

Agenda for the 39th meeting of Advisory Council

Thursday 08 July 2021

A virtual meeting hosted digitally

Induction Session 1000-1230		Timings
A.	Welcome and overview	1000
B.	Induction Training	
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Council Meeting 1 - Oversight 1300-1700		
1.	President's Welcome and Apologies for Absence	20m 1300
2.	LI Election 2021	30m 1320
	i. Election Update - <i>paper</i> (EW)	
	ii. Election Officer Report - <i>verbal</i> (JS)	
3.	CEO Report - <i>presentation</i> (JaS)	15m 1350
4.	Performance 2020-21/Future Plans 2021-24 - <i>papers & presentations</i>	25m 1405
	i. Performance and Achievements – Q4 Report (JaS)	
	ii. Financial Overview (JaS)	
	iii. Future Plans 2021-2024 (SLT)	
5.	Independent Review Update - <i>workshop</i>	30m 1430
BREAK		1500-1515
6.	Governance Matters	10m 1515
	i. Digital meetings update (EW)	
7.	Education – <i>presentations</i>	20m 1525
	i. Apprenticeship update (CH)	
	ii. Entry Standards Project (CH)	
	iii. Chooselandscape (AA/LP)	
8.	Regulations – <i>paper</i> (GO)	20m 1545
9.	Topics for Strategy November Meeting	20m 1605
	Possible topics for strategy meeting:	
	i. Review / update the 5 Corp Strat themes	
	ii. Inclusive growth - target areas etc	
	iii. Corp Strat 2023-28 and 100 th	
10.	Any Other Business	5m 1625
MAIN MEETING ENDS		1630

To be followed by a social session to welcome the new Council

Advisory Council - 08 July 2021		Paper for:	DECISION
Agenda Item 2	LI Election 2021 Update		
Paper author:	Emma Wood, Governance & Regulation Manager		
Summary of paper:	Landscape Institute Elections 2021		
Financial implications:	n/a		
Council are asked to:	Receive the report, consider the recommendations and agree actions		

1 Notification of Election Results

The Landscape Institute has recently held elections for vacancies on its Board of Trustees and Advisory Council. Nominations were sought for the honorary officer positions of President Elect, Vice President, Honorary Secretary and Honorary Treasurer, each of which has a seat on both Board and Council. In addition vacancies were also advertised for 1 Non Chartered Board member, 7 Corporate, 2 Associate and 1 Student Council positions

The positions of HonSec and HonT were uncontested and as a consequence the following individuals take up post from 01 July 2021:

HonSec Keren Jones

HonT: Mathew Haslam

There were multiple nominations for the posts of President Elect, Vice President and Chartered members of Council. As a consequence an election was held between 04 May - 01 June 2021. The results in full have been published and are attached at appendix 1

App1

We received no nominations for the positions of Non-Chartered Board member, Associate member, or Student member. Council will need to consider how to fill these posts as per the governing documents

Alongside the main LI elections, Fellows could also vote to fill the position of College of Fellows Convenor and Adam White PPLI FLI was elected to this role

2 Branch Representatives 2021-22

The following members have been elected by branches to serve as representatives on Council from 01 July 2021:

East Midlands	Ben Betts CMLI
East of England	Catherine Bailey CMLI
London	Ben Gurney CMLI
Midlands	Rupert Dugdale CMLI
North East	Scott Matthews CMLI
North West	VACANCY
South East	Ruth Shelton CMLI
South West	Cynthia Filipiak-Szymborska CMLI
Yorkshire + Humber	John Ingham CMLI
Northern Ireland	Paula Gillan CMLI
Scotland	Kirsty Knott CMLI
Wales	Emma Hayes CMLI

3 Vacant posts

In previous elections vacant posts have been treated as a casual vacancy and under the Regulations:

17.1 The Council may fill any casual vacancies occurring in the Council and any person so appointed shall retire on the next 30th June following the appointment and such person is eligible for re-appointment.

No nominations were received for the Non-Chartered Trustee, Associate or Student Representative positions leaving 3 vacancies

3.1 Associate Representative Vacancies

These posts can only be filled by Associate members. No nominations were received for the 2 Associate Representative to Council positions. Since the elections closed 1 Associate member has registered their interest in these roles

Council could therefore consider the Associate that has registered their interest to fill 1 of the vacancies. Alternatively, Council have previously filled an Associate Rep casual vacancy by contacting all Associates asking for expressions of interest for consideration by the Appointments & Selections Committee (A&SC). The A&SC made a recommendation to Council and Council agreed via email. The new Associate Rep was then invited to attend the next meeting. This process was co-ordinated by the CEO

Council could therefore choose to:

- i. Contact all Associates asking for expressions of interest with supporting information by 31 August 2021. To be reviewed by A&SC with recommendations voted on by Council during September 2021 so as to appoint the new representatives 01 October 2021. (Recommended)
- ii. Appoint the Associate that has registered their interest to 1 of the posts and follow the process in option 3.1i. for the remaining post
- iii. Other as agreed by Council

These new Council members would attend the November and February meetings at which time Council would need to agree whether to reappoint until June 2023 or to recruit again

ACTION: To agree approach to Associate Representative vacancies

3.2 Student Representative Vacancies

This post can only be filled by Student members. No nominations were received for the Student Representative to Council position. No Student members have registered their interest in this role. In line with the process outlined at 3.1i Council could therefore choose to:

1. Contact all Student members asking for expressions of interest with supporting information by 31 August 2019. To be reviewed by A&SC with recommendations voted on by Council during September 2019 so as to appoint the new representatives 01 October 2019. (Recommended)
2. Other as agreed by Council

This new Council member would attend the November and February meetings at which time Council would need to agree whether to reappoint until June 2023 or to recruit again

ACTION: To agree approach to Student Representative vacancy

3.3 Non-Chartered Board Member Vacancy

This post can only be filled by Non-Chartered (Student, Associate or Academic) members. No nominations were received for the Non-Chartered Board Member position. No members have

registered their interest in this role. In line with the process outlined at 3.1i Council could therefore choose to:

- i. Contact all Student, Associate and Academic members asking for expressions of interest with supporting information by 31 August 2021. To be reviewed by A&SC with recommendations voted on by Council during September 2021 so as to appoint the new representatives 01 October 2021. (Recommended)
- ii. Other as agreed by Council

This new Board member would attend any Board meetings from the 01 October and Council would need to agree at the February 2022 meeting whether to reappoint until June 2023 or to recruit again

ACTION: To agree approach to Non-Chartered Board Member vacancy

4. Appointments & Selection Committee

The A&SC have a range of responsibilities primarily related to recruitment: selecting the 4 Trustees who are appointed by Council as Independent Trustees, appointing Chairs of Standing Committees and undertaking recruitment for other roles as required

Current A&SC:

Charlotte Cottingham CMLI

Rupert Dugdale CMLI

Diana Ispas CMLI

Wing Lai CMLI

The A&SC normally comprises 6 members but due to both Council and branch elections 2 posts are now vacant. The vacancies are for any member of Council that is not a Trustee with at least 1 being a Fellow

Recommendation:

- i. Appoint 2 members of Council, including at least 1 FLI, to the A&SC

5. Future Elections

There were a range of behaviours and activities in the 2021 elections that have not been experienced before and as such we will need to consider an expansion of the rules and guidance before the next election. Having considered this issue Board have agreed the creation of a joint Elections Working Group with Advisory Council to review the regulations, rules and processes related to LI elections taking into account feedback from the 2021 election and the independent review working groups

Work group membership to include:

Chair Keren Jones (HonSec)

Lay member Jane Clark (IndTrustee)

Council 2 members (to be nominated by AdCo)

Staff Gideon Opaluwa (Head of Professional Regulations)
 Emma Wood (Governance & Regulation Manager)

Recommendation:

- i. To support this approach and appoint 2 members to the Elections Working Group

6. Electoral Services Provider

The LI has used an external electoral services provider for some years and whilst we are very happy with the quality of service and value for money provided by Mi-Voice it is good practice to review the market. Board have agreed that Mi-Voice will support the 2021 AGM as usual with the intention that

the procurement process (in line with the LI Procurement Policy) is completed and the electoral services provider confirmed for an initial period of 5 years from 2022 (5 AGMs, 2 Elections). The period is defined by the election cycle – if a new provider is appointed they will need to build custom sites for the LI AGMs and elections and it would be preferable to be able to utilise the election site more than once (subject to performance)

Board of Trustees and Advisory Council Elections 2021 - Results

No. of ballots issued	4657
No. of ballots returned	1057
Turnout:	22.7%

PRESIDENT ELECT

Candidate	Number of votes	Percentage	
Brodie McAllister FLI	514	52.6%	ELECTED
Christine Ann House CMLI	464	47.4%	
<i>Total number of individuals who voted</i>	978		

VICE PRESIDENT

Candidate	Number of votes	Percentage	
Noel Farrer FLI	367	39.5%	ELECTED
Steven Morgan FLI	358	38.5%	
Peter Hutchinson FLI	205	22.0%	
<i>Total number of individuals who voted</i>	930		

HONORARY SECRETARY

Candidate	Number of votes	Percentage	
Keren Jones CMLI	-	-	ELECTED UNOPPOSED

HONORARY TREASURER

Candidate	Number of votes	Percentage	
Mathew Haslam CMLI	-	-	ELECTED UNOPPOSED

ADVISORY COUNCIL ORDINARY MEMBER

Candidate	Number of votes	Percentage	
Nicola Phillips CMLI	480	57.3%	ELECTED
Nathan James Edwards CMLI	378	45.2%	ELECTED
Diana Ispas CMLI	375	44.8%	ELECTED
Charlotte Cottingham CMLI	360	43.0%	ELECTED
Wing Lai CMLI	359	42.9%	ELECTED
Michele Lavelle CMLI	351	41.9%	ELECTED
Matthew Bradbury FLI	343	41.0%	ELECTED
Daniel Smith CMLI	310	37.0%	
David Appleton CMLI	222	26.5%	
<i>Total number of individuals who voted</i>	837		

Advisory Council – 08 July 2021		Paper for:	INFO
INFO Paper: B	Q4 Performance Report		
Paper author:	Senior Management Team (Amina Waters, Andrew Morris, Antonella Adamus, Ben Brown, Gideon Opaluwa, Ruth Lake) Finance Team (Bankole Jones, Lee Garnham)		
Summary of paper:	This paper provides a Q4 update on our achievements against the 2020-2021 Business Plan, up to 31 March 2021		
Resource implications:	n/a		
Council is asked to:	Note the paper		

Overview

This paper provides a quarterly update on the LI's performance against its 2020/2021 business plan. It covers the period 01 January 2021 to 31 March 2021

1 Financial performance against target

- 1.1 Financial information as at 31 March 2021
- 1.2 Overview of progress against 2020/21 business plan objectives - as at 31 March 2021

2 Updates on major work streams

- 2.1 Policy and public affairs
- 2.2 Technical standards
- 2.3 Competency framework / entry standards project
- 2.4 Digital upgrade
- 2.5 Membership
- 2.6 Training /CPD/Events and other commercial activity
- 2.7 Sponsorship
- 2.8 Recruitment website income
- 2.9 Our people, values and culture

3 Membership Performance- Individual members

- 3.1 Membership Figures – Past 3 years
- 3.2 New membership growth
- 3.3 Membership change by grade - joiners, upgraders, leavers – in 2020/2021 financial year
- 3.4 Membership Resignations
- 3.5 P2C Performance Metrics

4 Membership Performance - Registered Practices

- 4.1 Registered Practice Figures – Last 3 years
- 4.2 New registered practice membership growth
- 4.3 Registered Practice Resignations

5 Branch Event Activity

6 Marketing and Audience Metrics

- 6.1 LI-managed websites – number of sessions per month since 1 April 2018
- 6.2 Social media and email channels

1 Financial performance against target

1.1 Financial information as at 31 March 2021

The final quarter report is not yet signed off by the Finance and Risk Committee and as a result it will be delayed. It was agreed at the Finance and Risk Committee meeting on the 14th June 2021, to provide the Board with the approved and comprehensive report for their next meeting.

1.2 Overview of progress against 2020/21 business plan objectives - as at 31 March 2021

Objective	On track for completion in financial year - As at 31 March	Progress (% complete) As at 31 March
Raise our profile by taking action in response to the climate and biodiversity emergency		
a. Develop new thought leadership & standards/guidance for members on climate/environment		95% - some work ongoing into 2021/2
b. Introduce min. 5 hours CPD pa on climate & environmental topics for all LI members		100%
c. Provide events, training & CPD on climate & biodiversity emergency		100%
d. Measure our carbon footprint & work towards net zero		0% - Moved to Q2 2021
Implement new entry standards aligned to new competency framework with a new membership entry system in place for launch in 2021/2		
a. New entry requirements linked to new competency framework agreed by Board by end 2020		100%
b. New landscape ethical principles agreed with IFLA & LI code of conduct updated by end 2020		75% - IFLA delays outside of LI control
c. Update our membership offer to landscape, place & park managers		100%
d. Start new membership application, assessment + P2C & P2T from 2021		30% - project delays due to competing priorities; some planned activities de-scoped.
Increase the number of landscape professionals with the right skills for a changing world		
a. Deliver quality P2C programme for all candidates		100%
b. Expand CPD offering with more locations and more delivery options		100%
c. Grow online recording of LI member CPD (mandatory by 2022/23)		100%
d. Grow pipeline of new students and apprentices		100% -
Grow the membership to admit at least 250 new Chartered members p.a and 100 new Registered Practices by end 2022/3		
a. Improve our offer to members throughout their career		100%
b. Grow membership numbers		100%
c. Increase member satisfaction and engagement		100%
LI 4.0 - Be agile & innovative in the way we do things, to better serve members & stakeholders		
a. Update and embed our values & culture		75% - CEO departure impacted some activities. Remainder complete.

b. Move more services online & embed new ways of working		100%
c. Do BAU better		91% - Outstanding activities to be completed early 2021/2
d. Implement new governance		25% - Original activities superseded by Independent Review.

Not Started	
On Track for completion this FY	
Some risk of not completing this FY (>90% complete)	
High risk of not completing this FY (<90% complete)	
Complete	

Commentary on progress to date:

Q4 was another successful, but challenging, quarter. We made excellent progress against our business objectives for the year and, as shown above, delivered almost all of them.

However, there were significant staff team changes over the quarter which impacted performance and workload. Our CEO left in February and an Interim CEO was appointed in March. We also recruited a new Head of Governance and new Events Marketing Manager to replace staff who had left around December/January.

The Independent Review report was published in Feb 2021 and planning immediately started for its implementation. This additional, unforeseen, work is the reason for most of the delays in the activity areas in the table above. It also impacted the Entry Standards project, as the Project Delivery Manager for that was pulled into the Independent Review project. Entry Standards timelines and deliverables have therefore been largely shifted into the plan for next financial year.

Detailed updates on major workstreams are provided in the next section.

2 Updates on major work streams

2.1 Policy and public affairs

Narrative

We are beginning to see the end of the public policy uncertainty associated with Brexit and Covid-19 in our areas of interest (the built and natural environment). Several long-delayed reforms have now been published, and a busy year is expected. The major Q4 headlines are:

- **Planning reforms:** Following the *Planning White Paper* from 2020, the National Model Design Code has now been published, alongside changes to the National Planning Policy Framework in England. This is a major policy priority for us, and we have responded. We are also working with Natural England on a report linking their Green Infrastructure Standards work to the NMDC – with details to be confirmed shortly. Planning reforms also continue in Scotland. Full details on our website.
- **Green Recovery:** The “10-point Green Industrial Strategy” was launched in November, alongside an announcement of 10 new National Parks and a narrative about the importance of landscapes, which is a positive indicator for our sector and our Greener Recovery campaign. The Budget in March announced a further £40m for the Green Recovery Fund. Briefing on our website.
- **Brexit:** the *EU-UK Free Trade and Cooperation Agreement* was passed in December, along with a host of Brexit-related legislation, incl. the *Agriculture Bill* which we have been working to influence. The Brexit uncertainty for our sector is largely minimal now, however some reforms are still to-come, most notably reforms to immigration in June, which will include changes to Mutual Recognition of Professional Qualifications (MRPQ) which could affect landscape practitioners from overseas. A full briefing is on our website.
- **Biodiversity net gain:** The *Environment Bill* was not passed as expected, and is now anticipated in Autumn, which leaves BNG (and other environmental policies) not yet statutory. Work continues with partners on design of BNG, and we sit on various Defra roundtables. The small-sites metric was expected as part of the BNG Metric 3.0, however this has been delayed until June.
- The long-delayed *England Tree Strategy*, the *Peat Strategy*, and various others have now been published (June 2021) as have detailed of the Government’s upcoming legislative agenda.

Reactive policy work:

During Q4, we responded to the following external issues. We have begun tracking and monitoring a wider range of our policy work through Monday.com (not just consultation responses as before) to reflect a more flexible approach to policy, and this is included below.

Title	Date	Type	Region	Policy Theme	Latest Notes
SDG Open Letter on Wellbeing and Sustainable Development Bill	2021-01-15	Campaign / Letter	Scotland	Cross-cutting	Response submitted
Scotland's Third Land Use Strategy	2021-01-17	Gov Consultation	Scotland	Land	Response submitted
Permitted development rights for housing and infrastructure	2021-01-28	Gov Consultation	England	Planning	Joint response submitted with RTP1 through CIC
Water Quality in Rivers Inquiry	2021-02-05	Cmtt Inquiry	England	Water	Joint response submitted through SuDS Leadership Group
Joint letter on PDR for high streets	2021-02-08	Campaign / Letter	England	Planning	Signed

NIC Environmental Net Gain paper	2021-02-08	Ongoing issue	England	Infrastructure	Result of previous advocacy
A National Mission with Local Impact: Infrastructure Investment Plan for Scotland 2021-22 to 2025-26	2021-02-04	Ongoing issue	Scotland	Infrastructure	Response submitted
Manual for Streets re-write	2021-03-17	NDPB Consultation	UK Wide	Transport	Contributed through workshops
National Model Design Code and NPPF beauty	2021-03-27	Gov Consultation	England	Design	Response submitted

3.1.1. Climate and Biodiversity Policy Action

Area	Update
Landscape for 2030 report	Our Climate and Landscape Case Studies report was published in Q4, and given the title <i>Landscape for 2030</i> . This report seeks to situate the landscape sector as part of the solution to climate change, and will be used for forthcoming influencing, including at COP26. This meets the Board's request for us to republish our 2008 position statement. We secured £5k sponsorship for the report.
COP26	We submitted three applications to be part of the COP26 event in November 2021 – one unilaterally, and two with partners: with the UK Green Building Council and the Environmental Policy Forum. We have also submitted an application for observer status at the UN event. We are speaking to our international counterparts through IFLA about the potential of a joint statement about the profession's commitment to climate change.
CIC Climate Action Plan	Work continued on the CIC Climate Action Plan, which the LI has been a major contributor to. We are working on the areas related to adaptation/resilience, and ethics/conduct. We are also working with the RTPI on their strand related to land use and transport. A call for volunteers will go out shortly.

2.2 Technical standards

The new Head of Standards joined the LI in December 2020 and has been working with the TC on priorities and risks for the new financial years, as well as looking at creating robust ways to develop technical content going forwards.

Key activity	Impact/result
Publication of 2 new TGNs and 1 TIN since January 2021.	We continue to provide relevant and up to date technical guidance to our members.
Influencing standardisation activities through third-party collaborations. The LI has now joined the UK BIM Alliance and our members continue to play key roles in third-party standards with UK Forestry Commission, Building with Nature, BSI, IEMA and CIEEM among others	Influence and relevance can be achieved in a variety of ways and it should be recognised that we can't and shouldn't respond to technical risks just by creating new technical output under the LI banner. Visible and effective collaboration with other bodies ensures that the voices of our professionals are heard and also widens our sphere of influence.
Reviving and monitoring the work of the sub-groups.	Monitoring the composition and activities of the working groups and feeding these back to the TC is important for visibility and resource planning. The GLVIA Panel composition has been reviewed and updated, and the biosecurity group is in the process of being revived, albeit under slightly different

	terms. The digital practice group now have even stronger links to the UK BIM Alliance, thanks to our formal partnership.
New commissioning and development process for technical guidance	A new commissioning and content development process has now been agreed with the TC. The benefits of this are: better visibility, more conscious commissioning (i.e. why are we really commissioning something?), better resource planning and collaboration with external/internal stakeholders, including consultation with our members.

