



# **THE COLLEGE OF MENTAL HEALTH PHARMACY**

## **BYE-LAWS**

**June 2022**

**VERSION 09**

# **BYE-LAWS OF THE COLLEGE OF MENTAL HEALTH PHARMACY**

## **A. MEMBERSHIP**

There will be six categories of membership:

- A.1 Associate member
- A.2 Full member
- A.3 Student member
- A.4 Fellow
- A.5 Honorary fellow
- A.6 Corporate partner

### **A.1 ASSOCIATE MEMBER**

Any person over 18 may apply for associate membership of the College on completion of an application form and payment of the current subscription.

### **A.2 FULL MEMBER**

Pharmacists and pharmacy technicians who are already an associate member of the College and who have met the standards of the credentialing process of the College shall be eligible to become full members. Application for full membership via the credentialing process shall be made to the College Registrar on the appropriate application form.

The credentialing application fee is not refundable once the portfolio has been marked.

### **Recredentialing of Full Members**

Full members shall undergo recredentialing as set out in the recredentialing process of the College. The Registrar shall notify members in a timely manner in advance of when recredentialing is due. If a full member does not wish to be recredentialled or after due process recredentialing is not successful, the member shall revert to being an associate Member, provided they continue to pay the required membership fees.

### **A.3 STUDENT MEMBER**

Any person may apply to be a student member of the College on completion of the relevant application form and will have the same rights as associate members. Once they cease to be a student, they will need to pay the appropriate subscription fee (but not joining fee) to become an associate member, if they wish to remain a member of the College.

### **A.4 FELLOW**

The College may award fellowship to those members who have achieved distinction in the practice of mental health pharmacy and/or who have served the

College with distinction. The Council will consider the election of up to two fellows each year (see website for full details), provided this does not mean that the total number of fellows exceeds more than 5% of the total membership of the College. Fellows who are no longer members of the College, or who have retired will remain listed as a fellow but will not count towards the above 5% total limit. Members who have passed away will be indicated as deceased.

#### **A.5 HONORARY FELLOW**

The College may award honorary fellowship to a non-member professional who has promoted and/or supported the College over a significant period to achieve its charitable aims to the benefit of its members and the wider public. The Council will consider the election of up to one honorary fellow each year (see website for full details), provided this does not mean that the total number of honorary fellows exceeds more than 2.5% of the total membership of the College. Honorary fellows who have retired will remain listed as an honorary fellow but will not count towards the above 2.5% total limit. Members who have passed away will be indicated as deceased.

#### **A.6 CORPORATE PARTNER**

Corporate partnership is open to organisations that fulfil the criteria set out in the corporate partnership scheme. Application for corporate partnership is on the appropriate application form and must be accompanied by the appropriate fee. The fee is non-refundable.

### **B. MEMBERSHIP RIGHTS AND PRIVILEGES**

#### **B.1 Rights of Members**

B.1.1 Fellows (but not honorary fellows), full, associate and student members shall enjoy the right to attend all meetings and functions held by the College, have the right to vote at all general meetings, and will receive relevant College publications.

B.1.2 Fellows (but not honorary fellows), full, associate and student members shall be entitled to stand for election to the College Council.

B.1.3 The posts of Registrar and Assistant Registrar of the College are only open to full members of the College. All members of council shall be expected to become full members in the first term on council.

B.1.4 The President and Vice President of the College should normally be full members of the College unless there are no full members on Council eligible or willing to stand for these posts. All other posts on Council, with the exception of Registrar and Assistant Registrar as in B.1.3 above, are open to fellows (but not honorary fellows), full and associate members.

B.1.5 Full members of the College shall be entitled to use the post nominal 'MCMHP'.

- B.1.6 Fellows of the College shall be entitled to use the post nominal 'FCMHP'.
- B.1.7 Honorary fellows of the College shall be entitled to use the post nominal 'HFCMHP'.

## **B.2 CORPORATE PARTNERS**

- B.2.1 Corporate partners shall have restricted rights of membership as outlined in the corporate partnership scheme document.
- B.2.2 Corporate partners shall not have voting rights nor the right to council membership.

