

The Constitution of the College of Psychiatry of Ireland

1. The Association shall be known by the name of The College of Psychiatry of Ireland (hereinafter referred to as the "College").
2. The College is the professional body of psychiatrists in Ireland
3. The main objects for which the College is constituted are the advancement of education in Psychiatry through the following:
 - a) The formation and training of doctors in psychiatry;
 - b) The continuation of the professional development, education and well-being of trained psychiatrists;
 - c) The promotion, development and furtherance the College's engagement and collaboration with others concerned in the development of best practice in mental health services for the purpose of alleviating the suffering of persons with mental illness.
4. To satisfy these objectives there will be three essential pillars or groups supporting the activities of the College as set out here below. It should be noted specifically that:
 - (i) All functions further expressed herein under these pillars are, whilst organised separately, inextricably linked together.
 - (ii) No function in any given pillar can or shall operate without due reference to and derivation from its elaboration in the complimentary pillars.

Pillar One: Policy and External Relations Pillar

The function of this Pillar or Group shall be to create structures, actions and relationships for the promotion and development of the highest standards of mental health services in Ireland; to improve the understanding of Psychiatry and Mental Health and to collaborate with key players in the mental health field.

In this context it will :

- Give consideration to improved methods of hospital and other medical administration.
- Act as the primary and unitary consultative body of Psychiatrists in Ireland in regard to the operation, delivery and implementation of Law pertaining to Mental Health for Ireland, and by doing so shall;
- Promote improvements and reforms in the principals and administration of the law relating to persons with mental disorder its treatment for their interests and benefit.
- Act as the consultative body of Psychiatrists in relation to matters of public and professional interest.
- Consider, pronounce and make representations upon all questions affecting the interests of the College.
- Do all such other things as shall further the attainment of the above objects or any of them.

Pillar Two: **Postgraduate Training Pillar**

This pillar will be responsible for all aspects of post-graduate training in the Republic of Ireland for psychiatrists. It will in particular conduct training courses, hold examinations, accredit training, and assess and certify the competencies of psychiatrists who are seeking registration as specialists.

In this context it will :

- be the sole such body operating in Ireland for this purpose and seek due recognition and privileges in accordance with this
- design and approve programmes of postgraduate training in psychiatry.
- grant certificates of satisfactory completion of training.
- carry out other functions in psychiatric training as may be required by the Medical Council and the Irish College of Psychiatry of Ireland.
- advise the Council of the Irish College of Psychiatry of Ireland on all issues with regard to postgraduate training.
- advise the Medical Council on all issues relating to the appropriate Registration of doctors in Psychiatry, as required or requested by that Council.
- approve individual training posts within training programmes.
- assist and support the delivery of these programmes

- set and maintain agreed standards of training
- promote and encourage interdisciplinary collaboration administration, education and training.
- advise on minimum entry criteria for training posts
- maintain a database of trainees
- conduct assessments of trainees to agreed standards

Pillar Three: CPD (Continuing Professional Development) Pillar

This Pillar will be responsible for:

A: Establishing and implementing professional development structures that support lifelong training, discovery, learning and application of new knowledge.

B: Establishing and developing structures that support members to individually and collectively develop personal and professional wellbeing including the development of Faculties of Expertise and Regional Assemblies for professional development and support (as defined herein)

In this context it will :

- Be the sole such body operating in Ireland for this purpose and seek due recognition and privileges in accordance with this.
- Regulate the administrative process of competence assurance for psychiatrists
- Advise and represent Psychiatrists to the medical council and other statutory bodies on standards and competencies in psychiatric practice for consultant psychiatrists
- Provide and develop the administrative structures for members to meet statutory requirements of competence assurance
- Encourage and promote amongst its members and others the exchange of knowledge, information, experience and ideas concerning psychiatry and the treatment of mental disorders.
- Encourage and promote the achievement and maintenance of the highest possible standards of professional competence and practice.
- Promote new measures leading to improved methods of prevention and treatment of mental disorders.

- Set standards for core competencies of specialists in psychiatry and select appropriate tools for measurement of these standards.

Each pillar will have approximately an equal weight and focus of the Members and of the Council of the College.

- 5 No member of the College shall be in receipt of remuneration except by appointment and in compliance with charitable status.
- 6 The College shall have the following:
 - a) A Council and
 - b) An Advisory Board
 - c) Specialist Faculties

-The Council shall be the Executive body composed of elected members and those otherwise validly appointed to the Council by the bye -laws. The Council shall have a President, Vice-President and Treasurer. The CEO and Directors of Pillars shall report to Council and attend its meetings. The Directors of Pillars are also members of Council

- The Advisory Board shall be appointed by Council and must meet with Council at least once a year to advise Council on how to progress the aims of the College and its members. Appointees to the Advisory Board will be suitable persons of high standing as decided by Council.