2.3 Competency framework / entry standards project

The Competency Framework and Membership Entry Standards were signed off at October's Board meeting and were published online at the end of December 2020, following approval of the launch plan at Board in December. The webpages were then promoted early in the new year to the membership and associated audiences, as part of an integrated, longer term marketing plan.

Work has progressed in finalising eligibility requirements, assessment processes, and communication plans. Market segmentation work has been undertaken and timescales for implementing experienced routes to membership progressed, alongside plans for examiner, mentor and supervisor training. Requirements gathering for the development of the new P2T and P2C online systems has begun, including defining the role of a Business Analyst role to support implementation.

Achieved 1 January to 31 March 2021

Key Activity	Impact/Result
Pathway guidance drafted	Needed in order to support candidates once pathways live.
Proposals for revised accreditation processes drafted	Able to now consult key stakeholder groups in Q2-3.
Experienced routes to membership finalised and approved	Allows staggered launch of experienced routes in late 2021
Communications plan developed	For 21/22. Groundwork communications defined with grade and sector specific comms scoped for later in the year and assets produced.

2.4 Digital upgrade

With the decision to pause all face to face activity in response to COVID-19, the digital upgrade programme has become more important than ever. This quarter, we continued to improve our online services while also moving more of our operations online so that we could continue to service members with minimal disruption.

Achieved 1 October to 31 December 2020

Key Activity	Impact/Result
LI Campus	We ended the free Campus offer to all members on 30 September, instead making it free for Students

	and Affiliates, and 25% off for other member grades. (The free student offer drove a spike in applications for membership) We continue to add content from our webinars and online CPD days - we added 10 events to Campus during the quarter and now have 36 events available to watch.
LI Connect – on hold until Q4	The development work on LI Connect is complete but it needs some further work (eg FAQs and marketing) to make it ‘customer-ready’ and run a pilot. Our Head of Standards & Education and our Membership Marketing Manager will be doing this in Q4.
Online CPD Recording system	This launched to members on 1 July 2020 and we have had no major problems with the system. The system was reviewed in August 2020 and again at the end of March 2021. Take up has been strong, with over 42% of members having entered something into the system at the end of March 2021. We expect this to increase as we reach the end of the CPD year in Q2.
Move to remote working/no face to face	Staff team continued to work effectively entirely remotely. All meetings (eg Board, Committees) and other activities (in particular P2C exams) are being replaced with online alternatives.
LI Awards	This year, we ran our first online Awards ceremony on November 26.
Webinars	Our webinar programme has been very successful, and they continue to prove very popular among sponsors and attendees (typical audience is well over 100). Further details in section 3.6 below.

2.5 Membership

In light of the potential negative impacts of COVID-19, we have continued our focus on membership retention/collections, and on getting ready to grow the membership through the year.

Throughout this period the team had continued to support branches. It is encouraging that branches continue to deliver events online which leads to the expansion of valuable content for upload on Campus. Sector outreach has continued through the Parks and Green Space Network and Landscape Management Forum, and developing relationships with key stakeholders such as Building with Nature, Green Flag Awards, Natural England and APSE. The Affiliate marketing campaign slowed due to the Membership Marketing Manager needing to support on the Independent Review, but work has started to update the membership pages, application and payment process. The latest round of Fellows upgrades and Invited Route assessments concluded with new CMLI and FLI members, and with some changes to the processes and greater involvement from EMC, we hope to continue to process applications through 2021. The Registered Practice scheme update has been fully approved with new pricing, criteria and benefits. Further work will be undertaken on this into 2021 to look at where to add value and gain market insights and feedback as to the feasibility of the proposed model. This period has also seen the ongoing partnership with Firestarter Academy to offer discounted training to practices and members around business skills which we hope will continue into 2021.

Key Activity	Impact/Result
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Individual member renewals	In light of COVID-19, this year we offered a 'delayed payment option' for member renewals and we have been less strict than in previous years about striking off members who have not paid by the end of the grace period on 30 September. As of March 31, we expect membership income to end the financial year on or slightly above our budget forecast, even allowing for strike-offs. Our retention rate remains very high.
Registered Practice Renewals	We launched Registered Practice in mid December, slightly later than normal due to staff workload. Renewals rates of Registered practices remained fairly high with no major drop off in membership numbers. (Please refer to the activity further down this table for more information on our plans for an improved Registered Practice scheme.)
Updated Branch handbook	The Branch Handbook, including newly added sections for running online events, was launched as part of an All Branch Committees meeting on 3rd November. The format of the meeting was introductory sessions followed by breakout sessions on skills topics such as branch leadership; digital & comms; events; policy; and education. This allowed members of Branch Committees, both long standing and new, to share ideas and common questions, and to meet the LI staff involved in each area of LI.
Building with Nature (BwN) Campus/Affiliate Partnership	<p>Following further discussions with LI's web developer around LI Campus being a suitable platform to share partner CPD content, we met with BwN in March. The proposed Campus/Affiliate partnership as it stands is as follows:</p> <ul style="list-style-type: none"> • 3 year partnership based on LI Campus • BwN producing 3 CPD pre-recorded webinars in the first year and 5 in subsequent years • Autumn Annual Assessor Forum for Launch of Partnership + LI Affiliate deal in line with this • Autumn to Spring video releases for first year 3 videos • Promotion by LI and BwN to wider network <p>We will continue to have regular catch ups with BwN through Spring/Summer. Alongside this, discussions were held with BwN and LI Technical Committee around BwN's new standards.</p>
Parks and Green Space Network (PGSN)	<p>This quarter has been about forward planning for the parks sector work, including resource planning for when the Parks Development Manager role ends at the end of March.</p> <p>In January there was a whole Network conference to assess progress and set out future priorities.</p> <p>In February the Network steering group met to discuss feedback from the conference and progress of each of the Network working groups.</p> <p>Next steps for the Network were agreed as follows:</p>

	<ul style="list-style-type: none"> • Web site and social media (linked to The Parks Alliance transfer to LI and re-branding to PGSN) • Connecting the Network through LI Connect • Development of Work Plan for 2021/22 • Next Whole Network Meeting/Conference • Progressing work through Working Groups and Steering Group <p>The Professional Home working group met in February to discuss the pathways for parks and green space managers to become members of the LI. We are working with Natural England and Green Flag Award to explore creating a new Professional Development Programme that will provide an introduction to membership through TMLI or CMLI. A draft MOU was circulated to Natural England and Green Flag Award to formalise our collaboration.</p> <p>The Sector Leadership working group met in March to discuss two focus areas: how parks can help tackle inequality; and exploring the role of natural capital investment and the financing of parks.</p> <p>At the Greener Recovery CPD Festival in March, two sessions focused on parks and green space led by our Head of Policy & Influencing, and our Parks and Membership Development Managers.</p> <p>The Network has also formed a partnership with Green Flag Award and the Universities of Leeds and Sheffield to support the creation of a Research Hub for Parks and Green Spaces aimed at bringing green space academics closer to green space policy maker and practitioners. Finally the Network is supporting Green Flag Award in establishing its International Parks and Green Space Resource Hub.</p>
Landscape Management Forum (LMF)	<p>A Forum meeting was held in January 2021 to update on Membership Development work and opportunities to support; Training and Events; Policy and Influencing; and the Entry Standards project. Forum members asked to be able to shape the agenda at future meetings, and allow more time for discussion/networking.</p>
New Affiliate Member Offer	<p>Due to the Independent Review and associated comms needing the Membership Marketing Manager's time we were not able to launch the Affiliate membership offer this quarter as planned. However work started to allow this to happen next quarter including updating the membership pages; creating a new online application form; and building a new payment process.</p> <p>The identified target markets included in the marketing plan for Affiliate are:</p> <ul style="list-style-type: none"> - Non-members within Registered Practices who work in the landscape profession. Discounted Affiliate membership forms part of the updated Registered Practice Scheme.

	<ul style="list-style-type: none"> - Sponsors, several of whom have expressed an interest, and where Affiliate Membership discount can form part of their sponsorship package. - Individuals who have expressed an interest in LI Membership, including those who would be well suited to gaining an LI qualification via the new Entry Standards. - CPD and webinar attendees who have 'opted-in' to be contacted by the LI. - Partnerships such as Building with Nature, Green Flag, and Midlands Parks Forum - Employers linked to sector forums such as NAAONBs and National Parks England.
High Streets Task Force (HSTF)	<p>Training has taken place this quarter with LI members who are on the Expert Register, including an LI run webinar featuring the first LI Member to be involved in a HSTF project. 70 new High Streets have been announced as part of this scheme and members will begin to be appointed during Q2 and 3. A hub page is currently being built on the LI website for the HSTF and various promotional activity has occurred this quarter.</p>
Invited Route to Membership	<p>Following a round of Invited Route assessments in the Autumn/Winter, 5 invited route candidates were interviewed in January and subsequently offered membership, alongside the 9 candidates who did not require an interview and were offered membership in December.</p> <p>All candidates accepted and in total we gained 7 new FLI members and 7 new CMLI members. We held an induction session for new Invited Route members (and FLIs upgraded from CMLI) in early February, followed by the announcement at the AGM supported by a website news story.</p> <p>Off the back of the Autumn/Winter assessments, we proposed a timeline for the next round of Invited Route to take place before May/June 2021 to tie into the new membership year. Due to the CEO departure in early February, the project stalled and further delays were imposed following EMC's paper to Board in February, requesting that the Invited Process be reviewed and greater decision making granted to EMC. In March, Board approved EMC's request, therefore a review will be undertaken with EMC in the next quarter and a new timeline proposed.</p>
New FLIs upgraded from CMLI	<p>In January, the CMLI to FLI upgrade offers made to 7 members were all accepted. We held an induction session for new Fellows (and new Invited Route members) in early February, followed by the announcement at the AGM supported by a website news story.</p>

	Some of the new FLIs also attended the College of Fellows meeting in March. The College of Fellows survey which ran during December put forward several names for FLI nominations as part of the College of Fellows campaign to increase the number of FLIs. In March, FAB was reconvened under the leadership of the new Head of Standards, to discuss a streamlined FLI application and assessment process to ensure that applications are processed regularly, and increasing the number of new FLIs continues into 2021.
Registered Practice Scheme & Engagement	Following the 2020 renewals process in December and into the new year, plans for launching the new scheme were made including online engagement sessions. Further work was undertaken to finalise the subscriptions and pricing model, and papers were approved by FRC and Board in March. In 2021 we will look at ways to add value to the scheme to ensure we are retaining existing practices on the scheme, and growing the scheme by onboarding new practices.
Firestarter Academy Training	With the arrival of the new Events Marketing Manager, we continued to promote the new Firestarter Academy business skills training product for LI members launched in October 2020, including a taster webinar in January. We will review the initial term of the partnership agreement in early April and hope to build on the work to date and continue this training offer to our members.

2.6 Training /CPD/Events and other commercial activity

Quarter 4 has been an extremely busy time for the events and commercial team. Over this period, the events programme has delivered 7 LI webinars, 16 branch webinars, 2 CPD conferences, the scoping of the 2021/22 future programme, continuation of Highgate cemetery competition, scoping of the Carlisle competition and planning around LI Awards 2021. Through the event programme we have reached over 2626 delegates with circa 933 non-members. We enjoyed an income of £65,000, senior level government keynotes have spoken at the events and the content was extremely well received.

In conjunction with the CPD events we have completed the annual review of the events programme which reported positive results. Over the course of the year, we have had 10,128 delegates registered to the CPD/Webinar events out of which 3503 were non-members. We received an income of circa £77,500, our delivery was rated good to excellent and we received an average NPS score of 26 across both functions. Through competitions we enjoyed over 160 entries and an income of £35,000. The LI Award 2020 had record entries, record delegates and an income of £122,096.67 resulting in a contributing profit of £92,277.15.

Achieved January – March 2021

Key Activity	Impact/Result
The webinar programme continues to be well received with strong outreach to both members and non-members. The programme is now fully scope to the end of April 2021. During the period of January to March we delivered the following:	Well received webinar programme with an average NPS score of 24, with 883 non-members in attendance over this period. Feedback was excellent and we achieved a total of 2127 delegates registered to the webinar programme over this

<ol style="list-style-type: none"> 1. 19-Jan, LI Webinar: Placemaking Pioneers - Collaborating with Public Realm Artists 2. 2-Feb, LI Webinar: Technology, People & Place 3. 16-Feb, LI Webinar: Inclusive play in natural environments 4. 18-Feb, LI Webinar: Thamesmead, Living in the Landscape 5. 23-Feb, LI Webinar: MicroSuDs - Saving space and money 6. 16-Mar, The Golden Thread - How to set up your work with the end result in mind 7. 30-Mar, LI Webinar: Materials Matter: A guide to specifying for more sustainable outcomes <p>In conjunction with LI central webinars, 16 branch webinars were also running, with content being supplied for upload to Campus. Leading to richer content being available and accessible online.</p>	<p>period. An overall average of 59.87% conversion of delegates registered to delegates attending.</p> <p>Positive results were reported in the annual analysis of the webinar programme with a total of 8372 registered to attend, including 3098 non-members and an average NPS score of 18.68. An overall annual average of 62.21% conversion of delegates registered to delegates attending was achieved. The webinars were rated good-excellent and £9,500 of sponsorship was realised.</p>
Place, Health and Wellbeing	The event was delivered successfully online and we enjoyed 182 registrations for this event with 20 non-members in attendance. Revenue was strong achieving circa £7000 in ticket sales and Sponsorship of £24,500. Feedback was excellent with the event achieving an NPS score of 39 with a delegate experience reported as good overall.
Greener Recovery Festival	The event was delivered successfully online and we enjoyed 318 registrations for this event with 30 non-members in attendance. Revenue was strong achieving circa £6000 in ticket sales and Sponsorship of £27,500. Feedback was excellent with the event achieving an NPS score of 66 with a delegate experience reported as good to excellent overall.
LI Awards 2021	<p>LI Awards are being planned to be held online on the 25th November 2021. The decision was taken to hold them online for a second consecutive year due to Covid concerns and aligned to our transition to working at Net Zero by 2029. James Wong has been confirmed as the presenter and we have appointed Mammoth as the AV team. Meetings have been held to scope content and plan keynotes with officers and the interim CEO.</p> <p>We have also invested in a backend entry system to reduce staff workloads, improve the entrant experience and encourage an uplift in entries.</p>
2020/21 CPD Conference Programme	Positive results were reported in the annual analysis of the CPD programme with a total of 1756 registered to attend the conferences, including 405 non-members and an average NPS score of 33. The

	conferences were rated good overall and a total £55,000 of sponsorship was realised.
<p>Future CPD Programme</p> <p>Work is now being undertaken to develop the online CPD day offering. Work has also completed on producing a forward events calendar for 2021/2022 looking at staff resourcing and manageable workloads.</p>	<p>All LI Central Events will be held online for 2021/22</p> <ul style="list-style-type: none"> • Fortnightly Webinars from May 2021 • 3 CPD conferences for 2021/22 including <ul style="list-style-type: none"> I. June 15-17th 2021 - Inclusive Environments CPD conference II. September 28-30th 2021 – Design Planning Reforms III. March 2022 – Climate Festival • 3 Masterclasses planned for 2021/22 : <ul style="list-style-type: none"> I. July 8th 2021 - UK BIM Framework II. October 12th 2021 – Introduction to LVIA III. February 1st 2022 - LVIA 2
Journal	<p>Journal themes this year have been: #1-2021Food and land use As we struggle to adapt our personal lives and professional behaviour to the demands of the COVID-19 pandemic and on the cusp of the departure of the UK from the EU, the topic of food merits detailed attention. How we grow it, where we grow it, how we transport it to our homes and the impact that this has on climate emergency are at the heart of our thinking about land, landscape and land use. This edition of Landscape sought to knit together some of these topics by looking at the history of food and land use as well as current practice. #2-2021Light and soundFor those who live in the city, lives are led for much of the year, illuminated by artificial light; yet the efforts that go into analysing the visual impact of changes to the landscape in terms of buildings and other structures are not matched by a similar debate about the way in which light can be designed to illuminate, to dazzle or at times, to destroy. Debates about wasted light are growing and an increased awareness of climate emergency is focusing on the way in which the illumination of buildings, streets and highways is so often a poor use of energy. This edition looked at exemplary lighting schemes, the planning of lighting projects, the visual impact of artificially lit schemes, and the implications for climate emergency of current policies and practice. Upcoming editions include: #3-2021 The Landscape of power Sylvia Crowe published the Landscape of Power in 1958. Publicity for the American edition stated: 'The impact of industrialisation on the world's landscape has hardly begun. Only in close-</p>

coupled nations such as Great Britain can we see the world's future pattern: a landscape increasingly punctuated and criss-crossed by power grids, giant new structures. Miss Sylvia Crowe's unusual new book, *The Landscape of Power*, is an important contribution to wider understanding of the impact of power structures on landscape, and to how they may contribute to the future scene.' This edition will pay tribute to this legacy and, as the UK government struggles to meet its obligation on carbon targets, the impact of power lines, cables windmills, turbines, nuclear power stations and all objects linked to the generation of power, will be explored.

#4-2021COP15 Biodiversity and COP26 Climate Change COP15 is due to take place in October, having moved from May. It will focus on biodiversity. COP26 is due to take place in November either in Glasgow or online. The LI declared a climate and biodiversity emergency and has also published a number of items on the topic including *Landscape for 2030*, pictured here. We have also run the Greener Recovery Festival, a number of CPD events on climate emergency and we are planning a further climate emergency event for next year. Given the commitment that the LI and many of our members have made to both a professional and a personal engagement with climate emergency, it is proposed that this edition reviews our work to date; looks at corporate and some individual achievements; deepens our understanding of the biodiversity emergency; looks to the outcomes and impact of the two COP events and indicates the LI's future plans. To both complement this and to establish a new range of journal content, it is also suggested an increased engagement with our accredited universities by seeking contributions on this topic and also by publishing the first of a series of abstracts of current research of relevance to practitioners.

#1-2022 Inclusive environments

The pandemic has strengthened the need to design and manage inclusive environments which cater for an increasingly diverse population with equally diverse needs. In June the LI is running a 3-day CPD conference which will explore how to adopt an inclusive approach to planning, design and management and the use of creativity and agile thinking to make places that reflect the diversity of people who use them. The event will host thought leadership panels and technical breakouts which will explore legislation, getting inclusive design right, the design process, the value of inclusive community engagement and balancing conflicting requirements. The event is designed to go 'beyond the ramp' and will look at emerging technologies, the legacy of British imperialism, historic approaches to

	<p>accessibility whilst managing and designing these spaces for future use. It is proposed that this edition of the journal builds on the outcomes of the conference. #2-2022Women and landscape architecture/Brenda Colvin 100th anniversary</p> <p>Inspired by a research project managed by Luca Csepely-Knorr called Women of the Welfare Landscape, this edition of the journal will mark the 100th anniversary of the foundation of Brenda Colvin's practice and focus not only on her pioneering work as a woman practitioner but also engage with the wider issues of women in landscape architecture over the past 100 years and into the future. It is also proposed that this edition be guest edited by LI president Jane Findlay whose two-year term of office is due for completion in July 2022. This would therefore be an opportunity to explore a wide range of approaches to this topic and offer an opportunity to reflect on the presidency.</p>
Highgate/Sponsor led competition	<p>The LI has been running a two-stage competition on behalf of Highgate Cemetery. Stage 2 has reached completion and the winners are due for announcement in late May. A sponsor led competition called Transforming the Urban Landscape closed on 4 December having received over 160 entries. These were all judged by an expert judging panel and a winner in both the professional and student categories was selected. The competition sponsors each also chose an accolade winner. Approximately 100 entries were from students and 60 from professionals. Entries were received from around the world from countries including China, Thailand, Denmark, Spain, Turkey and Britain. The competition generated much publicity for the LI across a range of platforms including social media and traditional media. The competition occupies 9 pages of the latest Journal and will feature in a forthcoming article in the Telegraph. A competition for St Cuthbert's Garden Village in conjunction with Carlisle Council is due to be announced in July.</p>
Pipeline Competitions	<p>The team are currently working on building a pipeline of potential competitions for 2021/2022.</p>

	<p>Carlisle - Value £25,000</p> <p>A design competition to generate ideas and select a suitable team to design and deliver the green infrastructure for a new Garden Village to be developed on the outskirts of Carlisle.</p> <p>Polypipe Competition - Value £25,000</p> <p>A sponsor lead competition concentrating on collaboration between sectors on implementing effective suds schemes.</p> <p>Sponsor Lead Competition - Value £25,000</p> <p>Building on this year's successful sponsor competition the LI is looking to repeat an ideas comp for 2021/22 financial year</p> <p>Ebbsfleet- Value £25,000</p> <p>Ebbsfleet Development Corporation have approached the LI for a quote on a potential two-stage competition starting in Autumn 2021. The brief will focus on a challenging vertical site, one of seven, that Ebbsfleet are tackling in their next phase of development.</p>
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2.7 Sponsorship

Due to Covid 19, the team continue to review and develop new sponsor offerings. This has been very well received leading to a total of £253,000 being obtained against the annual forecast of £213,000. Due to restrictions around Covid and subsequent staff resource challenges, we made the operational decision to remove two events from the calendar namely Accounting for Landscape and Graduation Ceremony, despite this we overachieved as compared to budget. We have seen a small uplift in secured sponsorship in the last quarter of the financial year and a sponsor competition has been delivered totalling £25,000. Pipeline has continued to be developed for next year including a potential income of £25,000 being realised for a competition in quarter 1 2021/22. All awards categories were sponsored and we have started discussions with Sponsors for the 2021/2022 forward programme of events. Initial discussions are going well and the appetite to support the LI is strong.