## **B.3 TERMINATION OF MEMBERSHIP**

- B.3.1 Membership may be terminated by any member at any time by writing to the Honorary Secretary, with immediate effect upon receipt.
- B.3.2 Membership shall be terminated if any annual subscription is not paid in full within one month of being due in any given year.
- B.3.3 The College council reserves the right to terminate the membership or award of Fellow / Honorary Fellow of any individual member (or organisation/company in the case of corporate partners) if the member or corporate partner is considered to have acted in such a manner as to bring the College into disrepute. This would be expected to be proposed, seconded and carried by a vote at a Council meeting. Members or corporate partners are entitled to at least 21 days' notice in writing of the Council meeting at which termination shall be proposed, and they or their representative (who need not be a member of the College) shall be allowed to make representations to the meeting.
- B.3.4 Membership shall be terminated on the death of a member or, in the case of an organisation, if the organisation ceases to exist.

## **C. GOVERNING BODY**

### **C.1 COLLEGE COUNCIL**

- C.1.1 The College shall be governed by a council consisting of a usual maximum of sixteen elected and co-opted members, of whom seven shall be officers.

### **C.2 OFFICERS**

- C.2.1 Officers of the College shall be elected by the Council members and shall be:
- President (who shall normally chair meetings of Council)
  - Vice President
  - Honorary Treasurer

- Honorary Secretary
- Registrar
- Assistant Registrar
- Immediate Past President

### **C.3 COUNCIL MEMBERS**

**Note that all council members are both Company Directors and Charity Trustees of the College.**

C.3.1 In addition to the seven officers there shall be at least six other elected members of Council and up to three appointed (or co-opted) members of Council. There should be not usually more than 16 council members in total. Any increase over 16 members must be time-limited at the point the increase is agreed.

C.3.2 At least one member of council shall be a current or previous pharmacy technician. If no pharmacy technicians are available, this role may be co-opted, including to a non-pharmacy technician. If the post-holder co-optee is not a pharmacy technician, this co-option must be limited to one year and the position put up for election the following year.

C.3.3 Fellows (but not honorary fellows), full and associate members of the College may stand for election to council.

C.3.4 Where possible, council should be adequately representative of all areas of employment, and include representation from each of the following areas:

- Secondary care
- Primary care
- Academia
- The independent sector

C.3.5 Co-option may be necessary to cover a particular area should the annual election process not result in all council vacancies being filled. Any opportunity for co-option shall initially be offered to the member who achieved the highest number of votes, but who failed to gain election to council, at the most recent election where there was a contested election. Failing that, the process described below for casual co-option should be invoked.

C.3.6 Council may also co-opt into casual vacancies on council. In these cases, the co-opted council member shall stand in the next round of elections. Such opportunities should be offered to the wider membership via a call for expressions of interest. If more suitable members express an interest in co-option than there are places available, then a secret ballot should be conducted amongst members of council.

C.3.7 A usual maximum of three council vacancies may be filled by co-option. Any increase over three members must be time-limited at the point the increase is made.

C.3.8 Appointment of co-opted members shall take effect immediately the decision to co-opt is made and suitable candidates are found.

C.3.9 All co-opted members of council shall have full voting rights.

C.3.10 If deemed necessary, council may appoint a fellow, full or associate member to act as a liaison between the College and other organisations (e.g. the Guild of Healthcare Pharmacists and the British Association of Psychopharmacology). These appointees will not be directors of the company or a trustee of the charity and shall not be entitled to vote at council meetings. The appointees shall attend such council meetings as agreed with the president and shall be entitled to receive all council meeting papers.

#### **C.4 COUNCIL MEMBERSHIP**

C.4.1 Council may invite any full or associate member or fellow (but not honorary fellow) to participate in any sub-committee or task group without requiring an election thereto.

#### **C.5 ADMINISTRATIVE/OTHER SUPPORT**

C.5.1 Council shall be assisted in its work by such staff or volunteers as may be required. MOUs will be agreed to cover the work

C.5.2 Those offering such support shall not be company directors or charity trustees.

C.5.3 Such supporting persons shall be engaged by Council to deliver a specific service on a 'self-employed' basis. They shall not be elected.

C.5.4 Council shall also be assisted in its work by external conference organisers and communication support and contracts / MOUs will be agreed to cover following successful tender processes.

