

# Guide to membership and regulatory checks and background screening

## RICS Governing Council and Governance Bodies

Before RICS confirms an appointment to any RICS governance body, the individual seeking to be appointed or elected will be subject to certain due diligence checks. This is because it is of the utmost importance that all RICS Governing Council and governance body members are demonstrably fit and proper individuals and further, if they are RICS Members, that they are of “good standing”.

## Appointment Panels

RICS also conducts due diligence checks on members of the appointment panels that are responsible for the appointments to its governance bodies. The extent of the checks required will depend on the seniority of the appointment (as defined in the Global Appointments Model) that the panel is responsible for. For Grade A appointments, an appointment panel member shall be subject to full due diligence checks. These due diligence checks also cover independent recruitment panellists who are likely to be used regularly by RICS on various appointment panels.

## Due Diligence checks

RICS conducts two types of due diligence checks. These are:

- RICS membership and regulatory checks (applicable to RICS Members only) conducted by the Regulation Directorate and the Member Operations department.
- Background and screening checks (applicable to both RICS Members and non-Members) conducted by a third-party agency.

In the event that an individual seeking to be appointed or to stand for election does not consent to the due diligence checks required by RICS being undertaken, their application to be appointed or to stand for election will not be progressed.

## RICS membership and regulatory record checks

The definition of a Member of “good standing” is that the Member:

- Has not been the subject of disciplinary action by RICS, and is not the subject of any current or pending disciplinary action by RICS; and
- Has not been found to be in breach of RICS’ Bye-Laws, Regulations or Rules, including RICS’ CPD requirements; and
- Has fully paid their Member subscriptions and any other monies owed to RICS.

For a RICS Member, the Regulation Directorate will be requested to carry out the following membership record checks:

- Satisfactory disciplinary record.
- No non-disclosure of any pending disciplinary matters.
- Compliant CPD record.

Separate enquiries will be made with the Member Operations department to confirm, in relation to a RICS Member, that:

- Subscriptions are up to date.
- Any monies outstanding have been paid to RICS.

These membership and regulatory checks will be carried out at the application stage, when a Member applies to join a RICS governance body or to stand for election.

Where a Member’s record reveals a breach of RICS’ Bye-Laws, Regulations or Rules, the details of this will be disclosed by the Regulation Directorate to the Governance team, who will inform the Member. It will be the responsibility of the Member to contact the Regulation Directorate

for further details. If a breach of RICS' Bye-Laws, Regulations or Rules is present, RICS may not be able to progress the Member's application.

The approach to imposing disciplinary sanctions for breaches of RICS' Bye-Laws, Regulations or Rules, including breaches of CPD requirements, is set out in the Sanctions Policy approved by the Standards and Regulation Board.

All disciplinary decisions are retained in the Disciplinary History of a Member.

To be eligible to be elected to a role on Governing Council, a Member must NOT have had any disciplinary sanction for breach of RICS' Bye-Laws, Regulations or Rules – this includes any breaches of CPD requirements. Any of the foregoing will preclude a Member from standing for election to Governing Council.

To be eligible to be appointed to a role on any other governance body or a relevant appointment panel, a Member must NOT have had:

- Any breaches of CPD requirements in the last 3 years.
- Any disciplinary sanction for breach of RICS' Bye-Laws, Regulations or Rules, excluding breaches of CPD requirements.

Any of the above will preclude a Member from joining a RICS governance body, or from joining an appointment panel where due diligence checks are required.

If the membership and regulatory checks identify a breach of RICS' Bye-Laws, Regulations or Rules, the relevant appointment panel or the Nominations & Remuneration Committee (as applicable) will be notified that the individual's application has been withdrawn (although the specific detail of any breach will not be shared with the appointment panel or the Nominations & Remuneration Committee).

In the event that an investigation is ongoing regarding a Member at the time when membership and regulatory checks are carried out and a decision is yet to be finalised (and provided that the Member is not subject to "interim measures"), the following shall apply to ensure fairness to the Member. The Governance team will inform the Member that their application can be progressed but that the Member should contact the Regulation Directorate for further information. If, following the investigation, the Member is found to have breached

RICS' Bye-Laws, Regulations or Rules, the outcome of the investigation will be referred, as applicable, to the relevant appointment panel or to the Nominations and Remuneration Committee to determine whether the Member's application can be progressed or, if the Member has been appointed, whether the appointment should be terminated. The Member will be asked by the Governance team whether the Member wishes to continue with their application. Notwithstanding the foregoing, where a Member is subject to "interim measures" (i.e. regulatory measures imposed in circumstances where it is in the public interest for conditions or suspension to be imposed because of the nature and seriousness of the alleged breach by the Member), the Member's application will not be progressed.

