

RICS Sanctions Policy: Supplement 4 Disciplinary History

Version 8 with effect from 2 March 2020

Supplement 4 to the Sanctions Policy: Disciplinary History

1 Disciplinary history policy

1.1 This is a supplement to the Sanctions Policy and sets out the Standards and Regulation Board's approach to the provision of a Regulated Member's disciplinary history.

2 Policy approach

2.1 The full disciplinary history of a Regulated Member will be supplied to Single Members of the Regulatory Tribunal, Disciplinary, Registration and Appeal Panels.

3 Single Members of the Regulatory Tribunal/Disciplinary Panel / Registration Panel/ Appeal Panel

3.1 In assessing the emphasis given to disciplinary records supplied to Single Members of the Regulatory Tribunal or/and Panels, it will be necessary for Single Members and Panels to take account of the following:

- a** length of time that has elapsed since the disciplinary finding was made and
- b** similarities between the previous disciplinary history and the allegations set out before the Single Member or Panel.

4 External requests

4.1 Where requests about a Regulated Member's disciplinary history are received from third parties (public, clients or employers), all previous disciplinary findings will be deemed to be spent six years following the date of the finding.

4.2 However, expulsions and deregistrations will never be spent and may be disclosed.

5 Exceptions

5.1 Fixed Penalties will become spent three years after the penalty has been paid.

5.2 Notwithstanding the fact that a finding is deemed spent, it may be disclosed if RICS considers it in the public interest to do so.

6 Notes

- 6.1** For the purpose of this supplement, the date of the disciplinary history will be deemed to be the date at which the Single Member of the Regulatory Tribunal or Panel imposed the penalty/ date of the letter indicating a Fixed Penalty had been applied to the Regulated Member or the Regulatory Compliance Order was signed by both parties.
- 6.2** This supplement will apply to disciplinary findings under RICS' Regulatory Tribunal Rules and all previous disciplinary rules.

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