Total Obtained	£253,000 (Including event, competition and journal sponsorship)
Total Annual Forecast 2020/2021	£213,000 (please note this includes Accounting for Landscape CPD event and Grad ceremony which are now not scheduled due to Covid 19 and complications in holding these events)

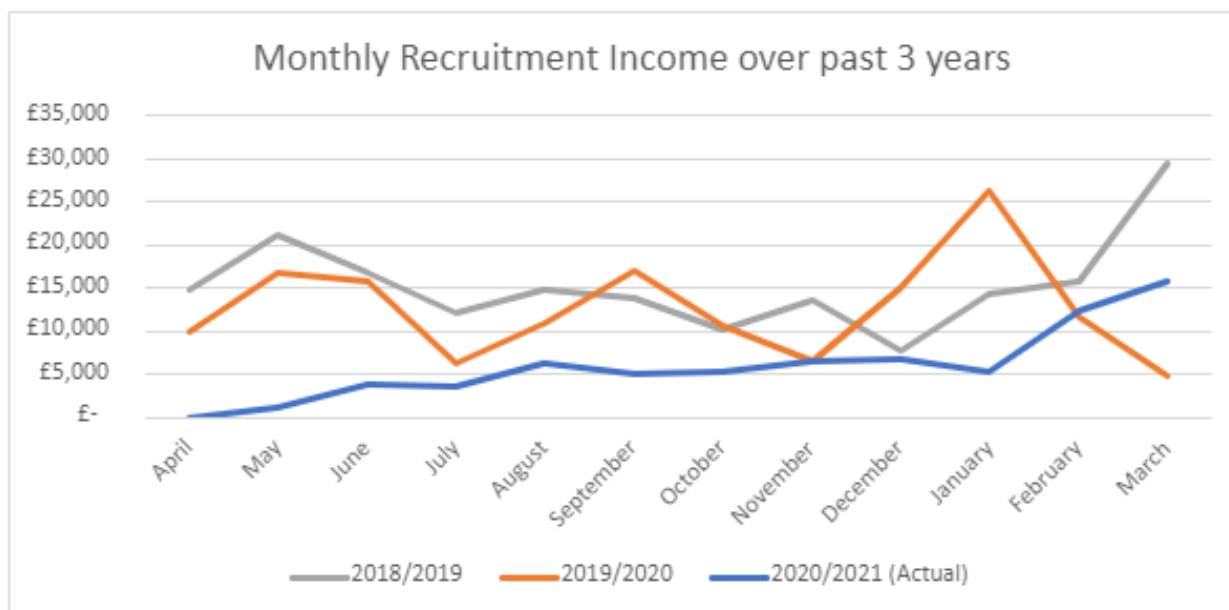
2.8 Recruitment website income

COVID-19 has had a significant impact on job advertisements since April with very few jobs being advertised compared with previous years. This is a reflection of the uncertain economic environment due to COVID and we have little control over this income stream. As shown in the chart below, the recovery in this income

stream is quite slow over this year, and we have not had significant multi-job purchases (like those shown as spikes in March 2018 and December 2019).

That said, we have offered recruiters extended adverts during this period to maintain inventory on the Jobs website and have launched new product offers (eg lower-cost short-term project advertisements) to try to grow this revenue line during a time of deep economic uncertainty. As part of the Registered Practice offer, we have offered a 10% discount for Registered Practices for the first 50 advertisements made this year and had some take-up.

For the 2021/2022 finance year we have a budget of £100,000 but we envisage we will be able to exceed this and gain nearer pre-covid levels of job advertisement, we hope to achieve this due to additional staff resource with a focus on growth of the jobs board, and also improving the offer.



2.9 Our people, values and culture

Key Activity	Impact/Result
Diversity & Inclusion	Action plan went to board by December 2020. Continued engagement with D&I working group
Acting on issues raised in employee survey	<p>Workload – As approved by Board, we hired several much-needed contractors and FTE roles to address workload issues and enable us to deliver our annual business plan.</p> <p>Two workstreams continue with employees across all levels of organisation in partnership with board members</p> <ul style="list-style-type: none"> - Career development - training and development set to be a major focus in Q3 & Q4 - Better communications & planning (initiatives so far have included revising reporting from the Senior Management team to the rest of the staff, a 'Roles and

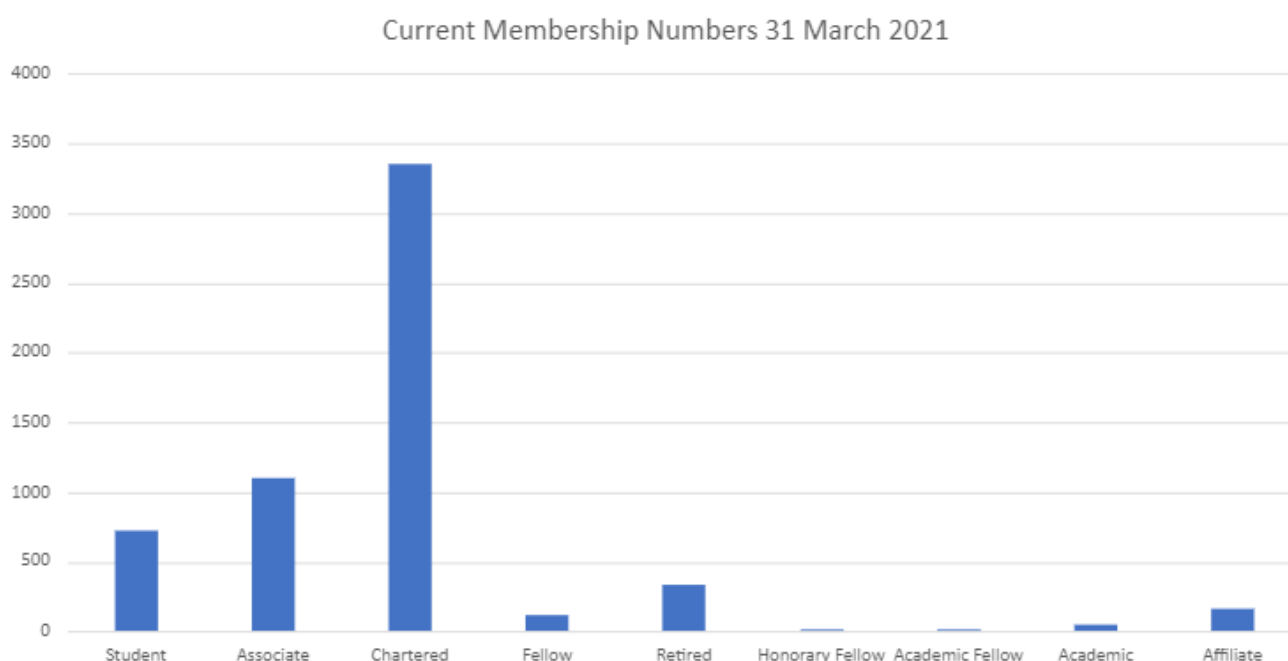
	<p>Responsibilities' board so staff understand each others roles better and more project leader to staff briefings on key initiatives)</p> <p>Well being is being addressed through</p> <ul style="list-style-type: none"> - Offer of support for people's home offices chairs & monitors/stands etc - Regular online social events for team members as well as team meetings & 1:1s - 'Resilience training' – half day session for all staff in November. - Mental Health training was being rolled out to managers in the spring, with 2 volunteers from the management team trained as Mental Health first aiders.
Improving values & culture	<p>Employee, AdCo & Board members identified to be involved. Awaiting recruitment of Hon Secretary to start this stream again.</p>

3 Membership Performance- Individual members

3.1 Membership Figures – Past 3 years

The table below compares membership numbers for each grade of membership over the past 3 years. The chart shows the current split of membership across the different grades.

	31 Mar 2019	31 Mar 2020	31 Mar 2021	YOY Change (2020 to 2021)
Student	497	601	720	21.46%
Associate	1114	1083	1104	1.94%
Chartered	3375	3398	3351	-1.38%
Fellow	89	97	123	26.80%
Retired	332	331	337	1.81%
Honorary Fellow	9	10	10	0.00%
Academic Fellow	2	2	3	50.00%
Academic	50	53	56	5.66%
Affiliate	159	170	163	-4.11%
All Corporate members	4630	4633	4647	0.30%
Total	5627	5745	5877	2.29%



Commentary on membership figures:

Overall membership still remains stable with a small increase in corporate memberships, this is less than normal due to the reduction in P2C exams.

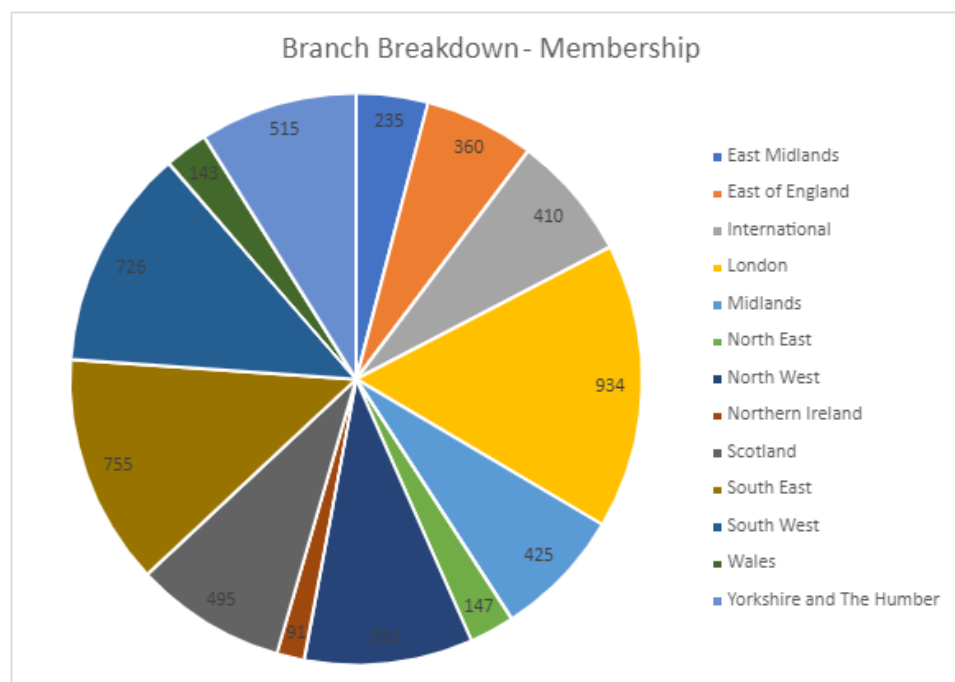
Student numbers continue to rise due to increased engagement with some of the universities. The free Campus offer to students has also driven growth in this member grade.

We expect Associate numbers have remained stable and should increase once we introduce a new Pathway system as part of the Entry Standards project, we are not focusing on growth until then due to stability / user experience issues with the current system. We also expect to move more students to Affiliate/Associate membership once entry standards project completes.

Fellows will continue to rise as we have a number being invited into this grade via the Invite route. Currently we have 20 approved fellows awaiting confirmation.

The slow growth in Chartered members is due to the postponement of Pathway exams. COVID-19 has slowed the progression of Associate members to Chartered grade, so Chartered members who leave or change to Retired are not being replaced as quickly as in previous years. As expected, Chartered members did grow as we were able to offer more exams through this quarter.

Membership Breakdown by Branch:



3.2 New membership growth

Our new members (i.e. not upgrades) to 2020/2021 Q4 financial year are split as shown below. This is a measure of the LI's membership pipeline.

Total new corporate members at 31 Mar for FY	183
Total new non-corporate members at 31 Mar for FY	234

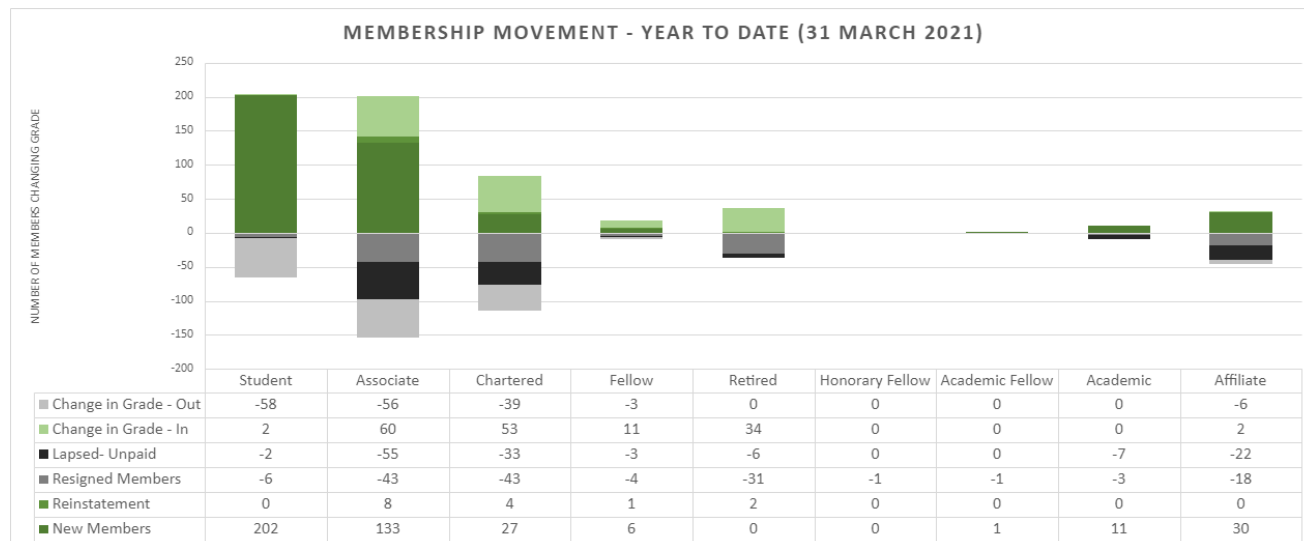
During the same period in 2019/2020 we had **235** new corporate members and **190** non corporate members.

We had expected lower membership growth this year due to COVID, so have been mitigating this through our focus on the invited route and promoting the new Affiliate offer. We had an unexpected rush of Student applications in late September/early October, attracted by the free Campus offer.

3.3 Membership change by grade - joiners, upgraders, leavers – in 2020/2021 financial year

Members often change grade over their lifecycle. For example, someone may join as a Student member, then move to Licentiate, then upgrade to Chartered.

The chart below shows how many members entered or left each grade of membership, whether by joining/resigning from that grade, or moving to/from another grade, for this financial year. This gives a fuller picture about the movement of members, and the stages where they join/leave the LI, than is given in the split of members by membership grade in the table above.



3.4 Membership Resignations

Important note: the numbers below do not take account members who were struck off in January for late payment.

This table shows the resignation reasons given by individual members taken from 31 March 2019 and 2020 in appropriate membership year. Numbers are slightly lower than 2019/2020. In future reports we hope to breakdown 'Other' and 'Unknown' into relevant additional reasons.

Resignation Reason	2019/2020	2020/2021
For personal reasons	10	10
I have now retired	22	14
I have decided to change career	17	9
Membership did not meet my needs	5	5
Membership fees too high	1	2
Do not agree with Policy	0	0
No longer required/In Business	38	29
Other/Unknown	30	41
Lapsed (None Payment)	129	122
Total	252	232

3.5 P2C Performance Metrics

The table below shows the breakdown of P2C exam results for the last three years. Actual YTD taking into account exams taken between 1st April and 31 March.

		2018/2019	2019/2020	2020/2021 Target	2020/2021 Actual YTD
P2C Exams	Took Exam	171	157	157	79
	Passed Exam	145	127	127	58
	Pass rate	85%	81%	81%	73%

Commentary

This year, we have had to cancel the May and November 2020 face-to-face exams due to COVID, impacting over 100 candidates.

We have examined 79 candidates (of whom 58 passed) through these online exams and we have expanded the number of exam slots.

We have found that offering online exams is more resource-intensive than the face-to-face exams and we are also finding it challenging to source enough examiners for the planned schedule. We have allocated additional LI staff resource to this and are working closely with the examiners and other P2C volunteers to build a sufficient exam pipeline.

4 Membership Performance - Registered Practices

4.1 Registered Practice Figures – Last 3 years

The table below shows the number of registered practices by size over the past two years.

	31 Mar 2019	31 Mar 2020	31 March 2021	Growth % vs 2019
Sole Trader	3	0	0	N/A
1 - 2	175	179	176	-1.67%
3 - 5	98	105	111	5.71%
6 - 10	86	81	77	-4.94%
11 - 20	48	54	54	0.00%
21+	70	67	65	-2.98%
Total	480	486	483	-0.62%

Commentary

Registered practice numbers have remained largely stable over the past 2 years, as new members are balanced by churn. We believe Registered Practice income is an area of risk due to COVID-19 and we are redesigning the offer during 2020/2021 so that we can protect (and potentially grow) this revenue area. Above data suggests practices in the mid-size are shrinking slightly.

4.2 New registered practice membership growth

The number of new registered practice members in 2020/2021 is shown below. We have a target of 50 new practice memberships this financial year, which we are unlikely to reach due to staff workload and delayed recruitment because of the COVID pandemic.

New registered practice members at 31 Dec 2020	21
Reinstated Registered Practice at 31 Dec 2020	2

4.3 Registered Practice Resignations

This table shows the resignation reasons given by practices. We only started recording this in 2019 so we cannot yet compare trends over time. We expected this number to peak in Q4 of which has not happened, this is likely due to practice memberships having not lapsed yet, and them not having their membership cancelled.

Resignation Reason	2019/2020	2020/2021
Disagree with LI Policy	0	0
No longer Required	11	5
Resignation - No CMLI/FLI in office	2	1
No longer in Business	7	2
Other	6	4
Membership fees too high	2	1
Did not meet my needs	2	0
Membership Lapsed Unpaid	5	11
Total	35	22

5 Branch Event Activity

Figures below have been collected from the branch Eventbrite system and only represents events recorded on this platform. Not all branches have migrated to this platform, and future work will be done to ensure this is actioned and the LI leadership team have clear future of work carried out by our branches. Attendees is those registered /paid for the event and thus may not be a true representation of member attendance.

