

EUROPEAN SOCIETY OF CARDIOLOGY (ESC) BYLAWS

Approved by the ESC Board on 29 August 2024

These Bylaws supplement the Statutes of the European Society of Cardiology (the “ESC”). Their purpose is to specify internal rules and regulations of the ESC. ESC Bylaws are created and approved by the ESC Board.

These Bylaws apply to all ESC Constituent Bodies as well as ESC members, volunteers, officers and staff.

In case of discrepancies between these Bylaws and ESC Associations rules of governance, these Bylaws will prevail.

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I SOCIETY – GOVERNANCE

Article 1

The ESC comprises the following bodies:

- a. General Assembly
- b. Board
- c. Management Group ("MG")
- d. Statutory committees: Nominating Committee, Audit Committee, Ethics Committee
- e. Associations
- f. Councils
- g. Working Groups
- h. Committees established by the Board

Associations, Working Groups and Councils are jointly referred to as the "Internal Constituent Bodies" of the ESC

II BOARD AND MANAGEMENT GROUP

Article 2

BOARD AND MANAGEMENT GROUP MEETINGS AND DELIBERATIONS

- a) Board and Management Group meetings shall be convened by the President or at least one-half of the voting Board or Management Group members with at least two weeks written notice (a) by e-mail or (b) by letter with acknowledgement of receipt and as often as necessary with a minimum of 3 times every year.

The agenda is to be drawn up by the President, or by the Board or Management Group members that have convened the meeting when the meeting is convened by at least one-half of the voting Board or Management Group members. In such case the convening Board or Management Group members must send proposed agenda items by email to the President at least one week prior to the meeting.

In any case, the final agenda must be sent to all Board or Management Group Members at least 2 working days before the meeting.

Agenda items supported by at least one-half of the voting Board or Management Group members cannot be removed by the President.

Changes in the sequence of the agenda or additional agenda items can be proposed by the President at the beginning of any Board or Management Group meeting and must be approved by at least one-half of the voting Board members or Management Group members that are present.

- b) Board and Management Group meetings, along with all resolutions made, will be documented in minutes signed by the President and the Secretary/Treasurer. Once approved, minutes will be circulated to all members of the Board (for the Board meetings) and of the Management Group (for Management Group meetings) and to the ESC Executive Management Team (ESC staff). They should be treated as confidential.

Meetings may be recorded in order to support accurate creation of minutes. Recordings are deleted as soon as the minutes have been approved.

III COMMITTEES

Article 3.1

Board Committees and Task Forces

Upon proposal of the President, the Board creates Committees at the start of each Board mandate. Committees may be dissolved or newly created according to the best interest of the ESC. Board Committee Chairpersons and Task Forces Chairpersons report to the Board. Committees operate according to ESC policies and procedures as well as Terms of Reference specific to each Committee. For existing Committees, Terms of Reference are reviewed at the start of each Board mandate. New Board Committees and Committee Terms of Reference must be approved by the ESC Board.

The President may create Task Forces to work on specific matters for a specified duration. New Task Forces and their term of operation must be approved by the ESC Board. Task Forces must provide regular reports to the President and ESC Management Group.

Article 3.2

Statutory Committees

ESC Committees include 3 Statutory Committees:

- Audit Committee
- Ethics Committee
- Nominating Committee

Their composition and roles are defined in Articles 13, 15 and 16 of the ESC Statutes.

IV Code of Ethics & Conflicts of Interest

ARTICLE 4.1 Ethical Conduct Policy

The ESC Ethical Conduct Policy (Annex II) applies to all individual members and staff members of the ESC.

ARTICLE 4.2 Conflicts of Interest

All volunteers must declare their financial relations with industry, public funders, and other stakeholders annually as detailed in the Declaration of Interests (DOI) policy (see Annex III). The main aim of the policy is to create a transparent environment that enables interactions with all stakeholders while protecting volunteers and the ESC.

Before a given topic is discussed at any meeting, any individual with a real or potential conflict of interest shall withdraw from the discussions of the topic and shall not participate in the decision or voting process.