7. The College shall employ persons to further the aims of the College to include a CEO and any such administrative staff as required.
8. The CEO shall consider in conjunction with the Council how best to ensure the smooth running of each of the three pillars of the College and to employ and deploy staff as necessary.
9. The Council and its officers are subject to election by the members except where co-opted by the validly elected Council members for the term of that Council or appointed as Director of Pillar, such appointments must be approved by Council
10. The Council shall by consensus make final determination on the policies of the College and its constituent parts and these shall be binding on

Members and Bodies of the College unless reversed by simple majority vote at an AGM.

11. Each Pillar has a Director to direct its affairs – The Director of each Pillar is a member of the Executive Council who also reports to the Council, and shall be referred to as the “Pillar Directors”.

12. The Council shall exercise disciplinary powers regulating the organisation in accordance with the Bye-Laws for the members.

13. There shall be such classes of Members of and persons otherwise associated with the College as the Bye-Laws may prescribe.

14. The Council should consult its members about changing the constitution and can only change the constitution by a 2/3 majority vote at any General Meeting of the College. The bye-laws can be changed by a simple majority vote at a General Meeting of the College.

15. The Council shall ordain the proper conservation and disposal of the assets of the body.

16. Specialist Faculties:

- The CEO in consultation with the Pillar Directors shall establish Faculties of specialist expertise in accordance with the advice of the Council and the agreement of members.

- Each Faculty will so organise itself so as to constitute a democratically functioning body of specialist members addressing by its actions the objectives of its specialist members through and to the pillars of the College.

-Faculties will be represented on the Council in agreement with the bye-laws.

17. The Membership

The College shall consist of Full Specialist members, , honorary fellows, general members, affiliate members, BST trainee membership, SR members, retired members, and associates.

The Officers, Council and all members irrespective of category shall be deemed to accept and be bound by this Constitution, together with the Bye-Laws and Regulations made hereunder and by the Council.

The general management of the College shall be vested in the Council, which shall be constituted as hereinafter provided.

- (1) The first President shall be nominated orally by a majority of ordinary members present and voting at the inaugural general meeting at which the Constitution of the College is adopted.
- (2) The first Vice-President shall be [to be confirmed] or other person similarly nominated orally.

From and after the First Annual General Meeting, the Council shall consist of the officers and [to be confirmed] number of fully paid up and duly elected ordinary members.

Each of the elected council officers shall hold office for two years, but shall be eligible for re-election for a further period of two years but not thereafter for a further period of 2 years.

18. Full Specialist Members

- (1) Every psychiatrist who is on the Specialist Division of the Medical Register of psychiatrists in Ireland, and practising in Ireland or in such other place as may be approved by the Council shall be eligible to apply for full specialist membership of the College and the members shall be those psychiatrists whose applications for membership have been accepted as hereinafter provided. Any psychiatrist may apply for this category of membership by furnishing his/her name and address to the CEO of the College or such person deputed to accept same, together with the appropriate annual subscription (as fixed by the Council on an annual basis) together with the relevant admission fee, if appropriate at that time. Any other psychiatrist with equivalent qualification may apply and be considered for membership. The Council of the College may

accept or reject any application for membership without any necessity to give reasons for its decision, irrespective of eligibility. In the event of rejection, the amount of the subscription tendered by the Applicant shall forthwith be returned to him/her.

(2) **Honorary Fellows**

Honorary Fellows shall be such persons of high calibre elected by a two-third majority of the Council present and voting therefore, who, in the opinion of the Council, merit such a distinction. Such members shall have no voting rights.

(3) **General Members**

Every consultant psychiatrist who is on the general division of the Medical Register is eligible to apply for full general membership. and practising in Ireland or in such other place as may be approved by the Council shall be eligible to apply for full specialist membership of the College and the members shall be those psychiatrists whose applications for membership have been accepted as hereinafter provided. Any psychiatrist may apply for this category of membership by furnishing his/her name and address to the CEO of the College or such person deputed to accept same, together with the appropriate annual subscription (as fixed by the Council on an annual basis) together with the relevant admission fee, if appropriate at that time. Any other psychiatrist with equivalent qualification may apply and be considered for membership. The Council of the College may accept or reject any application for membership without any necessity to give reasons for its decision, irrespective of eligibility. In the event of rejection, the amount of the subscription tendered by the Applicant shall forthwith be returned to him/her.