Branch Events – 1 January to 31 March (Q4)

Branch	Event Name	Event Date	Attendees
South East	LI South East: Project Showcase	24 March 2021	30
North West	LI NW Engaging Digital Solutions for Public Open Space	17 March 2021	74
North West	LI NW Landscape Visualisation: RHS Bridger water by University of Salford	10 March 2021	115
London	LI London: Webinar with Alexandra Steed Urban (ASU)	1 march 2021	304
South East	LI South East: Committee & Social Catchup	1 March 2021	4
North West	LI North West: The Future of Ancoats	26 February 2021	75
North West	LI NW P2C Surgery Session	26 February 2021	15
East of England	LI East of England: Prosecco and Chocolates – Virtual Winter Social	23 February 2021	35
South East	LI South East: Himalayas and Ecosystem Restoration	20 February 2021	85
London	LI London: London's Roof Gardens Debate	16 February 2021	193
London	LI London: Introducing the 'Miyawaki' method and the TCV	2 February 2021	249
London	LI London: Virtual P2C Speed Quiz	19 January 2021	13
London	LI London: Virtual P2C Speed Quiz	12 January 2021	9

Future Events – 1 April to 31 June (Q1)

Branch	Event Name	Event Date	Attendees
South West	LISW Webinar – Climate Change, Tree & Vegetation	14 June 2021	56
Midlands	LI Midlands Branch AGM 2021	17 June 2021	18
Yorkshire and Humber	LIYHB AGM – The future of Urban Landscape	8 June 2021	45
South East	LI South East Committee & Social Catchup	7 June 2021	2
South West	LISW Webinar – Establishing and Maintaining Wildflowers Successfully	25 May 2021	123

South East	LI South East: Committee & Social Catchup	10 May 2021	5
London	LI London AGM: A foot around London	29 April 2021	54
East of England	LI East of England: Virtual AGM	29 April 2021	30
South East	LI South East AGM	28 April 2021	22
South West	LI South West AGM and Webinar – A Landscape Contractors Perspective	22 April 2021	95
East Midlands	LIEM AGM: Reversing the decline: a guide to understanding Biodiversity Net	22 April 2021	66
South East	LI South East: Committee & Social catchup	13 April 2021	284
North West	LI North West AGM	13 April 2021	10

No other event information provided from other branches.

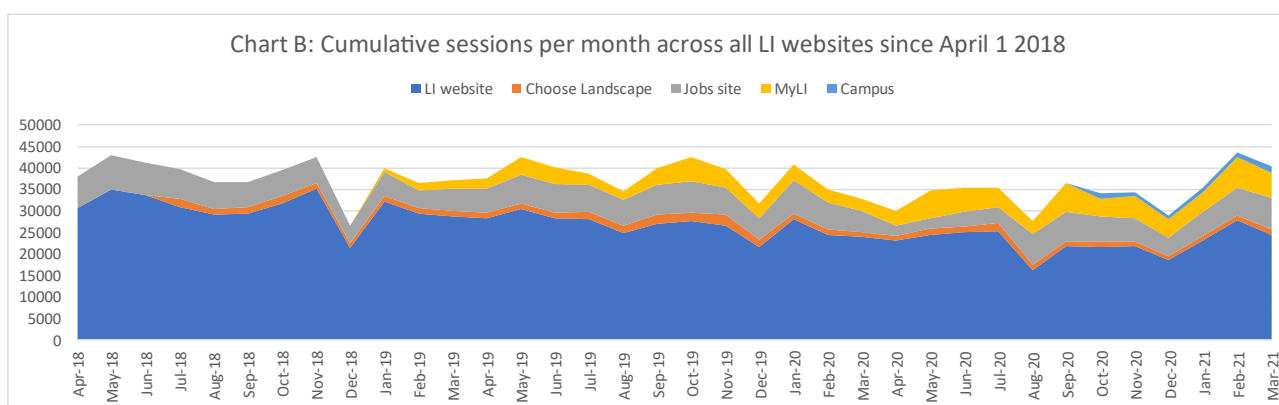
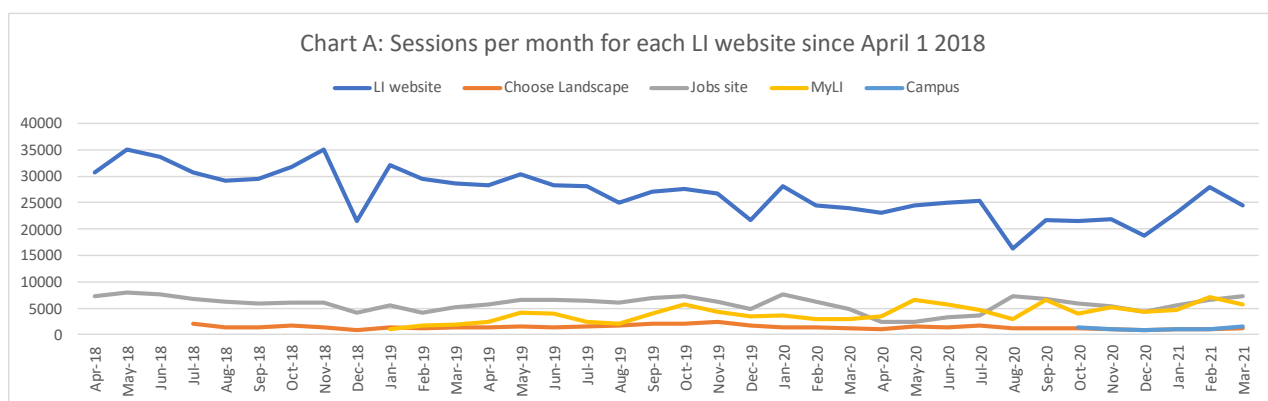
6 Marketing and Audience Metrics

6.1 LI-managed websites – number of sessions per month since 1 April 2018

The charts below show the trends in online traffic since the beginning of the 2018/2019 financial year.

Chart A shows the number of monthly sessions for each LI-managed website – it indicates traffic trend over time for each site. Websites such as ChooseLandscape and MyLI which were launched after the beginning of the reporting period will show from their launch month.

Chart B shows the cumulative number of sessions across all LI-managed websites – it indicates the LI's overall online audience, and how the share of traffic changes over time.



Commentary on website trends

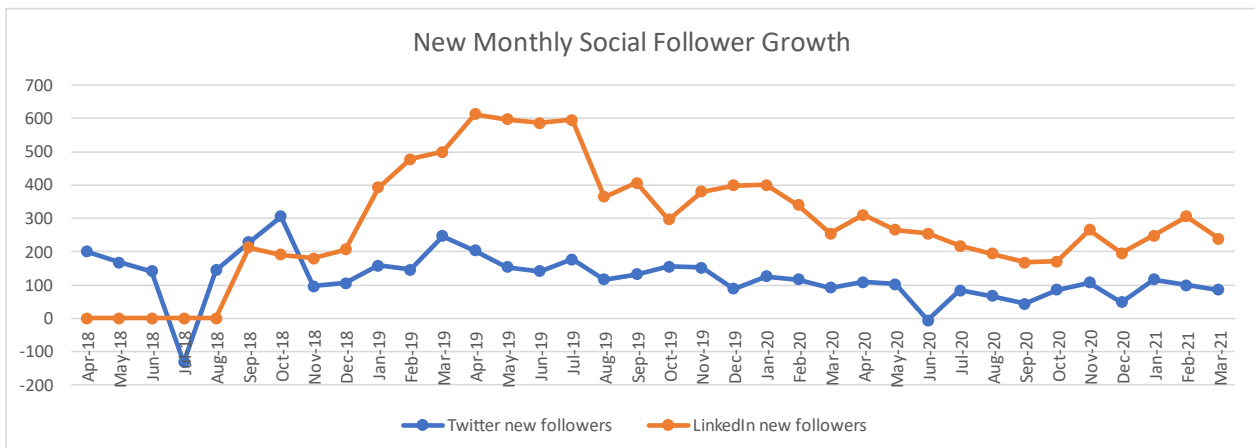
Traffic to the main LI website has been declining over time. This is partly explained by some services (eg the old member portal and old member directory) - and their associated traffic - being moved from the LI website to MyLI. However, the decline accelerated during 2020 and the cumulative traffic across all properties was down during that calendar year. Since January 2021, we have increased our marketing resource and overall traffic is increasing.

6.2 Social media and email channels

The number of followers/subscribers across the LI's social media and email channels are shown below:

Channel	Followers / subscribers (31 Mar)
LinkedIn	13, 100
Twitter – LI main	33,900
Twitter – Chooselandscape	1790
Instagram	6374
Youtube	2370
Vista	7307
Facebook (Chooselandscape)	654

The chart below shows the monthly follower growth across Twitter and LinkedIn, the channels which members have indicated are most relevant to them:



Commentary on social and email audiences

We continue to grow steadily across all social and email audiences. With a larger marketing team in place from early 2021, we will focus activities on growing our social and email audiences again as these are cost-effective ways of expanding our reach and promoting our services.

Independent Review Update

From Review to Delivery

July 2021

 www.landscapeinstitute.org

 [@talklandscape](https://twitter.com/talklandscape)

**Landscape
Institute**
Inspiring great places

Independent Review Implementation Steering Group (IRISG)



- Steering Group set up in April 2021
- Provides oversight of progress and provides strategic direction to Independent review implementation
- 5 meetings have taken place so far
- Membership
 - President - Jane Findlay
 - Interim CEO – Jane Swift
 - VP – Carolin Göhler
 - Hon Sec – Keren Jones
 - Independent member from finance and risk committee – Jim Smyllie
 - Programme Manager and member of staff team – Ruth Lake

Achievements so far...

1. Selected, approached and appointed Convenors to head up the 5 Working Groups
2. Agreed programme and process documentation and reporting inc. Terms of Reference and Risk Register
3. Appointed 'buddies' from within the IRISG to support WG Convenors
4. Agreed a communications strategy
5. Provided background insight and information from cross over projects to the relevant Working Groups
6. Working Groups populated with staff and members and initial working group meetings taken place



Independent Review Implementation Working Groups (IRIWG)



Workstream 1.

Improving strategic delivery through a change programme

Members: Annie Coombs (Convenor), Marc Van Grieken, Natasha Jones (with support of Sue Evans)

Staff: Ben Brown and Ruth Lake

Buddy: Jane Findlay

Recommendations:

1. Establish a Change programme
- 2 Review how Policy and technical content is developed
3. External engagement – how improve
4. Ensure a 3 year strategic implementation plan for LI
5. Improve focus on members
6. Increase member insight
7. Improve member segmentation

Independent Review Implementation Working Groups (IRIWG)

Workstream 2.

Leadership

Members: Mary O'Connor (Convenor), Sue Evans, Rupert Dugdale

Staff: Gideon Opaluwa and Ruth Lake

Buddy: Keren Jones

Recommendations:

8. Appoint a Board Secretary
9. Training for President, President Elect and CEO
10. Board development
11. CEO report to President
12. Support programme for CEO, SMT and Board
13. Reporting by Committees
14. Transparency of minutes
15. Risk Management
16. Conflict of Interest/Whistleblowing



Independent Review Implementation Working Groups (IRIWG)



Workstream 3.

Improving the environment for staff, volunteers and members

Members: Ruth Shelton (Convenor), Donald Roberts, Louise Ball and Akash Wadhawan

Staff: Gideon Opaluwa and Ruth Lake

Buddy: Carolin Göhler

Recommendations:

17. Refresh Regulatory pool
18. Review Code of Conduct
19. Disciplinary action
20. Volunteering
21. Targets around satisfaction
22. Whistleblowing
23. Staff survey
24. Feedback on CEO

Independent Review Implementation Working Groups (IRIWG)

Workstream 4.

Adjustments to existing governance arrangements

Members: Kate Bailey (Convenor), Romy Rawlings, and Bill Blackledge

Staff: Gideon Opaluwa and Ruth Lake

Buddy: Jim Smyllie

Recommendations:

25. Proposals 26-31 agreed with Board

26. Changes to elections for core roles

27. Finance and Risk Committee

28. Skill sets of trustees

29. Regulatory sub committee

30. Review Technical and Policy needs

31. Appointments process



Independent Review Implementation Working Groups (IRIWG)



Workstream 5.

Improving resource and operational management

Members: Michelle Bolger and Mat Haslam

Staff: Jane Swift (Convenor), Andy Morris and Ruth Lake

Recommendations:

32. CEO focus on operational improvement

33. Skills audit

34. Head of Finance

35. Service Standards

36. Financial audit

37. IT Audit

Timescales: (from now to end of July 2021)

- Steering Group meeting monthly
- Working Groups meeting fortnightly
- Five working groups established to:
 - Deliver Early Action Programme for priorities and ‘quick wins’
 - Shape and plan the Main Change Programme (2 year programme)
- Deadlines extended to end of July to allow for greater development and insight generation

Break out questions:

Group 1 and 2:

What would the Independent Review Implementation need to do to be considered a 'success' in your view?

Group 3 and 4:

What are the priorities the Steering Group should consider when it comes to communications?

Thank you



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Advisory Council - 08 July 2021		Paper for:	DECISION
Agenda Item 6i	Digital approach to General Meetings		
Paper authors:	Emma Wood Governance & Regulation Manager		
Summary of paper:	Plan for updating governing documents to fully support digital General Meetings (AGM/EGM)		
Council is asked to:	Support the paper and the recommendations at item 3		

1 Background

The LI usually holds a hybrid AGM via a third party electoral services company (currently Mi-Voice), with the majority of voting taking place in advance with a smaller number of members choosing to vote in person at the meeting

When planning the 2020 Annual General Meeting (AGM) the Covid-19 pandemic meant that physical meetings could not take place. As the holding of an AGM is a regulatory requirement the LI had to move from the usual hybrid approach to a fully remote or digital AGM

The LI's By-Laws are silent on conducting the AGM virtually, but they do not prohibit it and as such the Board followed Charity Commission C-19 guidance that where governing documents do not explicitly state virtual meetings can be held, that Trustees approval is required for this to happen

Board agreed to commission the Governance Consultant to redraft Part 2 of the Regulations (and the By-Laws if required) to allow for flexibility regarding AGM format, proceedings etc and in particular to support digital general meetings going forwards

2 Phased plan

2.1 Phase 1 – simple Regulations mark up

As there are a number of issues being considered as part of the Independent Review it makes sense to bundle all proposed By-Law changes together so they can be dealt with at a single AGM followed by a combined approach to Privy Council and a single published edition of the By-Laws

To clarify the situation regarding holding digital general meetings Board propose the following edits to the Regulations:

Reg 8.2 No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting proceeds to business. Save as otherwise provided in these Regulations, ten Corporate Members ~~present in person shall be a quorum~~ **present, in person or via digital / electronic means, shall be a quorum**

Reg 8.6 A poll may be demanded by the chair or by at least six Corporate Members ~~present in person~~ **present, in person or via digital / electronic means**. A poll may not be demanded on the question of the election of a chair of any General Meeting or on the question of adjournment of the meeting. A poll demanded on any other question shall be taken at such time and place and in such manner as the chair of the meeting shall direct, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded

2.2 Phase 2 – expanded mark up of both By-Laws and Regulations

The Governance Consultant has provided suggested redrafts of both the By-Laws and the Regulations that provide the required flexibility as well as an extensive and explicit consideration of all the digital general meeting related requirements including new definitions etc

In light of the proposal at 2.1 above the more extensive redrafts will be considered at the September Board for agreement in principle and then brought to the November strategy sessions. Any agreed

redrafts would not be progressed until the additional proposed governing document amendments are ready to go to a single AGM

3 Recommendations

- i. That Council support the approach at item 2 by:
 - a) Supporting the simple mark up of Regulations 8.2 and 8.6
 - b) Agreeing that the more extensive proposed redraft of the relevant By-Laws and Regulations go to the November strategy sessions

ENTRY STANDARDS PROJECT AND APPRENTICESHIPS UPDATE

08 July 2021



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Update focused on Entry Standards Project Objective:

To develop entry standards that are welcoming and inclusive to all landscape disciplines and a broad range of potential members

Technician – Competency Requirements

Additional Landscape Competencies

Members will be required to meet a selection of these competencies based on their knowledge and experience

All applicants

All applicants for Technician Membership must achieve all the Core Landscape Competencies and either one or two Additional Landscape Competencies to the following levels:

7 to Level D
AND EITHER:
5 to Level C (which must include Sustainability, Climate and Resilience)
OR:

1 to Level B and 3 to Level C (one of the Level C choices must be Sustainability, Climate and Resilience)

Choices must:

- Be no more than 1 from:
 - Contract administration (must be taken to level B by anyone wishing to work as a Contract Administrator)
- And no more than 1 from:
 - Contract management
 - Design – garden
 - Design – landscape
 - Design – public realm

Level A Expert
Level B Accomplished
Level C Able
Level D Understanding

Core Landscape competencies

Professional competencies

Members need to achieve all competencies at levels indicated:

Level D
Level C
Plus one from the list to Level C

Chartered Member – Competency Requirements

Additional Landscape Competencies

Members will be required to meet a selection of these competencies based on their knowledge and experience

All applicants

All applicants for chartered membership must achieve all Core Landscape Competencies and five Additional Landscape Competencies (16 competencies in total) to the following levels:

9 competencies to Level B (this must include Sustainability, Climate and Resilience) and:
7 competencies to Level C

Choices must:

- Be no more than 1 from:
 - Contract administration (must be taken to level B by anyone wishing to work as a Contract Administrator)
- Contract management
- And no more than 2 from:
 - Design – garden
 - Design – landscape
 - Design – public realm

Chartered Landscape Architect Pathway

Subject to the requirements for all applicants those wishing to use the title Chartered Landscape Architect must include in their choices:

A minimum of 1 at Level B from:

- Design – garden
- Design – landscape
- Design – public realm

A minimum of 2 (at Level B or C) from:

- Contract administration or Contract management
- Landscape assessment
- Landscape construction (materials and systems)
- Landscape planning and/or policy
- Master planning
- Planting and horticulture
- Procurement and tendering
- Visualisation and photography
- Water management

Core Landscape competencies

Professional competencies

Members need to achieve all competencies at levels indicated:

Level B
Level C
Level D

Level A Expert
Level B Accomplished
Level C Able
Level D Understanding

Apprenticeship update

- Both Apprenticeships now fully approved
- 9 apprentices have started on the Landscape Technician Apprenticeship
 - Age range – 16 to 38
 - Employers – one third Local Authority, two thirds private sector
 - Studying online
- Funding now agreed for both Apprenticeships - £9000 for Landscape Technician and £25,000 for the Chartered Landscape Professional
- Provider meeting to be held on 19 July to discuss provision

ROUTES TO TECHNICIAN MEMBERSHIP

All candidates will be required to meet the competencies for Technician membership and to pass the P2T assessment

Pathway to Technician

- Must hold a relevant Level 3 (or higher) qualification and at least 2 years relevant experience or have at least 4 years relevant experience
- All candidates will undertake a period of P2T experience, prepare development logs and undertake supervisor assessments

Landscape Technician Apprenticeship

- Will typically hold 5 GCSEs at Grade 4 (Grade C) or higher including Maths and English
- Two year programme including academic study and work experience (incorporates the P2T period of experience and assessment)

Experienced Route

- Must hold a relevant Level 3 (or higher) qualification and at least 4 years relevant experience or have at least 8 years relevant experience

ROUTES TO CHARTERED MEMBERSHIP

(all candidates will be required to meet the competencies for Chartered Membership (either Chartered Landscape Architect or Chartered Landscape Professional) and to pass the P2C assessment)

Pathway to Chartership

- Must hold a fully LI accredited degree or a recognised degree and required period of experience
- All candidates will undertake a period of P2C experience, prepare development logs and undertake supervisor assessments

Chartered Landscape Professional Apprenticeship

- Entry requirement as for accredited degrees
- Typically a 5 year programme incorporating LI accredited degree (s) (under and post graduate) and the P2C period of experience and assessment

Experienced Route

- A relevant degree or membership of an LI approved body and at least 10 years relevant experience or
- A Technician member with at least 8 years relevant experience and a minimum of 400 hours of targeted learning

Equivalent Chartered status

- As existing – passed or holds an equivalent Chartered status in another country. Assessment will depend upon equivalence

