they attend.

### **3.5 Expenses**

Guidance regarding expenses for travel, accommodation and incidental expenses must be followed. Claimants shall be considerate of the Association's charitable status when incurring expenses. The decision of the Treasurer is final in any disputes regarding payments.

If partners or spouses accompany members or staff, then any additional travel hotel or catering costs are the responsibility of the member and not the Association

### **3.6 BAPRAS Crest, Logos and reputation:**

The Association's logos and letterheads cannot be used without the expressed permission of the Association



## 4. Relationships with third parties

- 4.1 BAPRAS Members may come into contact with a wide range of suppliers of goods and services including professional advisers and business consultants. Suppliers must be treated with courtesy and fairness at all times.
- 4.2 Members are required to familiarise themselves with the requirements of the Bribery Act 2010
- 4.3 Members are required to disclose any acceptance of gifts or hospitality given by third parties in circumstances that could be seen as relevant to BAPRAS business.
- 4.4 Any offers of third-party sponsorship and co-branding of activities and events must be referred to The President and / or Treasurer.

## 5. Reporting Inappropriate behaviours and how to raise a complaint about a member or employee

- 5.1 Wherever possible, BAPRAS preference is to promote positive behaviours, and prevent issues from happening in the first place – we are above all, an organisation that supports clinicians, and ultimately our patients.
- 5.2 BAPRAS recognises the importance of challenging poor behaviours.
- 5.3 Our preferred approach is to address poor behaviour informally through support, training and feedback. It is anticipated that most minor breaches of the Code will be resolvable through discussion and mediation between the relevant individuals, and that, such episodes will be resolved amicably.
- 5.4 Where staff or members have a concern about the conduct of a member, and are unable or unwilling to deal with the matter informally, the resolution process sets out how to raise a complaint and details the investigation, decision-making and appeals process together with potential sanctions.
- 5.5 Member or staff complaints must not be raised in an open forum.
- 5.6 The resolution process also provides guidance on tackling poor behaviours informally as well as information about the support that is available to members who are the subject of, or are impacted by, complaints.
- 5.7 Concerns may be raised by the individual affected by the complaint or by staff or members who have witnessed poor behaviour
- 5.8 Concerns about staff or members should be raised directly with the relevant staff manager or in writing to the President or Deputy President or, if the complainant feels these officers are conflicted, to any Trustee.
- 5.9 Any of the individuals mentioned in 5.8 who receives such a complaint must trigger the resolution process within 30 days.

## Resolution Process

- Minor breaches of this code will be resolved informally where possible by the President or Deputy President. This may involve an explanation of why the behaviour was unacceptable to the perpetrator and giving them an opportunity to provide an apology with support to prevent recurrence; more formal mediation; training for the perpetrator.
- Mediation will be the preferred option where there is an established dispute with both the complainant and the individual being complained about being asked to attend sessions organised via Human Resources.

This may be triggered:

- where a difference of opinion has developed into entrenched views
  - where the mental wellbeing of either individual is being affected
  - where behaviours or actions that cause actual, or potential for, reputational damage to BAPRAS or, otherwise comprise its operational integrity are occurring.
- Mediation may be requested by either party or a third party by writing to the President or Deputy President, or, if they are felt to be conflicted, to any Trustee, who will consider the request and approach both parties to suggest non-judgmental mediation.
  - For those cases that are not successfully resolved by mediation, or which are felt by either party to be not suitable for mediation, then an investigative panel as outlined below would consider the matter.
  - Substantial breaches of this code will be considered by an investigative panel comprising the President or Deputy President, two Trustees and a senior member of the Secretariat.
  - Where a member of the Secretariat or an Officer are implicated, an HR representative will be contracted for the purpose.
  - Findings of the investigation will be brought to a closed confidential meeting of the investigative panel and sanctions determined.
  - The conclusion of the investigation will be made known to the complainant
  - Temporary suspension of role within or for BAPRAS pending further investigation or outcome of formal professional proceedings may be required but only in serious circumstances. This should not be regarded as routine nor as a form of disciplinary action
  - Possible sanctions include:
    - Formal letter notifying member of the breach and warning that a second breach will result in expulsion from the Association
    - Loss of officer role, committee chair or committee member position
    - Loss of place on Council
    - Loss of employment and other sanctions for staff (after appropriate disciplinary procedure, as laid out in Employees Handbook)
    - Referral to the GMC or relevant professional regulator

