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January 2022

# CODE OF PROFESSIONAL CONDUCT



CIEEM





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As a member of CIEEM I shall:

- 1 Uphold the reputation of the profession, not bring the profession into disrepute and protect the public interest.
- 2 Maintain my professional knowledge and skills, including undertaking and recording such continuing professional development as CIEEM shall require and providing evidence thereof when requested to do so.
- 3 Only undertake work that I have the competence to do, undertake that work to the expected standard and seek appropriate advice, training and assistance if I am involved in topics beyond my competence.
- 4 Exercise sound professional judgement in my work, applying objectivity, relevance, accuracy, proportionality and impartiality to the information and professional advice I provide, including having regard to the relevant published technical guidance and standards and complying with all relevant laws.
- 5 Act at all times with professional integrity and courtesy, avoiding or managing any conflicts of interest and avoiding actions that are inconsistent with my professional obligations.
- 6 Ensure those working for me are appropriately qualified, trained, competent, supervised and supported, exercising my duty of care with regards to their health, safety and wellbeing.
- 7 Cooperate fully with, and provide full assistance to, CIEEM in any Professional Conduct Inquiry.
- 8 Not interfere with, frustrate or otherwise seek to compromise, whether through any act or omission, the due process of any Professional Conduct Inquiry Process undertaken under CIEEM's Professional Conduct Inquiry Procedures.
- 9 Demonstrate a commitment to avoiding discriminatory practices in my professional activities.
- 10 Accept responsibility for my professional actions and decisions.

## Supplementary Notes

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These Supplementary Notes are provided to aid interpretation of the Code of Professional Conduct and set out a non-exhaustive list of factors which members of the Professional Standards Committee and Professional Conduct Panel may take into account when considering a complaint in relation to an alleged breach of the Code.

A reference in the Supplementary Notes to any CIEEM document or policy is a reference to it as it is in force for the time being. If there is any inconsistency between any of the provisions of the Code and any other CIEEM document to which it refers, the provisions of the Code shall prevail.

**1** Members, through their professional conduct, have a responsibility to ensure that they do not bring the ecological and environmental management profession or their professional body into disrepute. This covers all of their activities (whether actions or omissions) and behaviours as a professional ecologist or environmental manager, (whether for money, pursuit of profit, reputation gain, political or social motives or otherwise) including those conducted in the public domain and interactions with other professionals.

Members have a right to a private life and the Code is not designed to interfere with the members' rights to quiet enjoyment of their home, private and family life. However, one of the underlying purposes of the Code of Professional Conduct is to uphold the reputation of the profession and to protect the public interest. The Code will therefore have an application into the private life of members where they act in a personal capacity if this impacts (or has the potential to impact) on the profession, CIEEM or is evidence of the member not acting with integrity. This can include (but is not limited to) their interactions with others (including

members of the public and professionals), where the member engages on a public forum (to include social or other media, blogs, websites etc) and expresses views in a personal or professional capacity or where they are convicted of a criminal offence which is relevant to their professional work or brings (or could bring) the profession into disrepute.

Breaches of other clauses of the Code would not necessarily also be considered as breaches of this clause.

**2** Undertaking continuing professional development (CPD) is an obligation of professional membership of CIEEM. Members are required to record their CPD in the format prescribed by CIEEM and provide evidence of having done so in accordance with the CPD obligation.

**3** Competence is defined as:

- You know what to do.
- You know why you do it.
- You know when to do it.
- You know how to do it.
- You can do it consistently well, and
- You know your limits and when to seek assistance.

The competence expectations for different grades of professional membership are set out in CIEEM's Competency Framework. Members are expected to use the Framework in order to assess their own competence and areas for development.

Members are expected to undertake their work with due skill, care and diligence.

**4** Professional judgement is the process of applying knowledge and experience when making decisions or providing advice. It is an important skill of any

professional person, but such judgement can be open to challenge. Clearly stating the limitations on information that is pertinent to a member's advice and/or recommendations is expected in order to provide context. A member must be able to explain how they have applied their judgement and provide the justification for doing so. Examples of where professional judgement might need to be applied, and justified, include applying proportionality in response to a particular set of circumstances or situation.

It is important to understand that non-adherence by a member to published technical guidance is not necessarily a breach of the Code. CIEEM encourages innovation and, in accordance with its Objects, the advancement of standards of practice. It is important to note, however, that members are expected to demonstrate awareness of all relevant industry-accepted published technical guidance. Members may, through applying their professional judgement, deviate from such guidance provided that they can show (and are able to produce recorded evidence) that they have justifiable, appropriate and professional grounds for having done so.

Members are expected to comply fully with all laws in conducting their professional activities (e.g. those laws pertaining to the protection and management of the environment). Non-compliance with laws is likely to be regarded as a breach of the Code unless exceptional circumstances apply. The burden of proof for satisfying that an exceptional circumstance exists which would justify any non-compliance with a relevant law sits with the member.

Professional judgement is also demonstrated by a member ensuring that all the work that they are responsible for is adequately resourced to achieve the required standards.

