

Code of Conduct

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Code of Conduct

Members shall:

1

act with integrity and fairness and in accordance with the principles of ethical behaviour;

Members of the public and other professionals rely on, and make decisions based on, the advice and service provided by members of the Institution of Structural Engineers. The advice given, either verbally or in writing, including calculations and drawings, will be fair, honest, and trustworthy, in order to provide a safe and effective service for clients and their agents. Honesty is essential, even if the advice is contrary to the client's expectations. Operating with integrity and fairness engenders respect from clients and other professionals and provides a platform for open communication and effective professional relationships.

2

have regard to the public interest as well as the interests of all those affected by their professional activities;

Public interest can be broadly defined as the actions or steps that result in the welfare of individuals and wider society. Members undertake their professional duties with respect for relevant legislation and for the health and safety of all.

Members carry out their professional duties cognisant of the short term and long-term impacts of their actions, taking measures to protect those affected by their advice and the laws that are relevant to their work. The Institution of Structural Engineers supports a policy of sustainability and renewable resources.

3

uphold the reputation of the profession;

Members are employed for their high level of technical knowledge and skills, to design and provide advice for safe and serviceable structures.

Members set and maintain the high reputation that the profession holds in society by providing their services with professional excellence, integrity, fairness, care and courtesy, by communicating effectively to various audiences, and by exercising appropriate judgement when performing their role. Members of the Institution are committed to ensuring that the reputation of their own profession continues to be held high in society.

4

maintain and broaden their competence and, where appropriate, assist others to do so;

Members ensure that they possess the skills and the knowledge relevant to the services that they provide. The Institution supports members, through its requirement for Continuing Professional Development (CPD), to ensure that their knowledge and skills are current and relevant to the specific areas in which they practice, and to the services and advice that they provide.



5

undertake only those tasks and accept only those appointments for which they are competent;

Structural Engineering encompasses a wide range of specialisms within the skills and knowledge of members of the Institution.

Members ensure that they possess the skills, knowledge and competence, relevant to the services and advice that they provide. Where they have a role to develop and oversee the services provided by others, they do so by recognising and communicating unambiguously the extent and limitations of any relevant knowledge or skills.

6

exercise appropriate skill and judgement;

Members take care to undertake tasks and duties with appropriate skill and sound, professional judgement, ensuring that their clients understand the scope of service to be provided, and ensuring the safety and serviceability of the structural engineering work entrusted to them; all under the assurance of a quality management system and within the legislation of the country in which they are working.

7

not maliciously or recklessly injure or attempt to injure the reputation of another person;

Members share common goals and aspirations, however as individual engineers, members may have different approaches to procuring and producing solutions, either individually or as part of a company. These differences can be advantageous, providing a choice of design and solution to a client. Members provide alternative solutions and opinions without denigrating the work or character of another person or company. Alternative solutions are provided with integrity, fairness and transparency, thereby avoiding conflicts of interest and upholding the reputation of the profession.

8

avoid conflicts of interest.

Members understand that if they, or an organisation for which they work, are involved in multiple interests, financial or otherwise, serving one interest could involve working against another. By being aware of and being transparent about multiple interests, they can take steps to avoid conflicts of interest. By ensuring affected parties are aware of multiple interests, members may continue to discharge their duties impartially with care, courtesy, and fairness.



The articles listed 1-8 above constitute the Articles of the Institution's Code of conduct. In addition, Members shall:

- comply with the Laws of the Institution of Structural Engineers as described by the Charter, Bye-laws, Regulations and associated Rules;
- comply with the Statement of Ethical Principles published by the Engineering Council and the Royal Academy of Engineering
- comply with the legislation of the country in which they are working and that which is relevant to the project location;
- disclose to the Institution upon being declared bankrupt and/or becoming disqualified as a Company Director and/or Charity Trustee;
- disclose to the Institution if they have been convicted of a criminal offence (other than motoring offences which did not result in disqualification);
- disclose to the Institution if they have been subject to an adverse finding before any tribunal, court or other competent authority in respect of an allegation or offence relevant to membership of the Institution;

The Institution's procedure for investigating allegations of misconduct and its powers in relation to members found in breach of the Code of Conduct is set out in section 4 of the Regulations of The Institution of Structural Engineers.

Guidance Notes

The following guidance notes provide examples of how members are expected to conduct themselves. The list is not intended to be exhaustive, and each example may be relevant to more than one Article of the Code of Conduct.

