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UNIVERSITY COLLEGE  
OF ESTATE MANAGEMENT

# Communities of Practice - Professional Ethics

## Catch Up Meeting

18 November 2021

David Hourihan MSc Prop Invest FSCSI FRICS FHEA

## Professional Ethics – Catch Up

### RICS new Rules of Conduct

- 5 new rules come into force 02 February 2022
- RICS 1-hour free CPD talk titled 'Introduction to the New Rules of Conduct':  
[https://academy.rics.org/e-learning/getting-qualified/introduction-to-the-new-rules-of-conduct?\\_ga=2.182102757.378974904.1636627855-2034094685.1578325006](https://academy.rics.org/e-learning/getting-qualified/introduction-to-the-new-rules-of-conduct?_ga=2.182102757.378974904.1636627855-2034094685.1578325006)
- The RICS are also running a free webinar on the 19 January entitled 'RICS Rules of Conduct'. Click on the link to register for it:  
<https://www.rics.org/uk/events/e-learning/web-classes/rics-rules-of-conduct-webinar/>

### Discussion

1. What are the ethics provision from external bodies such as CIOB, CABE, CMI, Apprenticeship standards etc?
2. How we can signpost/utilise ideas to improve our UCEM ethics on our programmes?

## **RICS Proposed new Rules of Conduct:**

### **Five new rules:**

1. Members and firms must be honest, act with integrity and comply with their professional obligations.
2. Members and firms must maintain their professional competence and ensure that professional services are provided by competent individuals.
3. Members and firms must provide good quality and diligent service to clients.
4. Members and firms must treat others with respect.
5. Members and firms must act in the public interest, take responsibility for their actions and act to prevent harm and maintain public confidence in the profession.

## **RICS Proposed new Rules of Conduct:**

### **Rule 1:**

Members and firms must be honest, act with integrity and comply with their professional obligations, including obligations to RICS.

#### **Example behaviours**

1.1 Members and firms do not mislead others by their actions or omissions, or by being complicit in the actions or omissions of others.

1.2 Members and firms do not allow themselves to be influenced improperly by others (as a result of, for example, giving or receiving work referrals, gifts, hospitality or payments) or by their own self interest.

1.3 Members and firms identify actual and potential conflicts of interest throughout a professional assignment and do not provide advice or services where a conflict of interest or a significant risk of one arises, unless they do so in accordance with the current edition of Conflicts of interest, RICS professional statement.

1.4 Firms have effective processes to identify actual and potential conflicts of interest, to enable appropriate decisions to be made on whether to accept work, and to keep records of decisions made about actual and potential conflicts of interest.

1.5 Members and firms providing advice and opinion in a professional context do so honestly and objectively based on relevant and reliable evidence, and firms have processes to ensure that directors, partners and employees do so.

## **RICS Proposed new Rules of Conduct:**

### **Rule 1:**

Members and firms must be honest, act with integrity and comply with their professional obligations, including obligations to RICS.

#### **Example behaviours**

1.6 Members and firms are open and transparent with clients about their fees and services.

1.7 Members and firms act to prevent others being misled about their professional opinion.

1.8 Members and firms do not take unfair advantage of others.

1.9 Members and firms protect confidential information and only use or disclose it for the purposes for which it was provided, where they have the necessary consent to do so or where required or permitted by law.

1.10 Firms keep client money safe and have appropriate accounting controls.

1.11 Members do not misuse client money and comply with controls intended to keep it safe.

1.12 Members and firms do not facilitate any financial crime including money laundering, tax evasion, bribery or corruption. Firms have effective processes to prevent directors, partners or employees from doing so.

## **RICS Proposed new Rules of Conduct:**

### **Rule 2:**

Members and firms must maintain their professional competence and ensure that professional services are provided by competent individuals.

#### **Example behaviours**

2.1 Members and firms only undertake work that they have the knowledge, skills and resources to carry out competently.

2.2 Members and firms supervise any employees undertaking work for them and ensure that these employees have the necessary knowledge, skills and resources to do their tasks competently.

2.3 Members and firms check that subcontractors have the necessary knowledge, skills and resources to do their tasks competently.

2.4 Members and firms reflect on the work they have undertaken and its impacts, and consider how they might apply what they have learned to their future work.

2.5 Members maintain and develop their knowledge and skills throughout their careers. They identify development needs, plan and undertake continuing professional development (CPD) activities to address them and are able to demonstrate they have done so. Firms encourage and support directors, partners and employees to maintain and develop their knowledge and skills, and check that they are complying with CPD requirements set by RICS.