If an ESC volunteer does not comply with the ESC Declaration and Management of Conflict of Interest Policy (DOI Policy - ANNEX III) or does not complete their declaration of interest form annually, he/she will be suspended and reintegrated as detailed in the DOI Policy, or might be subject to disciplinary proceedings.

ARTICLE 4.3 Roles at Congresses

The President, Immediate Past President, President-elect (Presidential Trio) of the ESC and/or Associations as well as Chairpersons of ESC Guidelines shall not accept any roles at any Industry ("Satellite") sessions during the ESC Congress or / ESC Association Congresses.

For ESC and Association Presidential Trios, there shall be a limit to the number of speaker/discussant/chairperson roles during their congresses: i.e., a maximum of 5 (five) roles, including no more than 3 (three) speaker roles.

This limit would **not apply** to roles during purely ceremonial or administrative sessions, such as the Inaugural Session or General Assembly.

ARTICLE 4.4 Competing activities

ESC volunteers commit to demonstrate loyalty to the ESC, by not participating in competing activities organised by commercial entities with which the ESC does not have a formal partnership, unless approved by the leadership (i.e. by the Management Group upon recommendation by the President).

V Individual Members

The ESC offers different schemes of Individual Membership. Some schemes may require payment of an annual fee, such as ESC Professional membership and membership in ESC Associations.

ARTICLE 5.1

ESC Professional Members and Association, Working Group and Council members

ESC Professional membership and membership in ESC Associations are based on a rolling membership model, with subscription renewal required annually after the joining date. Members can join at any time of the year and enjoy membership for a period of 12 months.

Individuals can also apply to be a part of the ESC's Working Groups and Councils, the current model for these memberships is non-paying.

Membership levels and associated benefits may be amended, varied or withdrawn upon regular review. The ESC will publish any such changes on the escardio.org website (or otherwise notify members of such changes) before implementation.

ESC membership categories, benefits and fees are defined and approved by the ESC Board.

Members are subject to the regulations defined in the ESC Statutes and Bylaws. When required, they must pay the annual fee defined by the ESC Board for the current year.

ARTICLE 5.2

Fellows

The title 'Fellow of the European Society of Cardiology' (FESC) is a category of ESC membership which honours individuals with particular distinction in the field of cardiovascular medicine. The FESC title may be awarded upon review of the candidate's application by the ESC FESC Task Force. The FESC Task Force evaluates the candidate's contributions, research, scientific publications, and overall impact on the advancement of knowledge and innovation in cardiovascular health.

Maintenance of the FESC status and associated benefits is subject to regular payment of the associated fee.

Applications for FESC status can be submitted by all healthcare professionals (i.e. physicians, nurses, allied professionals), scientists, engineers and others engaged in research from all fields of cardiovascular medicine.

The submission deadline to apply for FESC status is defined every year and published early enough to allow candidates to prepare their supporting documents, as detailed by the application guidelines. In addition to those FESC candidates verified through the FESC Task Force, every National Cardiac Society of the ESC may propose a certain number of candidates per year, for which the respective NCS performs the validation of eligibility. Similar arrangements are possible for Affiliated Cardiac Societies and regulated in their contracts with the ESC on an individual basis.

ARTICLE 5.3

Voting rights within Internal Constituent Bodies

Voting rights for elections and general assemblies of any ESC Internal Constituent Bodies depend on the category and level of membership held.

The minimum seniority required for members of ESC Internal Constituent Bodies to be candidate for an elected position within an ESC Internal Constituent Body as well as to obtain voting rights is 12 months before the opening of the call for application. Before each election held within an Internal Constituent Body, voting member lists will be reviewed by ESC Staff in charge of compliance to ensure that the vote is bona fide and to avoid potential fraud. The ESC Board will be informed about the outcome of the reviews.

Article 5.4

Disciplinary process

As per article 6.2 of the Statutes of the ESC, a disciplinary process can be initiated by the President based on preliminary investigations of the ESC Risk Management Unit in case of justified grievance brought forward against an individual member of the ESC.

Justified grievances include but are not limited to breaches against ESC Statutes and/or Bylaws, breach of the Ethical Conduct Policy, inappropriate behavior, damage to the reputation of the ESC, of ESC staff members or of ESC bodies listed in Article 1 of these Bylaws, or damage to property and finances of the ESC.

