
MAKING A COMPLAINT ABOUT AN INSTITUTION MEMBER

The Institution of Mechanical Engineers (‘the Institution’) is an international professional body with over 100,000 members living and working in countries around the world. This leaflet is intended as a summarised guide for those who are considering making a complaint about an Institution member.

References

Institution By-Laws (specifically paragraphs 29 to 32)
Code of Conduct Regulations (contained within the By-Laws)
Disciplinary Regulations (contained within the By-Laws)

These documents are available to download from the Institution’s website at: **www.imeche.org/about-us/imeche-governance**.

Professional conduct

The Institution’s By Laws set out the principles that underpin the high standards of professional conduct required of Institution members. In summary, members are required to act as ambassadors of the Institution who:

- conduct themselves in a manner that upholds and enhances the reputation of the Institution, the profession of Mechanical Engineering and the Institution’s members; and
- conduct their professional work and relationships with integrity and objectivity and with due regard for the welfare of the people, the organisations and the environment with which they interact; and
- take reasonable steps to maintain appropriate professional competencies.

The Code of Conduct for members, which sets out more specific conduct requirements, is founded on these By-Laws. It is important to note that the Code of Conduct deals with members’ ethical and behaviour. It does not, for example, refer to commercial matters such as fees, contract terms or copyright, for which legally enforceable remedies exist elsewhere.

Complaints procedure

The Institution’s Disciplinary Regulations prescribe the procedure for receiving and reviewing allegations against members.

Any person, whether they are or are not a member of the Institution, may complain about the conduct of an Institution member.

The Investigating Panel ('the Panel'), which is a permanent committee of the Institution chaired by an Institution Past-President, is responsible for reviewing complaints received by the Institution. If the Panel determines that the complaint should be investigated, it will follow the prescribed procedure to ensure fairness to the person making the complaint and to the member who is the subject of the complaint.

The Panel will not normally investigate a matter that is being, or is due to be considered, by due legal process although it may do so after the legal process has been completed.

Complaints can only be considered in relation to the Institution's Code of Conduct. Institution members are individual practitioners, not firms or companies and the Institution is not able to act as a mediator or an arbitrator between members and their clients.

Depending on the nature of and circumstances surrounding the complaint it can take some time for the Investigating Panel to conclude its work.

**Possible
outcomes of
an
investigation**

If the Investigating Panel considers that a case has not been established or that the matter is not within the Institution's remit, no further action will be taken. There are two possible outcomes if the Investigating Panel considers that a case has been established:

- if the misconduct is not considered serious the Investigating Panel may choose not to consider the complaint further and this will conclude the matter;
- if the case is considered sufficiently serious the Investigating Panel will refer the complaint to the Institution's Disciplinary Board ('the Board') for consideration at a formal hearing. The Board, which is convened solely for the purpose of considering the complaints referred to it, is independent from the Panel.

Penalties

In cases of serious misconduct the Board may:

- reprimand the member; or
- suspend the member from Institution membership temporarily; or
- expel the member from Institution membership.

The Institution has no power to award compensation or costs, either from its own funds or by an order to the member, for any loss you might have suffered.

How to make a complaint

If you wish to complain about an Institution member you should send your complaint to the Institution, in writing, identifying the member concerned and the article(s) of the code of conduct you consider to have been infringed. You should also send a copy of each document cited in support of your complaint.

If your concerns involve more than one Institution member you should submit a separate complaint in respect of each member.

Complaints, along with related documents, should be sent to the Clerk to the Investigating Panel at either:

By email: ip.clerk@imeche.org

By post: Institution of Mechanical Engineers
1 Birdcage Walk
Westminster
London SW1H 9JJ
United Kingdom

Confidentiality

The Panel, supported by its Clerk, carries out its work in the strictest confidence. It will not disclose the fact of the complaint, or its nature, to third parties, including other Institution members and staff, unless it must do so to meet its obligations. It is important to note, however, that:

- The Institution cannot guarantee the confidentiality of the information you provide, or the information that it obtains from other parties during the course of an investigation. The Panel cannot, for example, control what the various parties involved do or do not disclose. These parties might, for example, seek advice, information or support from others and, in so doing, disclose the existence and/or nature of the complaint.
- In the interest of fairness the Institution members who are complained about will be provided with some or all of the information submitted by the person making the complaint.

Further information

If you have any questions about the Institution's complaints process, please mail the Clerk to the Investigating Panel at: ip.clerk@imeche.org.

Institution staff can give more information about the procedure but may not discuss the merits of a possible, on-going or completed complaint, or discuss details about cases being considered.