2.6 Members and firms stay up to date and comply with relevant legislation, codes of practice and other professional and relevant technical standards. Firms ensure that their directors, partners and employees do so.

## **RICS Proposed new Rules of Conduct:**

### **Rule 3:**

Members and firms must provide good quality and diligent service to clients.

#### **Example behaviours**

3.1 Members and firms understand clients' needs and objectives before accepting any professional work.

3.2 Members and firms agree with clients the scope of the service to be provided and its limitations, and timescales for the work.

3.3 Firms inform clients that they are regulated by RICS and that they may need to disclose records to RICS where required for regulatory purposes.

3.4 Members and firms inform clients promptly and seek their agreement if it is proposed that any of the terms of engagement or estimated fees or costs be changed.

3.5 Members and firms undertake their work in a timely manner; with due care, skill and diligence, and in accordance with RICS technical standards.

3.6 Members and firms communicate to clients the material information on which their professional advice and opinion is based.

3.7 Members and firms communicate with clients and others clearly and in a way they can understand.



## **RICS Proposed new Rules of Conduct:**

### **Rule 3:**

Members and firms must provide good quality and diligent service to clients.

#### **Example behaviours**

3.8 Members and firms ensure that any referral or introduction they make for a client is in the best interests of the client and inform clients about any financial or other benefits to the member or their firm from a referral or introduction.

3.9 Members and firms keep proper records of their work and decisions in enough detail to allow them to answer questions from clients and to allow their work to be audited for quality assurance or regulatory purposes.

3.10 Members and firms, when advising clients about projects, encourage solutions that are sustainable in that they minimise harm and deliver balanced economic, social and environmental benefits.

3.11 Members and firms understand the risks and benefits of using relevant technology.

3.12 Members and firms check that all data used is accurate and up to date, is kept securely, and that they have proper legal rights to use it and, where required, share it.

3.13 Firms have effective quality assurance processes for their work.

## **RICS Proposed new Rules of Conduct:**

### **Rule 4:**

Members and firms must treat others with respect.

#### **Example behaviours**

4.1 Members and firms respect the rights of others and treat others with courtesy.

4.2 Members and firms treat everyone fairly and do not discriminate against anyone on any improper grounds, including age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

4.3 Members and firms do not bully, victimise or harass anyone.

4.4 Firms check that supply chains do not involve modern slavery or other abuses of the workforce.

4.5 Members and firms report abusive labour practices to proper and recognised authorities if they become aware of, or suspect, them.

4.6 Members and firms work cooperatively with others.

4.7 Members and firms develop an inclusive culture in their workplaces, support equal access and opportunity for all, and identify and address unconscious bias.

## **RICS Proposed new Rules of Conduct:**

### **Rule 5:**

Members and firms must act in the public interest, take responsibility for their actions and act to prevent harm and maintain public confidence in the profession.

#### **Example behaviours**

5.1 Members and firms question practices and decisions that they suspect are not right, and raise concerns with colleagues, senior management, clients, RICS or any other appropriate person, body or organisation where they believe in good faith that it is necessary to do so. Firms provide processes to allow and support individuals within the firm to raise concerns with senior management.

5.2 Members and firms support directors, partners, employees, colleagues or clients who have acted in good faith to report concerns.

5.3 Members and firms ensure that public statements made by the firm, or in which members are (or could be) identified as members of the profession, do not undermine public confidence in the profession.

5.4 Members and firms respond to complaints made against them promptly, openly and professionally.

5.5 Members and firms do not dissuade complainants from approaching an alternative dispute resolution provider, RICS or any other regulatory body.

## **RICS Proposed new Rules of Conduct:**

### **Rule 5:**

Members and firms must act in the public interest, take responsibility for their actions and act to prevent harm and maintain public confidence in the profession.

#### **Example behaviours**

5.6 Members and firms cooperate with investigations into complaints or concerns, and provide information where it is reasonably requested and they can do so lawfully.

5.7 Members consider the effect that any health conditions may have on their competence or ability to undertake professional work, and inform management or clients where they require reasonable adjustments or are unable to continue to undertake work competently.

5.8 Members and firms manage their professional finances responsibly.

5.9 Members and firms take appropriate action when they consider that the rules have been breached, and report suspected significant breaches of the Rules of Conduct by themselves or others to RICS.

## **2. Discussion**

1. What are the ethics provision from external bodies such as CIOB,CABE,CMI,RICS,Apprenticeship standards etc?
2. How we can signpost/utilise ideas to improve our UCEM ethics on our programmes?

Next COP meeting on Ethics – 3 February 2022