The disciplinary process and possible levels of sanction are detailed in Annex IV.

Article 5.5

Resignation of a member in the course of a disciplinary process

The following consequences apply to any individual ESC member against whom a disciplinary process has been initiated but who resigns prior to the disciplinary process having been completed:

- Loss of eligibility for any membership or any volunteer position within the ESC or any of the ESC Internal Constituent Bodies.
- Loss of eligibility for any role as officer, representative, committee member, Task Force member, Editorial Board member of an ESC journal or any other function that might be considered as representative of the ESC or any of its Internal Constituent Bodies.
- Loss of eligibility as invited faculty to any educational event including congresses of the ESC or its Internal Constituent Bodies.

VI AFFILIATED CARDIAC SOCIETIES

Article 6 Terms of affiliation

Affiliate status allows cardiovascular professional societies that cannot become members of the European Society of Cardiology for geographic reasons to collaborate closely with the ESC. Non-profit professional societies with an interest in cardiovascular medicine may apply for the status of ESC for Affiliated Membership. Any request for affiliation must be institutional, as opposed to individual. Only one cardiac society per country/territory can be granted the status of Affiliated Cardiac Society.

The applicant society needs to be an established and a well-recognized cardiovascular organization, with democratic rules and voting processes for society leadership and it must be considered the main cardiovascular organization of its kind in its country/ territory.

Applications are reviewed and a decision to accept or reject is made by the ESC Management Group and approved by the ESC Board. Individual written agreements which specify the rights and duties of each party will be signed between new Affiliated Cardiac Societies and the ESC.

VII ELECTRONIC VOTING PROCEDURE

Article 7

Procedure for electronic voting at General Assemblies

Voting right is restricted to nominated voting delegates declared in the voting registry. Voting can only be performed electronically or in person. The voting registry is compiled prior to the start of the voting process and voting members are informed by email about their appointment as voting delegate and provided with all relevant information. No changes to the names of the voting delegates can be accepted after the compilation of the voting registry. If voting is carried out in person, voting delegates must display proof of identity (e.g. passport).

1°) On the proposal of the ESC President, the Board may decide to use electronic voting via the internet for all elections within the ESC, e.g. elections of the Board, Nominating Committee and Audit Committee members (Article 14 of the Statutes) and for any deliberations to be taken at the Ordinary or Extraordinary General Assemblies.

2°) The use of electronic voting via the Internet is organized in accordance with the fundamental principles of sincerity, access to the vote for all voting members, secrecy of voting, personal, free and anonymous voting, and integrity of the votes cast. If necessary, electronic voting can be performed under effective supervision and subsequent verification by any trusted third party such as, for example, a bailiff.

3°) Internet electronic voting systems include physical and logistical measures to ensure the confidentiality of the transmitted data as well as the security of the addressing of the means of authentication, the enrollment and the recording and the counting of the votes. These obligations of confidentiality and security are binding on all persons involved in the electronic voting system via the Internet, in particular the staff of any service provider responsible for managing and maintaining the voting system, been entrusted under the provisions of the seventh paragraph of this article.

4°) The Internet electronic voting system includes a backup device offering the same guarantees and the same characteristics as the main system and capable of automatically taking over the process without data alteration in the event of a failure of the primary system.

5°) The use of electronic voting via the Internet is exclusive of any other method of voting and the deliberation of the Board must indicate, if appropriate, that the electronic voting via the Internet will constitute the exclusive means of expressing the votes.

6°) The deliberation referred to in paragraph 1° sets out the arrangements for organizing electronic voting. It indicates:

- a) The modalities of operation of the electronic voting system via the internet, the timing and the conduct of electronic voting operations.
- b) The documents and/or information to be communicated to each member and delegate voting prior to the opening of electronic voting operations.
- c) The opening and closing days and hours of voting.

7°) The design, management and maintenance of the electronic voting system via the Internet may be entrusted

to a service provider on the basis of specifications that comply with the provisions of the current article.

