

**THE BYE LAWS OF THE INSTITUTE OF TOURIST GUIDING (“the Institute”)**  
BY ORDER OF THE BOARD OF DIRECTORS OF THE INSTITUTE  
 (“the Board”)<sup>1</sup>

**CATEGORIES OF INSTITUTE ADMISSION AND REGISTRATION**

1.1 The following categories of Member exist:

**Fellow:** A senior Ordinary Member of the Institute.

**Ordinary Member:** An individual qualified as a tourist guide as exemplified by the Blue Badge qualification.

**Associate:** An individual qualified as a tourist guide as exemplified by the Green Badge qualification.

1.2 The following categories of individual professional admission and registration also exist:

**Affiliate:** An individual qualified in relevant subjects as exemplified by the White Badge.

**Student:** An individual engaged in an Institute accredited programme of study.

**Retired:** As defined in 6.1.

**Career Break:** As defined in 6.2.

1.3 Any individual applying to become an Ordinary Member, Associate, Affiliate, Student, Retired or Career Break categories must do so on the application form prescribed for the purpose by the Board.

1.4 The Board may appoint as Companions of the Institute individuals who in their view have made an outstanding contribution to tourist guiding and/or its related disciplines but are not involved in guiding.

1.5 Any individual, organisation or other body not professionally involved in tourist guiding and/or its related disciplines, or any individual who is involved but who upon application satisfies the Board that he/she is an unpaid volunteer, may apply to become a Subscriber.

1.6 Any organisation or other body involved in the tourism industry and/or its related discipline and on whose behalf the Institute conducts examinations as exemplified by the White Badge may apply to become a Corporate Subscriber.

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<sup>1</sup> These Revised Bye Laws were approved by the Board on 18 October 2018 replacing all earlier versions.

## **RIGHTS AND PRIVILEGES/USE OF TITLES**

- 2.1 Fellows, Ordinary Members and Associates may describe themselves as such and may use the letters FITG, MITG and AITG respectively and enjoy voting rights at General Meetings or on a written resolution of the Institute.
- 2.2 Companions, Affiliates, Students, Retired and Career Break may use these titles only. There are no designating letters for these categories and the word Member cannot be used in connection with these categories. They do not enjoy voting rights at General Meetings or on a written resolution of the Institute.
- 2.3 Subscriber or Corporate Subscriber does not confer any title or designating letters and the word Member cannot be used in connection with this category. They do not enjoy voting rights at General Meetings or on a written resolution of the Institute.
- 2.4 Benefits accorded to the categories of admission may be varied from time to time by the Board.

## **ADMISSIONS**

- 3.1 All individuals admitted into a professional category of the Institute will receive written acceptance issued by the Board. The written acceptance will declare the category in which they have been accepted and registered, together with any other information that the Board shall prescribe from time to time.
- 3.2 All individuals accepted in any professional category must re-register each year and pay an annual subscription as prescribed under Bye Law 5. Failure to reregister for six weeks shall be deemed resignation from the Institute and application for re-admission shall be subject to Bye Law 7.<sup>2</sup>

## **WITHDRAWALS**

- 4.1 An individual registered with the Institute who resigns from the Institute or ceases to be registered for any other cause shall return any document(s) issued under Bye Law 3 to the Secretary including the Institute's photo card. Any such individual would lose the right to use the designated letters as stipulated in 2.1 above.<sup>3</sup>

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<sup>2</sup> Amended 15<sup>th</sup> October 2020 by the Board.

<sup>3</sup> Amended 24<sup>th</sup> October 2019 by the Board.

## **SUBSCRIPTIONS**

- 5.1 Except as set out under Bye Laws 7 and 8, Fellows, Ordinary Members, Associates, Affiliates, Retired, Career Break and Corporate Subscriber categories of registration will pay an annual subscription.
- 5.2 The level of annual subscription for each category above will be determined by the Board.
- 5.3 An individual making an application for admission to the Institute is required to deposit the appropriate subscription with the Institute at the time the application is made.
- 5.4 The level of annual subscription for subscribers shall be determined by the Board.

