



MEMBERS' CODE OF CONDUCT

1. A member of the Association shall faithfully and diligently carry out any duties undertaken pursuant to regulations pertaining to Construction Health and Safety risk Management including the Construction (Design and Management) Regulations 2007 and any other professional duties, having proper regard to the interests of

- (i) the client,
- (ii) those persons who will be engaged in the design, construction and maintenance of the project and (iii) other consultants.

2. A member of the Association shall at all times exercise reasonable skill, care and diligence when carrying out or performing his professional duties including any duties pursuant to the Construction (Design and Management) Regulations 2007 and shall pay due regard to any guide issued by the Association as to professional conduct.

3. A member of the Association may not accept any professional appointment including an appointment pursuant to the Construction (Design and Management) Regulations 2007, if there is reason to believe that adequate resources and experienced personnel will not be available to execute the appointment.

4. A member of the Association shall, before or on entering into formal agreement on an appointment, set out in writing the terms of the appointment including:—

- (a) the scope of the services to be provided by the member;
- (b) the responsibilities of the member and the limit of the member's liability;
- (c) the method of calculation of, and timing of payment of, the member's remuneration pursuant to the appointment; and
- (d) provisions for the termination of the appointment.

5. A member of the Association may not assign any part or all of an appointment pursuant to the Construction (Design and Management) Regulations 2007 or any other professional appointment, without the written approval of the client.

6. A member of the Association shall at all times act impartially when undertaking any professional duties including those duties pursuant to the Construction (Design and Management) Regulations 2007 and shall fully co-operate with the other parties to the project and pay due regard to the statutory obligations and qualifications of all other parties associated with the project.

7. A member of the Association shall fully disclose to any prospective client any existing or potential conflict of interest which might give rise to doubts as to the member's ability and integrity to make independent professional judgements during the course of the project.

8. A member of the Association shall not take discounts, commissions or gifts from, or show favour to, any person or bodies associated with any professional appointment including any appointment pursuant to the Construction (Design and Management) Regulations 2007.

9. A member of the Association shall not, following a competition or tender for or in respect of an appointment including appointment as a CDM co-ordinator, either (a) attempt to supplant any other member of the Association in the project to which the competition or tender relates or (b) offer an amended fee known to be lower than any fee submitted by another member of the Association in the competition or tender.

10. If a member of the Association is required to submit a tender to a client or to a prospective client for or in respect of an appointment including an appointment as a CDM co-ordinator, that member shall not, in the preparation, amendment or finalisation of the tender, make use of any information obtained by that member in an official capacity regarding any other tender.

11. A member of the Association shall, when accepting any professional appointment including an appointment pursuant to the Construction (Design and Management) Regulations 2007 regarding a project where it is known to that member that another member of the Association has been appointed by the same client, notify that other member of the Association in writing that the member has been so instructed and give details in writing to that other member of the Association of the member's involvement in the project, except in circumstances where compliance with this paragraph could be prejudicial to actual or prospective litigation.

12. A member of the Association shall not employ or engage any person in a professional capacity who has been suspended or expelled from membership of the Association (unless that person has been re-admitted as a member of the Association).

13. A member of the Association shall ensure, in making the member's availability and professional expertise known by whatever means, that any information given is factual, relevant and is not in any way unfair to competitors and that no information or statement which is given or made by the member could either bring into disrepute, or be prejudicial to the interests of, the Association or its members.

14. A member of the Association shall undertake and fulfil such compulsory professional development training and education as are required by the CPD Regulations of the Association (as from time to time made, extended, altered or revised by the Executive Committee of the Association) to be undertaken and fulfilled by that member.

The Association for Project Safety
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