Members are obliged to abide by the Institution's Code of Conduct and guidance notes insofar as they do not conflict with relevant legislation.

Further information on best practice can be found in the Institution's Business Practice Notes (BPNs) references to which have been suggested in the sections that follow.

1. General conduct

- 1.1 Members shall ensure that the business through which they provide services, is properly described.
- 1.2 Members should not cause unreasonable delay.
- 1.3 Members should not attempt to influence clients or other professionals by commenting negatively or adversely on competitors.
- 1.4 In the public as well as in the client's interest, a member may accept an appointment as a replacement for another engineer. This should not occur before the replacing member is satisfied that the appointment of the original engineer has been terminated or that adequate steps are in hand to resolve any outstanding matters between the client and the original engineer.
- 1.5 Members shall declare any interest which may influence their professional judgment, before accepting a commission or at any time it may become apparent.

These Guidance Notes are associated with Articles 1, 2, 3, 5, 6, 7 and 8 of the Institution's Code of Conduct.

For further information on best practice
BPN No. 13: Time management
BPN No. 18: Effective communication

2. Health and fitness to practice

- 2.1 Members should be cognisant of their obligations under the code of conduct and, where their health and/or fitness is affected to the extent that the performance of their professional duties is adversely affected, members shall notify their current clients at the earliest opportunity and, if appropriate, withdraw from the contract(s).
- 2.2 Where a member's health and/or medical condition affects their ability to provide safe and professional services as a structural engineer they must cease to practice until such time that they are able to provide safe and professional services.

These Guidance Notes are associated with Articles 1, 2, 3, 4, 5 and 6 of the Institution's Code of Conduct

3. Confidentiality

- 3.1 Members shall not disclose confidential information.
- 3.2 The member's obligation of confidentiality is owed to their client and not to interested third parties (for example a tenant of a property owned by the client). When an interested third-party requests to receive confidential information, members shall seek, and obtain, the consent of their client before disclosing any information.
- 3.3 When a member or their organisation, is employed to work for a contractor, either by client novation or any other agreement, the member must maintain any confidentiality relating to the work for their original client.

These Guidance Notes are associated with Articles 1, 2, 3, 5, 6 and 8 of the Institution's Code of Conduct





4. Inducements and favours / Corruption

- 4.1 Members shall exercise appropriate ethical behaviour and avoid corruption and bribery.
- 4.2 Members shall not offer or accept, either directly or indirectly, inducements or favours in connection with the provision of professional services.
- 4.3 Where a member encounters corruption and/or bribery it should be reported according to the legislation of the country in which they are working. Members should recognise the distinction between hospitality offered in connection with business and a bribe.

These Guidance Note are associated with Articles 1, 3, 6 and 8 of the Institution's Code of Conduct

5. Insurance

- 5.1 Where Professional Indemnity Insurance cover is required by law, members should ensure that they comply, either personally or through an organisation which they control with any such legal requirements.
- 5.2 Prior to accepting a commission to provide professional services, either personally or through an organisation which they control, members should inform their clients if Professional Indemnity Insurance cover is not in place or if the amount of cover is inadequate for the services to be provided.
- 5.3 In certain circumstances, the duty of care owed by a contractor to the employer may be stricter than the duty ordinarily imposed on a professional to exercise reasonable skill and care. When taking steps to ensure that appropriate Professional Indemnity Insurance is in place as above, the member should inform their insurers of the precise nature of the services to be provided to the contractor.

These Guidance Notes are associated with Articles 1, 2, 3, 5, 6 and 8 of the Institution's Code of Conduct.
For further information on best practice:
BPN No. 10: Risk and professional indemnity insurance*
BPN No. 11: Professional indemnity claims

6. Acting in the public interest

- 6.1 Members shall take reasonable care to ensure the safety and serviceability of structural engineering work entrusted to them and comply with health and safety regulations.
- 6.2 Members must consider how their work may impact the safety of themselves and others. Members have a responsibility to produce designs and to provide advice that does not compromise the safety of a structure and/or the public in either the temporary or permanent condition.
- 6.3 Members must consider the safety of their designs through the design-life cycle, from initial concept through to demolition. Members should employ a "right first-time" approach and have in place adequate checking procedures in line with an appropriate Quality Management System to ensure a safe design. (see section 16).
- 6.4 Whilst undertaking site visits, members should always be vigilant to safeguard the safety of themselves and others. Members have a responsibility to intervene on any unsafe practices witnessed on site.
- 6.5 Members have an overriding obligation to act in the public interest. Members, in line with relevant legislation, have a duty to inform the relevant authorities if they become aware of any act or omission that may cause harm to the public, including but not limited to reporting to appropriate construction site representatives and/or reporting for the benefit of others.