#### **C.6 TERMS OF OFFICE**

C.6.1 All council members with the exception of officers shall serve for three years before choosing whether to seek re-election. This is referred to as resignation by rotation. Council members may seek re-election for service as a council member on a further two occasions.

C.6.2 In line with the Memorandum of Association, officers are exempt from resignation by rotation. When the member ceases to be an officer, they return to the position in the rotational resignation process, not counting their time as an officer. For example, a member who had been elected to council for one year before becoming an officer would be entitled to serve for two years after ceasing to be an officer, before being required to seek re-election.

- C.6.3 The president shall normally serve in the post for one term not exceeding two years, with the option of serving a further year in exceptional circumstances as defined by council at the time. This option shall be agreed by the president and council.
- C.6.4 The vice president shall be elected for a period not exceeding two years with the option of serving a further year in exceptional circumstances as defined by council at the time. This option shall be agreed with the president, vice president and council.
- C.6.5 In the event of the vice president being unable or unwilling to assume the presidency when timetabled to do so, an election for president shall be conducted following the same procedure as for the election of the vice president (see C.7.7).
- C.6.5 Co-opted members of Council, other than those co-opted to fill a casual vacancy, shall stand for election in the next round.

## **C.7 ELECTION OF COUNCIL AND OFFICERS**

- C.7.1 Election of the elected members of the College council shall be by postal or electronic ballot (as determined by council) of all fellows (but not honorary fellows), full and associate Members.
- C.7.2 Any nomination for membership of council shall be proposed and seconded by a fellow (but not Honorary Fellow), full or associate member of the College and signed by the nominee. Electronic signatures are acceptable. The nomination must contain the details that, if the person were appointed, the College would have to file at Companies House.
- C.7.3 Nominations shall be received by the Honorary Secretary not later than sixty days before the date of the Annual General Meeting.
- C.7.4 Ballot papers incorporating a personal statement by each nominee shall be distributed to all relevant College members not later than thirty-five days before the date of the Annual General Meeting.
- C.7.5 Ballot papers shall be returned to the Honorary Secretary not later than fourteen days before the date of the Annual General Meeting.
- C.7.6 Those standing for election shall be informed individually of the results of the ballot before the Annual General Meeting and the results shall be officially announced to the membership at the Annual General Meeting.
- C.7.7 Nominations for the post of vice president shall be proposed and seconded by council members, with permission of the nominee. Such nominations shall be called for by the president in relevant years after the Annual General Meeting and received at least seven days before the first Council meeting after the Annual General Meeting. If there is more than one nomination for the post, a secret ballot shall take place at the first Council meeting after the Annual General Meeting. Each Council member shall have one vote, and votes shall be counted by the Honorary Secretary. In the event of a tie, the President shall have the casting vote.

C.7.8 The election procedure for the honorary treasurer, honorary secretary, registrar and assistant registrar shall be identical to that for the vice president, except that any election will occur at the next Council meeting after a vacancy, or potential vacancy, has occurred and that the president shall undertake the vote count, if required.

## **D. SUB-COMMITTEES**

D.1.1 Council may delegate any of their powers or functions to a committee of two or more Directors in accordance with the Memorandum of Association. Council may appoint members to assist its work (see C. 4.1).

D.1.2 Council from time to time may appoint and prescribe the constitution of other sub-committees or task groups as necessary and shall have the powers to modify the constitution and dissolve such sub-committees as required.

D.1.3 No sub-committee shall expend funds otherwise than in accordance with a budget agreed in advance by Council.

D.1.4 There shall be a standing credentialing sub-committee that shall be chaired by the Registrar and shall perform such processes of credentialing as set out in the credentialing process of the College.

D.1.5 Every sub-committee shall report back to council on any actions or decisions taken under its delegated powers, as a minimum at every Council meeting.

## **E. COUNCIL AND SUB-COMMITTEE MEETINGS**

E.1.1 The College council shall meet (either electronically or in person) at least five times a year.

E.1.2 The quorum for any Council meeting shall be over half of the Council membership.

E.1.3 Sub-committees shall meet as and when required.

