



## **BIAZA Sanctions Policy**

These sanctions are applicable to all forms of BIAZA membership.

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

- I. Warning
- II. Under Mentorship
- 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 Council, but can be recommended to Council by the Membership and Licensing (M&L) Committee.

### **I. Warning**

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

1. Not complying with the requirements of the BIAZA Animal Transfer Policy (ATP)
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 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 of 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 the M&L Committee, 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 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 Council by the M&L Committee. Warnings are purged five years after they have been issued.

## **II. Under Mentorship**

Under mentorship can be imposed on a BIAZA member by Council in situations where Council believe that BIAZA standards are not being maintained by that member for the following reasons. This list is not exhaustive and Council may decide that a member is moved to the Under Mentorship 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 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 Mentorship category will be investigated by the M&L Committee, allowing the member in question to give a written response to any investigation to determine whether the move to Under Mentorship is appropriate. Council may suspend the member during the investigation for such a period as they deem appropriate to investigate the conduct of that collection.

The Under Mentorship status may last for three years and is registered by the BIAZA Office and communicated to the BIAZA membership. The mentor will be agreed between the BIAZA member and the M&L committee. The mentor will set actions necessary and establish timelines for actions. The mentor may recommend the lifting of the "Under Mentorship" category before the completion of the three year period. Based on this recommendation, M&L will further recommend appropriate action to Council.

Whilst in "Under Mentorship" status the BIAZA member cannot be Council members, 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 mentor 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 Council 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 Council for the following reasons. This list is not exhaustive and Council 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 Council, whether regarding the same issue or separate issues
2. Severe violations of the BIAZA ATP, other BIAZA policies or the BIAZA Articles and Requirements of 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 the M&L Committee, allowing the member in question to give a written response to any investigation to determine whether a suspension is appropriate. Council 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 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, Council 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 Council members, 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.
- Suspended members must abide by the Animal Transfer Policy and 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 of 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 Membership and Licensing and / or Council.

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 of Membership or if the member receives further warnings, the M&L Committee will recommend termination of membership to Council. 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 mentoring process.

#### **IV. Termination**

Council 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 Council 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 of Membership or BIAZA policies in the preceding two years
2. Very severe violations of the BIAZA Articles and Requirements of Membership, BIAZA ATP or other 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 the M&L Committee. In accordance with 1.6.4 of the Articles of Association, where investigation is deemed necessary Council 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 full mentoring process.

**Appendix:**

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 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 Council 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.

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