

GUIDELINES FOR MAKING A COMPLAINT

Introduction

The Landscape Institute, as the chartered body for landscape professionals, is committed to ensuring that the standard of competence and conduct of its members is to a level that the public has a right to expect.

These guidelines contain advice to members of the public and other professions, as well as members of the Landscape Institute, who may be dissatisfied with the professional conduct of an Institute 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 Landscape Institute 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 Institute, 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 Landscape Institute 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 Institute has done.

The way that members of the Landscape Institute should conduct themselves is governed overall by its 'Royal Charter, By-Laws, and Regulations'. The actual standards governing professional conduct are explained more fully in the 'Code of Conduct'. All of these documents may be downloaded from the Institute's website. The Disciplinary Procedures specifically describe how the Institute deals with complaints against its members.

The Landscape Institute 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 Landscape Institute whatever their level of membership. Fully chartered members will have the letters CMLI or FLI after their name on their business cards, letterheads, emails or generally in their advertising materials. There are also other classes of membership, such as Students and Licentiates, who are not yet full members of the Institute and therefore do not have any letters after their names. Should you be unsure regarding an individual's membership, this can be confirmed by:

Checking the Members directory online at: <https://my.landscapeinstitute.org/directory>

Or by contacting the LI Membership Team:
membership@landscapeinstitute.org or +44 (0)330 808 2230

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

How to make a complaint

If you wish to make a complaint against a member of the Landscape Institute, you should first review the information available online or contact the Professional Conduct Officer, who will advise you about the initial procedure for making a complaint, and issue you with a copy of the Code of Conduct, Disciplinary Procedures, and Complaint Form for you to complete. (These documents can also be downloaded from the Institute website).

Email: Regulations@Landscapeinstitute.org
+44 (0)330 808 2230

Making a Formal Complaint

You should complete the Complaint Form and submit it with any supporting material to the Professional Conduct Officer at the address above. This document will allow the Chief Executive to decide whether there is likely to be a case to answer under the Disciplinary procedures, or whether mediation or some other approach may be more suitable.

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 Professional Conduct Officer 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 you have complained against, and that you are not taking any legal action in relation to any matter connected with your complaint.

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. Should legal proceedings be in place, then any complaint would need to be postponed until the outcome of that action is complete, at which time, both you and the Institute will need to decide whether it was appropriate for your complaint to proceed.

What happens next

If it appears that there is likely to be a case to answer then the member you are complaining about will have the opportunity to respond to your complaint in a specified time period, and you as the complainant will also get the opportunity to return a counter complaint in a specified time.

Investigation and Screening Panel

The case will be forwarded to an Investigation & Screening Panel. The Investigation & Screening Panel may require additional information which will be made available to both the complainant and the member. Once the investigation stage has been completed the Panel may then make a Summary Hearing

Summary Hearing

A Summary Hearing has capped sanctions (not suspension or expulsion) to allow for less serious cases to be considered and decided by the Investigation & Screening Panel with no need for a full formal Professional Conduct Hearing

The Investigation & Screening Panel will decide whether the member has been guilty of improper conduct or not, and will determine an appropriate remedy if it agrees that your complaint was justified and the breach is a minor one. These remedies range from a formal reprimand to a penalty up to £5,000, the imposition of restrictions or disqualifications

If the Panel decides that the breach is more serious and may potentially result in the most severe penalties of either suspension or expulsion then the case will be forwarded to a full formal Professional Conduct Hearing

Whether the case is decided by a Summary Hearing or a Professional Conduct Hearing you should be aware that there is no right of appeal by you to the Panel's decision

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