8°) Each voting member or delegate shall receive, by post or e-mail, within a specified period, a detailed information notice on the conduct of the electronic voting operations and a means of authentication enabling him/her to participate in the ballot. This means of authentication is transmitted to him/her in a manner guaranteeing his confidentiality.

9°) Each resolution or proposal will be presented in the order in which they would be presented to the General Assembly or according to Board approved rules and procedure for the elections.

10°) The calculation of majority will be done separately for each resolution. All votes cast by electronic voting by the Internet shall be deemed to be present for the calculation of the quorum and the majority.

11°) The electronic voting procedure via the Internet must take place before the General Assembly meeting.

VIII COMPLAINT MECHANISM

Article 8 Complaint mechanism

The ESC pays special attention to the well-being of its members, volunteers, officers, and staff members and wants to ensure compliance with regulatory requirements and stakeholder expectations.

The ESC complaint mechanism provides a safe means to voice complaints in areas relevant and within the control of the ESC and defined procedure for fair and neutral assessment.

The ESC complaint mechanism allows to:

- report violations of French or European laws and regulations, acts of corruption or bribery,
- report behaviour or situations that violate ESC Statutes, Bylaws, or policies and Ethical conduct policy,
- report risks of serious harm towards human rights and fundamental freedoms, health and safety of individuals in particular based on gender as well as harm to the environment,
- report any behavior that may damage the reputation of the ESC.

When a complaint is received against the organization or against any ESC member, volunteer, officer, and/or staff member, and if the investigation confirms the existence of a breach, this may lead to a disciplinary process as defined by these Bylaws and in Annex IV, as well as to sanctions based on applicable laws and regulations.

ANNEX I

Oath of Office

EUROPEAN SOCIETY OF CARDIOLOGY OATH OF OFFICE (Mandate)

In my position of for the term, I, *name*:

- declare that I have read and understood the ESC Statutes, the ESC Bylaws, the ESC Ethical conduct policy and ESC policies and agree to comply with their content at all times.
- declare that I am aware that any violation of rules and policies in place will expose me to disciplinary and penal sanctions (where applicable), in accordance with the applicable EU and French laws, regulations and policies.
- understand and accept that my personal data are processed by the ESC for the purpose of my mission within the ESC and related ESC activities. Contact details of all members of the Board/Committee/... (last name, first name, country of origin and position) and photography will be published on the ESC website and will be accessible to all website visitors. In addition, e-mail addresses of all members of the Board/Committee/... will be available to all ... members, upon request, in order to facilitate communication and dialogue amongst the members for the duration of the 2-year mandate (2024-2026).

In accordance with chapter 3 of the European Regulation 2016/679 with regards to data protection, data subjects have the right to request from ESC, access to and rectification or erasure of their personal data or restriction of processing concerning their data or to object to processing as well as the right to data portability. In order to do so, please contact dataprivacy@escardio.org (be aware that proof of identity will be requested during the process via a secured web link). Data subjects have the right to lodge a complaint with a supervisory authority, and for information, ESC has appointed a Data Protection Officer that can be reached at dpo@escardio.org.

List of documents to comply with:

- ESC Statutes – [link](#)
- Ethical Conduct Policy
- ESC Bylaws
- Non-Disclosure Agreement with regards to Personal Data Privacy
- ESC Volunteer Travel & Meeting Policy - [link](#)
- ESC Declaration and Management of Conflict of Interest Policy - [link](#)
- ESC Gender policy - [link](#)
- ESC Scientific documents policy - [link](#)
- ESC Endorsement for Live Events in General Cardiology - [link](#)
- ESC Privacy and Data Security policy - [link](#)
- ESC Guidelines policies and procedures - [link](#)

Full first and surname:

Signature:

NON-DISCLOSURE AGREEMENT
With regards to Data Privacy

I, undersigned [Title / Name], acting as [President/Chairperson] of [Association/WG/Council/Committee], within the European Society of Cardiology, and in this role having access to personal information data, mostly consisting of members lists, hereby acknowledge the confidentiality of the information.