ROUTES TO FELLOWSHIP

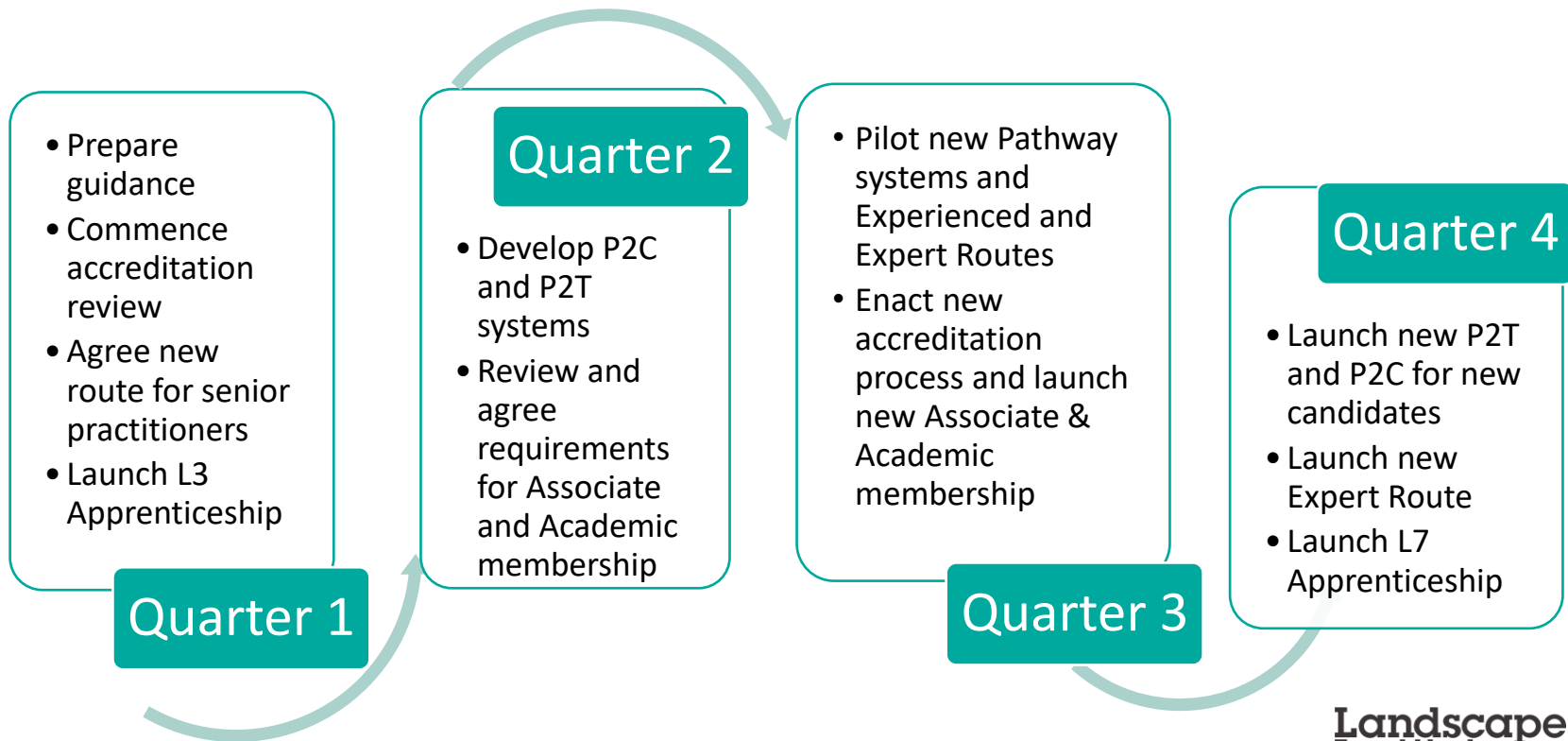
CMLI upgrade

- As existing

Expert Route

- A landscape related degree or equivalent professional qualification and at least 10 to 15 years experience (depending upon level of qualification). At least 5 years of experience must meet the expert requirement (Level A in a Core or Additional Landscape Competency) or involved in landscape work that is entirely strategic. (this will replace the Invited Route).
- Must pass Expert Route assessment – written reports and 1.5 hour professional discussion
- Candidates will be expected to meet the requirements for both Chartered Membership and Fellowship. If they do not meet the requirements for Fellowship they could be elected CMLI

Key Priorities for this financial year





QUESTIONS & DISCUSSION

Advisory Council Meeting – 8 th July 2021	
Agenda Item: 8 (Including 8i-vi)	Regulations: Disciplinary Regulations, Conflict of Interest Policy, Whistleblowing Policy, Trustees Code of Conduct, President’s Declaration and Vexatious Complaints Policy.
Paper author:	Gideon Opaluwa, (Head of Professional Regulation) supported by Keren Jones (Honorary Secretary) and Jane Clarke (Independent Trustee).
Summary:	The paper presents the copies of the revised Disciplinary Regulations, Sanctions Framework, Working Together Policy, Conflict-of-Interest Policy, Whistleblowing Policy, Trustees Code of Conduct, President’s Declaration and the Vexatious Complaints Policy. The steps taken with these documents are part of ongoing efforts to consolidate the relevant regulatory framework. The documents have been presented to the Board of Trustees for comments/approval. Further details of the stages are next steps are provided in the body of this paper.
Financial implications:	Costs already captured in LI’s 2021/22 Budget. Fees for Contingency Adjudication Pool would be variable depending on need.
Council is asked to:	consider all documents and endorse same.

1. Background

Following the LI’s Independent Review Report dated 19 January 2021 and the recommendations on improving the environment for staff, volunteers and members, this paper summarises the Regulatory steps taken to review the LI’s Conduct and Complaints Policies and Processes.

The documents presented have been presented to the Board of Trustees.

1.1. Disciplinary Regulations

The current disciplinary regulations are outlined in By-Laws 10 (Conduct and Discipline) and 11 (Re-Admission). By-Law 10.6.1 (below) requires us to have an Adjudication Pool (normally referred to as the Regulation or Conduct Pool):

10.6 Adjudication Pool, Panels, the Panel Clerk and the Presenting Officer

*10.6.1 There shall be an **Adjudication Pool** comprising no fewer than 12 persons appointed by the Institute from time to time as eligible to be selected by the Panel Clerk to form part of an Investigation & Screening Panel, Disciplinary Panel, Fitness to Practice Panel, or Appeal Panel.*

Members of the Adjudication Pool are allocated to the relevant panels for investigation/screening, hearings etc.

1.2. Current Pool Membership

The Independent Review Recommendation 17 states that the Board should refresh the disciplinary panel pool and apply the arrangements for disciplinary action in line with section 10 of the by-laws.

The current pool of members was last refreshed in 2015, and after an initial ‘willingness to continue’ check has been done in April 2021, 5 out of 12 pool members confirmed their willingness to continue. As a result, the current pool is made up of 5 LI members, and there are no lay members. However, the By-Laws specify ‘persons’ not ‘members’ so the Board can appoint lay members if they so decide.

At its meeting on the 26th of April 2021, the Board agreed a recruitment plan for the Adjudication Pool and to support the inclusion of lay persons in the Adjudication Pool.

1.3. Excerpts from the Independent Review Report:

Rec. 17: The Board should refresh the disciplinary panel pool and apply the arrangements for disciplinary action in line with section 10 of the by-laws.

- i. Due to the drop in the Adjudication Pool membership, the Board approved the sourcing of Pool Members from the Architects Registration Board (ARB) as contingency on conduct matters.

The Architects Registration Board (ARB) have agreed to work with the LI on regulation/conduct matters. **They** have also identified members of their Disciplinary Pool available to be contacted by the LI. The ARB Director of Regulation has vouched for them all in terms of their ability and probity and has confirmed that all have also been through the ARB recruitment process which tests their competency in relation to areas such as EDI, teamwork and the Nolan Principles. The suggested persons are duly qualified in disciplinary processes and hearings and would be available if the LI decides to proceed with engaging them.

A key difference between the LI and the ARB is that the ARB panel members are paid when called on to undertake screening, hearing and related regulation/conduct activities – currently £50 per hour or £250 per day.

- ii. A recruitment of volunteers' plan is underway to raise the number of the volunteers in the LI's Adjudication Pool to its stipulated minimum of 12. Applications closed on the 16th of June; applications would be reviewed and appointments made in due course. Once completed the members of Adjudication Pool would be trained on the LI Disciplinary Process.

App1a,1b

- iii. To apply the arrangements for disciplinary action in Rec.17, a review of the complaint process and rules has been done. **Pursuant to the provisions of By-Law 27 the Disciplinary Regulations approved by Board on the 26th of April is attached for Council endorsement (marked appendix 1a). An approved framework for sanctions based on the By-Laws, to be applied by members of the Adjudication Pool is also attached (marked appendix 1b).** The revised Disciplinary Regulations is based on an initial version drafted by our Solicitors in 2016.

App1c

- iv. In addition, an updated Working Together Policy was approved by Board attached and marked Appendix 1c. Steps have been taken to increase the visibility of the process. Please click on the titles highlighted to see the journey maps created for Complaints brought under the [Code of Conduct](#) and the [Working Together Policy](#).

Rec. 18: The Board should review the standards of professional conduct expected from members in relation to their engagement with the Institute and fellow members and issue guidance on the website.

- v. A review has been carried out resulting in a new draft Code of Practice. The Code of Practice has gone out for consultation, and a post consultation draft version is ready. The Code is aligned to the International Federation of Landscape Architects (IFLA) Global Ethical Principles (GEP) due to be agreed and published. Once the GEP is formally signed off by IFLA, the Code would be returned to the Board for final sign off. Complaints brought prior to the approval and publication of the Code of Practice would be processed under the 2012 Code of Conduct already published on the website.

Council is invited to note the documents and endorse Board's approval.

2. Conflict of Interest Policy

App2

Following the LI's Independent Review Report dated 19 January 2021, and the recommendation to approve a Conflict-of-Interest Policy and a Whistleblowing Policy (IR. Rec.16), attached in Appendix 2 is a copy of the draft policy sent to the Board of Trustees. The initial drafts were presented to the Board on the 26th of April, 2021. Following the Board's deliberations, further comments on the draft were received after the Board meeting and the Work Group constituted by the Board took a closer look at both policies, resulting in the final draft.

The approach is one that expands its coverage beyond members of the Board alone, to cover staff, consultants and volunteers on Committees, Sub-Committees, Working Groups and other relevant LI Groups or Fora. Having an all-encompassing policy provides a higher level of assurance within the organisation and the membership.

In intention is to plug the existing gap with the publication of this policy and operate the policy as a 'living' document to be reviewed annually or within a shorter time frame as required. Council is invited to consider the Policy and endorse same.

3. Whistleblowing Policy

A draft Whistleblowing Policy for LI members and volunteers is attached and marked appendix 3. **App3**
As mentioned in paragraph 2 above, the initial drafts were presented to the Board on the 26th of April, 2021. Following the Board's deliberations, further comments on the draft were received after the Board meeting and the Work Group constituted by the Board took a closer look at both policies, resulting in the final draft.

A separate Whistleblowing Policy for staff is available in the draft Employee Handbook. Employees or workers as distinct from volunteers have legal protection for making qualifying disclosures as provided in the Public Interest Disclosure Act 1998. This protection is legally available to persons who raise legitimate concerns about specified matters in the public interest.

As the staff version would fall within the HR policies already contained in the Employee Handbook, the Board was invited to agree delegated responsibility for sign off by the CEO once the new Head of HR is in post.

The Independent Review Report Rec. 22 also recommended the appointment of an Independent Trustee as the lead for whistleblowing. Council is invited to note the document and endorse Board's approval.

4. Trustees Code of Conduct

A Trustees Code of Conduct provides Trustees with an understanding of what is required of their role, enabling them to be transparent, open and accountable in what they do and how they carry out their roles. The document highlights the legal duties of trustees and the conduct required for members of the Board, and incorporates aspects of Board members' Job Description, Terms of Reference, and the LI's Working Together Policy. **App4**

This was presented to Board for approval on the 28th of June. Council is invited to note the documents and endorse Board's approval.

5. President's Declaration

This captures main points from the Trustees Code of Conduct with the understanding that Trustees' legal duties are different from the duties of members of the Advisory Council. The declaration also draws from the Working Together Policy and creates a joined-up assertion of the type of conduct expected from both Board and Council members. This is intended for publication on the website to highlight or increase the visibility of the standard of behaviour that members of the Board and Council are signed up to. This was presented to Board for approval on the 28th of June and Council is invited to note the document and endorse Board's approval. A copy of the President's Declaration is attached and marked Appendix 5. **App5**

6. Vexatious Complaints Policy

This draft policy is part of a wider step to create an assured process of addressing conduct matters and dealing with elements of the Independent Review recommendation on improving the environment for staff, volunteers and members. It is intended to provide a structure for dealing with complaints of a nature that is vexatious and unreasonably persistent, and outline the steps the Institute will take when faced with such matters. **App6**

Further steps will be taken to create an overarching complaints policy in due course; however, this step is important to plug existing gaps. This was presented to Board for approval on the 28th of June. Council is invited to note the document and endorse Board's approval.

7. Council Actions

7.1. Council asked to note and endorse:

- i. The revised Disciplinary Regulations and Sanctions Framework - Appendix 1a&b
- ii. The LI's Working Together Policy - Appendix 1c
- iii. The LI's Conflict-of-Interest Policy - Appendix 2
- iv. The Whistleblowing Policy for Members and Volunteers - Appendix 3
- v. The President's Declaration - Appendix 5
- vi. The Vexatious Complaints Policy - Appendix 6

7.2. Council asked to note the Trustees Code of Conduct for the LI. Appendix 4

The Landscape Institute's Disciplinary Regulations 2021

1 Preamble

- 1.1 These Regulations were made by the Board on 26th of April 2021 under paragraph 17 of the Landscape Institute Royal Charter and By-Law 27 of the By-Laws of the Landscape Institute as amended on the 18th of August 2020.
- 1.2 They came into force on the 26th of April 2021.
- 1.3 They replace any pre-existing Disciplinary Regulation(s), save and except the Disciplinary regulations as outlined in the LI By-Laws.

2 Interpretation

- 2.1 The following words and phrases shall, except where the contrary intention appears, mean:

"Adjudication Pool"	A group comprising of no fewer than 12 persons appointed by the Institute from time to time as eligible to be selected by the Panel Clerk to form part of an Investigation & Screening Panel, Disciplinary Panel, Fitness to Practise Panel, or Appeal Panel
"Appeal Panel"	a Panel of that name, the function of which is the adjudication of appeals in respect of disciplinary orders made by the Disciplinary Panel and fitness to practice orders made by the Fitness to Practise Panel
"By-Laws"	the By-Laws of the Institute as amended from time to time by the Institute
"Charter"	The Landscape Institute Royal Charter
"complaint"	a complaint that a Member is or may be guilty of unacceptable professional conduct or serious professional incompetence
"Disciplinary Panel"	a Panel of that name, the function of which is the adjudication of disciplinary matters referred to it by the Investigation and Screening Panel
"Disciplinary Report"	means a report to the Investigation & Screening Panel or Disciplinary Panel setting out particulars of allegations that a Member: (a) is guilty of unacceptable professional conduct or serious professional incompetence; or (b) has been convicted of a criminal offence (other than an offence which has no material relevance to practise

	as a Landscape Professional)
"Fitness to Practise Panel"	the Panel of that name, the function of which is to consider issues of fitness to practise
"Fitness to Practise Report"	a report from the Honorary Secretary to the Fitness to Practise Panel in respect of information to the effect that a Member either is or may be unfit to practise, whether on health or other non-disciplinary grounds
"Hearing Notice"	Written notice of the date, time and place of a hearing before the Investigation & Screening Panel, Disciplinary Panel or Fitness to Practise Panel
"Institute"	The Landscape Institute
"Investigation & Screening Panel"	a Panel of that name, the function of which is the investigation and screening of issues arising in relation to the conduct and/or fitness to practise of Members
"Member"	a person whose name is on any part of the Register
"Notice of Appeal"	Written notice setting out the grounds of appeal against a Disciplinary Order or Fitness to Practise Order
"Panel Clerk"	a member of staff of the Institute appointed by the Board to fulfil administrative functions in relation to matters dealt with by the Investigation & Screening Panel, Disciplinary Panel, the Fitness to Practise Panel and the Appeal Panel
"Panel Legal Adviser"	a lawyer appointed by the Panel Clerk in appropriate cases to give legal advice and guidance to a Disciplinary Panel or Fitness to Practise Panel
"Presenting Officer"	a lawyer or non-lawyer of that title appointed by the Panel Clerk or the Institute in respect of a matter referred to the Investigation & Screening Panel, Disciplinary Panel or Fitness to Practise Panel
"Register"	the Register referred to in By-Law 3 of the By-Laws
"serious professional incompetence"	the provision of services as a Landscape Professional which fall short of the standard of competence required of a Member
"unacceptable professional conduct"	conduct which falls short of the standard required of a Member

2.2 The Interpretation Act 1978 applies to these Regulations as if they were an Act of Parliament.

3 Disciplinary Referrals

3.1 Where it appears to the Honorary Secretary that a Member may be guilty of:

3.1.1 unacceptable professional conduct; or

3.1.2 serious professional incompetence;

(whether by reason of a complaint or otherwise) then the Honorary Secretary shall refer the matter for investigation and screening by an Investigations & Screening Panel, having carried out such inquiries and having taken such advice as they see fit.

3.2 Where it appears to the Honorary Secretary that a Member has been convicted of a criminal offence (other than an offence which has no material relevance to practise as a Landscape Professional), the Honorary Secretary shall refer the matter to the Disciplinary Panel by way of a Disciplinary Report, having carried out such investigation and having taken such advice as they see fit.

3.3 Where it appears to the Honorary Secretary that it may be necessary to impose a Fitness to Practise Order on a Member, whether on health or other non-disciplinary grounds, the Honorary Secretary shall refer the matter to the Fitness to Practise Panel by way of a Fitness to Practise Report, having carried out such investigation and having taken such advice as they see fit.

3.4 The relevant Panel shall notify the Member in writing of their decision.

3.5 All complaints made to the Institute shall be made in writing to the designated LI email address or postal address managed by the Head of Professional Regulation. The Head of Professional Regulation will liaise with the CEO and Honorary Secretary following the LI Complaints Procedures under the Code of Conduct, or Code of Practice and the Working Together Policy.

3.6 Where, in a disciplinary matter, a complaint has not been made within 6 months of the conduct complained of, the Honorary Secretary shall dismiss the complaint unless they decide exceptionally that further consideration of the complaint is justified in the public interest. Where the conduct in respect of which a complaint is made is (or was) continuing or consisted of a series of related acts or omissions, the conduct shall for the purposes of this By-Law be treated as having taken place at the time when the continuing conduct ceased or at the date of the last of any such acts or omissions.

4 The Adjudication Pool

4.1 The Board of Trustees shall appoint persons to the Adjudication Pool from time to time so as to maintain a minimum membership of 12.

Investigation and screening

5 Constitution of Investigation & Screening Panel

5.1 Upon the receipt of a complaint and the determination of the appropriate course of action, or the referral of a matter by the Honorary Secretary to an Investigation & Screening Panel, the Panel Clerk will appoint 3 Adjudication Pool Members to form an Investigation & Screening Panel.

- 5.2 For each Investigation & Screening Panel the Panel Clerk shall designate 1 of its number to serve as its Chair.
- 5.3 Each Investigation & Screening Panel will meet in private and not receive oral representations or evidence unless exceptionally it is necessary in the interests of justice to do so.
- 5.4 The decisions of each Investigation & Screening Panel will be by majority.
- 5.5 It will not be required for members of an Investigation & Screening Panel to deliberate in each other's presence unless the Investigation & Screening Panel members consider it appropriate to do so.

6 Action by the Investigation & Screening Panel

- 6.1 The role of the Investigation & Screening Panel is to decide whether matters referred to it by the Honorary Secretary, the CEO or the Head of Professional Regulation:
 - 6.1.1 require further investigation or advice;
 - 6.1.2 shall be dealt with by the Investigation & Screening Panel with consent by way of the Summary Procedure;
 - 6.1.3 shall be referred to the Disciplinary Panel by way of a Disciplinary Report;
 - 6.1.4 shall be referred to a Fitness to Practise Panel by way of a Fitness to Practise Report;
 - 6.1.5 require no further action.
- 6.2 Before finalising its decision, the Investigation & Screening Panel will, as appropriate, invite written representations from the Member in question.
- 6.3 The Investigation & Screening Panel will notify the Member in writing of the reasons for its decision.
- 6.4 In deciding whether or not a case should be referred to the Disciplinary Panel, the Investigation & Screening Panel shall consider whether:
 - 6.4.1 there is a case to answer; and
 - 6.4.2 whether the evidence provides a realistic prospect of a finding of unacceptable professional conduct or serious professional incompetence; and
 - 6.4.3 whether it is in the public interest for the case to proceed.
- 6.5 If the Investigation & Screening Panel decides in accordance with By-Law 10.6.2 that a referral is justified, then it shall refer the matter to the Disciplinary Panel unless:
 - 6.5.1 it is likely that, if a Disciplinary Order is made, that Disciplinary Order would be one other than suspension (By-Law 10.2.3 (h) & (i)) or expulsion (under By-Law 10.2.3 (j)); and
 - 6.5.2 the Investigation & Screening Panel does not consider that the public interest requires the case to be dealt with by the Disciplinary Panel in which case the matter may, with

the Member's consent, be dealt with by the Investigation & Screening Panel under the Summary Procedure set out in Clause 8 below.