## **CONCESSIONARY RATES OF MEMBERSHIP**

- 6.1 If any Fellow, Ordinary Member, Associate or Affiliate is able upon annual application to satisfy the Board that he/she has ceased practising as a tourist guide, the Board shall allow him/her to pay an annual subscription rate at an amount to be determined from time to time by the Board. The individual concerned will be described as Retired and there will be no entry provided in the Institute's published directories. If at any time the Board is satisfied that the applicant has returned to guiding, it shall have discretion to terminate this concession and require him/her to subscribe at the full rate applicable for his/her category of registration. All applicants for re-admission as Fellow, Ordinary Member, Associate or Affiliate after being registered as Retired for three years shall take such of the Institute's examinations as may be required by the Board.
- 6.2 If any Fellow, Ordinary Member, Associate or Affiliate is able upon annual application to satisfy the Board that he/she is taking a career break from practising as a tourist guide for a variety of reasons (health, family issues, returning to education, etc), the Board shall allow him/her to pay an annual subscription rate at an amount to be determined from time to time by the Board. The individual concerned will be described as Career Break and there will be no entry provided in the Institute's published directories. If at any time the Board is satisfied that the applicant has returned to guiding, it shall have discretion to terminate this concession and require him/her to subscribe at the full rate applicable for his/her category of registration. All applicants for re-admission as Fellow, Ordinary Member, Associate or Affiliate after being registered as Career Break for three years shall take such of the Institute's examinations as may be required by the Board.
- 6.3 The Board may, at its discretion, introduce a Life Membership for Members at such subscription rate as it may from time to time determine.

## **RE-ADMISSION AND RE-ADMISSION FEE**

- 7.1 Any individual, who, after exclusion from or resignation from the Institute in any professional category except Student, is re-admitted by the Board, shall pay a fee in addition to the annual subscription due in respect of the year of re-admission of up to fifty percent of the rate of full subscription applicable at their entitled level.
- 7.2 All applications by individuals for re-admission after three years or more since the end of their last registration year shall be determined by the Revalidation Policy as amended from time to time which is annexed hereto as Annex 1.

## **ELIGIBILITY FOR ADMISSION**

### **Discretion of the Board**

- 8.1 Notwithstanding any of the provisions contained in Bye Laws 9, 10, 11 and 12 below, the Board may in its discretion admit as a Fellow an individual who has, in its opinion, attained a position of distinction in the practice of tourist guiding, or admit as an Ordinary Member an individual who has, in its opinion, attained recognised professional standing in the practice of tourist guiding, or admit as an Associate an individual who, in its opinion, is suitably qualified at that level.
- 8.2 All applicants shall satisfy the Board that they are fit and proper persons for admission to the Institute.

### **Fellows**

- 9.1 Except as provided in Bye Law 8, only an Ordinary Member shall be eligible to become a Fellow.
- 9.2 Fellows must be nominated and seconded by other Ordinary Members/Fellows, recommended by the Board and elected by a General Meeting of the Institute.
- 9.3 Fellowship of the Institute may only be given to individuals who have made a distinguished contribution to the profession of tourist guiding and who have been professionally engaged for at least five years, at least one of which shall have been immediately prior to the date of nomination, in an occupation in which they have used their skill and experience in tourist guiding.

### **Ordinary Members**

- 10.1 Except as provided in Bye Law 8, individuals applying for admission as Ordinary Members of the Institute shall be required to satisfy the Board that they:

- a. have passed, not more than four years before the date of application, the examinations/assessments for the Institute's Tourist Guiding Award exemplified by the Blue Badge. The Board may, in its discretion, allow exemption from a part or parts of any examinations.
- b. are engaged as tourist guides.

### **Associates**

- 11.1 Except as provided in Bye Law 8, individuals applying for admission as Associates of the Institute shall be required to satisfy the Board that they:
- a. have passed, not more than four years before the date of application, the examinations/assessments conducted and/or accredited by the Institute for walking tours in town or country or such other examinations as the Board may from time to time approve, and
  - b. are engaged in an occupation or employment providing commentaries and interpretation.

