

Effective date : 1 January 2021

## Code of Professional Conduct (2020)

### Annex C to Regulation 3A

#### Issue VI: 2020

As the leading professional qualifying body for chemical, biochemical and process engineers, the Institution of Chemical Engineers (IChemE) expects its Members (as defined in paragraph 1 of the preamble to Regulation 3a), whatever their level of training or experience, to act with integrity and in the public interest, and to uphold certain standards of behaviour.

This Code of Professional Conduct reflects the personal obligations on members, who are also encouraged to study and act in accordance with the Statement of Ethical Principles published by the Engineering Council and Royal Academy of Engineering, as updated from time to time.

Compliance with, and agreement to, the provisions of this Code of Professional Conduct, as amended from time to time, is a condition of IChemE membership.

#### 1. Introduction and key values

1.1. A successful application to become a Member of IChemE at any grade leads to admission to a professional body and as such members are expected to adhere to the requirements of that professional body. This Code of Professional Conduct identifies the behaviour required of members. Breaches of this Code may lead to disciplinary action including suspension or expulsion from IChemE.

1.2 This Code of Professional Conduct is designed to cover (a) the professional competence of members of IChemE when practising their engineering expertise anywhere in the world, (b) their professional relationships with IChemE, its members and its staff, their professional colleagues and members of the public, and (c) their conduct in their professional capacity or otherwise that may affect the standing of the profession and IChemE.

1.3 Three key values guide the strategy and operations of IChemE, and apply to the behaviour of all members:

1.3.1 **Accountability:** Everything IChemE does will be able to stand the test of scrutiny by the public, the Charity Commission, members, stakeholders, funders, the media, parliament and the courts.

1.3.2 **Integrity and honesty:** These will be the hallmarks of all conduct when dealing with colleagues within IChemE and equally when dealing with individuals and institutions outside it.

1.3.3 **Transparency:** IChemE strives to maintain an atmosphere of openness throughout the organisation to promote the confidence of the public, the Charity Commission, members, stakeholders, funders, staff, the media, and parliament.

#### 2. General duties

2.1 Members must:

2.1.1 Act with due skill, care and diligence and with proper regard for professional standards

2.1.2 Members must hold paramount the health and safety of others, draw attention to hazards and prevent avoidable danger to health or safety.

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- 2.1.3 Prevent avoidable risk to both physical and cyber security.
- 2.1.4 Not engage in any malicious conduct which is intended or is likely to disrupt activities undertaken by IChemE or organised by it.
- 2.1.5 Act in accordance with the principles of sustainability, prevent avoidable adverse impact on the environment and society, and protect, and where possible improve, the quality of built and natural environments.
- 2.1.6 Reject bribery and all forms of corrupt behaviour, and make positive efforts to ensure others do likewise, and comply with the [IChemE \[anti-bribery and corruption\] policy](#).
- 2.1.7 Assess and manage relevant risks and communicate these appropriately.
- 2.1.8 Assess relevant liability, and if appropriate hold professional indemnity insurance.
- 2.1.9 Comply with IChemE's governing documents and all relevant IChemE policies and regulations.

### **3. Personal Behaviour**

- 3.1. Members must at all times behave in a manner appropriate to their position as a Member of IChemE, and be mindful of the integrity expected of members of IChemE in their personal conduct in order to avoid any behaviour which might undermine the confidence of the public in the exercise of their professional responsibilities.
- 3.2. IChemE's qualified Member grades are widely recognised and demonstrate professional competence and commitment to employers, policy makers, regulators and society. Members must uphold the reputation and standing of the profession and of IChemE.
- 3.3. Members must be alert to the ways in which their work and behaviour might affect others and respect the privacy, rights and reputations of other parties and individuals. Members must take all reasonable steps not to injure or attempt to injure, whether directly or indirectly, the professional reputation, prospects or business of any other person
- 3.4. Breach of this Code, and behaviour including, for example, dishonesty, indecency, harassment, bullying, violence, abuse of drugs or alcohol, will lead to disciplinary action under this Code.
- 3.5. Members must at all times treat clients, colleagues, staff and other members of IChemE fairly, without bias, and with due respect, and conduct themselves in a professional, honest, decent and courteous manner. During the course of interactions with clients, colleagues, staff and other members of IChemE, members shall use language appropriate to the situation and people involved.
- 3.6. Members shall treat people fairly and not discriminate unlawfully, or victimise or harass anyone, in the course of their professional dealings, and shall work with clients and others appropriately, and will promote equality, diversity and inclusion.
- 3.7. Members must not disrupt unduly the membership experience of fellow members.

### **4. Professional competence**

- 4.1. When discharging their professional duties, members must act with competence and integrity, in the public interest, and must exercise all reasonable professional skill and care.
- 4.2. Members must maintain and enhance their competence, undertake only professional tasks for which they are competent, and disclose relevant limitations of competence.

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4.3 Members must take all reasonable steps to ensure that persons working under their authority are both suitably equipped and competent to carry out the tasks assigned to them, and must accept responsibility for work carried out under their supervision.