- 6.6 In deciding whether or not a case should be referred to the Fitness to Practise Panel, the Investigation & Screening Panel shall consider whether there is a realistic prospect of a Fitness to Practise Order being made in respect of the Member.
- 6.7 If the Investigation & Screening Panel decides that there is a realistic prospect of a Fitness to Practise Order being made in respect of the Member, then it shall refer the matter to the Fitness to Practise Panel unless it is likely that, if a Fitness to Practise Order were to be made, that Fitness to Practise Order would be one other than suspension (under By-Law 10.5.1(d), or termination of membership (under By-Law 5.1 (f)), in which case the matter may, with the Member's consent, be dealt with by the Investigation & Screening Panel under the Summary Procedure set out in Clause 8 below.

7 Powers of the Investigation & Screening Panel

- 7.1 The Investigation & Screening Panel shall have power to call upon any Member to produce such information, documents, books, papers, records and plans as they consider necessary for discharging their functions under these Regulations, and to require the Member to deliver such information, documents, books, papers, records and plans to the offices of the Institute (and/or such electronic or paper copies as the Panel may direct); and every Member must promptly and fully comply with any such requirement. This requirement shall not apply to any information in relation to which the Member is entitled to legal professional privilege or the disclosure of which would constitute an offence.

8 The Summary Procedure

- 8.1 The Summary Procedure is as follows:
- 8.1.1 Unless the Member has already provided written consent, the Panel Clerk shall give notice to the Member to provide written consent to the adoption of the Summary Procedure within 7 days of the date of the notice and if such consent is not received within that period (or such longer period as the Panel Clerk may allow) the matter shall be returned to the Investigation & Screening Panel to consider referral to the Disciplinary or Fitness to Practise Panel.
- 8.1.2 The Investigation and Screening Panel will within 28 days of their receipt of the Member's consent send a Disciplinary Report in the case of a disciplinary matter, or a Fitness to Practise Report in the case of a fitness to practise matter, to the parties. Such report shall be accompanied by:
- (a) a copy of the By-Laws and of these Regulations;
 - (b) a guidance note on the Summary Procedure;
- 8.1.3 The Summary Procedure meeting shall not be scheduled sooner than 6 weeks after receipt of the Member's consent.
- 8.1.4 If the Member intends to dispute any of the matters set out in the Disciplinary Report, then, not less than 3 weeks before the date set for the hearing, the Member shall send to the Investigation & Screening Panel:

- (a) written details of the matters in dispute and the basis upon which they are disputed; and
 - (b) a copy of any written statement or other document on which the Member relies.
- 8.1.5 The Panel Clerk will provide any complainant with a copy of the Disciplinary Report, the Member's response and notice of the Summary Procedure meeting as soon as reasonably practical and shall invite the complainant to make any written representations prior to the Summary Procedure meeting.
- 8.1.6 The relevant Panel or Presenting Office may provide a written response to the Member and any written statement or other document in response no later than 7 days prior to the hearing with any supporting evidence.
- 8.1.7 The Investigation & Screening Panel may postpone the Summary Procedure meeting if they consider that it is necessary to do so and the Panel Clerk shall inform the Member of any postponement.
- 8.1.8 The Investigation & Screening Panel may:
- (a) permit the introduction of any evidence at any time at or prior to its decision where it is fair and appropriate to do so; and/or
 - (b) give any other direction it considers appropriate to the parties for the efficient and fair progress of the Summary Procedure.
- 8.1.9 At the Summary Procedure meeting the Investigation & Screening Panel shall consider the matter on the papers, without oral representations.
- 8.1.10 In the case of a disciplinary matter:
- (a) The Investigation & Screening Panel shall, as soon as practicable after the conclusion of the hearing, announce whether or not it finds the allegations substantiated.
 - (b) If the Investigation & Screening Panel finds the allegations not substantiated, it shall dismiss them.
 - (c) If the allegations are found to be substantiated, the Member shall be entitled to provide written representations in mitigation to the Investigation & Screening Panel and (if necessary) a further meeting shall be arranged to consider them.
 - (d) The Panel Clerk will inform the Member and the complainant of the Investigation & Screening Panel's decision with a brief summary of its reasons as soon as it is practicable to do so.
- 8.1.11 In disciplinary matters the burden of proof shall be on the Investigation & Screening Panel or the Presenting Officer and the standard of proof shall be the civil standard of a balance of probability.

9 Disciplinary Reports

- 9.1 A Disciplinary Report shall set out the relevant facts and incorporate allegations.

10 Fitness to Practise Reports

- 10.1 Fitness to Practise Reports shall set out the facts and reasons why a Fitness to Practise Order should be made in respect of the Member.

11 Reconsideration

- 11.1 Any decision of the Investigation & Screening Panel either following consideration or reconsideration shall be reconsidered by it if the Honorary Secretary requests such reconsideration. Such a request may be made in writing on the basis of advice by the Presenting Officer and/or the availability of new evidence. The Honorary Secretary may require the reconsideration to be by a freshly constituted Panel if that is required in the interests of fairness. Upon reconsideration the Investigation & Screening Panel may make any decision available under paragraph 6 above.

12 Constitution of Disciplinary and Fitness to Practise Panels

- 12.1 Upon receiving a Disciplinary Report or a Fitness to Practise Report, the Panel Clerk shall designate:
- 12.1.1 In the case of a Disciplinary Report, 3 members of the Adjudication Pool as a Disciplinary Panel, and 1 of those members as Chair of that Disciplinary Panel.
- 12.1.2 In the case of a Fitness to Practise Report, 3 members of the Adjudication Pool as a Fitness to Practise Panel, and 1 of those members as Chair of that Fitness to Practise Panel.
- 12.2 No member of the Adjudication Pool who was a member of the Investigation & Screening Panel when it considered the matter shall be designated either as a member of a Disciplinary Panel or as a member of Fitness to Practise Panel in respect of the same matter.
- 12.3 Where appropriate, a Panel Legal Adviser may be appointed by the Panel Clerk and may attend a Disciplinary Panel (or Fitness to Practice Panel, as the case may be). The Panel Legal Adviser shall provide the Disciplinary Panel or Fitness to Practice Panel with such advice concerning matters of law, practice and procedure as it may request. Any such advice given shall be in public in the presence of the parties or if given not in the presence of all of the parties shall be communicated to all of the parties as soon as practicable thereafter.
- 12.4 If for any reason it is impracticable for a hearing to be completed by the members designated, the Panel Clerk may designate further members to hear the matter afresh. Any of the members originally designated may be designated again.
- 12.5 If a single member is unable to continue during the course of a hearing the Panel may (with the consent of the member and the Presenting Officer) continue the hearing and the Chair shall have a casting vote.

13 Notice of the hearing

- 13.1 The Panel Clerk shall give written notice of the date, time and place of the hearing before the Disciplinary Panel or Fitness to Practise Panel (or under the Summary Procedure, Investigations & Screening Panel) to the Member not less than 6 weeks before that hearing ("the Hearing Notice").

- 13.2 Such notice shall be accompanied by:
- 13.2.1 a copy of the Disciplinary Report or Fitness to Practise report;
 - 13.2.2 a copy of the By-Laws and of these Regulations; and
 - 13.2.3 a copy of any written statement or other document which the relevant Panel or Presenting Officer intends to rely on at the hearing.
- 13.3 In the case of a matter arising out of a complaint a copy of the notice with its accompanying documents shall be sent to the person who made the complaint. The complainant shall only participate in the hearing as a witness or to the extent permitted by the Panel.

14 Member's response

- 14.1 Within 14 days of the Hearing Notice the Member shall give to the relevant Panel a written notice of whether they intend to appear at the hearing before the Panel and, if they are to be legally represented, the name and address of their legal representative.
- 14.2 If the Member denies any of the allegations (in the case of a matter before the Disciplinary Panel) or disputes the matters set out in the Fitness to Practise Report (in the case of a matter before the Fitness to Practise Panel), then within 21 days (or such other period as the Panel may allow) of the Hearing Notice the Member shall serve upon the Panel Clerk:
- 14.2.1 particulars of their defence (in the case of a matter before the Disciplinary Panel); or reasons why they accept or do not accept the matters set out in the Fitness to Practise Report (in the case of a matter before the Fitness to Practise Panel); and
 - 14.2.2 a copy of any written statement or other document upon which the Member intends to rely at the hearing.

15 Adjournment

- 15.1 The Panel may adjourn any hearing of the Investigations & Screening Panel or Disciplinary Panel or Fitness to Practise Panel at any time if they consider that it is appropriate to do so. Written notice of the date, time and place of the adjourned hearing shall be served by the Panel Clerk to all the Parties.
- 15.2 If a copy of the notice of the original hearing was sent to a person who made a complaint, then a copy of the notice of the adjourned hearing shall be sent to that person also.

16 Pre-hearing directions

- 16.1 The Investigations & Screening Panel or Disciplinary Panel or Fitness to Practise Panel may give such directions as they consider appropriate for the fair and efficient progress of the case.

17 Non-appearance of the Member

- 17.1 If the Member fails to appear in person or by their legal representative at a hearing before the Investigations & Screening Panel or Disciplinary Panel or Fitness to Practise Panel, the matter may be determined in the absence of the Member provided that the Member has been given adequate notice of the hearing and provided that there is no sufficient reason for non-attendance.

- 17.2 Any notices may be served by post or email to the Member's regular business address, or to the address of their legal representative.
- 17.3 At any time within 14 days of the sending of a notice of the decision of the Investigations & Screening Panel or Disciplinary Panel or Fitness to Practise Panel, a Member who has neither attended nor been represented at the hearing of their case may apply for a rehearing by a sworn statement or affirmation setting out the facts and exhibiting any medical or other evidence upon which they wish to rely. If the Investigations & Screening Panel or Disciplinary Panel or Fitness to Practise Panel is satisfied that the Member has not in the circumstances had an adequate opportunity to make representations and/or submit evidence and that it is just and appropriate to do so, it may direct a rehearing upon such terms as it thinks appropriate. The Panel Clerk shall designate 3 members to hear the matter, none of whom had conducted the previous hearing. Any Disciplinary or Fitness to Practise Order shall stand until a new hearing is convened unless it is varied on an interim basis by the Investigations & Screening or Disciplinary or Fitness to Practise Panel.

18 Evidence and proof

- 18.1 The Investigations & Screening Panel or Disciplinary Panel and Fitness to Practise Panel shall not be bound by the rules of evidence and may receive such oral, documentary and/or other evidence as appears to it to be relevant to the case.
- 18.2 Subject to the provisions of any enactment or rule of law, the evidence of a witness in person shall be given on oath.
- 18.3 Before the Disciplinary Panel, the burden of proving the allegations shall lie upon the Presenting Officer and the standard of proof applied shall be the civil standard of a balance of probability.
- 18.4 Before the Fitness to Practise Panel the burden of proving fitness to practise shall lie upon the Member.

19 Technical faults: amendment of allegations

- 19.1 The Investigations & Screening Panel, the Disciplinary Panel or the Fitness to Practise Panel (as the case may be) may waive any technical or procedural fault unless to do so would render the proceedings unfair.
- 19.2 The Investigations & Screening Panel and the Disciplinary Panel may permit the amendment of any allegation subject to any direction, including adjournment, required in the interests of fairness.

20 Order of proceedings: hearings before the Disciplinary Panel

- 20.1 The hearing shall begin by the Presenting Officer (or the Chair of the Panel where a Presenting Officer is not appointed), reading out the allegations and the Member confirming whether and if so, which allegations are admitted and which denied.
- 20.2 If the Member does not admit all of the allegations, then the Presenting Officer or the Chair of the Panel where a Presenting Officer is not appointed) shall outline the case against the Member and shall then call any witness. After the evidence against the Member has been called, the Member may make any application that the allegations (or some of them) should

be dismissed because insufficient evidence has been shown upon which the allegations could be found to be proved and that accordingly there is no case to answer. The Presenting Officer shall be entitled to respond to such a submission. If such a submission is upheld the Disciplinary Panel shall dismiss the relevant allegations. The Member shall then be entitled to call any witness, give evidence on their own behalf and present any other evidence in relation to any remaining allegations.

- 20.3 The Presenting Officer and Member shall then give closing submissions to the Disciplinary Panel.
- 20.4 Any witness called in person by a party may be questioned by way of cross-examination by the other party and, if cross-examined, re-examined by the party calling them.
- 20.5 The Disciplinary Panel shall, as soon as practicable after the conclusion of the hearing, announce whether it finds the allegations proved and provide reasons for its decision.
- 20.6 If the Disciplinary Panel finds all of the allegations not proved it shall dismiss the case.
- 20.7 If any allegations are admitted or found to be proved, the Member shall be entitled to address the Disciplinary Panel in mitigation and for this purpose may present written character or other relevant written evidence.
- 20.8 The Disciplinary Panel shall consider whether and, if so, how to exercise its powers and shall announce any Disciplinary Order or other order as soon as practicable thereafter.
- 20.9 Where, in relation to allegations which are admitted, the Member's version of the facts in mitigation is in the opinion of the Disciplinary Panel significantly different from that presented by the Presenting Officer the Chair may invite the parties to call evidence to resolve the issue.

21 Order of proceedings: hearings before the Fitness to Practise Panel

- 21.1 The hearing shall begin by the Presenting Officer setting out the grounds for concern that the Member is not fit to practise, and calling any evidence.
- 21.2 The Member shall be given the opportunity to respond and to present evidence in response.
- 21.3 The Presenting Officer will be given the opportunity to present any evidence in rebuttal.
- 21.4 The Presenting Officer and the Member shall then give closing statements which may include submissions as to what fitness to practise order would be appropriate.
- 21.5 The Fitness to Practise Panel shall, as soon as practicable after the conclusion of the hearing, announce whether it imposes a Fitness to Practise Order and provide reasons.

22 Recording

- 22.1 If the Panel so directs a recording shall be made of the proceedings of the Disciplinary Panel or Fitness to Practise Panel and a transcript of such recording shall be provided to the Member and the Presenting Officer. The Disciplinary Panel or Fitness to Practise Panel may require the Member and/or the Institute to meet the costs of recording and transcription as a condition of such a direction upon their written request and on receipt of the costs thereof.

23 Reasons

- 23.1 The Disciplinary Panel and the Fitness to Practise Panel shall provide the Member and the Presenting Officer with written reasons for its decisions as soon as practicable after the hearing.

24 Costs

- 24.1 The Member shall bear their own costs before the Disciplinary Panel and the Fitness to Practise Panel. There shall be no order as to costs.

25 Disciplinary Orders

- 25.1 The Disciplinary Orders available to the Disciplinary Panel are:

25.1.1 advice on future conduct;

25.1.2 a warning;

25.1.3 a requirement to carry out specified continuing professional development;

25.1.4 appointment of a Mentor for a specified period;

25.1.5 a penalty of up to £5,000;

25.1.6 the imposition of conditions on continued membership of the Institute, such conditions may include but are not limited to a condition not to offer a particular service in relation to landscape practice for up to one year and/or until stipulated continuing professional development steps have been completed and such conditions may include provisions for the review and/or variation of any condition imposed;

25.1.7 disqualification for a specified time limit from:

(a) membership of a branch committee;

(b) membership of a Standing Committee, the Advisory Council, the Board of Trustees and/or any other committee, working group, or panel;

(c) acting as, or standing for election to be, an Officer of the Institute;

25.1.8 suspension from membership of the Institute until such conditions as the Disciplinary Panel may specify are fulfilled. These conditions may include (but are not limited to) a requirement to carry out such training or professional development as the Disciplinary Panel considers appropriate;

25.1.9 expulsion from the Institute.

26 Fitness to Practise Orders

26.1 A Fitness to Practise Panel may make a fitness to practise order in relation to a Member if it is satisfied that by reason of an impairment to the Member's fitness to practise for any reason such an order is appropriate. A Fitness to Practise Order may:

- (a) contain advice;
- (b) require the Member to appoint a Mentor for a specified period or until review;
- (c) require the Member to undergo training or professional development;
- (d) suspend membership of the Institute for up to 2 years, or for a shorter period until such conditions as the Fitness to Practise Panel may specify are fulfilled; or
- (e) impose conditions of continued membership of the Institute, such conditions may include but are not limited to a condition not to offer a particular service in relation to landscape practice for up to 1 year and/or until the Member has delivered a medical report to the Institute covering such matters as the Panel may direct;
- (f) terminate membership of the Institute.

26.2 The Fitness to Practise Panel may vary any order or substitute a different order at any time.

27 Alternative Orders and Compliance

27.1 If the facts before the Disciplinary Panel disclose matters which ought properly to be disposed of by way of a Fitness to Practise Order, then the Disciplinary Panel may impose a Fitness to Practise Order. If the facts before the Fitness to Practise Panel disclose matters which ought properly to be disposed of by way of a Disciplinary Order, then (subject to being satisfied that it would be fair and appropriate in all of the circumstances to do so) the Fitness to Practise Panel may impose a Disciplinary Order.

27.2 Non-compliance with a Disciplinary Order or a Fitness to Practise Order is conduct which may be referred directly by the Honorary Secretary to a Disciplinary Panel or a Fitness to Practise Panel and the Disciplinary Panel or Fitness to Practise Panel may then impose a further Disciplinary Order or further Fitness to Practise Order as the circumstances may require, having invited written representations from the Member and Presenting Officer.

28 Reinstatement

28.1 A Member who has been expelled or suspended may apply for re-instatement in accordance with the Institute's By-Laws.

Appeal

29 Right of appeal

29.1 The Member may appeal within 14 days of the notification against a Disciplinary Order or Fitness to Practise Order by written notice to the Panel Clerk setting out the grounds of appeal ("the Notice of Appeal").

30 Constitution of Appeal Panel

- 30.1 Upon receiving the Notice of Appeal, the Panel Clerk shall designate 3 members of the Adjudication Pool as an Appeal Panel to consider the appeal.
- 30.2 No member of the Adjudication Pool who was a member of the Investigation & Screening Panel, Disciplinary Panel or Fitness to Practise Panel which considered the case shall be designated as a member of the Appeal Panel.

31 The Appeal

- 31.1 The appeal is not by way of rehearing. A Member may only appeal on grounds that a Disciplinary Order or Fitness to Practise Order involved a material error of law, a material procedural irregularity or that the order is one which no reasonable Panel could have properly made.
- 31.2 The appeal shall be considered by the Appeal Panel on the papers without an oral hearing unless exceptionally it would be contrary to the interests of justice to do so.
- 31.3 If the Appeal Panel upholds the appeal, then the Appeal Panel may either dismiss 1 or more of the allegations, remit the matter to the Disciplinary Panel or Fitness to Practise Panel to be reheard or it may itself impose a Disciplinary Order or a Fitness to Practise Order.
- 31.4 If the Appeal is allowed and the matter is remitted to the Disciplinary Panel or Fitness to Practise Panel, it may not be reheard by any of the members originally designated.
- 31.5 No appeal may be made against directions made during the course of a case except as a ground for appeal under 31.1 above.

32 Publication

- 32.1 After the expiry of 21 days following any decision of the Disciplinary Panel or Fitness to Practise Panel, or, if there is an appeal, the decision of the Appeal Panel, where the final order imposed was exclusion or the imposition of any period of suspension, the Honorary Secretary shall publish a notice of the decision in such manner as the Board may direct.

33 Equality Statement

- 33.1 The Institute is an inclusive organisation. It actively promotes equality of opportunity for everybody who has dealings with it. Reasonable adjustments to this Regulation may be made by the relevant Panel to enable any participant to the proceedings who otherwise will be unable to comply with it due to their race, sex, disability, religion, belief system, gender reassignment, sexual orientation or age, participate in so far as it is in the interests of justice to do so.

Disciplinary Orders & Fitness to Practice Orders – Framework for the Adjudication Pool

What it does:

The Framework provides the Disciplinary Panel and Fitness to Practice Panel with guidelines for recommending fair and consistent discipline for allegations.

The framework is subject to the provisions of the By-Laws, Regulations and any Rules made by the Board from time to time.