### **Affiliates**

- 12.1 Except as provided in Bye Law 8, individuals applying for admission as Affiliates of the Institute shall be required to satisfy the Board that they:
- a. have passed, not more than four years before the date of application, the examinations/assessments conducted and/or accredited by the Institute for fixed parameter tours or such other examinations as the Board may from time to time approve, and
  - b. are engaged in an occupation or employment providing commentaries on fixed parameter tours.

### **Students**

- 13.1 Individuals applying for registration as Students shall be required to satisfy the Board that they are not less than sixteen years of age and that they are or will be engaged upon a course of study considered relevant by the Board.
- 13.2 A Student registration with the Institute will be tenable for a period of four years, but the Board may, in its discretion, extend the period.

### **PROFESSIONAL CONDUCT**

- 14.1 All Fellows, Ordinary Members, Associates, Affiliates and Students must adhere to the Institute's Code of Conduct as amended from time to time and attached to these Bye Laws as Annex 2.
- 14.2 The Code of Conduct shall include an undertaking to carry out Continuing Professional Development.

### **DISCIPLINARY PROCEDURE**

- 15.1 The Board shall appoint a Professional Conduct Committee and Professional Conduct Appeals Committee.

- 15.2 The Professional Conduct Committee shall make recommendations to the Board in respect of each written complaint alleging breach of the Institute's Code of Professional Conduct and/or other professional misconduct detrimental to the interests of the Institute.
- 15.3 If such a written complaint described above is upheld, the Board may take one or more of the following steps:
- a. Admonishment;
  - b. Suspension for any period not exceeding one year without refund of subscription;
  - c. Expulsion without refund of subscription;
  - d. Withdrawal of the Institute photo card and guide badge.

All categories registered, users of guiding services, and sites, may be informed of any of the above steps.

- 15.4 The rules and procedures governing the conduct of disciplinary cases shall be determined by the Board. Any amendment of the rules shall be notified to Members of the Institute no later than the next Annual General Meeting following such amendment. Current procedures are set out in the document dated March 2018 annexed to these Bye Laws as Annex 4.

## **THE DIRECTORS**

- 16.1 The Directors shall meet at least four times a year.
- 16.2 The Board shall appoint a President (or two Co-Presidents) and a Deputy President from Members who have been elected to the Board. It will be usual for the Deputy President to be elected President for the following year. The immediate Past President may be co-opted to the Board for the year after his/her Presidency.
- 16.3 When the number of Associates reaches 100, a maximum of two Directors shall be Associates, nominated by Associates and elected by them at the AGM. When the number of Associates is fewer than 100, the number of Associate Directors elected shall be one.
- 16.4 The Board shall appoint a Treasurer.
- 16.5 The Chairman of all London and UK Associations of Registered Tourist Guides shall be invited to attend Board meetings when it is felt by the Board that their presence would be beneficial to a specific item on the agenda, and for that part of the Board meetings only. They may contribute to the debate on that item but may not vote.

- 16.6 The Board shall use its best endeavours that an adequate geographical and constituency coverage is achieved in its membership.
- 16.7 No Director shall be reimbursed expenses incurred without the prior approval of the Treasurer and/or Board. Directors must provide supporting documentation with all claims for reimbursement.
- 16.8 A request to see the Minutes of the Board should not be made to the office but to the Board as a whole. Nothing should be sent until the Minutes have been agreed by the Board. A copy of the relevant extract may be sent, on condition that the Board collectively agrees.

### **EXECUTIVE COMMITTEE**

- 17.1 The Board may appoint an Executive Committee to manage the day-to-day operations, financial management, human resources, accommodation and equipment of the Institute. Its composition shall consist of the Officers of the Institute as elected by the Board, the Operations Manager and other members appointed by the Board. The quorum for its meeting shall be fifty per cent. It shall report directly to the Board. Minutes of its meetings must be kept and shall be circulated to all Board members. Its terms of reference, which shall include a requirement to use its best endeavours to make decisions by consensus, its procedures and precise scope of work, will be determined by the Board from time to time.<sup>4</sup>