## **F. GENERAL MEETINGS**

### **F.1 ANNUAL GENERAL MEETING**

F.1.1 There shall be an annual general meeting of the College. It shall normally take place during the annual conference or contemporaneously if conference does not occur. It will ideally occur in person however if that is not possible, an electronic meeting is acceptable.

F.1.2 The annual general meeting shall be quorate when thirty members (fellows (but not honorary fellows), associate or full members are in attendance.



- F.1.3 Annual general meetings shall be chaired by the president or, if absent, the vice president.
- F.1.4 All members (fellows, but not honorary fellows), associate or full members) shall be entitled to attend and vote at general meetings. Voting shall be in person, or by proxy vote on application to the Honorary Secretary.
- F.1.5 An annual report, including audited accounts, shall be presented at the annual general meeting.

## **F.2 EXTRAORDINARY GENERAL MEETINGS**

- F.2.1 An extraordinary general meeting may be called by Council, or by application in writing to the Honorary Secretary of at least 30 members (fellows (but not honorary fellows), associate or full members).
- F.2.2 Members shall be given at least twenty-eight days' notice of an extraordinary general meeting.
- F.2.3 The extra-ordinary general meeting shall be quorate when thirty members (fellows (but not honorary fellows, associate or full members) are in attendance.

## **F.3 VOTING PROCEDURE AT GENERAL MEETINGS**

- F.3.1 Motions and amendments shall require both a proposer and seconder to attend and present their views in person. A representative can be nominated in exceptional circumstances via discussion with and permission from the meeting chair in advance of the meeting.
- F.3.2 Voting shall firstly take place on any amendment(s) to any motion.
- F.3.3 Voting shall then take place on the substantive motion incorporating any agreed amendments.
- F.3.4 Proxy votes shall only be counted for motions that are not subject to amendment and shall be counted at the same time as the votes of members attending the meeting. Proxy voting is permitted as outlined in the Memorandum of Association.
- F.3.5 Motions shall be passed, or lost, on the basis of a simple majority.
- F.3.6 The President shall have the casting vote in the event of equality of votes.

## **G. FINANCE**

### **G.1 FINANCIAL YEAR**

G.1.1 The administrative and financial year of the College shall commence on the 1<sup>st</sup> April.

### **G.2 SUBSCRIPTIONS**

G.2.1 An annual subscription fee shall be paid by all fellows, full and associate members, and corporate partners.

G.2.1a Student members will not be liable for any subscription fees until they transfer to being associate Members.

G.2.2 A joining fee may be levied on all new associate Members at the time of application for membership. This may also apply to previous members rejoining once their membership has lapsed.

G.2.3 The subscription shall apply to the full year following the date of joining.

G.2.4 The joining fee and subscription fee for members shall be announced for the following year at the annual general meeting and shall become operational immediately after the Annual General Meeting.

G.2.5 The annual fee for the corporate partnership scheme shall also be announced at the Annual General Meeting and shall become operational immediately after the Annual General Meeting.

### **G.3 LOCUM PAYMENTS FOR COUNCIL MEMBERS ATTENDING MEETINGS**

G.3.1 Under exceptional circumstances, should the council member's employer need to employ a locum to free the council member up to attend meetings, a reimbursement of up to £200 per day may be paid to the employer by the College upon receipt of paperwork by the honorary treasurer showing that a locum had been engaged for that purpose on the relevant day.

### **G.4 PORTFOLIO FUNDING**

G.4.1 Each portfolio holder will have available to them £1000 per financial year to spend on activity/equipment related to their portfolio, upon application/provision of receipts to the honorary treasurer.

## **H. CONDUCT OF THE COLLEGE**

### **H.1 PROCEEDINGS OF THE COLLEGE**

H.1.1 The minutes of all meetings of the College are the property of the College and shall not be communicated to any third party without the prior written consent of council.

# **I. ALTERATIONS TO COLLEGE BYE- LAWS**

## **1.1 AMENDMENTS**

- I.1.1 No amendment shall be made that would conflict with the Memorandum of Association.
  
- I.1.2 Any motion to amend these bye-laws must be made by a council member. It must be proposed, seconded and voted upon and will only be accepted if it receives at least two thirds of the votes cast at the meeting. In exceptional circumstances the president may accept a motion outwith a council meeting, and voting may occur electronically.