



CODE OF CONDUCT

The PSA Code of Conduct has been produced to establish the organisations ideal of professional conduct and express the principles that the Association requires its members to adopt in the execution of their professional duties.

All members of the Association shall at all times:

- Uphold the dignity and reputation of the profession and that of the Association and its members and officers;
- Safeguard the clients, the public and other contractors interest in matters of safety, health and the environment;
- Exercise their professional skill and judgement to the best of their ability;
- Carry out their professional responsibilities with integrity, honesty and diligence;
- Never engage in acts of racial or other forms of discrimination whatsoever.

RULES OF CONDUCT

For clarity, these have been grouped into the principal rules that all members should endeavour to adhere to while carrying out their professional duties.

A1. Professional competence and integrity

A1.1 Members shall avoid undertaking work that is beyond their capabilities. Therefore members shall undertake to:

- Where applicable, upgrade their professional knowledge and skill;
- Maintain by appropriate means; adequate awareness of technological developments, procedures, standards, laws and statutory regulations which are relevant to their field

A1.2 Members shall not knowingly act for a client for whom other members are acting in the same matter until either:

- The first contract has been determined by the client; or
- The other member has consented to them acting.

A1.3 Any member, who is asked to give an opinion of the work of another member, shall seek an assurance that the other member is aware of the second members' involvement.

A1.4 Members shall not maliciously or recklessly injure or attempt to injure the professional reputation of others whether directly or indirectly or whether they are members or not.

A2. Public interest

A2.1 Members shall not do anything, or permit anything under their authority to be done, of which the probable and involuntary consequences would, in their professional judgement:

- Endanger human life or safety.
- Expose valuable property to the risk of destruction or serious damage.
- Needlessly pollute the environment.

A2.2 In their work, members shall respect all relevant laws and statutory regulations. However, the Association is not competent to judge the legality of any action or to resolve disputes concerning any aspect of any contract.

A3. Duty to Employers and Clients

A3.1 When carrying out their professional duty members shall:

- Satisfy themselves as to their scope, obtaining in advance any necessary clarification or confirmation, and shall not accept professional obligations which they believe they have not sufficient competence or authority to perform;

- Accept responsibility for all work carried out by them, or under their supervision or direction, and shall take all reasonable steps to ensure that persons working under their authority are competent to carry out the tasks assigned to them and that they accept responsibility for work done under the authority delegated to them;
- Give advice that is objective and, as far as practicable, reliable and if this advice is not accepted, take all reasonable steps to ensure that the person who over-rules or disregards their advice is aware of the possible consequences;
- Disclose to their client or employer any benefits or interests that they may have in any matter in which they are engaged on their behalf;
- Neither communicate to any person, nor publish any information or matter not previously known by them or published in the public domain, which has been communicated to them in confidence by a client or employer without the express authority of that client or employer;
- Not offer, give or receive any inducement (financial or otherwise) to or from a third party in return for the introduction of clients or professional assignments without making such action known to the client;
- Safeguard any funds or other resources managed for the benefit of any person and shall avoid any misrepresentation, whether financial or professional, of their own worth or that of their employer.

A4. Conflicts of interest

A4.1 Where a conflict arises or may arise between the member's own interests and those of any of their associates and the interests of a client, the members must:

- Disclose to the client as soon as practicable the possibility of the conflict;
- Inform the client that neither they personally nor their company can act or continue to act for the client unless requested to do so having first advised the client to obtain independent professional advice; and
- Confirm to the client in writing the above position.

A5. Insurance

A5.1 Members shall possess and maintain the relevant Insurance cover at a level commensurate with the nature of the business undertaken and the number of persons employed.

A5.2 Prior to undertaking any project, members must possess the financial viability to be able to guarantee the payment of all suppliers and contractors for services rendered in connection with that project.

A6. Health and Safety Policies and Risk Assessments

A6.1 Member companies of the Association that employ five or more persons must possess and implement a current health and safety policy that contains:

- a) A signed and dated policy statement
- b) A clearly defined health and safety management structure
- c) The arrangements for health and safety within the company

The company should be prepared to submit the health and safety policy for examination by relevant interested parties.

A6.2 Member companies of the Association that employ five or more persons must prepare and implement suitable and sufficient risk assessments in accordance with statutory and contractual obligations.

Risk Assessments should be conducted by a competent person and should be continually monitored and reviewed as necessary.