- 6.6 Difficulties may arise where a member, acting under a limited brief, examines a property in which defects or other matters of concern are observed outside the scope of the commission. If a member believes that these defects or matters could result in health and safety issues and/or financial loss, the member should advise the client that a further, more extensive inspection, either by them or other professionals (if outside their own field of expertise), is required. If health or safety issues arise, it may also be necessary to give notice to the appropriate local authority and this should be discussed with the client and an appropriate course of action agreed.
- 6.7 Should the member conclude that a property may be unsafe, the member shall notify the client and any others concerned, including the relevant authorities.
- 6.8 Members should support a colleague or any other person to whom they have a duty of care who, in good faith, raises any concern about a danger, risk, malpractice or wrongdoing which affects others ("whistleblowing").
- 6.9 Members shall notify the Institution of any significant violation of the Institution's Code of Professional Conduct by another member that adversely affects others.

These Guidance Notes are associated with all Articles of the Institution's Code of Conduct.
For further information on best practice:
BPN No. 25: Reporting wrongdoing
BPN No. 9: Ethics

7 Sustainability and climate change

7.1 Members should be aware of the impact their professional duties have on the environment and take proactive measures to operate in a sustainable manner. In doing so, members should consider the effects of their design and the impact of that design on the environment, by considering the whole life cycle of the building through design, construction, use, re-use and demolition such that it reduces unnecessary consumption of resources, and minimises waste.

This Guidance Note is associated with Articles 1, 2, 3 and 6 of the Institution's Code of Conduct.

Further guidance on this subject may be found in the Institution's dedicated Climate Emergency website.

8. Humanitarian aid or development work

8.1 Members' responsibilities while working in humanitarian aid or development may go beyond technical responsibilities. For further guidance please see the Institution's guidance on working in the humanitarian or development sectors.

This Guidance Note may be associated with all Articles of the Institution's Code of Conduct.

9. Equality Diversity and Inclusion (EDI)

9.1 Members should be aware of and have a commitment to equality, diversity and inclusion (EDI) in the performance of their professional duties. In doing so, members will engender a positive and supportive culture, free of bullying, harassment, victimisation and unlawful discrimination and where respect for all colleagues and clients is upheld.

This Guidance Note is associated with Articles 1, 2, 3, 6 and 7 of the Institution's Code of Conduct.

10. Professional Development

10.1 Where appropriate, members in professional grades should ensure that graduates and/or trainees are assisted in their development to progress towards a professional grade of membership.

These Guidance Notes are associated with Articles 1, 2, 4, and 6 of the Institution's Code of Conduct.

For further information on best practice

BPN No. 12: CPD and Training

BPN No. 16: The value of feedback for growing a business



11. Communication

- 11.1 Clear and accurate communication is of critical importance in all business matters.
- Members must use appropriate language in all professional communications at all times. Whether written or verbal, communication shall be polite and courteous. The use of insulting and/or defamatory and/or discriminatory language is never acceptable and must not be used in communication with clients, other professionals, staff or members of the public when providing services as a member of the Institution.
- 11.2 Members must be cognisant of their client's knowledge in respect of the work required. Members that are engaged to provide services for unqualified clients should convey their advice sympathetically and with clarity ensuring the client has a good understanding of the advice given.
- 11.3 Members shall state their professional qualifications when communicating in their professional capacity.
- 11.4 Members shall not use designatory letters, or adopt descriptions of themselves in professional communications, which may mislead others as to the membership grade they hold within the Institution.
- 11.5 If membership of the Institution ceases for any reason, titles or designatory letters conferred by membership are no longer entitled to be used and must cease immediately. Membership certificates must be returned.
- The Institution takes positive action to protect its titles and designatory letters.

These Guidance Notes are associated with Articles 1, 2, 3, 6 and 7 of the Institution's Code of Conduct.

