

FREQUENTLY ASKED QUESTIONS: If You Are Considering Making A Complaint

1. What is a complaint against a CIEEM Member?

All CIEEM's Members are bound by its Code of Professional Conduct (the Code). Acceptance of, and adherence to the Code is a condition of membership and is a duty of every Member. A copy of the Code can be found on the Professional Conduct section of our website here:

<http://www.cieem.net/professional-conduct>

We strongly encourage people to try to resolve matters first before making a formal complaint. If this has not been possible, and you believe a Member has contravened the Code, you are entitled to make a complaint to CIEEM.

Your complaint must be accompanied by supporting evidence. On receipt of a formal complaint we will review the documents submitted. We will then confirm whether the complaint relates to a matter of professional conduct and is within the scope of CIEEM's authority to consider.

2. Who can make a complaint?

Complaints can be made by non-members and Members of CIEEM.

If you are a Member of CIEEM please note that paragraph 6 of the Code states that "*Members will make every effort to resolve constructively differences of professional opinion...*" Notwithstanding this, if you believe that another Member *has* contravened the Code and you have the evidence to support this then you are entitled to make a complaint.

3. What issues is CIEEM unable to investigate?

- CIEEM has the authority only to investigate matters relating to professional competence as set out in the Code.
- CIEEM will not investigate complaints that are more appropriately dealt with through the courts, an Employment Tribunal, the Local Government Ombudsman or other tribunal. Complainants should look to these avenues first if they are appropriate.
- CIEEM cannot provide an arbitration service or comment on the appropriateness of planning applications or decisions.
- CIEEM cannot investigate complaints against organisations or companies, only against named Members.

4. How are complaints investigated?

All complaints are considered in accordance with CIEEM's Disciplinary Procedures, which can be found on our web-site here: <http://www.cieem.net/professional-conduct>

5. How long after the alleged breach will a complaint be considered?

We would normally expect a complaint to be made within 12 months of an alleged breach of the Code, but we will consider a complaint where the work has been completed up to six years prior to the date of the complaint. Complainants should note, however, the difficulties of establishing relevant evidence after such a time period.

6. How do I complain?

All complaints must have a clear and direct link to a breach of the Code of Professional Conduct. Complaints that fail to make this link may not be taken forward, so please read the Code thoroughly before completing your Complaints Form.

To make it easier to undertake an initial assessment of your case, and help prevent delays, we welcome complaints that are:

- Factual - based on facts not opinions.
- Succinct – brief and to the point, but summarising all the key issues.
- Genuine - genuinely related to a breach in the Code, and that clearly make the link with the Code.

Please state clearly on your form which paragraphs of the Code you allege have been breached. You are also required to provide referenced documentary evidence to support your case (see 7 below).

7. What information do I need to supply?

You should supply all evidence available to you, which you believe supports your complaint. It is the responsibility of the Complainant to supply the evidence to support the complaint. The person you are complaining about will be given a right to reply, and it is their right to provide any evidence which they feel supports their case.

To make an initial assessment of a complaint a Preliminary Investigation Panel will require complete, electronic copies of all referenced documents that form your supporting evidence. This may include, for example, copies of contracts to undertake work, original data sets, survey reports and related written or electronic correspondence.

Where relevant and appropriate it would be helpful to see documents relating to any other complaints made regarding the issue e.g. to a statutory authority. Whilst the findings of other organisations may help the Preliminary Investigation Panel establish whether there is justification for referring the complaint to a Disciplinary Board for further enquiry, it is important to note that they will form only a part of the information considered.

8. Who do I send my complaint to?

All complaints should be sent by email (preferred) or post to the CIEEM Secretariat at complaints@cieem.net

9. Will the Subject know who has made the complaint?

Yes. You are required to sign the declaration on the Complaints Form that states you are giving permission for the form to be copied and sent to the Member about whom you have made a complaint (referred to as the Subject). It is recognised good practice in respect of complaints investigation that the investigation is open and transparent; that includes the Subject having the right to know who has made the complaint.

