

## **Resolution Procedure**

Members of the Register of Qualified Genealogists are bound by our Professional Code. Two elements relate specifically to members' dealings with others. These state that as a member they should:

- Carry out and deliver work to a competent standard to the best of their ability and capacity, through the use of close dialogue, robust research methods, clear written analyses and explanations of results and conclusions reached.
- Behave with integrity and uphold the reputation of the profession and the Register.

If you believe that a member has fallen short of these standards in your dealings with them, and that the shortcoming is sufficiently serious that you feel a complaint is justified, then this can be used as a way of resolving the dispute between you.

Please note that the RQG is unable to adjudicate on contractual disputes between a member and their client. Legal advice should be sought for such issues. RQG is only able to become involved in matters where the member's conduct is in breach of the Professional Code.

Should the member of the RQG also be a member of another professional body which has already considered the complaint, the RQG can take no further action unless the substance of the complaint involves some specific aspect of the RQG Professional Code that lies beyond the code of the other body.

The resolution procedure has both informal and formal aspects.

### **Informal Resolution Procedure**

Misunderstanding commonly lies at the root of any dispute between a client and a professional. Openness in dialogue and clarity in defining expectations often serves to clear up misunderstandings. The informal procedure seeks to bring to the surface any misunderstandings so that differences in perception can be tackled and resolved. In the first instance, therefore, the complainant should contact the RQG member and attempt to resolve the matter between themselves.

The member must respond to the complainant in a timely manner, acknowledging the complaint within 5 working days of receipt and making a full response addressing the issue in a professional and objective manner within 15 working days of the date of receipt.

If dialogue within the informal resolution procedure fails to resolve the difference, a formal complaint can be made to the RQG Directors, who will consider the matter. The matter can only be considered once the informal procedure has failed to achieve a resolution.

When the RQG member considers it will not be possible to achieve a resolution by using the informal procedure, an email or letter should be sent to the client confirming that it has not been possible to achieve a resolution by this method. The communication must confirm that the client has the right to invoke the Formal Resolution Procedure and that there is a time limit of 3 calendar months from the date of this communication in which to invoke the procedure.

## **Formal Resolution Procedure**

When dialogue has not succeeded in achieving a resolution the formal procedure can be invoked. This procedure relates specifically to a breach of the RQG Professional Code and cannot be invoked for other purposes.

Anyone seeking to invoke the formal procedure must do so no later than three calendar months following the date the RQG member has confirmed that it has not been possible to achieve a resolution by using the informal procedure.

The complainant should, in the first instance, send a letter by post or, preferably, by email to [resolution@qualifiedgenealogists.org](mailto:resolution@qualifiedgenealogists.org) outlining details of the dispute, how that relates to the Professional Code, and what has been attempted so far to resolve it.

Receipt of the letter and accompanying documentation will be acknowledged within 5 working days, and the member will be notified that a complaint has been received.

*The first step in the formal resolution procedure is mediation.*

The RQG Director with responsibility for upholding standards will seek to identify a member willing to act as mediator between the complainant and member. The Director will notify the complainant and the member of the name of the mediator. A copy of the complaint will be forwarded to both the mediator and member concerned. The mediator will identify what material is required from both parties, who will be asked to provide any necessary documentation within 15 working days.

The mediator will seek to introduce independent clarification of the matters in dispute and steer both parties towards options for resolution. Should mediation fail to resolve the issue, the mediator will make a report to the Director with responsibility for upholding standards and forward all documentation so that a formal assessment can be undertaken.

*The second step is formal assessment.*

The Director will establish an assessment team, by identifying and appointing two other people who may or may not be directors, but have expertise in the subject matter being complained about. These people will not include the mediator. The member and complainant will be notified by email that the assessment team has been established. The date this is emailed to the member will be called the Date of Issue.

The member will be asked to provide a written statement which addresses the substance of the complaint and any other issue the assessment team considers relevant to their deliberations on the complaint. Under normal circumstances the member's statement should be returned within 15 working days of the Date of Issue. The assessment team may request further information from both parties.

The assessment team will consider the complaint and the member's response and, under normal circumstances, will provide an adjudication to both parties within 20 working days. The adjudication will recommend final actions to be taken on both sides.

*The third step is appeal.*

Points at issue should have been fully aired once an adjudication has been offered. At that point both parties are urged to carry out the recommended actions. Nevertheless, both the complainant and the member have the right to appeal the adjudication and make further representations on the matter. These representations must be made within 15 working days of issue of the adjudication.

The RQG Chair and two other Directors not yet involved in the resolution procedure will consider the evidence before providing a final adjudication. Both parties will be notified of the outcome and the decision of this panel is final.

*The fourth step is acting on the recommendations.*

If the complaint is upheld, the member is expected to remedy any defect identified and to implement any recommendations made by the assessment team or appeal panel. The complainant is expected to provide, in good faith, whatever support is needed to enable the member to carry through the recommended actions.