(4) **Affiliate Membership**

Affiliate membership is available to all non-consultant psychiatrists (NCHDs) who do not occupy an individually numbered identifiable postgraduate training post. Affiliate members will be on the General Division or Supervised Division of the Medical Register in Ireland.

(5) **BST Trainee Membership**

This category is applicable to all NCHDs in psychiatry who, on 1st November occupy an individually numbered identifiable active postgraduate training post and who are on the Trainee Specialist Register. This category do not have voting rights.

(6) SR Membership

This category is applicable to every Psychiatrist who is on the National Higher Training Scheme (HST), who occupy an individually numbered identifiable postgraduate training post with the College of Psychiatry of Ireland and is on the Trainee Specialist Register.

(7) Associate Members

Associate Members shall be psychiatrists who are working outside of Ireland who could benefit from the educational activities of the college. Such persons shall have no voting rights. Associate Members will not be registered on the Specialist or General Divisions of the Medical Register in Ireland.

(8) Retired Members.

This category is available only to those psychiatrists who are fully retired.

19. Election of Officers

- (1) At the first Annual General Meeting after the coming into force of this Constitution, there shall be elected a President, Vice-President and Treasurer, each of whom shall hold office for a period of two calendar years.
- (2) At the second Annual General Meeting, after the coming into force of this Constitution, there shall be no requirement for election of the said officers.
- (3) At the third Annual General Meeting after the coming into force of this Constitution, and at every second subsequent Annual general meeting, there shall be elected a President, Vice-President and Treasurer.
- (4) Should any of the Officers retire or resign or be unable or unwilling to fulfil his/her functions, then the Council shall appoint one of its

members to the vacant position, to carry out the functions of such officer and to hold the said office for such period as the Council may decide, not to exceed the period of time for which the person he/she is replacing would have held office.

- (5) The Officers may have their terms of office extended for a further period of two calendar years if, in the unanimous opinion of the Council members attending and entitled to vote, same would be for the benefit of the College and provided the Council's decision is ratified by the next ensuing Annual general meeting of the College.
- (6) All nominations for Officer positions should be fully subscribing Members or Fellows and be on or eligible to be on the Specialist Register of the Medical Council of Ireland.

20. Elections to Council

Elections to Council should be for a period of two – years with eligibility to stand for a second two-year term of office.

21. Annual General Meeting

- (1) The Annual General Meeting of the College shall be held each year Notice in writing of the date and place of the Annual General Meeting shall be sent to each member at least 21 days prior to the date fixed for the meeting.
- (2) No motion shall be heard or dealt with at the Annual General Meeting 28 clear days notice of same shall have been received by the President.
- (3) A quorum at the Annual General Meeting shall be 40 voting members and fellows entitled to attend and vote.
- (4) Only members/fellows and invited guests of the Council shall be entitled to attend the Annual General Meeting.
- (5) At all general meetings of the College, the President, or in his/her absence, the Vice-President or in his/her absence the Treasurer, or in his/her absence, a member selected by the Council, shall take the chair. Every member present shall be entitled to one vote upon every motion and in case of an equality of votes, the chairperson shall have a second or casting vote.

22. Extraordinary General Meeting

- (1) Notice in writing of the date and place of the Extraordinary General Meeting shall be sent by the Vice-President to each Member at least fourteen days prior to the date fixed for the said meeting.
- (2) An Extraordinary General Meeting may be called by:
 - (a) The President
 - (b) The Council, by a majority of two thirds attending and voting
Therefore, or
 - (c) Notice in writing, requesting same, signed by at least 10 Members/Fellows, and delivered to the Vice-President.
- (3) A quorum at the Extraordinary General Meeting shall be 60 of the Members/Fellows of the College entitled to attend and vote.
- (4) The notice convening the Extraordinary General Meeting shall state thereon:
 - (a) The time, date, and place thereof;
 - (b) The Agenda;
 - (c) Matters to be discussed or resolved;
 - (d) Any proposals/resolutions/motions required to be put before the Meeting.

23. Subscriptions

- (1) The Annual Subscription shall be fixed by the Council from year to year.
- (2) The Annual Subscription shall be due and payable in advance on the 1st November in each year.
- (3) No Member/Fellow shall be entitled to attend and/or vote at any Meeting of the College, or to enjoy any of the privileges of Membership until his/her Subscription for that current year has been paid. Those who are not maintaining their requirement to be current on the Specialist Register will not be entitled to membership.
- (4) There shall be no Subscription payable by Honorary Members.