Disciplinary Order Scale¹

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| <ul style="list-style-type: none"> A. Advice on future conduct (e.g., written guidance or directive on conduct) B. A Warning (documented and retained on SoC's file subject to the LI's Data Retention Policy) C. Requirement to carry out specified continuing professional development (CPD) D. Appointment of a Mentor for a specified period E. Penalty of up to £5,000 F. Imposition of conditions on continued Institute Membership, including but not limited to a condition not to offer a particular service in relation to the practice of landscape architecture for up to 1 year and/or until the completion of stipulated CPD steps have been completed and such conditions may include provisions for the review and/or variation of any condition imposed | <ul style="list-style-type: none"> G. Disqualification for a specified time from: <ul style="list-style-type: none"> i. membership of a Branch committee; ii. being a member of the Council, the Board, a Standing Committee and/or any other committee, working group, or panel; iii. acting as, or standing for election to be, an Officer H. Suspension from Institute Membership for up to 2 years I. Suspension from Institute Membership until such conditions as the Disciplinary Panel may specify are fulfilled. These conditions may include (but are not limited to) a requirement to carry out such training or professional development as the Disciplinary Panel considers appropriate J. Expulsion from the Institute. |
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Fitness to Practice Order Scale²

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| <ul style="list-style-type: none"> A. Advice on future conduct (e.g., written guidance or directive on conduct) B. Appoint a Mentor for the SoC over a specified period or until review C. Require the SoC to undergo training or professional development. D. Up to 2 years suspension of membership or for a shorter period until such conditions as the Fitness to Practice Panel may specify are fulfilled | <ul style="list-style-type: none"> E. Impose conditions of continued Institute Membership; including but not limited to a condition not to offer a particular service in relation to the practice of landscape architecture for up to 1 year and/or until the Institute Member has delivered a medical report to the Institute covering such matters as the Panel may direct F. Terminate Institute Membership. |
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¹ By-Law 10.2.3

² By-Law 10.5.1

Guidance when considering appropriate level of Sanction

Whilst the table refers to the Code for ease of reference the disciplinary process and sanctions are for any incidence of Misconduct, Incompetence, or Fitness to practice.

DECISION	SANCTION	COMMENT
<ul style="list-style-type: none"> No case to answer 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Case closed No Conduct note on record etc
<ul style="list-style-type: none"> Falls short of code but lowest level of concern 	<ul style="list-style-type: none"> Advice on future conduct (e.g., written guidance or directive on conduct) 	<ul style="list-style-type: none"> Conduct note on record No other action
<ul style="list-style-type: none"> Minor breach of Code 	<ul style="list-style-type: none"> Advice on future conduct (e.g., written guidance or directive on conduct) and/or required CPD, and/or Fine, and/or Other 	<ul style="list-style-type: none"> Conduct note on record No other action
<ul style="list-style-type: none"> Minor breach of Code 	<ul style="list-style-type: none"> Advice on future conduct (e.g., written guidance or directive on conduct) and/or required CPD with an approved Mentor and/or Fine and/or Other 	<ul style="list-style-type: none"> Conduct note on record Approved Mentor and monitored CPD No other action
<ul style="list-style-type: none"> Medium breach of Code 	<ul style="list-style-type: none"> Warning on future conduct and/or required CPD with an approved Mentor and/or Fine and/or Conditions and/or Other 	<ul style="list-style-type: none"> Conduct note on record Approved Mentor and monitored CPD Undertaking that will not offer that particular service for 1 year and/or until appropriate CPD has been completed No disqualifications
<ul style="list-style-type: none"> More serious Breach of Code but not requiring suspension or expulsion 	<ul style="list-style-type: none"> Warning on future conduct and/or required CPD with an approved Mentor and/or Fine and/or Conditions and/or Other 	<ul style="list-style-type: none"> Conduct notes on record Approved Mentor and monitored CPD Undertaking that will not offer that particular service for 1 year and/or until appropriate CPD has been completed Disqualified from acting as an officer on a branch committee for a specified time limit Disqualified from membership of a Standing Cttee, Advisory Council or

		<p>the Board of Trustees for a specified time limit</p> <ul style="list-style-type: none"> • Disqualified from or acting as, or standing for election to be, an Honorary Officer of the LI for a specified time limit • Publication – as appropriate
<ul style="list-style-type: none"> • Serious Breach of Code, Misconduct, Incompetence, Unfit to practice or Criminal Conviction 	<ul style="list-style-type: none"> • Possible Suspension or Expulsion 	<ul style="list-style-type: none"> • Professional Conduct Panel and Formal Hearing • Conduct notes on record • Suspension for a specified time limit / Expelled • Publication – LI, employer and external • Application to re-join after specified time limit but not automatically accepted

Date approved:	[dd] [mm] [yyyy]
To be reviewed:	[mm] [yyyy]

Conflict of Interest Policy

1. Introduction

- 1.1. This conflict-of-interest policy explains what a conflict of interest is and the process to follow should such a conflict come into existence.
- 1.2. This conflict-of-interest policy is part of the Landscape Institute's governance documents. Other relevant documents are:
 - i. Royal Charter
 - ii. By-Laws
 - iii. Regulations
 - iv. Expenses Policy
 - v. Gifts and Hospitality Policy
 - vi. Procurement Policy
 - vii. Whistleblowing Policy

2. Purpose

- 2.1. The purpose of this policy and guidance is to ensure that the LI properly manages situations where there are actual or potential conflicts of interest in an open and transparent manner, thereby mitigating the institute's exposure to any reputational, financial and regulatory risk.
- 2.2. Proper management of conflict of interest would also mitigate the reputational or credibility risk to the relevant individuals or members listed in the scope of this policy and remove the impression that they have acted improperly.
- 2.3. Trustees have a legal obligation to act in the best interests of the LI, and in accordance with LI's governing documents, and to avoid situations where there may be an actual or potential conflict of interest. Members of the Advisory Council, LI Committees and sub-committees, working groups, staff, volunteers, and independent advisors, also have similar obligations.
- 2.4. When competing interests impair or might appear to impair judgement or ability to make objective, unbiased decisions, there is a conflict of interest.
- 2.5. You may face a conflict of interest when your fiduciary duties as a Board member, Advisory Council member, Committee (sub-committee) member, Volunteer, an independent adviser or senior staff member and your business/personal interests diverge.
- 2.6. Such conflicts may create problems; they can inhibit free discussion, result in decisions or actions that are not in the interests of the Landscape Institute (LI) and risk the impression that the LI has acted improperly.

3. Scope

- 3.1. This policy applies to members of the Board of Trustees, Advisory Council, Standing Committees and sub-committees, working groups, staff, volunteers, and independent advisors.
- 3.2. Where context permits, reference to trustees and their duties in this policy would be extended to cover staff, Council, Committees and sub-committees, working groups, staff, volunteers, independent advisors and other relevant Groups or Fora.

4. Objectives

- 4.1. To communicate the Institute's requirements in respect of conflicts of interest.
- 4.2. To advise all members of the Board, Council, Committees and sub-committees, working groups, staff, volunteers, and independent advisors of their obligation to disclose conflicts of interest.
- 4.3. To ensure that all organisational decisions are made in the best interests of the Landscape Institute.

5. Definition

- 5.1. Conflict of Interests can arise in a number of different contexts. A material conflict of interest is one which a reasonable person would take into account when making a decision regarding the use of LI resources because the interest has relevance to that decision.
- 5.2. Financial interest is where an individual may get direct financial benefit from the consequences of a decision, they are involved in making.
- 5.3. Non-financial personal interest is where an individual may benefit personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit, because of decisions they are involved in making in their professional career.
- 5.4. Non-financial professional interest is where an individual may obtain a non-financial professional benefit from the consequences of a decision, they are involved in making, such as increasing their professional reputation or promoting their professional career.
- 5.5. Indirect interest is where an individual has a close association with another individual who has a financial interest, a non-financial professional interest or a non-financial personal interest who would stand to benefit from a decision they are involved in making.
- 5.6. Examples of common situations which can give rise to risk of conflicts of interest:
 - i. Gifts
 - ii. Hospitality
 - iii. Outside employment
 - iv. Shareholdings and other ownership interests
 - v. Loyalty interests
 - vi. Donations
 - vii. Sponsored events
 - viii. Sponsored research
- 5.7. Examples of conflicts include:
 - i. Having a close involvement with an organisation which operates in the same field as the Institute but holds conflicting views on key policy positions
 - ii. Having a client that is applying for a contract with the Institute
 - iii. Recommending a contractor/consultant to the Institute when they are providing your business with a similar service.
- 5.8. Questions to ask yourself in order to assess whether a conflict of interest exists:
 - i. Will this interest substantially affect my ability to carry out my role?
 - ii. Will this interest interfere in my ability to act in the best interests of the Institute?
 - iii. Would this look like a conflict to others?

6. Principles

- 6.1. Persons referred to in paragraph 3 of this policy (Scope) are expected to:
 - i. Maintain the highest possible standard of integrity in all their relationships, both inside and outside the organisation.
 - ii. Reject any business practice which might reasonably be deemed improper.
 - iii. Never use their authority or position for personal gain.
 - iv. At all times, act with impartiality, independence and integrity.
 - v. Avoid being, or giving the appearance of being, in a position which may result in an actual or perceived detriment to the Institute's reputation and/or interests.
 - vi. Adhere to the Nolan principles for public life.
- 6.2. You are required to disclose or seek direction on any issues which may potentially conflict with your responsibilities to the Institute.

7. Declaration of Interests

- 7.1. The following interests should be declared:
 - i. posts held in the course of employment or practice

- ii. consultancies, directorships or advisory positions in the landscape/environment/ planning and related sectors, or in an organisation with which the Institute might do business
 - iii. a position of authority in a charity or voluntary organisation in the field of the landscape/environment/ planning and related sectors
 - iv. any public appointments
 - v. membership/fellowship of other professional bodies and/or specialist societies
 - vi. membership of or affiliation to a political party, lobbying and campaign groups
 - vii. any association with other organisations or individuals which may have an interest or influence in the Institute's work.
- 7.2. The list above is not exhaustive; in all cases, individuals have a responsibility to assess any potential conflicts and actual or perceived conflicts of interest and disclose same.
- 7.3. We require all persons referred to in paragraph 3 of this policy (Scope), to declare their interests, and any gifts or hospitality offered and received in connection with their role in the Landscape Institute. A declaration of interests' form is provided for this purpose, listing the types of interest you should declare.
- 7.4. If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Regulations team at regulations@landscapeinstitute.org for confidential guidance.
- 7.5. Interests and gifts will be recorded on the Landscape Institute's register of interests, which is maintained by the relevant LI staff with oversight by the Hon. Secretary. The register will be accessible by the trustees, staff, volunteers on the relevant Committees and Working Groups, members and any statutory body which has a legal right to access the information.
- 7.6. Gifts of a value over £25 and hospitality over £50 received by persons listed in paragraph 3 (Scope) will be recorded in the register of interests.

8. Procedure

- 8.1. It is essential that declarations of interest and actions arising from any declarations are recorded formally and consistently.
- 8.2. It is not possible to define all situations or relationships which may create a conflict of interest, so each situation must be evaluated individually.
- 8.3. Board, Council, Standing Committee Members and Senior Staff will be asked to complete a new declaration form annually.
- 8.4. The register will be available for each meeting of the Board, Council or Committee and you would be asked to confirm if there are any changes.
- 8.5. Where an item is being discussed at a meeting, members, advisers and staff are required to disclose the existence and nature of any personal or prejudicial interest that they may have at the beginning of the item, or when a conflict of interest becomes apparent during the course of a discussion.
- 8.6. Such a declaration will be recorded in the minutes. Where there is a substantial interest, the member, independent or staff member may be asked to withdraw from the meeting and take no part in either the discussion or the decision, and the withdrawal will be recorded in the minutes.
- 8.7. In advance of a meeting
- i. Meeting agendas should include a standing item on declaration of interests, including a definition of conflicts of interest, to enable individuals to raise any issues and/or make a declaration prior to or at the meeting.
 - ii. The agenda should be circulated to enable attendees (including observers/visitors) to identify any interests relating specifically to the agenda items being considered.
 - iii. Members should contact the Chair or Convenor as soon as an actual or potential conflict is identified on the agenda.
 - iv. The Chair or Convenor should ensure that they apply the provisions of this policy and ensure that any conflicts of interest declared are managed in line with the procedure above.

- v. The Chair or Convenor should ensure a copy of the register is checked to establish any actual or potential conflicts of interest that may occur during the meeting and the chair should consider how the potential conflict will be perceived externally and the appropriate response.

8.8. At the Meeting

- i. Chair or Convenor requests members to declare any interests in agenda items which have not previously been declared and authorised, including the nature of the conflict.
- ii. The register will be made available for inspection at the meeting and any updates made at the meeting will need to be dealt with before the meeting can proceed.
- iii. Chair or Convenor makes a decision as to how to manage each potential conflict which has been declared, including whether and to what extent the individual member should continue to participate in the meeting, on a case-by-case basis, and this decision is recorded.
- iv. As a minimum requirement, the following should be recorded in the minutes of the meeting:
 - a. declaration of any interest or any reference to previous declarations and how these were dealt with;
 - b. at what point the interest was declared;
 - c. the nature of the interest;
 - d. the chair or convenor's decision and resulting action taken;
 - e. an explanation of reasons for any broader decisions taken.
 - f. All other attendees (guests or visitors) who participate in the meeting must also follow the meeting protocol and declare any interests in a timely manner.
 - g. While the 'Declaration of Interests' form should be completed in advance of any meetings, template forms for recording any interests during meetings should be made available by the relevant LI staff.

- 8.9. Following the meeting, all interests should be promptly updated on the published declarations of interest register.

9. Consequences

Failure to comply with the above procedures may result in disciplinary action in line with the LI's Disciplinary Process or the staff Disciplinary Policy & Procedure or appropriate terms of engagement.

10. Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 2018 or other relevant legislation in force. Data will be processed only to ensure persons referred to in paragraph 3 of this policy (Scope) act in the best interests of the LI.

11. Approval/Review

11.1. This policy was approved by the Board on the [dd] of [mm] 2021.

11.2. This policy will be reviewed annually subject to any need for an earlier review date due to regulatory changes.

Date approved:	[dd] [mm] [yyyy]
To be reviewed:	[mm] [yyyy]

Whistleblowing Policy

For LI Members and Volunteers

1. Introduction

- 1.1. Paragraphs 1 and 2 of this policy sets out the overall approach of the Landscape Institute to Whistleblowing for members, volunteers, staff, including associates, contractors and consultants.
- 1.2. The Landscape Institute (LI) is committed to the highest standards of openness, probity and accountability. We recognise that LI members, members of the Board of Trustees (Board), Advisory Council (Council) or Committees may be the first to realise that there may be serious issues of concern within the organisation.
- 1.3. In line with the LI's commitment to the highest standards of openness, probity and accountability, we encourage members, volunteers and other individuals who have serious concerns about the way the organisation is being governed/managed to come forward and voice those concerns through the appropriate channel.

2. Purpose

- 2.1. The whistleblowing policy and procedure is in place to ensure that any fraud, misconduct or wrongdoing by members, staff, volunteers or others working on behalf of the Institute is reported and properly dealt with.
- 2.2. It is intended to cover concerns on activities that are:
 - i. unlawful; the organisation is breaking the law or there has been a miscarriage of justice or a criminal offence such as fraud;
 - ii. not in the public interest; meaning the activity must have detrimentally affected others, or it may affect others in the future;
 - iii. in breach of any other legal obligation, e.g., against the Institute's financial and statutory procedures and policies;
 - iv. amounts to improper conduct or someone covering up wrong doing.
- 2.3. The purpose is also to ensure the confidentiality and protection of those making such allegations in the reasonable belief that it is in the public interest to do so, and to protect them from being victimised, discriminated against or disadvantaged.

3. Principles

- 3.1. Everyone should be aware of the importance of preventing and eliminating wrongdoing within the Institute. Members, volunteers, and others working on behalf of the Institute should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- 3.2. Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- 3.3. No member, volunteer or other person working on behalf of the Institute will be victimised for raising a matter under this procedure. This means that membership benefits and the continued opportunities for future volunteering or work will not be prejudiced because they have raised a legitimate concern.

- 3.4. Victimisation of an individual for raising a serious concern will be a disciplinary offence and would lead to the appropriate action taken under the relevant terms of engagement with the individual concerned.
- 3.5. If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.

4. Scope

- 4.1. This policy applies to all Landscape Institute members, volunteers, including associates, contractors and consultants. A separate whistleblowing policy for staff is available in the LI's employee handbook.
- 4.2. The policy would be published on the Institute's website and communicated at the point of engaging the relevant persons listed in paragraph 3.1. above.
- 4.3. The policy does not replace other LI internal policies or procedures. For example, if a member or volunteer has a concern about the professional conduct of another member or volunteer, they should follow the procedure for complaints under the Code of Conduct or Working Together Policy.

5. How to raise a Whistleblowing Concern

- 5.1. The LI recognises that the decision to make an allegation can be a difficult one. However, if you raise a whistleblowing concern in the reasonable belief that it is in the public interest to do, you are doing your duty either to the LI and/or to those for whom the LI is providing a service.
- 5.2. How you raise your concerns will depend on the seriousness and sensitivity of the issues involved and whether members or management are thought to be involved.
- 5.3. You would normally raise your concerns with the relevant Chair, Convenor or senior member of the LI staff team. Alternatively, you may feel it more appropriate to contact the Chief Executive, the responsible Independent Trustee, Honorary Secretary or the President.
- 5.4. They will advise you on how the Institute can best support you through the process and for as long as you need it afterwards.

6. Confidentiality

- 6.1. All concerns raised under this policy will be treated in confidence and every effort will be made not to reveal your identity unless you otherwise request.
- 6.2. If the concerns raised under this policy results in court proceedings, then you may be required to give evidence in open court if the case is to be successful.
- 6.3. The Institute will do its best not to divulge your identity to anyone beyond those carrying out or directly involved in the investigation. However, it must be appreciated that the investigation process may reveal the source of the information without us revealing your identity directly and you may be required to give evidence as part of the investigation. We will take every step to minimise any difficulties that you may experience as a result of raising a concern.
- 6.4. We would therefore urge anyone wishing to raise a concern under this policy to identify themselves. This enables us to investigate the allegations in a more informed and effective way and means we can inform the complainant of the outcome of the investigation or explain why a matter is not being investigated. Concerns expressed anonymously are often much more difficult to investigate but we will consider anonymous allegations, taking into account the seriousness of the issue raised; the credibility of the concern and the likelihood of confirming the allegation for other attributable sources.

7. Follow-Up Action

- 7.1. If you make an allegation in good faith but it is not confirmed by the investigation no action will be taken against you.
- 7.2. However, if you make malicious or vexatious allegations, appropriate action may be taken against you through the disciplinary process or other relevant process depending on your terms of engagement with the Institute.
- 7.3. An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a chair, convenor or your line manager, you should not agree to remain silent.
- 7.4. To raise a concern with the President by emailing president@landscapeinstitute.org, Honorary Secretary by emailing Hon.Sec@landscapeinstitute.org, Independent Trustee by emailing@.....or the CEO by emailing ceo@landscapeinstitute.org
- 7.5. Alternatively, you can write to the President, Honorary Secretary, Independent Trustee for WBP or Chief Executive at the following address: The Landscape Institute, 85 Tottenham Court Road, London W1T 4TQ marking your envelope "WBP-Only to be opened by the addressee".

Commented [G01]: Added 'WBP Only to be opened by the addressee' as staff usually open President, Hon. Secretary and CEO Post.

8. Timetable

- 8.1. An acknowledgement of the allegation in writing within 10 working days with an indication of how the LI proposes to deal with the matter:
 - i. An estimate of how long it will take to provide a final response
 - ii. An indication of whether any initial enquiries have been made
 - iii. Information on whistleblower support mechanisms
 - iv. Indication whether further investigations will take place and if not, give reasons.
- 8.2. Where the allegation has been made anonymously, the LI will be unable to communicate what action has been taken.

9. Responsibility for the Policy

- 9.1. The CEO liaising with the responsible Independent Trustee have overall responsibility for the operation of this Policy and for determining the administrative processes to be followed and the format of the records to be kept.