#### **IMPORTANT**

**Members are strongly advised, before submitting an application to confirm (i) with RICS' Regulation Directorate that their record is clear of any breaches of RICS' Bye-Laws, Regulations or Rules and (ii) with RICS' Member Operations department that their annual fees and any monies owed to RICS are paid. Email enquiries can be sent to:**

**RICS' Regulation Directorate at E [regulation@rics.org](mailto:regulation@rics.org) T +44 20 7695 1670**

**RICS' Member Operations department at E [contactrics@rics.org](mailto:contactrics@rics.org) T +44 2476 868 555**

#### Background and screening checks

Background and screening checks will be carried out on any individual, whether they are a RICS Member or a non-Member, before their election to Governing Council or appointment to any other governance body or a relevant appointment panel is confirmed. In some circumstances, these checks may not be carried out until after an offer of appointment has been made, or until after a candidate has been elected.

**Those candidates who are standing for election to Governing Council should note that the background screening may be conducted after the successful candidate has been announced to the membership, and that in the event a concern is identified this may lead to the elected candidate not being eligible to sit on Governing Council.**

The background and screening checks include the following, and will be carried out irrespective of where an individual is based:

**Database checks:**

- Credit check on the individual's credit history, flagging any adverse information found, e.g. bankruptcies, CCJ's, IVA's etc.
- Criminal check on any criminal history the individual may have had.
- Directorship check for any current, previous, dissolved, or disqualified directorships.
- Passport validation using the individual's passport.
- Negative media search of worldwide media outlets to see if the individual has ever been mentioned in an article which could be detrimental to their own or RICS' reputation.
- Sanctions and watchlist search of worldwide databases to see if the individual has a record.
- Financial services register search to see if the candidate has a record.

**References/verifications:**

- Employment references to verify basic information regarding the individual's prior employments, primarily their dates of employment and job title, and also requesting brief comments on their performance.
- Highest education verification to verify the individual's highest completed education directly with the university/college/school/institution.
- Professional qualification verification to verify the individual's completed professional qualifications directly from the awarding body.

The background and screening checks are undertaken by a third-party agency, which may also use the services of its own providers to support electronic verification activities. The information shared with such third parties will be done securely, and under the protection of appropriate contractual safeguards which prevent these third parties from using the information shared (or obtained from the checks) for any other purpose.

Given the nature of the personal information that these searches may produce, RICS will ask the individual to consent to these checks being undertaken as part of the application process. Whilst the individual is free to withdraw their consent at any time prior to being appointed or elected, they should understand that if they do not consent, their appointment/application will not progress any further.

If any concerns are raised as a result of these checks (amber – minor alert, red – major alert), the individual will be informed by the Head of Governance and Group Company Secretary. In the case of a RICS Member, details of this will be passed on to RICS' Regulation Directorate for further investigation.

In the case of a red alert (major) RICS will be unable to proceed with the appointment and the relevant appointment panel or the Nominations & Remuneration Committee (as applicable) will be notified that the individual will not be appointed (although no further details will be shared with the appointment panel or the Nominations & Remuneration Committee).

In the case of an amber alert (minor), the decision maker as to whether an appointment can be confirmed will depend on the nature of the appointment, as set out below. It will be necessary to share the specific details of the reason for the alert with the relevant decision maker (as described below) in order for the decision maker to make an informed decision about the proposed appointment based on the information available in relation to the individual.

- For a governance body appointment, the decision will be at the discretion of the relevant appointment panel, which may refer to the Chair of the Nominations & Remuneration Committee for guidance.
- For appointment of a candidate elected to Governing Council, the decision will be at the discretion of the Nominations & Remuneration Committee.
- For an appointment to an appointment panel or as an independent recruitment panellist, the decision will be at the discretion of the Nominations & Remuneration Committee.

In anticipation of the background and screening checks, an individual applying to stand for election will be required at the point of application to sign a "fit and proper person" declaration confirming the following, failing which their application will not be progressed:

- That they are not currently disqualified from holding a directorship of a company, or equivalent, in any country.
- That they have not been declared bankrupt, been the subject of a debt relief order or an undischarged County Court Judgment, or equivalent, in any country.
- That they have not been convicted of a criminal offence in any country, and that they are not currently facing criminal proceedings in any country.

- That they have not had any professional registrations revoked in any country, and that they are not currently facing proceedings for any such revocation in any country.
- That they are not aware of any aspect of their personal circumstances that could cause damage to the reputation of RICS if they are elected to a seat on Governing Council.

## Handling of personal data

Other than as stated above, the information RICS collects about an individual from these due diligence checks will only be shared with those individuals who need to review and assess the information for the election / appointment process. Information will be held securely for as long as it is necessary to administer and keep a record of the individual's appointment / election, including to demonstrate the due diligence RICS undertook before confirming the individual's position.

For further details about how RICS collects and uses an individual's personal data and an individual's data protection rights, see: [RICS privacy policy](#)

## Further questions

Should you have any questions regarding any of the above please contact [governanceappointments@rics.org](mailto:governanceappointments@rics.org)