



# Institute of Public Rights of Way and Access Management

## Code of Conduct

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### Introduction

1. The aims of the Institute are to:
  - represent and promote the views and interests of members in the fields of public rights of way and access management
  - promote the professional standing of those who work in the fields of public rights of way and access management
  - promote high standards in the management of public rights of way and access management
  - encourage the exchange of ideas and information on public rights of way and access management, and to foster communication and co-operation between related bodies
  - promote and foster a better understanding between rights of way and access management professionals and the whole community.
2. Rights of way and/or access management professionals are people who justifiably claim to hold and provide special knowledge, expertise and skills and who accept the duties and responsibilities inherent in that claim, including:
  - the attainment and maintenance of high standards of education, training and practical judgement
  - honouring the special trust placed in them by employers, clients, suppliers, colleagues and the general public.
3. The professional discharge of such duties within the sphere of public rights of way and access management entails:
  - the application of expertise and judgement
  - the motivation and direction of others
  - a positive contribution to the management and accurate recording of the rights of way network and other public access on behalf of the whole community
  - a recognition and acceptance of a responsibility for the rights of all sections of society in all aspects of the rights of way and access management.
4. The professional will encounter circumstances and situations in which various values, principles, rules and interests appear to conflict and may be difficult to harmonise in practice. No straightforward or ready answer can be given for such occasions. The best resources which can be brought to bear are the professional and personal characteristics and qualities referred to above and described in the following Code of Conduct.
5. Every member of the Institute will comply with the Code of Conduct.

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### Professional

6. Members shall take all reasonable steps to maintain their professional competence throughout their working lives and to comply with the requirements of the Institute's Continuing Professional Development scheme. Members must have regard for the health and safety of themselves and of staff and be conversant with all relevant legislation.
7. Members who have responsibility for other staff shall take all reasonable steps to encourage and support the maintenance of professional competence. Where those staff are members of the Institute, the responsible member shall encourage and support compliance with the Institute's Continuing Professional Development scheme.
8. In all their professional activities, members shall not discriminate on the grounds of race, sex, orientation, creed, religion, disability or age and shall seek to eliminate discrimination by others by promoting equality of opportunity. Members should respect the diverse customs and practices of others.
9. Members shall not make nor subscribe to any statements or reports which are contrary to their own bona fide professional opinions or knowledge and shall not enter into any contract or agreement which requires them to do so.
10. Members must ensure that their duties are carried out with integrity, accountability and competence, practising an open style of work so far as is consistent with their duties or contract. They must take all steps to ensure that their private, personal, political and financial interests do not conflict with their professional duties. Any such potential conflict must be disclosed to their employer or client, whether involving pecuniary or non-pecuniary interests. No conflict of duty should arise between the interests of one employer or client and another, or between any employer or client and their business associates.
11. Members must not offer or accept gifts, hospitality or services that could or might appear to imply an improper obligation. Any discounts, gifts or commissions received by members from any third parties in connection with their work must be disclosed to their employers or clients.
12. Members shall not disclose or use to the advantage of themselves, their employers or their clients information acquired in confidence in the course of their work.
13. When accepting instructions from private individuals or other clients, members shall ensure that the services they are offering are appropriate to the client's requirements. Before commencing work on any commission, members must ensure that their terms of engagement have been clearly understood and agreed upon, preferably in writing. Any variations to the terms should be agreed upon by all parties before they are implemented.
14. Members should conduct themselves and discharge their duties with regard to the need to conserve resources and protect the environment.
15. Members should take all steps to promote the aims and objectives of the Institute and to uphold the integrity and good name of the Institute. Members must refrain from any conduct which would detract from its reputation or which would bring the profession as a whole into disrepute.
16. Any member who is involved in any capacity in an investigation carried out by the Institute as a result of an alleged breach of the Code of Conduct must assist the Institute in that investigation.

Within IPROW

17. Members should behave with civility and common courtesy to all other members at all times including on the Forum and when meeting at events. Using the Forum or IPROW events as opportunities to be confrontational or abusive about a member's performance or authority will be considered inappropriate to the aims and purpose of the Institute as stated in 1 to 5 above. An informal warning may be given by any Director present and may result in investigation as a breach of conduct should a formal complaint be made.
18. The Forum is a private message board for the purpose of sharing members' experiences, good and bad.
  - All posts are to be treated as private and confidential.
  - Information from posts must not be quoted or disseminated without the consent of the posting member.
  - If you consider a post to be inappropriate or incorrect, please contact the member directly, post a reply on the topic or inform the administrator. Do not raise the matter with anyone else without first notifying the member and the administrator.
19. Membership of the Institute is personal. Material circulated to members from IPROW by email or post should not be circulated to non-members. This includes eNews, Waymark and job advertisements.
20. Your membership gives access to the members' area of the website. You are responsible for the security of your login and password and should not allow its use by any other individual.

**Investigation of an Alleged Breach of the Code of Conduct**

21. Any person may submit to the Board of Directors an allegation that a member of the Institute has not complied with the Code of Conduct<sup>1</sup>.
22. Such an allegation must be in writing and give full details of the alleged breach of the Code. The complainant must report the alleged breach to the Institute within twelve months of becoming aware of it unless there is good reason for the delay.
23. The allegation will be referred to an Investigative Panel for adjudication. The Panel will normally comprise three members: the Director responsible for Membership; a second Director and either a Fellow of the Institute or a past President who is not a Director co-opted to the Panel by the Board. The Board may appoint either Director to chair the Panel.
24. The decision of the Investigative Panel will be by majority vote. If any members of the Panel have a conflict of interest, a close personal or professional connection, present or past, with any of the parties involved in an allegation of misconduct, they shall not be eligible to serve on the Panel in respect of that matter. In this event the Board will replace any Panel member with such other person as it shall consider appropriate to hear the matter, that person being a Fellow or past President of the Institute unless this is not feasible.
25. In the event that any Director is a party to any allegation of misconduct he or she shall be precluded from participating in the selection of any member of the Panel to be convened to hear that allegation.
26. Exceptionally, the Panel may co-opt an independent person, not being a member of the Institute or engaged in the professional fields of members represented by the Institute to sit on the Panel. The Panel will then comprise four persons. The chair of the panel will be a Director as nominated by the Board. The independent person may not chair the Panel, but will have a vote on the matter under consideration. The decision of the Panel will be by majority vote. In the event of a tied vote, the chair of the Panel will have a casting vote.

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<sup>1</sup> This process is not an opportunity to investigate a case or a decision already considered by a body such as the Ombudsman, Planning Inspectorate, or a local authority internal complaints procedure. If a case is deemed by the Panel to be in such circumstances, it may be dismissed without further consideration.

27. The Panel will notify the member about whom the allegation is made of the nature of the allegation, and give the member an opportunity to make written representations to the Panel. Further information may be sought at the discretion of the Panel.
28. The Panel will consider the allegation, and will notify the member and the person who made the allegation of its decision in writing. No other person will be informed of the details of the allegation or the Panel's decision except, where necessary, details of changes in membership will be given to the Executive Officer – Membership.
29. The decision of the Panel will be final.

### **Outcomes**

30. One of the following, as decided by the Panel:
  - (i) Allegation dismissed.
  - (ii) No action to be taken.
  - (iii) A written warning concerning the future conduct of the member.
  - (iv) Suspension from membership for a period to be determined by the Panel.
  - (v) Termination of membership. The Panel will inform the member if s/he may re-apply for membership after a period to be determined by the Panel.