

cabe

chartered
association
of building
engineers

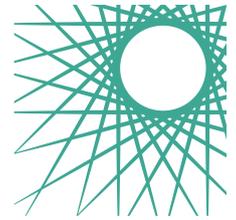
Code of Professional Conduct

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As of 15th May 2019, the Rules of Professional Conduct were replaced with the CABE Code of Professional Conduct. Complaints relating to matters prior to 15th May will be assessed against the Rules of Professional Conduct.

Code of Professional Conduct



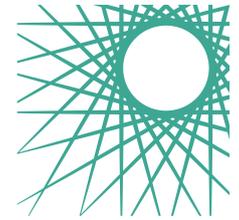
1. In accordance with bylaws the Chartered Association of Building Engineers (hereinafter referred to as CABE) is required to set a Code of Professional Conduct (hereinafter referred to as the Code) to be followed by its members. Failure to comply with the provisions of the Code may result in disciplinary proceedings, or be taken into account in any disciplinary proceedings, before CABE's Disciplinary Panel.
2. The Code provides the basis for CABE's expectation of members' professional behaviour and conduct as well as forming the foundation for considerations by the Disciplinary Panel when conducting enquiry hearings dealing with complaints against members' professional competence, conduct or compliance with mandatory requirements. The Code may also be used by CABE, and where convened any Disciplinary Panel, when enquiring into apparent breaches by members of the membership contract.
3. The Code should be read in conjunction with the CABE Guide to Ethical Professionalism which sets out a non-exhaustive set of common matters that Building Engineers should consider and to which they should apply themselves in meeting the mandatory requirements and professional standards.
4. To justify disciplinary proceedings any breach of the Code must be material, which is to say that it must be relevant to one or more of the mandatory requirements or professional standards set out below. Whilst consideration may be given to the content of the Guide to Ethical Professionalism, failure to follow that guidance does not automatically indicate a breach of the Code and the decision as to whether such a breach has occurred will rest with the relevant CABE Disciplinary Panel.
5. Where there is any conflict between any relevant and enforceable locally applicable laws and/or statutory provisions and this Code, members should comply with this Code to the maximum extent possible, but without contravening those laws and/or provisions.

Mandatory Requirements

6. The Code sets out the following mandatory requirements with which all members must comply:
 - (a) Having achieved such qualifications and experience as CABE shall require for admission to its Fellowship and Membership, members shall undertake such Continuing Professional Development (CPD) as CABE shall require at any particular point in time to ensure that they maintain their professional competence, and must on request and within a reasonable time produce such evidence as may be required of them to demonstrate compliance with CABE's CPD requirements
 - (b) They shall perform their professional duties with such professionalism and to such professional standards as CABE may reasonably expect of Building Engineers and be mindful of the Guide to Ethical Professionalism
 - (c) As soon as practicable after they become aware of any possible failure to have complied with the requirements of this Code in any professional circumstances they shall notify in writing and seek the advice of CABE. In any event they shall notify CABE in writing within 14 days if they (or the business they operate) have:
 - i. Been convicted of a relevant criminal offence
 - ii. Been subject to disciplinary sanction by another professional institute
 - iii. Received an adverse civil court judgment
 - iv. become insolvent; or
 - v. Been disqualified as a Company Director or Charity Trustee.

For the purposes of this subsection, the following definitions apply:

“Relevant criminal offence” – means any offence (including a civil offence) involving dishonesty of any kind; any other offence for which a court may impose a custodial sentence (whether the court imposed such a sentence or not); and where **“convicted”** – includes acceptance of a formal caution for the offence.



“Become insolvent” – means any one or more of the following:

- i. is deemed either unable to pay his or her debts or as having no reasonable prospect of so doing, in either case, within the meaning of section 268 of the Insolvency Act 1986 or (being a partnership) has any partner to whom this applies
- ii. commences negotiations with all or any class of its creditors with a view to rescheduling any of his or her debts, or makes a proposal for or enters into any compromise or arrangement with his or her creditors
- iii. is the subject of a bankruptcy petition or order
- iv. a creditor or encumbrancer of the member attaches or takes possession of, or a distress, execution, sequestration or other such process is levied or enforced on or sued against, the whole or any part of the members assets and such attachment or process is not discharged within ten Business Days; or
- v. any event occurs, or proceedings taken, in any jurisdiction to which the member may be subject that has an effect equivalent or similar to any of the events mentioned in Paragraphs (i) to (iv) above (inclusive).