In compliance with article 32 of the General Data Protection Regulation, I hereby agree to take all measures relevant to practices and state of the art as part of my duties, in order to protect the confidentiality of the data entrusted to me, and in particular preventing it from being communicated to anyone not expressly authorized to receive such information.

I agree to, specifically:

- Not use the data to which I have access to, or which will be given to me for any other purposes than the ones related to my mission.
- Share the data only with duly authorized persons bound with non-use obligation of the same stringency as those contained in the present agreement, due to their positions, on a need-to-know basis, to receive such information, whether private, public, physical or moral entities.
- Make no copies of the data other than the ones necessary to the accomplishment of my duties.
- Take all measures relevant to practices and state of the art in the context of my position to avoid unlawful and fraudulent use of the data.
- Take all precautions relevant to practices and state of the art to ensure the physical and logical security of the data.
- Make sure, within the limits of my position, that only secure means of communications will be used to transfer data.
- At the end of my mission, give back or delete the totality of the data under my control - electronic files, or any other medium relating to this data - without keeping any copies (securely archived electronic copies of the data may be retained according to the backup strategy of my institution, under IT system administrator control).

This confidentiality agreement, in force for the duration of my mission, will stay effective, without time limit after the end of my mission, whatever its cause, as long as that agreement concerns the use and communication of personal data.

This Agreement shall be interpreted and applied in accordance with the application of the EU directive as applied in France. Any disputes arising in relation hereto shall be submitted to the exclusive jurisdiction of the Tribunal Judiciaire of Grasse, France.

I've been informed that any violation to the present agreement will expose me to disciplinary and penal sanctions, in accordance with the applicable EU and French laws, regulations and policies.

Date and Signature

ANNEX II

ESC Ethical Conduct Policy

The ESC is dedicated to achieving its mission in an open, transparent and democratic manner according to the highest standards of ethics. ESC Volunteers and employees shall:

- **Be honest and ethical** in their conduct, including the handling of actual and perceived conflicts of interest,
- **Provide information that is accurate**, objective, timely, and understandable to members and the public,
- **Maintain confidentiality** of information entrusted to them by the ESC and its partners,
- Ensure **proper use of the Society's assets**,
- **Proactively promote ethical behavior** and refuse improper influence.

Any person elected, appointed or invited to the ESC Board, to any ESC Internal Constituent Body, a Committee, Task Force, or other activity and/or whose role represents an official ESC position is required to sign the ESC Oath of Office (Annex I) before entry into service.

Refusal or failure to do so will prevent the member from taking his/her office or role.

To comply with the highest standards of ethics listed above, members of the ESC will consistently conduct themselves in a manner that:

- Supports the mission and objectives of the ESC.
- Serves the overall best interests of the entire ESC including in all situations when the objectives of an Internal Constituent Body i.e. Association or Working Group or Council conflict with ESC's objectives.
- Demonstrates loyalty to the ESC and its mission.
- Brings credibility and goodwill to the ESC.
- Respects principles of fair play, correct governance and due process.
- Demonstrates respect for all individuals including staff members, volunteers, patient representatives, ESC members and sponsor representatives in all manifestations of their cultural diversity and life circumstances.
- Respects and give fair consideration to diverse and opposing viewpoints.
- Demonstrates due diligence and dedication in preparation for attendance at meetings, special events and in all other activities on behalf of the ESC.
- Demonstrates good faith, prudent judgment, honesty, transparency and openness in their activities on behalf of the ESC.
- Makes appropriate use of ESC's resources and when applicable, ensures that the financial affairs of the ESC are conducted in a responsible and transparent manner.
- Avoids real or perceived conflicts of interest.
- Conforms with the ESC Statutes, ESC Bylaws and policies approved by the Board.
- Demonstrates acceptance, respect and support of decisions legitimately taken in transaction of the ESC's activity.
- Exercise responsibilities, at all times, with due diligence, care and skill in a reasonable and prudent manner.
- Respect the confidentiality of any data, discussion, circumstance, and matters dealt with for the ESC and relating to the ESC, ESC staff, members, volunteers, Internal Constituent Bodies or sponsors of the ESC.

Non-compliance with these rules may lead to disciplinary sanctions.