### **COMMITTEES, WORKING PARTIES, COUNCILS**

- 18.1 The Board shall appoint such Committees and other bodies as it shall from time to time consider to be necessary for the carrying out of the Institute's objects. The terms of reference, procedures and precise scope of work shall be determined by the Board. Guides who are members of those Committees or other bodies must be either Fellows, Ordinary Members, Associates or Affiliates of the Institute of Tourist Guiding.
- 18.2 The Board shall appoint a Consultative Council from across the tourism industry to ensure that there is an effective communications channel with the tourism industry. The Consultative Council shall meet from time to time and shall be consulted on the Institute's work. Neither the Board nor the Institute shall be bound by any view expressed or advice given by the Council. Its terms of reference, procedures and precise scope of work shall be determined by the Board.

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<sup>4</sup> Amended 19<sup>th</sup> September 2019 by the Board.

## **TUTORS, TRAINERS, INVIGILATORS, COMPILERS, EXAMINERS**

- 19.1 Guides who are appointed in any of these capacities must be either Fellows, Ordinary Members, Associates or Affiliates of the Institute of Tourist Guiding.

## **EXAMINATION APPEALS**

- 20.1 The Institute shall establish a body, known as the Appeals Panel, to determine examination appeals. The Panel shall comprise a minimum of six members.
- 20.2 The Qualifications Board shall appoint a Co-ordinating Chair whose remit shall be, on receipt of an appeal, to nominate three members from the Panel to assess the appeal. At least one member of the Panel shall be an independent academic. No member of the Appeals Panel may have a direct interest in the candidate's case as an examiner, compiler or moderator for the candidate's examination that is the subject of the appeal.
- 20.3 A candidate wishing to appeal against the result of their examination may only do so on the grounds indicated below:
- a. that the examination had not been conducted in accordance with the examinations procedure of the Institute such that the result may have been adversely affected;
  - b. that the candidate believed that their performance in the examination had been materially impaired by ill health or other circumstances which the candidate had been unable, for valid reasons, to divulge to the Operations Manager or to an examiner on the day of the examination; or
  - c. that the candidate had reason to believe that one or more of the examiners was prejudiced or biased against them.

The candidate shall within 28 days from the date of notification of results give notice in writing to the Co-ordinating Chair of the Appeals Panel, setting out the full details of their appeal and the reasons why one or more of the grounds indicated above were met.

An appeal will only be deemed valid for consideration when based on one or more of the above grounds.

- 20.4 The appropriate fee, details of which are available from the Operations Manager, must be paid in full at the time the appeal is made.
- 20.5 The remit of the Appeals Panel is to consider whether any of the grounds as stipulated in 20.3 above have been demonstrably met, and whether judgements made were consistent, fair and applied correctly. Its remit does not extend to considering the academic judgement of examiners or other issues of assessment.

The Panel may invite the views of the respective Chief Examiner and other examiners, compilers and moderators, and may call for all relevant documentation from any relevant source as it deems necessary.

- 20.6 The decision of the Appeals Panel on whether or not the appeal is upheld shall be final and shall not be subject to further appeal or challenge.
- 20.7 Where the appeal is upheld, the Appeals Panel may recommend that:
- i. the result of the examination be changed;
  - ii. the candidate's work be reassessed; or
  - iii. the candidate be given a further opportunity to take the examination, with or without further payment of a fee.
- 20.8 Where an appeal is upheld, the fee paid under 20.4 above will be refunded.
- 20.9 The decisions of the Appeals Panel shall be reported by the Co-ordinating Chair to the appellant, the Chair of Qualifications Board, the President of the Institute, the Chair of the Examinations Committee, the relevant Programme Director, the Operations Manager, and the relevant Chief or External Examiner.