Individual members involved in dangerous or high-risk operations are also required to carry out risk assessments particularly if a large number of persons could be affected.

Companies and individual members should be prepared to submit risk assessments for examination by relevant interested parties.

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The principle steps to risk assessment are as follows:

- a) Identify the various hazards associated with the job or operation;
- b) Identify those people who are at risk, who may be harmed and how;
- c) Evaluate the risks and decide if the existing precautions are adequate or can be improved;
- d) Record all the findings, recommendations and remedial actions implemented;
- e) Review the assessments and revise as necessary.

B: COMPLAINTS PROCEDURE

B1. Preamble

B1.1 Any person or persons, whether members or not, may originate a complaint under the Code and Rules of Conduct against

- A member or members; or
- Council or any of its Committees; or
- An officer or officers of the Association acting in an official capacity.

B1.2 Council or any of its Committees may originate a complaint against a member whose actions may be against the interests of the Association, such actions may include being convicted of a serious criminal offence.

B1.3 Any person who wishes to bring a complaint or information relating to alleged improper conduct or breach of the Association Code and Rules of Conduct should contact the Chairman of the Council of Management who will follow a defined procedure.

B2. Procedure to deal with complaints

B2.1 In the event of a complaint or the bringing to his/her notice of information relating to alleged improper conduct or breach of the Associations Code and Rules of Conduct, the Chairman of the Council of Management shall inform the defendant that a complaint has been received.

B2.2 The Chairman shall appoint from the members of the Council a member or members to carry out an investigation into the facts of the complaint and to report those findings to the Chairman.

B2.3 If the complaint is against the Chairman, Council shall appoint a substitute to act in his/her place in all matters concerning the complaint.

B2.4 If the Chairman considers that there is no case to answer or that the matter is outside the competence of the Association to pass judgment, the case may be dismissed at this stage subject to any resubmission by the complainant. However, a report shall be made to Council.

B2.5 If the case concerns legal or contractual matters, consideration shall be deferred until such matters are concluded.

B2.6 If there is a case to answer then a meeting of a Disciplinary Panel shall be convened; the Panel shall comprise, where reasonably practicable, all members of the Council of Management apart from those members who have a direct interest in the case.

B2.7 The Panel shall consider all the evidence and any other submissions from both parties and may call for further submissions or evidence from elsewhere and thereafter shall report those findings to the Chairman.

B2.8 In exceptional circumstances and subject to the direction of Council an Investigating Tribunal comprising three members of the Association of long standing who are not members of the Council of Management may be appointed to consider the case and to report to the Disciplinary Panel. Such exceptional circumstances may include the situation in which the complaint is against the Council of Management.

B2.9 The Panel may refer the case back to the Tribunal if it considers that further clarification is necessary to resolve the case.

B2.10 The Chairman of the Council of Management shall report the findings to Council, which shall either refer the case back to the Disciplinary Panel for further consideration or confirm the findings and determine the appropriate course of action.

B2.11 If the complaint is upheld, Council may recommend that the member or members should:

B2.11.1 be expelled from membership; or

B2.11.2 be suspended from membership for a defined period; or

B2.11.3 be reprimanded; or

B2.11.4 suffer any other penalty appropriate to the particular circumstances.

B2.12 Council shall arrange for all interested parties to be informed of the decision and the proposed penalty, and may, at its discretion and subject to any appeal, publish the results.

B3. Appeals

B3.1 Either party may appeal against the decision of Council. If an appeal is raised, Council shall appoint an Appeals Panel of three members chosen from members of the Association of long standing with experience in the relevant field who have not been concerned in the earlier stages of the case.

B3.2 The Appeal Panel shall reconsider the evidence already presented, shall call for further submissions from the parties and

may seek further evidence from elsewhere.

B3.3 The decision of the Panel shall be final and binding, subject to confirmation by Council, except that where dismissal from or suspension from membership is considered to be appropriate the member has the right of appeal to a General Meeting as defined in the Articles of Association.

B4. Service of Notices and Documents

B4.1 Any notice required or permitted to be given by either party to the other under these Procedures shall be in writing addressed to that other party at its registered office or principal place of business or such other address as may at the relevant time have been notified pursuant to this provision to the party giving the notice.

B4.2 In proving service by post it shall only be necessary to prove that the communication was contained in an envelope, which was duly addressed and posted in accordance with this clause.