For further information on best practice :

BPN No. 18: Effective communication

BPN No. 20: Client types and their expectations

12. Advertising and use of social media

- 12.1 Advertising and informative publicity shall be helpful to the public, and uphold the reputation of the profession.
- 12.2 Factual statements may be made including the professional qualifications of a member and a description of the services available.
- Members should ensure that the information provided is neither misleading nor unfair to other members of the Institution or to other professionals.
- 12.3 Members should have regard to the guidelines for use of social media set out on the Institution website.
- 12.4 Any advertising shall not associate the name or logo of the Institution of Structural Engineers unless specific permission to do so has been given by the Institution. The Institution logo must only be used in accordance with the terms of the licence awarded by the Institution.
- 12.5 Company information, whether issued in the form of a brochure or on a company website may only include factual reference to the Institution.

These Guidance Notes are associated with Articles 1, 2, 3, and 6 of the Institution's Code of Conduct.

For further information on best practice:

IStructE guidance on use of social media

13. Defining a brief / Terms of appointment

- 13.1 Members should take all reasonable steps to understand and define the brief with the client. This should be provided to the client in writing, thereby providing a clear and shared understanding prior to the commencement of services.
- 13.2 The terms of appointment should be agreed in writing before any work is commenced, or where emergency action/involvement is required, as soon as reasonably practicable. The urgency with which work is required does not normally override the need for written clarification of the brief.
- 13.3 Members should be particularly careful to ensure the client is aware that they will not be providing a service in respect of any matters outside of their competence. If other professional advice is thought to be required, the client should be informed.
- The services may, for example, cover such elements as temporary works, carrying out the contractor's design elements, construction detailing, construction management, and the appointment of sub-consultants, any or all of which may fall outside the normal scope of professional services and/or a member's area of competence.
- 13.4 Members should ensure that their brief and terms of payment are agreed by the client and should obtain written acceptance prior to commencement of work. If it becomes apparent that the scope of work and/or the fee eventually chargeable will differ from that originally agreed, the client should be advised of this at the earliest opportunity of it becoming apparent.
- 13.5 The intended scope and purpose of the report should be included in the written confirmation of appointment, and should be repeated in the report itself in order that the extent of the responsibilities accepted by a member are properly recorded.
- 13.6 Reports should state clearly and concisely the member's findings, conclusions and recommendations and the evidence from which the conclusions are drawn should also be included.

- 13.7 Reports should be written in language which is appropriate for the purpose of the report and the intended reader(s) who will rely on it. For example, in the case of a survey commissioned by a person intending to purchase a property, it may be necessary to express, or to explain, technical matters in layman's terms.
- 13.8 Any assumptions made in respect of adjacent properties should be clearly stated. There is no guarantee that a confidential report to the client will not be passed to others, including the owners of adjacent properties, and an appropriate disclaimer should be included.

These Guidance Notes are associated with Articles 1, 2, 3, 4, 5 and 6 of the Institution's Code of Conduct.

For further information on best practice:

BPN No. 1: Clarity in fee proposals;

BPN No. 2: Fee proposals – assumptions (and exclusions);

BPN No. 3: Forming a contract;

BPN No. 15: Competency;

BPN No. 18: Effective communication;

BPN No. 20: Client types and their expectations;

BPN No. 30: Reputational risk



14. Structural inspections and surveys of buildings

- 14.1 Members should consider that confusion may arise on the part of less-informed clients with regard to what is meant by a 'structural (or building) survey' or a 'structural inspection'. A structural inspection is a survey concerned with the structure, or specific elements of the structure, of a building. In contrast, a structural (or building) survey will normally include an investigation and assessment of the construction and condition of a building, including its structure, fabric and services.
- 14.2 Members should advise a client and ensure the client understands the limitations of the service, which is to be provided prior to accepting a commission. The scope of the service including any limitations should be re-confirmed in the report. Members should be cautious if a client seeks to receive a comprehensive report covering every aspect of the property, for which the client expects the member to take full legal responsibility

These Guidance Notes are associated with Articles 1, 2, 3, 5, 6 and 8 of the Institution's Code of Conduct.

For further information on best practice:

Guide to surveys and inspections of buildings and associated structures

15. Properties with adjoining owners

- 15.1 Where members are asked to report or undertake work on a property that adjoins or is above or beneath a property in different ownership, the client should be advised of the structural influence(s) that adjacent properties may have on the property concerned and vice versa. Consideration should be given to the state of the whole building or block of buildings, particularly in respect to overall stability. Modest alterations by individual property owners may, when taken together, have a significant effect on the total structure and may affect the right of support. It may be desirable, subject to the client's prior agreement, to seek permission to make a detailed inspection of an adjacent property or even the whole building or terrace.
- 15.2 If approaches to adjacent owners are ruled out, for example by the client's requirement of commercial confidentiality, the limitations that such a restriction may impose on the advice given should be clearly stated by the member, both at the time instructions are given and in their written report.
- 15.3 Permission should be obtained before entering an adjacent property. Unauthorised inspections, even of empty property, are highly unlikely to be appropriate.

