



BIAZA Sanctions and Appeals Policy

These sanctions are applicable to all forms of BIAZA membership.

In the case of a violation of BIAZA Policies, Articles or Requirements for Membership, four levels of sanction can be imposed by BIAZA Board:

- I. Warning
- II. Under Supervision
- III. Suspension (in accordance with 1.6.4 of the Articles of Association)
- IV. Termination (in accordance with 1.6.4 of the Articles of Association)

Sanctions are issued by BIAZA Board of Trustees but can be recommended to them by the Membership and Licensing Committee (MLC).

I. Warning

A warning can be given to a BIAZA member by BIAZA Board of Trustees for one or more of the following reasons. This list is not exhaustive, and the Board may issue a warning for an action not specified in this list:

1. Not complying with the requirements of any BIAZA Policy
2. Any animal or non-animal matter that is either in breach of UK or European legislation, not in the spirit of BIAZA or may be deemed as impacting negatively on the reputation of BIAZA or bringing it into disrepute
3. Not complying with conditions placed on a Zoo Licence in a timely manner (without prejudice to the zoo's right under zoo licensing regulations to appeal a Condition)
4. Violations of BIAZA policies, Articles or Requirements for Membership or actions that may harm the image of BIAZA or other members (e.g. issues which harm the association's mission, community common interest, animal welfare or animal transfers, or harm other members or their image)

Issues that may result in a warning will be investigated by MLC, allowing the member in question to give a written response to any investigation to determine whether a warning is appropriate. All details concerning warnings are held by the BIAZA Executive Office. Where actions or issues may impinge on other BIAZA members, details of the issues, including the identity of the member, may be communicated to the membership. BIAZA retain the right to comment on the status of the member to the media. However, where possible, the privacy of the member will be respected. The problem(s) should be rectified or settled with the respective committee by the member institution within six months of the warning being issued; if not, a further warning will automatically be due. Recommendation that a warning has been rectified or settled will be made to the Board by MLC. Warnings are purged five years after they have been issued.

II. Under Supervision

Under supervision can be imposed on a BIAZA member by the Board in situations where they believe that BIAZA standards are not being maintained by that member for the following reasons. This list is not exhaustive, and the Board may decide that a member is moved to the Under Supervision category for a reason not specified by this list.

1. Surrounding socio or economic reasons that may be beyond the BIAZA member's control.
2. Lack of knowledge around a specific area of zoo or aquarium operation leading to a lack of good judgement
3. Any animal or non-animal matter that is either in breach of UK or European legislation, not in the spirit of BIAZA or may be deemed as impacting on the reputation of BIAZA or bringing it into disrepute

Issues that may result in a BIAZA member being placed in Under Supervision category will be investigated by MLC, allowing the member in question to give a written response to any investigation to determine whether the move to Under Supervision is appropriate. The Board may suspend the member during the investigation for such a period as they deem appropriate to investigate the conduct of that collection.

The Under Supervision status may last for three years and is registered by the BIAZA Executive Office and communicated to the BIAZA membership. The supervisor will be agreed between the BIAZA member and MLC. The supervisor will set actions necessary and establish timelines for actions. The supervisor may recommend the lifting of the "Under Supervision" category before the completion of the three year period. Based on this recommendation, MLC will further recommend appropriate action to the Board.

Whilst in "Under Supervision" status the BIAZA member cannot be BIAZA Trustees and cannot have any other functional roles in BIAZA (e.g. members of BIAZA standing committees, workgroups etc.) and must remove the BIAZA sign from the front of the zoo or aquarium. However, the member is entitled to access the Member's area of the website and all other membership benefits. Where actions or issues may impinge on other BIAZA members, details of the warning, including the identity of the member, may be communicated to the membership. BIAZA retain the right to comment on the status of the member to the media. However, where possible, the privacy of the member will be respected.

If at any point during the three year period, or on completion of the three year period, the supervisor does not believe that BIAZA standards can or will be reached either through the actions of the member or through circumstances beyond the member's control the Board may take further action under the Sanctions Policy including either suspension or termination of membership.

III. Suspension

Suspension can be imposed on a BIAZA member by the Board for the following reasons. This list is not exhaustive, and the Board may decide that a member is placed under Suspension for a reason not specified by this list.

