

Rules and Regulations of Professional Competence and Conduct

(Effective from 1 January 2018)

Foreword:

Members of the Institute are governed by the Royal Charter and the Bye-Laws. Under Bye-Law 3I all members are bound to further to the best of their ability the objects, interests and influence of the Institute. Members shall also observe the Rules and Regulations of Professional Competence and Conduct and all other Rules and Regulations of the Institute for the time being in force.

These Rules and Regulations below have been approved by the Membership at an EGM on 19 June 2017, following a member consultation. The Rules and Regulations highlight that the Members should act with integrity, honesty and trustworthiness; treat others with respect, fairness and equality, and; discharge their duties with fidelity and probity. The procedures associated with these Rules and Regulations are set down in the Institute's Disciplinary Regulations.

The Board of Trustees may change or add any Rules or Regulations from time to time provided that such changes or additions are not contrary to the Royal Charter and the Bye-Laws. Notice of changes or additions to the Rules or Regulations will be by the appropriate means at the time of announcement.

In these Rules and Regulations:

- a) words and expressions shall have the meaning, if any, assigned to them in the Royal Charter and the Bye-Laws;
- b) 'Members' shall mean all corporate and non-corporate members of the Institute;
- c) 'Company Members' shall mean all company members of the Institute;
- d) the word 'logo' refers to the logo approved by the Board of Trustees for use by corporate members only.

General

1. Members shall at all times act with integrity, honesty and trustworthiness.
2. Members shall treat others with respect, fairness and equality at all times.
3. Members shall discharge their duties with complete fidelity and probity. In particular they shall:
 - 3.1 not divulge any information of a confidential nature relating to business activities;
 - 3.2 avoid conflicts of interest and any actions or situations that are inconsistent with their obligations as a member of the Institute;
 - 3.3 at no time improperly offer, solicit or accept gifts or favours with a view to obtaining preferential treatment or gaining an unfair advantage.
4. Members shall not discriminate on the grounds of gender, race or ethnic origin, sexual or gender orientation, creed, nationality, disability or age.

Competence

5. Members shall not undertake work for which they knowingly lack sufficient professional or technical competence, or the adequate resources to meet their obligations.
6. Members shall ensure that all work undertaken is in accordance with good practice and current standards.
7. Members shall act in the best interests of the client at all times and deliver good customer care and service.
8. Members shall before undertaking work, ensure that written terms and conditions are issued to the Client. Such terms and conditions shall include but not be limited to:
 - 8.1 the nature, scope and limitation of the proposed work;
 - 8.2 the basis and timing of any payments;
 - 8.3 the procedures to apply in the event of a dispute;
 - 8.4 a complaints handling procedure;
 - 8.5 the nature and scope (including any restriction or limitation) of the insurance cover applying to the work.

9. Members shall be adequately and appropriately insured for all risks, relevant to their activity.
10. Members shall keep themselves informed of current thinking and developments appropriate to the type and level of their responsibility. They should be able to provide evidence that they have undertaken sufficient study and personal development to fulfil their professional obligations in accordance with Institute's policy for Continuing Professional Development (CPD).
11. Members shall have knowledge of and comply with any relevant legislation to the construction industry and/or as appropriate to the activity they undertake, with particular regard to health, welfare, safety and the environment.
12. Members shall cooperate fully with Institute staff and any person appointed by the Institute to act on its behalf.
13. Members shall submit in a timely manner such information, and in such form, as the Institute may reasonably require.
14. Individual members may use the Institute logo and Company members may use the company logo in accordance with guidelines issued by the Institute from time to time¹. Such logos may not be used in conjunction with the name of any other person, business or other organisation.

Company members

15. Company Members shall inform their employees of these Rules and monitor their compliance with it.
16. Company Members shall ensure that staff engaged in the construction process have achieved, or are working towards, appropriate qualifications and/or training.
17. Members who are directors or partners of Company Members shall ensure that, so far as is practicable in accordance with that Member's role and responsibilities, the Company Member shall comply with such parts of these Rules as are applicable to Company Members, and may face disciplinary action accordingly.

¹ Subject to Disciplinary Regulations in force from time to time.