ANNEX III
ESC Declaration and Management
of Conflict of Interest Policy

see [link](#)

ANNEX IV

Disciplinary process and levels of sanctions

1. Disciplinary process

As per the terms of ESC Bylaws Article 5.4, once the ESC President has been informed of any justified grievance against an Individual Member, such grievance may:

- Be referred, at the President's discretion, to the Ethics Committee, and/or Audit Committee, for a recommendation to be made to the ESC Management Group. This recommendation might be for no action or for disciplinary action. Either way, the decision to initiate disciplinary proceedings and inform the Board rests with the ESC Management Group.
- Be referred directly to the Management Group, which can decide to initiate disciplinary proceedings against the member concerned by the grievance and inform the Board.

When the Board is informed of a justified grievance, a range of sanctions are available to the Board. The Board should consider all potential sanctions and/or combinations of sanctions available. The Board is not bound by the sanction(s) imposed by another professional body and is free to impose whatever sanction it considers appropriate.

This disciplinary process is internal to the ESC and does not preclude the ESC from initiating any civil and/or criminal proceedings related to the same facts and/or individual.

The disciplinary process is not meant to be a substitute for any action and/or investigation that may be initiated by competent public authorities.

The Board should reach a view on the seriousness of the inappropriate and verified conduct before proceeding to consider the appropriate sanction.

The Board may decide to take no further action after a grievance has been reported. In this case, the Board must be satisfied with the evidence that either there is no misconduct or that it is in the ESC interest to impose no sanction. In either case, the Board must make it clear in its reasoning how it came to that decision.

2. Proceedings and levels of sanctions

A- Notice of disciplinary proceedings

If the ESC Management Group decides to initiate a disciplinary process against a member accused of a justified grievance, it must send a notice to the concerned member.

Such notice must be sent by registered letter or courier at least two weeks before a scheduled disciplinary hearing, and must contain the following information:

- the fact that a disciplinary hearing will be held by the ESC Board, in accordance with Article 9.1 of the Statutes;
- the date, time and place of the disciplinary hearing;

- a detailed description of the grievances, i.e. the facts and actions of which the member is accused, as well as all documents or copies of documents which are incriminating and which are to be examined by the Board (if any);
- a description of the sanctions that may be imposed;
- information about the decisions of the ESC Ethics and/or Audit Committee, if these committees had been involved.

Should the member concerned choose to submit documents for consideration by the Board in view of the disciplinary hearing, copies of these documents must be sent to the Board at least 7 days prior to the disciplinary hearing.

B- Disciplinary hearing

As per Article 8.6 of the ESC Statutes and these Bylaws:

- the Board meeting to hold the disciplinary hearing must be convened by the ESC President with at least two weeks written notice;
- the agenda of the meeting shall be clearly set out in the notice sent to the members of the Board;
- upon the decision of the President, meetings can be held either in person or by any audio/visual means of communication. The President could also request the meeting to be recorded if this appears necessary.

The notice sent to the member, as well as all schedules and supporting documents, are sent to the Board members at the same time.

If the member fails to attend in spite of advance notification and without a valid reason, the disciplinary hearing will be held in their absence.

As per the ESC Statutes, any decision will be made by a majority of the votes of the voting members present at the meeting. In case of a tied vote, the ESC President has the deciding vote.

The disciplinary sanction can be adopted immediately at the end of the disciplinary hearing.

The concerned member will be informed of the Board decision within 30 days of the disciplinary hearing. The decision will contain the position of the Board with respect to the justified grievances alleged and the adopted sanctions, if any.

The decision is final and cannot be appealed.

C- Range of sanctions

The Board has the possibility to adopt the following sanctions:

❖ Warning and exclusion from certain activities

This type of sanction will usually be applied in situations where the conduct is of a minor nature and there appears to be no continuing risk to the ESC, one of its Internal Constituent Body or community, members or

staff. This sanction could also be applied in situations where the conduct is of a serious nature, but there are particular circumstances requiring mitigation, and/or there is no continuing risk, and/or there is evidence of the individual's understanding and regrets of the misconduct which satisfies the Board.