5

Acting with professional integrity includes acting honestly, objectively, with courtesy and in accordance with ethical principles such as fairness, impartiality, confidentiality, respecting others, and avoiding or managing conflicts of interest.

Professional obligations include, but are not restricted to:

- the requirement to comply with CIEEM's membership obligations as set out in the Byelaws<sup>3</sup> and Membership Regulations<sup>4</sup>;
- the requirement to report fully with regard to any findings and recommendations;
- the requirement to act in the public interest subject to any legal constraints (e.g. by taking all reasonable measures, subject to any legal constraints, to (i) prevent the commission of wildlife crime by others (whether members or non-members); and (ii) support the enforcement agencies in their roles to investigate, prosecute and/or secure remediation of the effects of wildlife crime, in either case whether through reporting wildlife crime/suspected wildlife crime or otherwise);
- the requirement to share, except where confidentiality clauses prohibit this, data and other relevant information and to collaborate effectively with other stakeholders wherever possible. Sharing non-restricted data on local and national environmental databases to enable better management and protection of ecological resources is strongly encouraged but a failure to do so would not be regarded as a breach of this clause unless the member claims to have shared the data;

<sup>3</sup> See [www.cieem.net/data/files/Resource\\_Library/Governance/CIEEM\\_Charter\\_and\\_Byelaws.pdf](http://www.cieem.net/data/files/Resource_Library/Governance/CIEEM_Charter_and_Byelaws.pdf)

<sup>4</sup> See [www.cieem.net/data/files/Resource\\_Library/Governance/Membership\\_Regulations](http://www.cieem.net/data/files/Resource_Library/Governance/Membership_Regulations)

- the requirement to demonstrate a duty of care to others when carrying out professional activities, for instance by complying with relevant health and safety standards;
- the requirement to conduct business relationships appropriately, including using (where relevant) clear Terms and Conditions for commissioned work and having in place appropriate levels of professional indemnity and public liability insurance (or ensuring that your employer does so) and avoiding any discriminatory practices; and
- the requirement to use best endeavours to resolve differences of professional opinion in a constructive way.

6

Members, as employers, managers or supervisors, have a responsibility to encourage and support those working for them and to have proper regard for their welfare, especially during periods of high work volume. Members must take all reasonable measures to ensure that those working for them or supervised by them have access to the appropriate training, are competent for the tasks that they are undertaking, are undertaking those tasks safely to the standard required and are not expected to work unreasonable hours or work patterns. CIEEM's guidance on Good Working Practices<sup>5</sup> provides useful advice to members in this regard.

7-8

Members (whether the subject of a complaint or not) are expected to cooperate fully with and assist CIEEM in relation to any Professional Conduct Inquiry undertaken under CIEEM's Professional Conduct Inquiry Procedures. For example:

- Members must not seek to dissuade or discourage a person from

bringing any complaint or from pursuing any complaint that relates to the member's own, or any other member's or members', professional competence; and must not in any way penalise or threaten to penalise a person who has made such a complaint or who is pursuing such a complaint; and

- A member shall not resign before or during the course of a Professional Conduct Inquiry in order to frustrate it and, if such a member does resign, then CIEEM will deem their membership to continue for the purposes of completing the investigation.
- All members involved in any Professional Conduct Inquiry must consider and respect the confidentiality of the process and are expected to restrict discussions about the complaint to those parties involved (including any witnesses), except where such disclosure is required by law or, where necessary or appropriate, to the party's immediate family or legal or professional advisors (to include medical advisors and therapists), provided that they agree to keep the information confidential.

9

Members are required, at all times, to demonstrate adherence with relevant legislation in respect of avoiding discrimination. Members are encouraged to promote equality of opportunities in their professional activities.

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Members are expected to take responsibility for their actions, omissions and all behaviour. Members can demonstrate doing so through the subsequent actions that they take to acknowledge any mistakes and/or to put things right.

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<sup>5</sup> See <https://cieem.net/resource/professional-guidance-series-good-working-practices/>



## Implementation of the Code

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Complaints of alleged breaches of the Code may be made by any member or non-member, whether an individual or an organisation, and may also, under certain conditions, be made by CIEEM. Potential complainants are strongly encouraged to first raise their concerns with the member to try and resolve the issue before making a complaint in order to avoid a lengthy inquiry.

The process for investigating an alleged breach of the Code of Professional Conduct is set out in the CIEEM Professional Conduct Inquiry Procedures.

CIEEM will not normally refer a member to a Professional Conduct Hearing for minor

transgressions of this Code unless it forms part of a pattern of alleged unacceptable professional conduct or other circumstances justify the referral. The decision as to whether or not the public interest is best served by referral of a complaint to a Professional Conduct Hearing will be made during Stage One of the Professional Conduct Inquiry in accordance with CIEEM's Professional Conduct Inquiry Procedures.

When a member is found to be in breach of the Code of Professional Conduct this fact will be published, after time for an appeal has passed, in accordance with CIEEM's Professional Conduct Inquiries: Publication Policy which forms part of the Professional Conduct Inquiry Procedures.

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