24. Conduct of Members

The Council shall have power to expel any member who shall offend against the rules of the College or whose conduct shall, in the opinion of the Council, render him/her unfit for membership of the College. Before any such member/fellow is expelled, the Council shall give him/her seven days written notice to attend a meeting of the Council and shall inform him of the complaints made against him. No member shall be expelled without first having an opportunity of appearing before the Council and answering complaints made against him, nor unless at least two-thirds of the Council members then present vote in favour of his expulsion. If any member aggrieved by the decision of the Council to expel him shall, within 14 days of the decision, procure the convening of an Extraordinary General Meeting for the purpose of considering the matter, the effect of the decision shall be suspended until the meeting is held and shall be of no effect unless it shall be confirmed by a two-thirds majority of those attending the Extraordinary General Meeting. Any member/fellow who is considered unfit to practice by the Medical Council or any other regulatory body will tender themselves immediately unfit for membership of the College unless and until their standing is restored.

25. Trustees

The property of the College (other than cash which shall be under control by the CEO) shall be vested in the General Body of Members/Fellows at a General Meeting. The Trustees will be the members of the Council, and shall deal with the property of the College as directed by Resolution of the Council, of which an entry in the Minute Book signed by the President shall be conclusive evidence.

26. Indemnity

- (1) Every officer and every trustee of the College shall be indemnified by the College against all claims, costs, losses and expenses, to include insurance premia, which the College and/or any such officer or trustee may properly incur or for which they may become liable

by reason of any contract entered into or act or thing done by such officer or trustee, or otherwise incurred in the discharge of his/her duties, including travelling expenses, and it shall be the duty of the Council to pay same out of the funds of the College.

- (2) No officer or trustee shall be liable for the acts, receipt, neglects or defaults of any other officer or trustee or Council member, or for joining in any receipt or other act for conformity, or for any loss or expense incurred by the College through the insufficiency or deficiency of title of the Council acting for or on behalf of the College, or for the insufficiency or deficiency of any security in or upon which any of the monies of the College shall be invested, or for any loss or damage arising from the bankruptcy, insolvency or tortuous act of any person with whom any monies, securities or effects shall be deposited, or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of his/her office, or in relation thereto, provided the same has not arisen due to his/her own dishonesty or through the wilful commission by the said officer or trustee of any act known to be a breach of his/her trust or office.

27. Procedure

- (1) Each member shall communicate his/her address from time to time to the CEO, or person deputed by the Council therefore, and all notices sent to or delivered at such address, including email addresses shall be deemed to have been duly received by such member.
- (2) Notices may be sent by ordinary pre-paid post and/or facsimile and/or emailed or through any document exchange and/or by hand to the last given address of said member or may be transmitted in any way as the Council resolves shall be deemed duly received by the said member 24 hours after sending thereof.

28. Winding Up

If upon the winding up or dissolution of the College there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the body. Instead, such property shall be given or transferred to some other charitable institution or institutions to which the property is to be given or transferred shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the College by virtue of Clause 32 hereof Members/Fellows of the College shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

29. Additions, alterations or amendments

No addition, alteration or amendment shall be made to or in the provisions of this Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners. A general meeting of the College, whether Annual or Extraordinary shall have power to alter, revise or repeal any or all of the Rules of this Constitution and make new rules in place thereof, in accordance with Clause 14 of this Constitution.

30. Keeping of Accounts

Annual audited accounts shall be kept and made available to the Revenue Commissioners on request. The Council, by a majority vote, may receive, appoint and retain an auditor or firm of auditors or accountants, and in this regard the Council shall be entitled to agree and discharge the appropriate fees in relation thereto.

31. Income and Property

The income and property of the College, shall be applied solely towards the promotion of its main object(s) as set forth in this Constitution. No portion of the association's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the College. No officer

shall be appointed to any office of the College paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the College. However, nothing shall prevent any payment in good faith by the College of:

- a) reasonable and proper remuneration to any member of the association (not being an officer) for any services rendered to the association;
- b) interest at a rate not exceeding 5% per annum on money lent by officers or other members of the College to the College;
- c) reasonable and proper rent for premises demised and let by any member of the College (including any officer) to the College;
- d) reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the College;
- e) fees, remuneration or other benefit in money or money's worth to any Company of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company.