

ON THE ClfA PROFESSIONAL CONDUCT PROCEDURE



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

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

It is not just the public or clients who may raise allegations. It is important that individuals and/or organisations can raise their concerns with ClfA if they believe our accredited archaeologists and/or Registered Organisations have failed to comply with the *Code of conduct*, standards and supporting regulations.

Professional conduct allegations are dealt with in accordance with the Regulations for

professional conduct. The regulations set out the procedure we have to investigate allegations against ClfA-accredited individuals or Registered Organisations that may have breached the ethical *Code of conduct* in relation to their archaeological affairs and the study and care of the historic environment. This may include their conduct with employees, colleagues and helpers.

Making an allegation against a ClfA member or Registered Organisation

Professional conduct allegations can be raised in three different ways:

- contact ClfA informally for initial advice regarding your concerns
- complete the relevant form and return it to ClfA with as much evidence as possible to support the allegation

- raise your concerns through your Special Interest or Area Group

Professional conduct allegations are judged against the *Code of conduct* and/or supporting regulations and Standards.

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

The first assessment stage of reviewing any allegation is for the Institute to decide whether the matter could be **more appropriately resolved by discussion** amongst parties and that there is evidence to support this. This is an important step as often formal allegations can be avoided by speaking to the individual or organisation first, and issues can be resolved much more swiftly. There are often existing procedures in place to allow you to do this.

Timescales

Formal allegations can take time to resolve. When a completed form is received there are

several stages to the process, including

- checking that the allegation relates to the *Code of conduct*
- carrying out an initial assessment to decide if the allegation should go forward
- if the allegation is appropriate, appointing a solicitor and panel to ask for a response to the allegation from the individual or organisation being complained about. The panel will then need to review all the evidence presented to reach a decision about whether there has been a breach of the *Code of conduct* and/or regulations
- if there has been a breach of the *Code of conduct* and/or regulations, the panel will then need to decide on the sanction given to the individual or organisation

The main stages of the process rely on other ClfA-accredited individuals volunteering their time to be involved (peer review) and the individual or organisation who the allegation is being made against has the right to appeal a decision of the assessor and/or the professional conduct panel, which would involve another group of individuals getting together to consider the grounds for the appeal.

Where the ClfA professional conduct process may not be appropriate

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

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

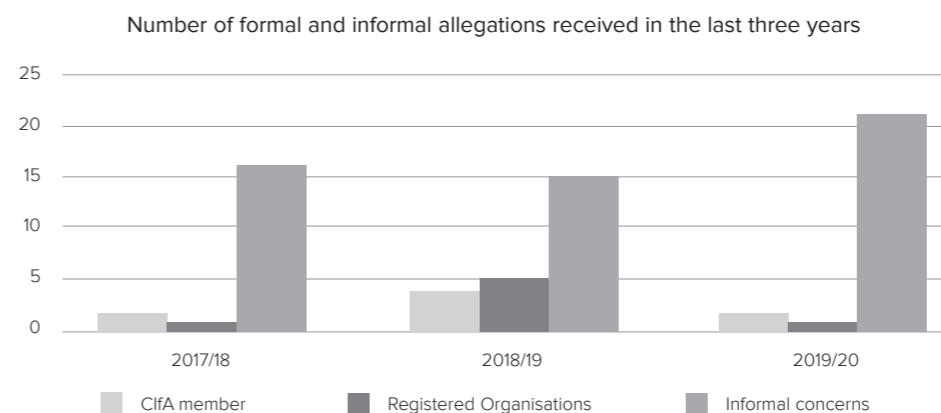
Reporting the outcome of professional conduct allegations

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

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

Allegation check list

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



Useful links

ClfA professional conduct procedure (www.archaeologists.net/regulation/complaints/makingacomplaint)

ClfA Annual Reviews (www.archaeologists.net/annual-reviews-and-accounts)

Equality and diversity in archaeology information (www.archaeologists.net/practices/equality_and_diversity_in_archaeology)

ACAS (www.acas.org.uk)

Protect (www.archaeologists.net/protect)