10. May I request anonymity?

In exceptional circumstances, a request for anonymity may be allowed by the Professional Standards Committee. However this will be for Stage One of an enquiry (the preliminary investigation) only. If the Preliminary Investigation Panel decides that your complaint justifies further enquiry by a Disciplinary Board then the Subject has the right to know who the Complainant is. The Complainant's identity will be made known to the Subject at this point, unless the complaint is withdrawn.

11. What happens if my complaint relates to work undertaken before the current Code of Professional Conduct was introduced?

CIEEM's current Code was introduced in June 2013. If a complaint is received that relates to work undertaken before this date then the Preliminary Investigation Panel will satisfy themselves that the complaint relates to the previous Code. If a Disciplinary Board is convened then they will be sure to take account of any differences between the Codes at the hearing.

12. What contact can I expect from CIEEM?

We will acknowledge safe receipt of your complaint and write to you at each stage of the process, outlining what the next steps are.

If the Preliminary Investigation Panel concludes that there is insufficient evidence to indicate a breach of the Code we will let you know the main reasons for their decision in writing. If the Preliminary Investigation Panel concludes that further enquiry is justified they will refer the case to a Disciplinary Board who will hold a Disciplinary Hearing. If a Disciplinary Hearing is held, you will be invited to attend to present your complaint in person. We will communicate the conclusion of the Disciplinary Board to you by letter as soon as possible after the hearing.

13. What will be expected of me during the process?

Once a completed Complaints Form and all the necessary evidence has been submitted there is not usually anything further you are expected to do during the Preliminary Investigation Stage. You may receive a request(s) for specific information from the Preliminary Investigation Panel and/or the Disciplinary Board. If the case is referred to a Disciplinary Board you will be invited, and strongly encouraged, to attend the hearing.

CIEEM asks all parties involved to respect the seriousness of the disciplinary process. We encourage those involved to exercise discretion about the details of a case until after the conclusion of the disciplinary process, and following the period to seek leave to appeal.

14. How long will it take for my complaint to be considered?

We do everything we can to progress your complaint efficiently. Complaints are handled in the date order received and the time needed to process a complaint will vary depending on the complexity of the case.

Complaints investigation often involves requests for further information from both the Complainant and the Subject and we have to allow time for this to be gathered and sent through. All complaints investigations are undertaken by senior members of the profession who are volunteering their time and expertise to uphold professional standards: they have to be given sufficient time to understand what is often lengthy and complex paperwork and to reach a decision.

It typically takes about three months from receipt of a complaint until completion of the Preliminary Investigation Panel's assessment. If a case requires a Disciplinary Hearing then it typically takes six to eight months for completion of the case. Please note cases can take longer than this to process. They may also be completed more quickly.

15. How many hearing dates will I be offered? And where will the hearing be held?

If your complaint is referred to a Disciplinary Board we will give you a provisional hearing date. Hearing dates are scheduled in advance, four times a year and held in Winchester, usually at the CIEEM Office. If you are unable to attend this date then you should let us know as soon as possible and we will do our best to accommodate an alternative date.

16. Can I claim my expenses?

CIEEM is not able to reimburse expenses for costs incurred by the Complainant during investigation of a complaint.

17. What can I do if I disagree with the decision of the Preliminary Investigation Panel or Disciplinary Board?

You will have the right to seek leave to appeal, as set out in the Disciplinary Procedures, which can be found on our web-site here: <http://www.cieem.net/professional-conduct>

18. Are the outcomes of Disciplinary Hearings published?

If the Subject of a complaint is found to have breached the Code then a summary of the findings of the Disciplinary Hearing are published in *In Practice* and on CIEEM's website. Where relevant and appropriate we may also notify other parties such as employers, local planning authorities and statutory agencies.

19. Who should I go to if I have a question about the process?

Contact the Secretariat via complaints@cieem.net and they will be able to answer any questions you may have.