## **USE OF LOGOS**

- 21.1 The Institute's logo shall be determined by the Board, who may also amend or change the logo from time to time. The logo should wherever practicable be used on all documents relating to the Institute's business. This is the Company logo, for Institute office use only. Any other use of the logo shall be at the discretion of the Board of Directors.<sup>5</sup>
- 21.2 The use of the Blue, Green and White Badge images shall be at the discretion of the Board.
- 21.3 The Blue, Green and White Badges and images of those badges, and the words 'Institute of Tourist Guiding', are trade marks of the Institute. Images of the Blue and Green Badges and the words Institute of Tourist Guiding have been registered as Collective Trade Marks by the Institute. All of these registered and unregistered trade marks may be used by individual badge-holders who are Members, Associates or Affiliates of the Institute on their personal social media, stationery, email signatures, advertising and promotional materials and other reasonable uses for a tourist guide, so long as they comply with regulations governing the use of those trade marks published by the Institute from time to time. Individual badge-holders who are not Members, Associates

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<sup>5</sup> Amended 16<sup>th</sup> October 2020 by the Board.

or Affiliates of the Institute must apply for a licence to use the images in this way. There will be a charge for this licence.<sup>6</sup>

- 21.4 The Intellectual Property Office (IPO) requires the Institute to keep a database of all individuals entitled to use the badge images. The IPO also requires the wording 'Institute of Tourist Guiding' to be clearly visible on the rim of the badge image or, failing that, the website page or stationery must indicate that the image is the Collective Trade Mark of the Institute of Tourist Guiding.
- 21.5 Other organizations such as private companies, tourist offices or groups of guides (whether formal guide associations or informal groups with a website/leaflet advertising the services of more than one guide) may only use the Blue, Green and White Badge images on their publicity material or stationery if they have signed a Licence Agreement with the Institute. There may be a charge for this Licence.
- 21.6 The Institute owns the intellectual property rights in its Blue, Green and White Badges and images of these badges. It is an infringement of those rights to produce or use a badge or image sufficiently similar that it may be passed off as the Institute's trademarked images. Such infringement may ultimately lead to legal action by the Institute.<sup>7</sup>

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<sup>6</sup> Amended 21<sup>st</sup> October 2020 by the Board.

<sup>7</sup> Amended 21<sup>st</sup> October 2020 by the Board.

## **ANNEX I - REVALIDATION POLICY<sup>8</sup>**

In order to ensure the maintenance of high standards in tourist guiding, the Institute's Bye Laws have always stated that guides wishing to rejoin the Institute after a period of years may need to revalidate their original qualification, e.g. through further examination. The specific requirements for individual cases have been determined at the discretion of the Board. The Board's concern has always been to ensure that those who have been away from the profession for a period without maintaining Institute membership (and therefore contact with their professional body) have retained the knowledge and skills required as a professional tourist guide.

However, with the introduction in April 2012 of the new Career Break and Retired membership categories, the Board considered it necessary to set out in detail the policy for revalidation of Institute qualifications and published this to the full membership. These details were also communicated to all newly qualified tourist guides when they joined the Institute and to guiding associations throughout the country.

This revised policy came into effect on 1 July 2016 and applies to guides who:

- (a) for a period of three or more years have chosen to join the Career Break or Retired membership categories and who subsequently wish to return to active tourist guiding; or
- (b) have allowed their membership of the Institute to lapse or who have never joined the Institute and who now wish to join as Members, Associates or Affiliates.

The revalidation policy will not apply to guides who

- (a) return to full membership after fewer than three years as Career Break or Retired members; or
- (b) join the Institute within three years of achieving their qualification; or
- (c) rejoin the Institute as full members within three years of allowing their membership to lapse; or
- (d) join the Institute as Retired Members, having never become full members, or rejoin as Retired Members after more than three years

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<sup>8</sup> Approved by the Board on 14<sup>th</sup> May 2020.

without full membership; in both cases the revalidation policy will apply if wishing to return to active tourist guiding.

The revalidation requirements for those returning to full membership are as follows:

### **Ordinary Member (Blue Badge)**

After 3 and up to 6 years without full Institute Membership:

- For Career Break/Retired Members or those who have been absent from active tourist guiding: requirement to pass one practical examination (probably the coach);
- For guides who have none the less remained in active tourist guiding, evidence should be provided that they have been working throughout the period (usually in the form of at least two relevant references from tour operators or other travel trade companies);
- 6-10 years without full Institute Membership: requirement to pass three examinations: one written, one major site and one coach examination.

