

International Society for Bayesian Analysis (ISBA)

Code of Conduct

Procedures

Overview. The purpose of this document is to establish the procedures that will be followed by ISBA in the event of a violation of the ISBA Code of Conduct (<https://bayesian.org/governance/code-of-conduct>).

ISBA expects all members to work proactively to promote good professional conduct, prevent violations of the ISBA Code of Conduct and to help each other to resolve violations if they occur. Minor concerns that do not rise to the level of a violation of the Code can often be resolved by discussion with the perpetrator. If the affected member is not able or does not feel empowered to do this, they are encouraged to seek help from a trusted colleague or the activity organizer, or report the incident to ISBA. If a violation cannot be resolved immediately or satisfactorily, it should be reported in accordance with the procedures described below.

Professional Conduct Committee. A designated ISBA Committee (“Committee”) has been established by ISBA, to be responsible for administering the Code of Conduct, handling reports of violations, and managing the review of any reported conduct and recommended actions. Members of the Committee will serve a five year term, with one person appointed per year by the Past President, and with the President and Past President as ex-officio members. The committee will be chaired by the Past President.

The Committee will determine the circumstances under which a reported violation of the Code is reviewed, including whether a conduct review process will be conducted internally by the Committee or by engagement of a third party ombudsperson. Reported conduct may be reviewed internally by the Committee, either initially, in part or in whole, if it is a minor violation or, if deemed appropriate, when this is the request of the affected member who made the report. All other matters will be referred to a third party ombudsperson to administer a conduct review on behalf of the Committee. A report may be referred by the Committee to an ombudsperson for review on behalf of the Committee at any time before a final decision on an Outcome.

The ombudsperson will be appointed by the Committee in conjunction with the ISBA Executive Committee, and will be an independent professional consultant with experience in the type of conduct under consideration. The ombudsperson will provide his/her/its findings to the Committee for decision on the Outcome by the Committee or referral by the Committee to the Board for decision, as provided below.

Reporting a Violation. *Anyone who experiences, observes, or has knowledge of a violation of the ISBA Code of Conduct should bring it to the attention of the ISBA President or the Committee Chair. If warranted, it should also be reported to a representative of the activity at which the violation occurred, the Police, or other authorities.*

While this should be done as soon as possible, the fact that there has been a delay should not be used as a reason not to take action or report a violation.

The person will be invited to discuss their concern with the Committee, explore possible avenues for resolving the issue and, if appropriate, make a formal Conduct Statement (“Statement”) to the Committee.

It is acknowledged that a person may find it difficult to discuss a concern or make a Statement, in which case they are encouraged to seek the help of a trusted friend and/or seek professional help from their workplace or university, trained counsellor, or another source. The ISBA Committee commits to supporting anyone who raises a concern by listening to them, taking their concern seriously, considering their wishes, taking action according to the procedures described below, and keeping them informed throughout any applicable review process.

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Conduct Review Process. All Statements received by the Committee will be reviewed internally by the Committee or externally by a third party ombudsperson, as described above. Concerns may be reviewed without a Statement when the concern may impact more than just the person who raises it. Where appropriate, the advice of legal counsel may be sought. The timing, scope, and actions to be taken in each conduct review process will be determined on a case-by-case basis. ISBA will make reasonable efforts to conduct conduct review processes as promptly as the scope of each review dictates.

The Committee will provide notice to any members who may be contacted as part of a conduct review to let them know that a conduct review has commenced and that their participation is requested, and will provide information regarding the nature of their requested participation and any related timing. The Committee will inform other members regarding the conduct review on a need to know basis, and will take such other interim measures as the Committee deems appropriate under the circumstances, such as asking or requiring alleged offenders to abstain from participating in certain or all ISBA activities until the conduct review process has concluded, at which time they will be informed that conduct review has been completed.

Where warranted, all conduct reviews will include but not be limited to: interviews with the reporting party, other involved parties and material witnesses; and review of relevant documents and other information. Any party interested in a conduct review may submit to the Committee (or the third party ombudsperson when applicable) any information, materials or tangible evidence that he/she believes to be relevant, including without limitation names of potential witnesses; documents, digital media, tangible things and other evidence; character references; and, mitigating factors.

Conduct reviews will be conducted with professionalism and fairness to all parties, and any mitigating or aggravating factors that are brought to the attention of the reviewer(s) will be considered. Mitigating factors may include without limitation: consent by the receiving party, severity of the offense, the extent of harm caused or that could have been caused, discrepancies in evidence, length of time since the offense, history before or after the offense, acceptance of responsibility and commitment to change unacceptable behavior, and character references. Aggravating factors may include without limitation the foregoing factors, as well as the circumstances of any prior offense(s).

It is of utmost importance for members to participate fully and honestly in conduct reviews, as ISBA's ability to enforce this Code is limited by the quality and quantity of information provided to the reviewer(s). While it may attempt to do so when reasonable and practical, ISBA cannot take on the responsibility to obtain information outside its organization.

It is a violation of the Code for any person to retaliate in any way against a person for making a good faith Statement or participating in a conduct review or decision-making under the Code.