# Whistleblowing Charter

## Purpose

To provide a policy to be used in conjunction with our Code of Conduct to give Members and staff support in speaking out (whistle-blowing) and raising concerns about behaviours or policies within the work of BAPRAS, without fear of redress or sanction. We recognise that those individuals feel vulnerable and we wish to support them. To provide guidance for all BAPRAS members, trustees and employees, in procedures for reporting concerns, and the algorithm for investigating them.

## Scope

This policy applies to all BAPRAS members, employees, trustees, and officers when involved in Association business and lay members, course faculty and other individuals, such as exhibitors, interacting with the society.

Association business includes but is not limited to, all meetings, written & verbal communications, social events, educational activities, website or social media activity.

## Introduction

We recognise that, at times, individuals' behaviour may differ from that expected by our Code of Conduct and we want individuals to be able to highlight this, without fear of reprisal or prejudice to their own position, so that it can be addressed early and by simple measures, rather than escalate to a more entrenched problem.

This policy, together with the Code of Conduct, will ensure that there is a process to deal with whistle-blowing that encourages individual's disclosure of concerns and early resolution of problems.

## Concerns To Be Raised

Concerns may be about anything that an individual considers is harming our objectives as an Association. That includes concerns of:

- Bullying
- Harassment
- Discrimination
- Nepotism
- Unsafe working practices
- Unsafe patient care
- Inappropriate behaviour
- Risk of reputational damage to BAPRAS
- Risk of loss of operational integrity to BAPRAS
- Financial mismanagement

If an individual has a personal grievance concerning an individual then this is more appropriately managed through a mediation policy.

# Protection for Those Raising Concerns

## 1. Responsibilities of BAPRAS

- BAPRAS recognises that it has duty to investigate such concerns
- BAPRAS recognises that the complainant may be misinformed or mistaken and, if genuinely concerned, no sanctions will be taken against the complainant.
- BAPRAS will support the complainant during any investigation in a non-judgmental way and will advise avenues of pastoral support
- BAPRAS will not tolerate harassment, victimisation or bullying of any complainant by any member of its society or staff.
- BAPRAS will subject any member or employee who raises a concern, which they know to be untrue, through malice, to disciplinary action.
- BAPRAS will treat the identity of the complainant in confidentiality, unless required to disclose it for legal means or with their permission
- BAPRAS will consider the complaint and, where necessary, investigate in a timely manner
- BAPRAS will give the complainant feedback on the progress of the investigation

## 2. Individuals raising concerns

- Any member, employee, or external individual may raise concerns on their own behalf or if they have seen evidence warranting disclosure relating to other individuals.
- BAPRAS will protect the confidentiality of the individual complainant but will have not have jurisdiction over employers from external organisations in how they manage their employee.
- The complainant will be kept informed about the investigation and its conclusions
- If the matter requires disclosure to the police or GMC, then confidentiality of the complainant may be required to be waived.
- The complainant, and the individual complained about, may need to be suspended from BAPRAS duties during the investigation but this should not be considered a punitive action

## 3. Making a 'protected disclosure' covered under the Law

More serious concerns may have legal consequences and need to be reported to an outside body. To be covered by whistleblowing law, a complainant when raising a concern (to be able to claim the protection that accompanies it) must reasonably believe two things:

1. they are acting in the public interest (this needs to be more than a personal grievance)
2. disclosure tends to show past, present or future wrongdoing that falls into one or more of the following categories:

- o criminal offence
- o failure to comply with a legal obligation
- o miscarriage of justice
- o danger to the health or safety of any individual
- o damage to the environment and/or
- o covering up the wrongdoing in the above categories.