Over 10 years without full Institute Membership: requirement to pass all examinations including the Tour Planning Project.

### **Associate (Green Badge)**

After 3 and up to 6 years without full Institute Associate membership:

- For Career Break/Retired Associates or those who have been absent from active tourist guiding: requirement to pass one practical examination (probably the walk);
- For guides who have none the less remained in active tourist guiding, evidence should be provided that they have been working throughout the period (usually in the form of at least two references from tour operators or other travel trade companies).

6-10 years without full Institute Associate membership: requirement to pass two examinations: one written, one practical.

Over 10 years without full Institute Associate membership: requirement to pass all examinations including the Tour Planning Project.

### **Affiliate (White Badge)**

After 3 and up to 10 years as a Career Break/Retired Affiliate or without full Institute Affiliate membership: re-instatement upon recommendation of site of qualification.

Over 10 years: requirement to pass both examinations.

The revalidation policy came into effect at the start of the Institute membership year, 1<sup>st</sup> April 2013.

When examination is required to achieve revalidation, fees will apply (payable by the guide) and examinations will usually be offered as part of the Institute's existing examination schedule.

## ANNEX 2 - CODE OF CONDUCT<sup>9</sup><sup>10</sup>

### As a holder of an Institute of Tourist Guiding awarded badge, I agree to:

1. **Standards:** Uphold the standards of quality and professionalism inherent within the Institute of Tourist Guiding ["Institute"] qualifications for heritage interpretation, presentation skills, environmental concerns, sustainable tourism and duty of care to clients.
2. **Conduct:** Always be courteous, professional, ethical, flexible and collaborative towards clients, visitors, colleagues, site staff, drivers, etc. and never at any time undermine the profession to the detriment of any colleague/s nor bring into disrepute the reputation of the Institute.
3. **Qualification:** Only promote myself to guide in those areas and in those languages for which I hold Institute accredited qualifications/endorsements.
4. **Use of Institute Photo Card and Guide Badge:**
  - a. Wear the Institute photo card, with or without the guide badge, when on duty
  - b. Not allow, under any circumstance, any other person to use the Institute photo card or guide badge, which remain the property of the Institute at all times.
5. **Continuing Professional Development ["CPD"]:** Improve the standard of my own work and take the opportunity to expand and update my range of knowledge and skills wherever possible. I will record my CPD appropriately.
6. **Compliance:** Observe all health, safety and insurance requirements, hold current Public Liability Insurance, abide by current site guiding rules and recognise that it is a privilege and not an automatic right to guide at any particular site.

### Breaches of this Code of Conduct:

In the event of a written complaint to the Institute about a member being upheld as a result of due investigation, one or more of the following sanctions [as per the Bye Laws of the Institute] will be applied:

- a. Admonishment;
- b. Suspension for any period not exceeding one year without refund of subscription;
- c. Expulsion without refund of subscription;
- d. Withdrawal of Institute photo card and guide badge.

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<sup>9</sup>This Code of Conduct has been drafted in conjunction with both the Guild of British Tourist Guides and the Association of Professional Tourist Guides.

<sup>10</sup> The Institute, whilst maintaining the Register of Ordinary Members and Associates, does not act as an agency for guiding work and cannot accept responsibility for any loss or injury however sustained by an Ordinary Member, Associate or by their clients

## **ANNEX 3 - USE OF GUIDE BADGE CODE**

### **FOR BLUE BADGE, GREEN BADGE AND WHITE BADGE**

- 1) Badge-holders should wear their badges at all times when on duty.
- 2) Badge-holders should behave professionally and ethically at all times.
- 3) Badge-holders should not under any circumstances allow any other person to use their badge.
- 4) All badges remain the property of the Institute.
- 5) Badge-holders should observe all health, safety and insurance regulations.
- 6) Badge- holders shall not offer themselves for work in languages other than their first language or those for which they are deemed to have passed the Institute language test.
- 7) Badge-holders shall not hold themselves out to be qualified to guide in areas for which they hold no accredited qualifications.\*
- 8) Badge-holders are required to abide by current site guiding rules and have no automatic right to guide at a particular site.
- 9) The Institute will investigate any complaint regarding professional misuse of the badge by the badge-holder, including any complaint arising from this code. The Institute retains the right to ask badge-holders to explain any incident. After due consideration, the Institute may withdraw the Guide Badge and may inform users of guide services, sites and professional guide associations of any such withdrawal.

