

# SPOTLIGHT

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## ON THE CIfA PROFESSIONAL CONDUCT AND REGISTERED ORGANISATIONS COMPLAINTS PROCEDURES

<https://www.archaeologists.net/regulation/complaints>



CIfA's accredited professionals (PCIfA, ACIfA and MCIfA) and Registered Organisations have agreed to be bound by the Institute's ethical Code of conduct. As part of the application process they demonstrate they have the necessary skills and competence, and their accreditation means that they are subject to the oversight of peers.

Our professional conduct and complaints process and its sanctions provide that oversight. These underpin an institute's primary function of public and consumer protection, ensuring that clients and society in general receive the best possible service from the profession. In fulfilling this role, the Institute also protects the reputation of the remainder of its membership.

It is not just the public or clients who may raise allegations. It is important that individuals and/or organisations can raise their concerns with CIfA if they believe our accredited archaeologists and/or Registered Organisations have failed to comply with

the Code of conduct, standards and supporting regulations.

Complaints or allegations are dealt with in accordance with the Regulations for professional conduct (for individuals) or the Registered Organisations complaints procedure. The procedures exist to investigate allegations against CIfA-accredited individuals or Registered Organisations that may have breached the ethical Code of conduct in relation to their archaeological affairs and the study and care of the historic environment. This may include their conduct with employees, colleagues and helpers.

### Making a complaint or allegation against a ClfA member or Registered Organisation

Complaints or allegations can be raised in three different ways:

- contact ClfA informally for initial advice regarding your concerns
- complete the relevant form and return it to ClfA with as much evidence as possible to support the allegation
- raise your concerns through your Special Interest or Area Group

Allegations and complaints are judged against the Code of conduct and/or supporting regulations and Standards.

In all instances, the complainant needs to identify the relevant principle(s) and rule(s) that have allegedly been breached and to explain why and how. Reference to the standards is helpful. All cases need **supporting evidence** to proceed; this can be photographs, documents, reports, supporting statements from colleagues, etc.

The first assessment stage of reviewing any allegation is for the Institute to decide whether the matter could be **more appropriately resolved by discussion**

amongst parties. This is an important step as often formal complaints can be avoided by speaking to the individual or organisation first, and issues can be resolved much more swiftly. There are often existing procedures in place to allow you to do this.

#### Timescales

Formal allegations and complaints can take time to resolve. When a completed form is received there are several stages to the process, including

- carrying out an initial assessment to decide if the allegation is appropriate for our procedures
- if the allegation is appropriate, appointing a solicitor and panel to ask for a response to the allegation from the individual or organisation being complained about. The panel will then need to review all the evidence presented to reach a decision about whether there has been a breach of the Code of conduct and/or regulations
- if there has been a breach of the Code of conduct and/or regulations, a sanctions panel or the Registrations Committee (Organisations) needs to decide on the sanction given to the individual or organisation

All the stages rely on other ClfA-accredited individuals volunteering their time to be involved (peer review) and at each stage the individual or organisation being complained about has the right to appeal a decision, which would involve another group of individuals getting together to consider the grounds for the appeal.

#### Where the ClfA complaints process may not be appropriate

We do not get involved in contractual disputes. In these cases, we recommend that you speak to other relevant organisations such as trade unions, ACAS or Citizens Advice, for example, or look at arbitration or mediation.

In some circumstances a professional conduct allegation may not be the most effective way of dealing with an issue, particularly where there is any anticipated or actual civil or criminal proceeding that would take precedence over our own conduct procedures. Again, in these cases we may advise that you speak to other relevant organisations, which may include the Police or Protect, as well as those listed above.

#### Reporting the outcome of complaints

In some cases, complaints or allegations are resolved right at the beginning of the process by encouraging the parties involved to discuss the issues. In these instances, we generally do not report on the outcome. This is the same for complaints that are found not to be breaches of the Code of conduct and/or regulations. In the Annual Review we publish the total number of formal and informal cases we deal with each year.

Cases that are found to be in breach of Code of conduct and/or regulations are made public and are published in The Archaeologist magazine and on our website. This is to ensure that the profession can benefit from the lesson learned from each case.

### Complaint check list

- **Raise your concerns with the person or organisation before making a complaint: use any appropriate procedures**
- **Contact ClfA informally to ask advice**
- **Check your complaint relates to professional and ethical behaviour in relation to archaeological affairs and the study and care of the historic environment covered by the ClfA Code of conduct and/or regulations and standards**
- **Complete the relevant complaint form or supply the required information identifying the parts of the ClfA Code of conduct/standards/regulations your complaint relates to and provide evidence to support this**

Number of formal and informal complaints received in the last three years



#### Useful links

ClfA complaint procedures ([www.archaeologists.net/regulation/complaints/makingacomplaint](http://www.archaeologists.net/regulation/complaints/makingacomplaint))

ClfA Annual Review 2018 ([www.archaeologists.net/sites/default/files/ClfA%20Annual%20Review%202018%201308%20digital.pdf](http://www.archaeologists.net/sites/default/files/ClfA%20Annual%20Review%202018%201308%20digital.pdf))

ACAS ([www.acas.org.uk](http://www.acas.org.uk))

Protect ([www.archaeologists.net/protect](http://www.archaeologists.net/protect))