



GUIDELINES FOR MAKING A COMPLAINT AGAINST A MEMBER

Introduction

The International Guild of Battlefield Guides is committed to ensuring that the standard of competence and conduct of its members in the field of battlefield guiding is to a level that the public has a right to expect.

These guidelines contain advice to members of the public, as well as members of the International Guild of Battlefield Guides, who may be dissatisfied with the professional conduct of a Guild member. It is intended to assist them in the early stages of formulating a complaint, to determine whether there are grounds to do so, and to explain the processes that will be undertaken in reaching a decision.

What you can complain about

You may complain to the International Guild of Battlefield Guides if you think that one of its members is guilty of 'unprofessional conduct' or of displaying a serious lack of competence. This means that you may have grounds to think that the member has not been honest, ethical or competent in undertaking their work or in the way that they have communicated or acted in their professional capacity.

Unprofessional conduct does not mean 'negligence'. Minor transgressions of good practice do not usually count as unprofessional conduct. However, it may do so if it forms part of a pattern of unacceptable professional behaviour. If you have suffered loss or damage as a result of the actions of a member of the Guild, you should initially seek to reach an agreement with the member through negotiation or mediation, or alternatively you may seek redress through arbitration or through the courts. However, if the actions involved are sufficiently serious, and for which there seems to be no reasonable excuse, a complaint of unacceptable professional conduct may be considered.

Where a member of the International Guild of Battlefield Guides has been found guilty of a criminal offence, they may also be considered to be conducting themselves unprofessionally, even if this has nothing to do directly with their work. This will depend on the nature of what the member of the Guild has done.

The way that members of the International Guild of Battlefield Guides should conduct themselves is governed overall by its 'Constitution, By-Laws, and Regulations'. The actual standards governing professional conduct are explained more fully in the 'Code of Conduct' and the 'Complaints Policy and Procedure'. All these documents may be downloaded from the Guild's website.

Please be aware that the Guild cannot:

- deal with concerns or complaints about anyone who is not a member of the Guild
- deal with matters that are not a breach of the Guild's Code of Conduct
- pay compensation to you or instruct a Guild member to do so
- determine whether a Guild member or his/her business has acted negligently (this is for the courts to decide)
- interfere with or become involved in court action which you have commenced or may commence against a Guild member and/or his/her business
- resolve the complaint itself – that remains a matter between you and the Guild member concerned and ultimately the courts of the relevant jurisdiction.

The International Guild of Battlefield Guides makes no charge for dealing with complaints against its members.

Who you may complain about?

You may complain about anyone who is a member of the International Guild of Battlefield Guides whatever their level of membership. Accredited members may use that title after their name on their business cards, letterheads, emails or generally in their advertising materials. Similarly, Ordinary members may describe themselves as members in the same way.

Should you be unsure regarding an individual's membership, this can be confirmed by contacting the Membership Secretary: mbr.sec@gbg-international.com

You should note that we can only deal with complaints against people who are current members of the Guild.

How to make a complaint

If you wish to make a complaint against a member of the International Guild of Battlefield Guides, you should first review the information available online or contact the Guild Secretary, who will advise you about the initial procedure for making a complaint, and provide you with a copy or link to the Code of Conduct, the Complaints Policy and Procedure and a Complaint Form for you to complete.

secretary@gbg-international.com (These documents can also be downloaded from the Guild website)

Making a Formal Complaint

You should complete the Complaint Form and submit it with any supporting material to the Guild Secretary at the address above. Provided that your complaint is within the scope of the Code, and provided that there are not any criminal or other investigations proceedings which will take precedence, an Investigating Committee within the Guild will be appointed to investigate your complaint.

The sections below describe the sort of information which would need to be submitted.

State what you are complaining about

This should be a statement of exactly what you think our member has done wrong, stating your reasons for feeling that their behaviour should be considered improper conduct. This should be a straightforward, logical account in simple language.

Record in date order what has happened

It is useful if you can provide a record of all the important events that have happened in the order in which they occurred. This could include information arising from letters, emails or telephone conversations.

Provide the evidence to support your complaint

You should send in copies of whatever evidence is available or appropriate to support your complaint, and to prove, as far as possible, that what you are saying is true. This evidence would include copies of letters, emails, reports, drawings, or photographs, depending on the nature of your complaint. You should only send in evidence that has a direct bearing on what you are complaining about. If you are not sure what you should send in, you may ask the Guild Secretary for advice.

Signed complaint statement

You should also sign, date and submit the complaint statement. This confirms that a copy of your complaint and your supporting evidence may be sent to the member against whom you have complained.

Please note that we are unable to take forward a complaint unless you agree to any information you supply being made available to the member involved. As already stated, should criminal or other investigations or proceedings exist already, then any complaint is likely to need to be postponed until the outcome of that those investigations or proceedings, at which time, both you and the Guild will need to decide whether it was appropriate for your complaint to proceed.

What happens next?

Please look at the Complaints Policy and Procedure. The first question which the Guild will determine is whether your complaint comes within the scope of the Guild's Code of Conduct. If so, the next stage is for the Guild to appoint an Investigating Committee to consider your complaint.

Investigating Committee

The process as to how the Investigating Committee will operate is set out in the Complaints Policy and Procedure. The member you are complaining about will have the opportunity to respond to your complaint, and you as the complainant will also get the opportunity to respond to what the member says.

If the complaint is capable of remedy, the Guild member may seek to provide a remedy to your satisfaction. Your acceptance of such remedy may not necessarily bring the matter to an end if the underlying circumstances still warrant investigation by the Guild, but it will be taken into consideration in the investigation.

The decision of the Investigating Committee

The Investigation Committee will conduct their investigation and decide whether the member has been guilty of improper or unprofessional conduct amounting to breach of the Code of Conduct.

If the Investigating Committee finds that the Guild's Code of Conduct has been breached and your complaint was justified, it will recommend to the Guild Management Board an appropriate sanction. These sanctions range from giving advice or a formal warning to suspension or expulsion from the Guild. The Guild Management Board will then apply that recommended sanction. In the event that the member appeals against the Investigating Committee's findings, the Management Board will hear an appeal and in those circumstances, decrease or increase the recommended sanction.