This sanction consists of an official letter co-signed by the ESC President and CEO and is sent to the member found guilty of misconduct. If required, the fact that such a letter has been sent may be disclosed but not the content of it.

In addition to the letter, the warning may also lead to the prohibition of attending or contributing to certain activities of the ESC or its Internal Constituent Bodies.

This sanction may be appropriate where most of the following factors are present (list is not exhaustive):

- Evidence of no loss or adverse effect on the ESC, its Internal Constituent Body/community, other members, or staff;
- Early admission and regrets of the facts alleged;
- Isolated incident;
- Not deliberate;
- Failure of conduct in question is the result of misfortune;
- Corrective steps have been taken promptly;
- Relevant and appropriate testimonials and references.

❖ Temporary Exclusion from ESC membership and/or its Internal Constituent Bodies

Temporary exclusion from membership includes exclusion from all volunteer positions, any officer position, representative, committee member, Task Force member, or any other function that might be considered as representative of the ESC or any of its Internal Constituent Bodies.

The period of exclusion is effective as of the date of the Board's decision. The minimum exclusion period consists of the full duration of on-going Board mandate. The period of exclusion can be extended to one more Board mandate, in addition to the current one leading to a maximum of 4 years.

At the end of the exclusion period, the member is not automatically readmitted: the concerned member will need to re-apply for membership through regular channels and pay the related fees.

This sanction would usually be applied in situations where the conduct is of a serious nature and may be appropriate where most of the following factors are present (list is not exhaustive):

- Minor adverse consequence – misconduct has not caused important material distress, inconvenience or loss to the ESC, one of its Internal Constituent Bodies or communities, officers, volunteers and/or member(s) of staff.
- The misconduct was not intentional, though the member may have acted recklessly.
- Evidence that the conduct is no longer continuing.
- No repetition of failure/conduct – it was an isolated incident.
- The misconduct was not repetitive in nature, the period over which the misconduct took place was short and it was stopped immediately upon warning.
- Insight into failings such as genuine expression of regret and/or apologies.
- Good previous record.
- Rehabilitative and/or corrective steps have been taken to assure that the misconduct would not reoccur.
- Co-operation during the investigation stage.

- Willingness to comply with directions and advice provided by ESC leadership.

❖ **Permanent exclusion from the ESC and/or its Internal Constituent Bodies**

This sanction is likely to be appropriate when the behavior is fundamentally incompatible with being an ESC member. It may be appropriate when the conduct involves any or all of the following circumstances (this list is not exhaustive):

- Important adverse consequences, e.g. the misconduct has caused serious material distress, inconvenience or financial loss to the ESC, one of its Internal Constituent Bodies/communities, member(s) or staff.
- Serious non-compliance with relevant professional and ethical standards.
- Serious adverse impact on the reputation of the ESC and/or its Internal Constituent Bodies or communities, member(s) or ESC staff.
- Abuse of trust and/or the position.
- Serious dishonesty.
- Lack of understanding and insight into the seriousness of the acts and the consequences thereof.
- Repeated misconduct over a prolonged period of time.
- The misconduct affected or had the potential to affect a substantial number of members.
- Attempt to cover up the misconduct.
- Persistent denial of the misconduct.

The exclusion is effective as of the date of the Board decision.

Where a member has been excluded, she/he may not apply for readmission as a member of ESC nor any Association, Working group or Council, after the effective date of the exclusion.

Permanent exclusion from membership includes exclusion from any volunteer or officer position, representative role, committee membership, Task Force membership, or faculty position at any of the ESC events or any other function that might be considered as representative of the ESC or any of its Internal Constituent Bodies.

The above examples of possible sanctions are not to be considered as binding and can be adapted at the discretion of the Board in view of the particular circumstances of the case. The Board remains free at all times to decide on the most appropriate sanction(s).

When the circumstances require it, in particular regarding the seriousness of the grievances, the ESC Board, or, in cases of urgency, the ESC MG may pronounce a conservatory/ provisional measure against the accused member, by a justified decision, at any time during the disciplinary process.

The effects of the provisional measure will be applied as from the notification of the decision to the member, until the end of the disciplinary process.