#### **4. Responsibilities as a member**

- Members are required to raise concerns if they see behaviours or policies that they believe may be injurious to individual members, staff or the Association
- Concerns must not be raised in an open forum but in confidence to the President or any other Officer or another Trustee.
- Members may be called upon to give evidence in investigations and should attend in person or virtually to do so if required by the investigating team. Their evidence should be treated as confidential as should all details of the complainant and the investigation.
- In investigations, the individual about whom a complaint has been made may attend with a fellow member, friend or representative for support.

## Appendix 1

Shared with permission and thanks from: BMA Code of Conduct Document (May 2018)

### Examples of positive and poor behaviours.

These are verbatim comments from BMA members

	POSITIVE BEHAVIOURS	POOR BEHAVIOURS
<b>Respect others</b>	<ul style="list-style-type: none"> <li>- Everyone has the right to contribute and should be encouraged to do so</li> <li>- Every contribution is valued</li> <li>- Listen to one another – do not interrupt</li> <li>- Be open to others' ideas and opinions</li> <li>- Try to see things from the point of view of others</li> <li>- Be prepared to change your mind</li> </ul>	<ul style="list-style-type: none"> <li>- Ignore the input or value of others' contributions</li> <li>- Alienate others</li> <li>- Interrupt one another</li> <li>- Not listen to one another</li> <li>- Refuse to consider alternative points of view</li> <li>- Undermine, humiliate or degrade others</li> </ul>
<b>Be professional</b>	<ul style="list-style-type: none"> <li>- Remember you are a doctor with expected professional behaviours</li> <li>- Prepare for meetings – read papers</li> <li>- Flag controversial issues with the chair beforehand to allow for extra time or debate</li> <li>- Attend and actively participate in meetings</li> <li>- Mentor and support new members</li> </ul>	<ul style="list-style-type: none"> <li>- Behave in a way unbecoming of a doctor</li> <li>- Persistent non-attendance at meetings without good reason</li> <li>- Attend meetings without reading papers</li> <li>- Do not participate fully across the agenda</li> <li>- Fail to support less experienced members</li> </ul>
<b>Be accountable</b>	<ul style="list-style-type: none"> <li>- State your case with clarity and brevity</li> <li>- Explain your decisions and actions to your constituents</li> <li>- Debate in private but support democratic decisions in public</li> <li>- Maintain confidentiality</li> <li>- Challenge constructively – consider the time, place and impact on others</li> </ul>	<ul style="list-style-type: none"> <li>- Dominate conversations and restate the same arguments</li> <li>- Do not explain decisions and actions to constituents</li> <li>- Undermine democratic decisions in public</li> <li>- Breach confidentiality</li> <li>- Raise vexatious complaints</li> </ul>
<b>Be representative</b>	<ul style="list-style-type: none"> <li>- Where possible, seek the views of those you represent on the issues that affect them</li> <li>- Where possible, share relevant information and feed back any outcomes which are not confidential to your constituents</li> <li>- Represent constituents' views at meetings and when voting</li> <li>- Act in the best interests of members</li> </ul>	<ul style="list-style-type: none"> <li>- Assume the views of others without asking or testing assumptions</li> <li>- Represent personal views in opposition to the views of constituents</li> <li>- Do not communicate relevant information to constituents</li> <li>- Do not explain to constituents why decisions were taken</li> <li>- Fail to disclose or manage conflicts of interest</li> </ul>
<b>Be kind</b>	<ul style="list-style-type: none"> <li>- Be welcoming</li> <li>- Criticise ideas, not people</li> <li>- Recognise positive behaviours</li> <li>- Challenge disrespectful behaviours</li> </ul>	<ul style="list-style-type: none"> <li>- Do not welcome others – form cliques and exclude others</li> <li>- Blame and mistrust others</li> <li>- Criticise people, rather than ideas</li> <li>- Do not praise positive behaviours</li> <li>- Do not challenge poor behaviours</li> <li>- Be aggressive and impatient</li> </ul>



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