1. On issue of the **third** 'live' warning from the Board, whether regarding the same issue or separate issues
2. Severe violations of any BIAZA policies or the BIAZA Articles and Requirements for Membership. Examples of severe violations are actions which are not in line with animal welfare or nature conservation regulations, or irresponsible dealing of "surplus" animals
3. Any animal or non-animal matter that is either in breach of UK or European legislation, not in the spirit of BIAZA or may be deemed as impacting on the reputation of BIAZA or bringing it into disrepute
4. Failure to comply with conditions issued on a Zoo License (without prejudice to the zoo's right under zoo licensing regulations to appeal a Condition)

Issues that may result in a suspension will be investigated by MLC, allowing the member in question to give a written response to any investigation to determine whether a suspension is appropriate. The Board may suspend the member during the investigation for such a period as they deem appropriate to investigate the conduct of that collection.

The Suspended status lasts for two years and is registered by the BIAZA Executive Office and will be communicated to the BIAZA membership.

- Suspended members may be issued with conditions to be met before the Suspension can be lifted. If these conditions are met before the two year period has been completed, the Board may remove the suspension.
- Relevant partner organisations will also be notified e.g. EAZA, and BIAZA retain the right to comment on the status of the member to the media.
- Suspended members cannot be BIAZA Trustees and cannot have any other functional roles in BIAZA (e.g. members of BIAZA standing committees, workgroups etc.).
- Suspended members cannot attend any BIAZA meetings, and do not have access to the member area of the BIAZA website including the available and wanted lists.
- If engaging in animal transfers with other BIAZA members must disclose that they are under suspension.
- Suspended members will remain on email distribution lists but will not receive other membership benefits and therefore must disclose that they are under suspension if responding to a membership opportunity.
- Suspended members must remove the BIAZA logo from the front of the zoo or aquarium and may not represent themselves to the media as members of BIAZA.
- Suspended members are still required to follow all BIAZA policies, Articles and Requirements for Membership and to maintain payment of their membership fees.

BIAZA reserves the right to relax the above restrictions in specific circumstances having taken advice from MLC and / or the Board.

Suspension will be lifted after two years if the member cooperates fully with any conditions set and does not receive any new warnings. A lifting of a suspension will be communicated to the BIAZA membership and relevant partner organisations. If the member continues to violate BIAZA policies, the Articles and Requirements for Membership or if the member receives further warnings, MLC will recommend termination of membership to the Board. Suspensions are purged five years after they have been lifted. A member who resigns whilst the suspension is active can apply for membership

after five years and, if accepted, must go through the provisional membership and mentoring process and pass accreditation before regaining full membership status.

IV. Termination

The Board can terminate membership, if it so determines, in accordance with 1.6.4 of the Articles of Association in the following cases. This list is not exhaustive, and the Board may decide that membership is terminated for a reason not specified by this list.

1. Members with suspended status who have not fully cooperated with BIAZA committees, or have not abided by the BIAZA Articles and Requirements for Membership or BIAZA policies in the preceding two years
2. Very severe violations of the BIAZA Articles and Requirements for Membership or BIAZA policies, without prior Suspension
3. Any animal or non-animal matter that is either in breach of UK or European legislation, not in the spirit of BIAZA or may be deemed as impacting on the reputation of BIAZA or bringing it into disrepute

Issues that may result in a termination will be investigated by individual(s) from MLC. In accordance with 1.6.4 of the Articles of Association, where investigation is deemed necessary the Board may suspend membership of that member for such a period as they may prescribe. Wherever possible a formal, minuted interview with the member representative should be held.

A termination will be communicated to the whole of the membership and relevant partner organisations e.g. EAZA. In addition, BIAZA retain the right to comment on the status of the member to the media. In the case of a termination of membership, membership fees for the remainder of the year will not be refunded. Terminated members can apply for new membership after five years and must go through the provisional membership and mentoring process and pass accreditation before regaining full membership status.

Appeals

In the event that a member believes that the Sanctions Policy has been used unfairly or without due consideration, an appeal against the outcome is possible.

The appeal must be registered with the BIAZA Executive office within two weeks of receiving the notification of the outcome of an investigation under the Sanctions Policy. The appeal must include all relevant information to rebut the decision. The decision of the Board to invoke sanctions will remain in place whilst the appeals procedure is undertaken.

The membership will not be notified of another member's suspension until the appeals procedure has been completed.

The Board will be informed that the appeal process has been triggered. The appeal will be considered by MLC before a recommendation is made to the Board. The Board will then consider the recommendation from MLC. It is in the Board's prerogative to put in place an alternative decision to that recommended by MLC. The Board will decide to continue with or overturn the sanction invoked against the member based on the information presented in appeal and the recommendation of MLC.