“Disciplinary sanction” – means any action taken against the member constituting a rebuke, reprimand, warning, caution, penalty, fine, imposition of restrictive conditions on membership, suspension of membership for any period, and/or termination of membership.

“Association or body” – means any organisation, association, academy, alliance, federation, league, council, foundation or other similar body of which the CABA member is or was at any time a member and which has the power to impose any disciplinary sanction on its members.

- d) They shall co-operate with CABA in any disciplinary enquiry that may be held in respect of any complaint that has been against them, including maintaining their membership during the disciplinary process
- (e) They shall only use the postnominals, titles and CABA brand or Intellectual Property in accordance with published policies and/or terms and conditions relevant to their membership
- (f) They shall at all times conduct themselves, professionally and otherwise, in such a way that they do not bring CABA into professional disrepute.

Professional Standards

7. The Code should be read in conjunction with further guidance provided in the CABA Guide to Ethical Professionalism which sets out common ways to comply with these expected professional standards based on guidance issued by the Engineering Council and Royal Society of Engineers.
8. All members must understand and act in accordance with the following professional standards.

Act professionally at all times

Standard 1 – Act with all due skill, care and diligence and with proper regard for professional standards.

Standard 2 – Accept appropriate responsibility for work they undertake or which is carried out under their supervision.

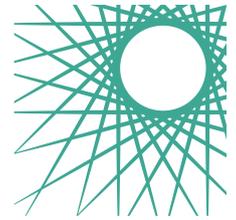
Standard 3 – Treat all persons fairly and with respect and act at all times in a manner which does not bring CABE into disrepute.

Standard 4 – Do not act in any matter where to do so would result in a conflict of interest or where there is a significant risk of a conflict of interest arising and as soon as practicable advise affected parties when any conflict arises.

Standard 5 – Observe the proper duties of confidentiality owed to appropriate parties including taking necessary steps to protect data and ensure cyber security; and ensure that no data or confidential information is disclosed save with the express consent of the subject or in response to a court order or the lawful exercise of a statutory investigation power by the organisation or person requiring disclosure.

Standard 6 – Reject bribery and all forms of corrupt behaviour and make positive efforts to ensure others do likewise; and at all times comply with the duties and obligations stipulated in the Bribery Act 2010 and any other applicable anti-corruption and bribery legislation.

Standard 7 – Notify CABE of any significant violation of the Association’s Code of Professional Conduct by another member.



Manage risk responsibly

Standard 8 – Comply with all relevant statutory health and safety provisions to ensure their own health and safety and the safety of anyone else who may be affected by their acts and omissions.

Standard 9 – Wherever it is within their control to do so, eliminate health and safety risks or cause them to be eliminated; failing which reduce the risks (or cause them to be reduced) to the lowest reasonably practicable level.

Standard 10 – Seek actively to identify risk; report and discuss risk in a responsible manner and raise concerns with appropriate persons or organisations about danger, risk, malpractice or wrongdoing which may cause harm to others (known as ‘whistleblowing’), or support a colleague or any other person to whom a duty of care is owed and who in good faith raises any such concern.

Standard 11 – Assess and manage relevant risks and communicate these appropriately.

Standard 12 – Assess relevant liability and hold adequate professional indemnity and other insurances.

Ensure competency in their role as a building engineer

Standard 13 – Maintain and enhance their competency including undertaking and recording CPD activity as required by CABE at any point in time.

Standard 14 – Encourage others to advance their learning and competence.

Standard 15 – Undertake only professional tasks for which they are competent and use reasonable endeavours to ensure that others over whom they may have influence do not undertake professional tasks for which they lack the necessary competence.

Standard 16 – Be entirely candid about and disclose relevant limitations of competence to those it may affect.

Act in a way which promotes sustainability

Standard 17 – Act in accordance with the principles of sustainability and use their best endeavours to prevent avoidable adverse impact on the environment and society.

We're here to help

If you have any queries about the Code of Professional Conduct, please contact us. You can also find out further information at cbuilde.com.

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