*\*In the EU, clarification may be sought from a local representative of the European Federation of Tourist Guides Associations or of the World Federation of Tourist Guide Associations.*

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

**Name (CAPS)** \_\_\_\_\_

## **ANNEX 4 - PROFESSIONAL CONDUCT & DISCIPLINARY PROCEDURE**

### **Objective**

The purpose of this procedure is to ensure that all tourist guides, who are accredited by the Institute of Tourist Guiding [tourist guides], as well as tour operators, staff at tourism sites, members of the public using tourist guiding services, and any other stakeholders are aware of the Code of Professional Conduct of the Institute of Tourist Guiding [the Institute] and the proper channels through which allegations of professional misconduct should be raised, investigated and dealt with.

It is the aim of the Institute to investigate and deal quickly, fairly and consistently with any allegations of unacceptable conduct or performance by tourist guides. The procedure is designed to help and encourage all tourist guides to achieve and maintain appropriate standards of conduct and job performance.

All allegations of misconduct will be referred initially to the Institute's Professional Conduct Committee (PCC). Any disciplinary action will be confirmed by the Institute's Board of Directors.

### **Policy**

It is the policy of the Institute that all tourist guides must abide by the Code of Professional Conduct and that if disciplinary action has to be taken against tourist guides it should:

- only be undertaken after an investigation and a disciplinary interview have been carried out;
- be appropriate to the nature of the offence that has been committed; and
- be fair and also consistent with previous action in similar circumstances, provided that action proved to be appropriate.

### **Allegations of professional misconduct**

Allegations of professional misconduct by tourist guides should be made in the first instance in writing to:

Professional Conduct Committee  
Institute of Tourist Guiding  
Coppergate House  
10 Whites Row  
London E1 7NF<sup>11</sup>

The PCC will review all allegations and determine whether there is a case to be answered. In the event that the Committee decides that there is no case to be answered, the Chair will

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<sup>11</sup> Amended 10<sup>th</sup> September 2020.

provide a written response to the allegation explaining that no further action will be taken and providing an explanation supporting that decision.

Where the PCC determines that there is a case to be answered, an Investigating Officer, who will be a Director of the Institute, will be appointed by the PCC to deal with the allegation.

An initial response to the allegation will be given in writing within 14 days of receipt of the allegation.

If the allegation or complaint is dismissed after an initial investigation of the evidence provided, then the person or organisation making the allegation or complaint will be informed in writing of this decision. The Institute may or may not decide to inform the tourist guide in question about the allegation.

## **Investigations**

The Investigating Officer will obtain details of the allegations in writing along with details of any witnesses. Such witnesses should be asked to provide a written statement of events.

The Investigating Officer will contact the tourist guide against whom the complaint/allegation has been made and will inform them of the nature of the complaint. The Investigating Officer may choose to withhold the identity of the person making the complaint. The tourist guide will be invited to provide a written response to the allegations within 15 days and should be asked to identify any witnesses. These witnesses will also be asked to provide a written statement of events.

Taking into account all the evidence provided, the Investigating Officer will determine whether there is a case to answer in relation to the Institute's Code of Professional Conduct and, therefore, whether a disciplinary hearing should be convened. The Investigating Officer will provide a written report, along with a recommendation as to whether a disciplinary hearing should be convened, to the PCC within 30 days of informing the tourist guide concerned of the allegations.

The PCC will review the Investigating Officer's report and decide whether to call a disciplinary hearing, request additional investigation/information or whether to take no further action. The decision of the PCC should be made within 10 days of receiving the Investigating Officer's report.