These Guidance Notes are associated with Articles 1, 2, 3, 5, 6 and 7 of the Institution's Code of Conduct.

16. Appointment under the Party Wall etc. Act 1996

- 16.1 When accepting an instruction for which the Party Wall etc. Act 1996 ("The Act") is relevant (The Act applies throughout England and Wales only), members are required to have full regard to the requirements and legislative provisions of The Act.
- 16.2 When acting as a surveyor under the Act, members shall ensure that they are sufficiently aware of the provisions of The Act to be able to apply them properly and to be able to comply with the procedures and the strict timings prescribed by The Act.
- 16.3 Members who are responsible to their client for the design of works and subsequently accept appointment as surveyor under The Act, must understand the differences between the relationship with the client, as designer, and the statutory role as appointed surveyor, and this distinction must be clearly explained to the client before accepting a statutory appointment as party wall surveyor. In particular, that the statutory duty is to impartially apply the provisions of The Act, even if doing so conflicts with the client's instructions or requires amendment of the design already prepared by the member as the designer.
- 16.4 When a member is appointed both as surveyor under the Act and as structural advisor, members shall advise their client that this requires two separate appointments and accordingly separate fee proposals are required.

These Guidance Notes are associated with Articles 1, 2, 3, 5, 6 and 8 of the Institution's Code of Conduct.

For further information on best practice:

BPN No. 1: Clarity in fee proposals;

BPN No. 2: Fee proposals – assumptions (and exclusions);

BPN No. 3: Forming a contract;

BPN No. 10: Risk;

BPN No. 36: Ethical issues when accepting an Appointment

17. Quality Procedures

- 17.1 Quality and checking procedures shall be clearly defined and implemented for all professional services provided.
- 17.2 Members should ensure that the quality of their design is supported by a robust quality assurance system.
- 17.3 When members of the Institution have supervisor responsibility for a colleague or employee, members should ensure that those individuals are competent to, or appropriately supported to, undertake the work assigned to them and that such work is checked before issue.
- 17.4 For sole practitioners, a system of self-checking may be appropriate, or, for more critical work, members should seek to reach an arrangement with another qualified member to undertake a checking process.

This Guidance Note is associated with Articles 1, 2, 3, 4, 5 and 6 of the Institution's Code of Conduct.

For further information on best practice:

BPN No. 31: Evolution of quality management systems

BPN No. 32: Principles of a quality management system

BPN No. 33: Developing a quality management system



18. Checking, appraisal and review of another engineer's work

- 18.1 Members should take appropriate steps, prior to reviewing the work of another person, to notify that person. The necessary authority to do this should be obtained from the instructing client. If the instructing client does not want the other person to be notified, the member shall confirm this, in writing, with the client .
- 18.2 There shall be an agreement in writing between the checking engineer and the client, defining the nature and scope of the check. The terms of reference for a review should be clearly stated and the brief of the original designer included.
- 18.3 Where possible, permission for effective communication between the checking engineer and the original designer should be sought from the client. Where a client places limitation on, and/or prevents disclosure of information, and/or in the absence of confirmation from the original designer that all relevant information required to undertake a check/review has been received, members should exercise caution with respect to any opinion they express on the original designer's work and advise the client of their obligations in respect of the code of conduct.
- The ongoing obligations of the original designer to the client should be clear and, if necessary, an appropriate statement should be included in the checking engineer's appointment.

- 18.4 The checking engineer should have full regard to the public interest. Subject to the consent of the client, a member undertaking the role of checking engineer should inform the original designer of their appointment and, if possible, arrange to have access to all those responsible for the original design, such that they are able to freely discuss and resolve any matters that may arise with the designer. The checking engineer should remain impartial and objective and avoid being influenced by either the designer or the client.
- 18.5 In the circumstances where a client requests a confidential second opinion, members should ensure this is undertaken factually on the basis of information provided.
- 18.6 Except where a member has concerns with regard to the original design, members shall ensure that clients are aware that an alternative design solution does not necessarily indicate that the original design is flawed.

These Guidance Notes are associated with Articles 1, 2, 5, 6, 7, and 8 of the Institution's Code of Conduct.

For further information on best practice:

BPN 37: Checking the work of another engineer



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