A conduct review, whether conducted internally by the Committee or externally by a third party ombudsperson, will conclude with a written Conduct Review Summary which will comprise the Statement, activities undertaken during the conduct review, evidence and findings of fact, any relevant witness credibility and mitigation factors, and a recommended Outcome with supporting justification. The Conduct Review Summary will be presented to the Committee for a decision regarding an Outcome or next steps(see below).

Potential Outcomes. Four Outcomes are possible.

1. *No action.*

This means that the Statement and Conduct Review Summary will be filed and no further action will take place.

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Note that this recommendation does not mean that the incident did not occur or that anyone involved in the reporting or investigation process is not believed.

This recommendation might be made, for example, if there is insufficient evidence to justify any action; if it is felt that actions already taken voluntarily or through an informal process were sufficient to address the reported conduct; or if the reporter withdraws permission for the conduct review to continue and requests this Outcome and the Committee or Board decides that such Outcome is appropriate under the circumstances.

2. *Information Escrow.*

This means that the Statement and Conduct Review Summary will be added to a database and no other action will be taken unless further evidence emerges.

This recommendation might be made, for example, if there is insufficient evidence to justify other action but there is sufficient concern to warrant action if a subsequent corroborating report is received; or if the reporter requests this Outcome with no further action at this stage and the Committee or Board decides that such Outcome is appropriate under the circumstances.

3. *Further investigation.*

This recommendation might be made, for example, if the Committee has undertaken an internal investigation and decides that an investigation by a third party ombudsperson is warranted; if a third party review has been undertaken but more time is required to reach a satisfactory conclusion; or if review by another party is required.

4. *Action.*

An Action will aim to address a violation, remedy harm caused, and/or to otherwise enforce and promote the ISBA Code of Conduct. Actions may include but are not restricted to any combination of the following:

- i. Verbal or written warning or counseling.
- ii. Requirement of conciliatory efforts that may include a verbal or written apology, informal mediation, or other steps intended to facilitate restoration of relationships.
- iii. Coaching by a designated mentor or professional training at the offender's expense.
- iv. Service to the ISBA community or the profession.
- v. Restitution for damage caused to another's person, property, impairment of opportunity or professional reputation.
- vi. Suspension of eligibility for certain ISBA benefits, e.g.:
 - Attendance and/or participation in specified ISBA activities.
 - Holding a leadership position or other position of trust within ISBA or representing ISBA
 - Awards, to be a presenter, to be published in ISBA materials, or other opportunities
 - Travel grants or similar funding
- vii. Revocation of past awards or honors.
- viii. Suspension of ISBA membership, subject to review for reactivation.
- ix. Expulsion from ISBA membership.
- x. Referral to the police, university, workplace or other relevant authority.

Any Action may be offered as voluntary or imposed as mandatory for a specified period of time, or, in severe cases, for an unspecified period of time subject to periodic review, or permanently.

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Decision-making Process. The Board has delegated to the Committee the authority to make a final Outcome decision in matters involving violations of the Code. In the case of any set of circumstances that may warrant an Action Outcome that is the same or similar to 4(v) – 4(x) above, or in any case where the Committee in its discretion feels that a Board decision is warranted, the Committee will provide a recommendation or referral to the Board, which will make the final decision.

Upon receipt of a Conduct Review Summary the Committee will: (a) make a final decision, ratifying the recommended Outcome in the Conduct Review Summary; *or* (b) decide on a different Outcome and provide justification for this decision; *or* (c) provide a recommendation to the Board for a final decision. Referral to the Board may be made without a recommendation if the Committee is unable to reach a decision or if there is a substantial level of concern about the case.

A decision made by the Committee will require a majority vote.

Neither the Committee nor the Board is limited in decision-making by any recommendation presented in a Conduct Review Summary or by the list of Actions above. Further information, including legal counsel, may also be sought before a decision is made.

ISBA will take care to impose Actions that are in proportion to the offense(s), that consider the professional and personal implications for all parties involved, and that further ISBA's purpose for the Code of Conduct. Continued ISBA membership is contingent upon full compliance with all Actions imposed as mandatory by the Board and ongoing adherence to the ISBA Code of Conduct.

Actions available to ISBA to address violations of this Code are necessarily limited by ISBA's jurisdiction (ISBA membership and benefits) and resources. As a result, ISBA cannot guarantee good conduct outside ISBA activities. *In addition to reporting violations of the ISBA Code of Conduct, individuals are expected to take such other actions as they deem necessary to promote ethical, equitable and harassment-free behavior, and protect themselves, their property and their professional reputation.*

In all cases, ISBA reserves the right to report conduct to any applicable law enforcement agency, security staff, event venue, or other authorities.

Decisions made by the Committee or the Board are final and are not subject to appeal.

Communication of Decisions. ISBA's decision and any details related to a conduct review will be promptly communicated to the parties involved in the conduct at issue, on a need to know basis taking into account legal and other considerations, the professional and personal implications for all parties involved, and the purpose of the Code of Conduct. At a minimum, ISBA will inform the reporting party, and potential offenders if they were contacted, that the case has been completed. ISBA reserves the right in its sole discretion to make an announcement at any time to its members or to the public regarding a conduct review and/or outcome of any matter reported pursuant to this Code of Conduct, upon a determination by the Board that it is in the best interest of the society to do so.