If the PCC determines that there should be a hearing, the Chair will write to the tourist guide concerned asking them to attend a disciplinary hearing within 30 days. Every effort should be made to find a date for the hearing convenient to all relevant parties

## **Disciplinary Hearing**

Tourist guides will not be disciplined without first being given the opportunity to state their side of the case at a disciplinary hearing. They will be given details of the complaint against them at least three working days before the hearing and will have the right to be accompanied by a guide colleague of their choice or an accredited trade union official. A disciplinary hearing may go ahead in their absence if they fail to attend on the agreed date.

A Disciplinary Hearing will be before a panel composed of two members of the PCC or Directors of the Institute who will review the complaint and any written evidence and will then ask the tourist guide to provide their explanation. The person making the original complaint and any witnesses to the alleged incident should not attend the hearing.

The panel will make their decision within 2 days of the hearing and the Chair of the PCC will communicate their decision along with any disciplinary action in writing to the tourist guide concerned.

## **Disciplinary Action**

There are four levels of disciplinary action available to the Institute depending on the seriousness of the offence; and/or whether a previous stage in the procedure has already been used.

### ○ **Stage One – Verbal Warning**

The guide will be advised by the Chair of the PCC that the warning constitutes the first formal stage of this procedure and a note of the verbal warning will be placed on record and remain in force for six months.

A verbal warning will be given in respect of a less serious offence, infringement or case of incapability.

### ○ **Stage Two – Written Warning**

A written warning will be sent to the guide by the Chair of the PCC for a more serious offence or if a further offence occurs while a previous offence remains on record.

A written warning will be forwarded to the guide and a copy kept on record for 12 months. Stage Three of the procedure may be considered if there is no satisfactory improvement.

### ○ **Stage Three – Final Written Warning**

A final written warning will be given to the guide in writing by the Chair of the PCC and will state that if the guide commits a further offence of misconduct accreditation will be withdrawn.

A Final Written Warning will be given following the use of Stage Two or without the use of Stage Two where the offence, infringement or case of incapability is of a more serious nature. A note will be placed on record and remain in force for 12 months.

### ○ **Stage Four – Withdrawal of Accreditation**

Withdrawal of accreditation will take place following further misconduct after a warning has been given under Stage Three of the procedure or, where the withdrawal of accreditation relates to incapability, inadequate or no improvement in performance, following a final written warning under Stage Three of the procedure.

A withdrawal of accreditation must be approved by the Institute's Board of Directors. Such decisions will be communicated to the British Guild of Tourist Guide and the Association of Tourist Guides so that they can update their membership data accordingly.

Once an accreditation has been withdrawn, the individual concerned may not re-apply to join the Institute. No individual will have their accreditation withdrawn for a first offence unless their conduct amounts to gross misconduct.

### **Offences which will lead to disciplinary action**

Offences under the Disciplinary Procedures fall into three categories:

- Misconduct
- Gross misconduct
- Incapability

The following lists give examples of each of these categories and are not intended to be exclusive or exhaustive. Offences and cases of a similar nature will be dealt with by this procedure.

- **Misconduct**

Behaviour which is contrary to the Institute's Code of Professional Conduct, includes:

- Abusive behaviour
- Failure to devote the whole of your time, attention and abilities to the job for which you have been engaged
- Disorderly conduct
- Minor acts of discourtesy towards clients or employees
- Discourtesy towards site staff, other groups and/or their leaders.
- Damaging the reputation of other guides, individually or severally
- Bringing the Institute into disrepute
- Disregard for clients' safety, comfort or satisfaction levels.
- Minor negligence including misuse of or damage to property
- Poor timekeeping
- Serious loss of time through smoking

- **Gross misconduct**

- Breach of duty of good faith or dishonesty even though it may be isolated
- Falsification of reports, accounts, expense forms, or self certification forms
- Refusal to carry out reasonable requirements as previously agreed with clients
- Serious negligence or recklessness in the conduct of business
- Sexual or racial harassment
- Taking, being in possession of or under the influence of illegal substances
- Being under the influence of alcohol
- Theft or unauthorised possession of property

- Unauthorised disclosure of confidential information or information in regard to which there is a duty of confidence to anyone
- Violent, dangerous or intimidating conduct
- **Incapability**
  - Incompetence
  - Lack of application
  - Poor performance