Commented [G02]: Subject to Board Approval

10. Monitoring

- 10.1. A Whistleblowing Register will record the following details:
 - i. The name and status (e.g., member, staff, contractor etc) of the whistleblower
 - ii. The date on which the allegation was received
 - iii. The nature of the allegation
 - iv. Details of the person who received the allegation
 - v. Whether the allegation is to be investigated and, if yes, by whom
 - vi. The outcome of the investigation
 - vii. Any other relevant details
- 10.2. The Register will be confidential and only available for inspection by the Board.
- 10.3. The responsible Independent Trustee working with the CEO will report periodically to the Board on the operation of the Procedure and on the whistleblowing, allegations made during the period covered by the report. The report will be in a form which does not identify whistleblowers.

Commented [G03]: Subject to Board Approval

11. Data Protection

- 11.1. When an individual makes a disclosure, we will process any personal data collected in accordance with the LI's data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Date approved:	[dd] [mm] [yyyy]
To be reviewed:	[mm] [yyyy]

Trustees Code of Conduct

The Landscape Institute as Royal Charter organisation is also a registered Charity. Members of the Board of Trustees have statutory duties and legal responsibilities explained in the Charity Commission's publication "[The Essential Trustee](#)" and "[A guide to conflicts of interests](#)".

In addition, the statutory responsibilities to the Charity Commission as Trustees of the Landscape Institute, members of the Institute's Board are under an obligation to meet high standards behaviour, respect, and uphold the values of the Landscape Institute. The Institute has the following values:

- Caring and nurturing.
- Creative and passionate.
- Socially and environmentally aware.

By signing this code members of the Board are enabling themselves to be accountable to their fellow trustees and other people involved with the organisation.

1. General

- 1.1. I will act within the governing documents of the Landscape Institute and the law, and abide by the policies and procedures of the organisation. This includes having a knowledge of the contents of the Royal Charter, the By Laws, Regulations, Conflict of Interests Policy, Working Together Policy and other relevant policies and procedures.
- 1.2. I will support the objects and mission of the Landscape Institute, championing it, using any skills or knowledge I have to further that mission and seeking expert advice where appropriate.
- 1.3. I will be an active trustee, making my skills, experience and knowledge available to the Landscape Institute and seeking to do what additional work I can outside trustee meetings, including sitting on committees and sub-committees.
- 1.4. I will respect organisational, Board and individual confidentiality, while not using confidentiality as an excuse not to disclose matters that should be transparent and open.
- 1.5. I will develop and maintain a sound and up-to-date knowledge of the Landscape Institute and its environment. This will include an understanding of how the Institute operates, the social, political and economic environment in which it operates and the nature and extent of its work.
- 1.6. I will use the Landscape Institute resources responsibly, and when claiming expenses will do so in line with the Institute's Expenses Policy and Procedures.
- 1.7. I will seek to be accountable for my actions as a trustee of the Landscape Institute and will submit myself to whatever scrutiny is appropriate.
- 1.8. I accept my responsibility to ensure that the Landscape Institute is well run and will raise issues and questions in an appropriate and sensitive way to ensure that this is the case. I hereby subscribe the Nolan Principles of Public Life contained in the appendix.
- 1.9. I will undertake training and development sessions as organised by the Institute to support my role.

2. Managing Interests

- 2.1. I will not gain materially or financially from my involvement with the Landscape Institute unless specifically authorised to do so.
- 2.2. I will act in the best interests of the Landscape Institute as a whole, and not as a representative of any group, sector, region etc.; considering what is best for the Landscape Institute and its present and future beneficiaries and avoiding bringing the Institute into disrepute.
- 2.3. Unless authorised, I will not put myself in a position where my personal interests conflict with my duty to act in the interests of the organisation. Where there is a conflict of interest I will ensure that this is managed effectively in line with the Landscape Institute's Conflict of Interest Policy.
- 2.4. I understand that a failure to declare a conflict of interest would be a breach of this code.

3. Meetings

- 3.1. I will attend all appropriate meetings and other appointments at the Landscape Institute or give apologies. If I cannot regularly attend meetings, I will consider whether there are other ways I can engage with the Landscape Institute.
- 3.2. I will prepare fully for all meetings and work for the organisation. This will include reading papers, querying anything I do not understand, thinking through issues before meetings and completing any tasks assigned to me in the agreed time.
- 3.3. I will actively engage in discussion, debate and voting in meetings; contributing in a considered and constructive way, listening carefully, challenging sensitively and avoiding conflict.
- 3.4. I will participate in collective decision making, accept a majority decision of the board and will not act individually unless specifically authorised to do so.

4. Governance

- 4.1. I will actively contribute towards improving the governance of the Board of Trustees, participating in induction and training and sharing ideas for improvement with the Board.
- 4.2. I will support the LI's process for the appointment of Trustees in accordance with the appropriate regulations/selection criteria.

5. Relations with Others

- 5.1. I will endeavour to work considerately and respectfully with all those I come into contact with at the Landscape Institute. I will respect diversity, different roles and boundaries, and avoid giving offence.
- 5.2. I recognise that the roles of trustees, volunteers and staff of the Landscape Institute are different, and I will seek to understand and respect the difference between these roles.
- 5.3. I will seek to support and encourage all those I come into contact with at the Landscape Institute. In particular I recognise my responsibility to support other members of the Board of Trustees in their designated functions, and members of the Institute's senior management team.
- 5.4. I will not make public comments about the organisation unless authorised to do so. Any public comments I make about the Landscape Institute will be considered and in line with organisational policy, whether I make them as an individual or as a trustee.

6. Leaving the Board

- 6.1. I understand that a substantial breach of any part of this code may result in procedures being put in motion that may result in my being asked to resign from the Board of Trustees.
- 6.2. In the event that I am asked to resign from the board I will accept the decision subject to the laid-out process in the By-Laws on this matter and resign at the earliest opportunity.
- 6.3. If I wish to cease being a trustee of the Landscape Institute at any time, I will inform the chair in advance in writing, stating my reasons for leaving.

Signed

Name

Date

DRAFT

The Nolan Principles

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

President's Declaration on Code of Conduct for Board of Trustees and Advisory Council

The Landscape Institute as Royal Charter organisation is also a registered Charity. Members of the Board of Trustees have statutory duties and legal responsibilities explained in the Charity Commission's publication "[The Essential Trustee](#)".

Members of the Advisory Council do not have the same legal responsibilities. However, both Members of the Board and Council are under an obligation to the membership to meet higher standards of behaviour, respect, and uphold the values of the Landscape Institute. The Institute has the following values:

- Caring and nurturing.
- Creative and passionate.
- Socially and environmentally aware.

All undersigned members of the Board and Council agree to subscribe to this code and in so doing are enabling themselves to be accountable to their fellow Trustees and/or Council members, and other people involved with the organisation.

Declarations

1. We will act within the governing documents of the Landscape Institute and the law, and abide by the policies and procedures of the organisation. This includes having a knowledge of the contents of the Royal Charter, the By Laws, Regulations, Conflict of Interests Policy, Working Together Policy and other relevant policies and procedures.
2. We will support the objects and mission of the Landscape Institute, championing it, using any skills or knowledge we have to further that mission and seeking expert advice where appropriate.
3. We will be active in making our skills, experience and knowledge available to the Landscape Institute and seeking to do what additional work is required outside Trustee and/or Council meetings, including sitting on committees and sub-committees.
4. We will respect the Board, Council and individual confidentiality, while not using confidentiality as an excuse not to disclose matters that should be transparent and open.
5. We will use the Landscape Institute resources responsibly, and when claiming expenses will do so in line with the Institute's Expenses Policy and Procedures.
6. We will seek to be accountable for our actions as members of the Board and/or Advisory Council of the Landscape Institute and will submit ourselves to whatever scrutiny is appropriate.
7. As Trustees we accept our responsibility to ensure that the Landscape Institute is well run and will raise issues and questions in an appropriate and sensitive way to ensure that this is the case.
8. As Advisory Council Members we accept our responsibilities as outlined in the LI's By-Laws and Regulations and will raise issues and questions in an appropriate and sensitive way.
9. We confirm our subscription to the Nolan Principles of Public Life contained in the appendix to this declaration.
10. We will act in the best interests of the Landscape Institute as a whole, and not as a representative of any group, sector, region etc., considering what is best for the Landscape Institute and its present and future beneficiaries, and avoiding bringing the Institute into disrepute and by extension the wider sector.
11. We will actively engage in discussion, debate and voting in meetings; contributing in a considered and constructive way, listening carefully, challenging sensitively and avoiding conflict.
12. We will participate in collective decision making, accept a majority decision of the Board and/or Council and will not act individually unless specifically authorised to do so.
13. We will undertake training and development sessions as organised by the Institute to support our roles.

14. We will endeavour to work considerately and respectfully with all those we come into contact with at the Landscape Institute. We will respect and promote equity, diversity and inclusion; respect different roles and boundaries, and avoid giving offence.
15. We will seek to support and encourage all those we come into contact with at the Landscape Institute. In particular we recognise our responsibility to support other members of the Board of Trustees and Advisory Council in their designated functions, and members of the Institute's senior management team.
16. We will not make public comments about the organisation unless authorised to do so. Any public comments we make about the Landscape Institute will be considered and in line with organisational policy, whether we make them as individuals or as Trustees or Members of the Advisory Council.

Signatures and Dates

DRAFT

The Nolan Principles

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

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5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

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7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Vexatious Complaints Policy

The Landscape Institute's policy on dealing with abusive, persistent or vexatious complaints and complainants

1. Background

- 1.1. As a professional organisation constituted under a Royal Charter, the Landscape Institute places a strong emphasis on the integrity, competence and professionalism of its members, and therefore requires all members to conduct themselves in accordance with the LI's Code of Conduct or Practice within their professional and business life.
- 1.2. The LI recognises that there may be occasions when things may go wrong and have provided a medium by which individuals dissatisfied with the professional conduct of an LI member or with a service provided by the LI, can make a complaint. However, there may be few instances where complaints may be or complainants may act in a manner that is deemed unacceptable.
- 1.3. Therefore, this policy seeks to address such instances and provide a proportionate procedure for dealing with complaints, complainants or behaviours that are vexatious.
- 1.4. Where context permits, reference to complaints in this policy includes informal complaints, concerns and inquiries.

2. Scope

This policy applies to vexatious complaints about the LI's services which includes the actions of the Board of Trustees, Advisory Council, Committees and the conduct of members of these bodies under the working together policy. It also applies to complaints to the LI about its members, brought under the Code of Conduct/Practice.

3. Purpose

- 3.1. This policy is about the management of abusive, persistent and/or vexatious complaints or complainants. It sets out how the Landscape Institute ('the LI') will deal with complaints/complainants that fall within the scope of this definition. Those identified will be treated consistently, honestly and proportionately while ensuring that other service users, members, volunteers, staff and the Institute as a whole suffer no detriment.
- 3.2. It is considered that all complainants have the right to have their concerns examined in line with the relevant complaints' procedure. In most cases, dealing with complaints will be a straightforward process; however, in a minority of cases, the complainant may act in a manner that is deemed unacceptable.
- 3.3. They may act in a way that is considered abusive, unreasonably persistent or vexatious and by doing so may hinder the Institute's ability to investigate their complaint/concern/inquiry or the complaints/concerns/inquiries of others. This behaviour may occur at any time before, during or after a complaint or behaviour has been investigated.
- 3.4. The time spent on dealing with all complaints should be proportionate to the nature of the complaint/concern/inquiry and consistent with the outcome that is being sought; being realistic and achievable.

4. Definition

- 4.1. A vexatious complaint or behaviour is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.
- 4.2. Unreasonable and unreasonably persistent complainants are those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other people's, complaints/concerns/inquiries.

5. Identifying Vexatious Complainants and Unreasonably Persistent Behaviours

- 5.1. It is important to distinguish between individuals who make a number of legitimate complaints because they genuinely believe something has gone wrong, and people who are simply being difficult. Complainants will often be frustrated and aggrieved and therefore it is important to consider the merits of the case rather than their attitude.
- 5.2. Complainants may be considered to be habitual or vexatious if they display two or more of the following behaviours:
 - i. Persist in pursuing a complaint/concern/inquiry where the issue has been answered or the LI's complaints procedure has been fully and properly implemented and exhausted.
 - ii. Change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. Care must be taken not to overlook new issues, which are significantly different from the original complaint. These might need to be addressed as separate complaints.
 - iii. Are unwilling to accept documented evidence of treatment given as being factual or deny receiving an adequate response to their complaint even though correspondence specifically answering their concerns/questions has been supplied.
 - iv. Do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help specify their concerns and/or where the concerns identified are not within the remit of the LI to investigate.
 - v. Focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point.
 - vi. Have threatened or used actual physical violence towards staff at any time.
 - vii. Have in the course of addressing a registered complaint had an excessive number of contacts with the Institute placing unreasonable demands on staff.
 - viii. Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with their complaint.
 - ix. Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
 - x. Display unreasonable demands using passive aggressive tone of communications or complainant expectations fail to accept that these may be unreasonable.
 - xi. The tone or language of the correspondence goes beyond the level of criticism that the Institute or its employees should reasonably expect to receive.
 - xii. Raising a complaint about the service received from the LI or the conduct of a member or volunteer does not in itself constitute actions that are unreasonably habitual or vexatious.

5.3. **Examples of unreasonably persistent behaviour:**

(This list is not exhaustive, nor does one single characteristic on its own imply that the person will be considered as being in this category)

- i. Refusing to specify the grounds of a complaint, despite offers of help.
- ii. Refusing to cooperate with the complaints investigation process.
- iii. Refusing to accept that certain issues are not within the scope of the Institute's jurisdiction or within the scope of a complaints procedure.
- iv. Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- v. Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- vi. Changing the basis of the complaint as the investigation proceeds.
- vii. Denying or changing statements made at an earlier stage.
- viii. Introducing trivial or irrelevant new information at a later stage.
- ix. Raising many detailed but unimportant questions, and insisting they are all answered.
- x. Submitting falsified documents from themselves or others.
- xi. Pursuing parallel complaints on the same issue with various members of staff and/or organisations.
- xii. Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous LI staff, or detailed letters every few days, and expecting immediate responses.
- xiii. Submitting repeat complaints with minor additions/variations, which the complainant insists make these 'new' complaints.
- xiv. Refusing to accept the decision; repeatedly arguing points with no new evidence.

5.4. **Examples of abusive and/or vexatious complainants**

The Institute will take steps to protect its volunteers and staff from LI members, members of the public or fellow staff and volunteers who are behaving in a way which is considered abusive and/or vexatious. This may include physical or verbal abuse and could include the following (however, this list is not exhaustive):

- i. Speaking to the member of staff in a derogatory manner which causes offence.
- ii. Swearing, either verbally or in writing despite being asked to refrain from using such language.
- iii. Using threatening language towards LI staff or volunteers working on the Institutes' behalf, provoking fear.
- iv. Repeatedly contacting a member of staff regarding the same matter which has already been addressed.

6. **Managing unreasonable complaints or complainant behaviour**

- 6.1. This policy may be invoked if the Institute considers that a complainant has behaved in a manner which is deemed unreasonable (see above). The Institute may take any actions against a complainant that it considers to be reasonable and proportionate in the circumstances.

- 6.2. In the first instance, the complaint should be referred to the Regulations Team with a summary of why it is thought to be vexatious.
- 6.3. The Regulations Team will consider the complaint, will seek advice from the Head of the relevant area of the LI (and/or Chief Executive) and will declare the complaint as being vexatious or not.
- 6.4. Where a complaint is not deemed to be vexatious it will be returned to the appropriate point in the complaints handling process.
- 6.5. If a complaint is deemed to be vexatious the Head of Professional Regulation will respond directly to the complainant explaining the decision and that the complaint will be closed with no further action.
- 6.6. The Head of Professional Regulation will also consider if the making of a vexatious complaint also requires the application of a restriction on communication/services under the working together policy/code of conduct.
- 6.7. The decision will be noted on the members record for future reference but any further complaints from the same individual will be considered under the complaints policy as usual.
- 6.8. Types of actions the Institute may take:
 - i. Where the complainant tries to reopen an issue that has already been considered through one of the LI's complaints procedures, they will be informed in writing that the procedure has been exhausted and that the matter is now closed.
 - ii. Where a decision on the complaint/concern/inquiry has been made, the complainant should be informed that future correspondence will be read and placed on file, but not acknowledged, unless it contains important new information.
 - iii. Limiting the complainant to one type of contact (e.g., phone, letter, email, etc.).
 - iv. Placing limits on the number and duration of contacts with staff per week or month.
 - v. Requiring contact to take place with a named member of staff and informing the complainant that if they do not keep to these arrangements, any further correspondence that does not highlight any significantly new matters will not necessarily be acknowledged and responded to, but will be kept on file.
 - vi. Assigning a member of the Regulations Team to read the complainant's correspondence, in order to ensure appropriate action is taken.
 - vii. Offering a restricted time slot for necessary calls to specified dates and times
 - viii. Requiring any face-to-face or online contacts to take place in the presence of a witness and in a suitable location.

7. Matters to take into account before taking action

- 7.1. Before taking a decision to invoke this policy consideration should be given to whether any further action is necessary, such as:
 - i. Consideration about whether it is appropriate to liaise with other members of staff, convene a meeting with the complainant and a senior staff member in order to seek a mutually agreeable resolution.
 - ii. If it is known or suspected that the complainant has any special needs then consider offering an independent person who may assist the complainant with their communication with the Institute.
 - iii. Where more than one department is being contacted by the complainant, agree a cross departmental approach; and designate a lead person to co-ordinate the Institute's response.

- 7.2. Staff must be satisfied before taking any action as defined by this policy that the complainant's individual circumstances have been taken into account including such matters as age, disability, gender, race and religion or belief.

8. Imposing restrictions

- 8.1. Prior to imposing any restrictions, the Head of Professional Regulation (HPR) in consultation with the CEO will communicate to the complainant in writing to explain why this behaviour is causing concern, and ask them to change this behaviour. The complainant would be informed of what actions the Institute may take if the behaviour does not change.
- 8.2. If the complainant continues with the unreasonable behaviour the HPR will consult with the CEO to ascertain whether it is necessary to impose restrictions under this policy.
- 8.3. When a decision has been taken to apply this policy to a complainant, the HPR will contact the complainant in writing (and as appropriate) explaining:
- i. why this decision has been taken
 - ii. what action the Institute will be taking
 - iii. the duration of that action
 - iv. the review process of this policy
- 8.4. Any restriction that is imposed on the complainant's contact with the Institute will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for.
- 8.5. If the complainant continues to behave in a way which is deemed unacceptable then the Regulations Team, in consultation with the CEO, may decide to refuse all contact with the complainant and cease any investigation into his or her complaint.
- 8.6. Where the behaviour is so extreme, or it threatens the immediate safety and welfare of staff, the Institute will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

9. Appealing a decision under this Policy

- 9.1. A complainant may wish to appeal the decision to class their complaint/concern/enquiry as vexatious. In such cases, an appeal may be made to the Honorary Secretary to review and make a final decision.
- 9.2. The Honorary Secretary would inform the complainant of the outcome of that review.

10. New complaints by persons previously treated as being abusive, vexatious and/or unreasonably persistent complainants.

- 10.1. Any new complaints received from complainants who have come under this policy will be treated on their merits. The Institute does not support a blanket ban on genuine complaints simply because restrictions may be imposed upon that complainant.

11. Review

- 11.1. The Regulations Team liaising with the CEO will review any restrictions which are imposed upon the complainant after three months and at the end of every subsequent three months within the period during which the policy is to apply.

- 11.2. Should the decision be taken to extend the period of restriction, the complainant will be advised in writing how the Institute plans to go about this and that the decision to restrict contact will be put in place for a further specified period (e.g., six months). The outcome of any subsequent review will be communicated to the complainant, outlining if the restrictions will continue to apply and if so why.
- 11.3. If at the end of the restricted period it is considered that the complainant's behaviour is no longer deemed to be unreasonable, the Institute will confirm this in writing advising that the restrictions have now been lifted.

12. Record Keeping

- 12.1. The Regulations Team will keep a record of all complainants who have been treated as being unreasonably persistent, abusive and/or vexatious in accordance with this policy. This will include details of why the policy was invoked, what restrictions were imposed and for what period of time.

13. Links with other policies

Please note that this policy is not exhaustive and does not cover all forms of behaviour that may be considered unreasonable. In certain circumstances, it may be more appropriate to refer to the LI's Working Together Policy, Code of Conduct and any other policy on conduct matters approved by the Board subsequently.