4.4 Members must take responsibility for their own learning and development by undertaking appropriate continual professional development and keep adequate records of professional development undertaken.

4.5 Members must encourage others to advance their learning and competence.

4.6 Members must give due weight to facts, published standards and guidance relevant to the profession and the wider public interest.

4.7 Members must ensure their work is lawful and justified.

4.8 Members must avoid advertising or writing articles (in any medium) for publication in any manner that is damaging to the reputation of IChemE or to the standing of their profession.

4.9 Members must act with competence and professionally in relation to any content that they publish in the public domain, including without limitation articles, blogs and all social media, and must use all forms of spoken, written and digital communication (including social media and networking sites) responsibly.

4.10 Members must be objective and truthful in any statement made in their professional capacity and challenge statements or policies that cause them professional concern.

## **5. Insight**

5.1 Members must recognise their own personal and professional abilities and limits, be self-aware and reflective. When appropriate they should seek support and follow advice and guidance.

5.2 Members should demonstrate consistently appropriate standards of personal and professional conduct, act with honesty and integrity, and maintain standards of ethics and behaviour in keeping with their profession.

5.3 Members must avoid, where possible, real or perceived conflict of interest, and advise affected parties when such conflicts arise.

5.4 Members should raise a concern about a danger, risk, malpractice or wrongdoing which affects others ('blow the whistle'), and support a colleague or any other person to whom they have a duty of care who in good faith raises any such concern. <sup>1</sup>

5.5 A lack of insight into health or professional concerns may bring a Member's fitness to be a Member into question, and may lead to referral under the Disciplinary Regulations.

5.6 Members must notify IChemE:

5.6.1 If they are convicted of a criminal offence or upon becoming bankrupt or disqualified as a Company Director or charity trustee.

5.6.2 Of an adverse civil court judgment, if this could reasonably be perceived as related to any aspect of this Code (whether in the UK or overseas).

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<sup>1</sup> Members should refer to the Engineering Council Guidance: <https://www.engc.org.uk/whistleblowing>

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5.6.3 If they have had membership of another professional body terminated as the result of a disciplinary procedure.

5.6.4 Of any other material changes to relevant information about them.

5.6.5 Of any significant violation of this Code by another Member.

5.7 Members must respond to any complaints made against them in a professional manner.

5.8 Members must avoid vexatious behaviour, including manifestly unjustified, inappropriate or improper use of a formal IChemE procedure(s) or manifestly unjustified, inappropriate and improper contact with other persons, including but not limited to other IChemE members and IChemE staff. The key consideration for IChemE when deciding whether a Member has breached this provision, is whether the use of the procedure or the contact is likely to cause a disproportionate or unjustified level of disruption, irritation or distress, or interfere with the proper functions of IChemE.

## **6. Confidentiality**

6.1 Members must observe the proper duties of confidentiality owed to appropriate parties, and must respect and protect personal information and intellectual property.

6.2. Members may have access to confidential personal information and are required to comply with the data protection legislation. Members may not disclose this information to any third party, other than in accordance with the law. Failure to comply with this requirement will lead to disciplinary action under this Code.

6.3 Members must ensure the security of personal information that they may handle.

6.4 Members must comply with all legal or IChemE requirements regarding the use of IChemE's trademarks, goodwill, logos, corporate identity or other intellectual property (whether registered or unregistered).

## **7. Updates and guidance notes**

7.1 IChemE may publish Guidance Notes and Policies to members from time to time containing advice as to specific conduct which is to be regarded as proper or improper as the case may be. Such notes shall be deemed to be part of this Code of Professional Conduct. In the event of any conflict between this Code of Professional Conduct and any such Guidance Notes and Policies, this Code of Professional Conduct takes priority.

7.2 In joining IChemE, all members agree to abide by this Code of Professional Conduct. Members re-affirm their commitment to this Code annually by renewal of their membership.

7.3 This Code is made and published as required by the By-laws of IChemE. Members must read and interpret it in accordance with those By-laws.

## **8. Misconduct**

8.1 Members may be deemed to have committed improper professional conduct, and be referred under the Disciplinary Regulations, if:

8.1.1. in the reasonable opinion of the Board of Trustees, as delegated to a suitably appointed panel, their conduct fails to conform with the By-laws of the Institution (including this Code of Professional Conduct, or with any advice published thereunder). This may include, but is not limited to, persistent minor breaches of this Code, or vexatious behaviour; or

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8.1.2 they are convicted by a competent tribunal of any relevant criminal offence, or have in any other proceedings to which they are party been found by a Court or other competent tribunal guilty of conduct which (in either such case) in the reasonable opinion of the Board of Trustees, as delegated to a suitably appointed panel, renders them unfit to be members; or

8.1.3 they are, in the reasonable opinion of the Board of Trustees, as delegated to a suitably appointed panel, precluded from performing their professional duties, in a manner which is consistent with the standards of their profession, as a result of having been adjudicated bankrupt or of making a composition with their creditors; or

8.1.4 in the reasonable opinion of the Board of Trustees, as delegated to a suitably appointed panel, their conduct in other respects renders them unfit to be members of IChemE or is injurious to IChemE or to their profession.