

## The Chartered Institute of Building

The Chartered Institute of Building (CIOB) represents for the public benefit the most diverse set of professionals in the construction industry.

The CIOB's role is to:

- Promote the importance of the built environment
- Lead the industry to create a sustainable future worldwide
- Encourage leadership potential
- Set the highest standards in quality, safety and qualification
- Create an industry where excellence prospers.



### The Chartered Institute of Building

1 Arlington Square,  
Downshire Way, Bracknell,  
Berkshire, RG12 1WA,  
United Kingdom

t: +44 (0)1344 630 700  
e: [reception@ciob.org](mailto:reception@ciob.org)  
w: [www.ciob.org](http://www.ciob.org)

Registered charity in  
England and Wales - 280795,  
Scotland - SC041725.  
VAT No. 492 0644 43  
CIOB 125/0215



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# Rules and Regulations of Professional Competence and Conduct

## Foreword

Members of the Institute are governed by the Royal Charter and the Bye-Laws. Under Bye-Law 30 all members are bound to further to the best of their ability the objects, interests and influence of the Institute. Members shall also observe the Rules and Regulations of Professional Competence and Conduct and all other Rules and Regulations of the Institute for the time being in force.

The following Rules and Regulations were made by the Trustees on the 31st March 1993 under the powers invested in them by the Royal Charter and the Bye-Laws. The procedures associated with these Rules and Regulations are set down in the Institute's Disciplinary Regulations.

The Trustee body ('Board') may change or add any Rules or Regulations from time to time provided that such changes or additions are not contrary to the Royal Charter and the Bye-Laws.

Notice of changes or additions to the Rules or Regulations will be published in the Institute journal.

In these Rules and Regulations:

- a) words and expressions shall have the meaning, if any, assigned to them in the Royal Charter and the Bye-Laws;
- b) 'members' shall mean all corporate and non-corporate members of the Institute;
- c) the word 'logo' refers to the logo approved by the Board for use by corporate members only;
- d) the term 'advisory service' includes project management, contract management, design and the giving of advice upon the construction, alteration, maintenance or repair of a building or other structure, including method, feasibility or cost in the form of written or verbal reports or drawings.

## Rules

- 1** Members shall, in fulfilling their professional responsibilities and the duties which they undertake, have full regard to the public interest.
- 2** Members shall demonstrate a level of competence consistent with their class of membership.
- 3** Members shall at all times act with integrity so as to uphold and enhance the dignity, standing and reputation of the Institute.
- 4** Members undertaking work in a country other than their own shall observe these Rules and Regulations so far as they are applicable.
- 5** Members shall discharge their duties with complete fidelity and probity. In particular they shall:
  - 5.1** not divulge to any person, firm or company any information of a confidential nature relating to the business activities or processes of their employer or client acquired during the course of their work;
  - 5.2** not, without the permission of their employer or client, render any service, with or without remuneration, which conflicts with the interests of their employer or client;
  - 5.3** ensure, when providing an advisory service, that the advice given is fair and unbiased;
  - 5.4** ensure, when undertaking any other construction related activity, that all such work is in accordance with good practice and current standards and complies with all statutory and contractual requirements;
  - 5.5** at no time improperly offer or accept gifts or favours which would be interpreted by the Institute as exerting an influence to obtain preferential treatment.
- 6** Members shall not undertake work for which they knowingly lack sufficient professional or technical competence, or the adequate resources to meet their obligations.

- 7** Members who are not competent to undertake part or all of a particular advisory service shall either decline to give advice or secure appropriate competent assistance.
- 8** Members shall only use the distinguishing letters of membership and appropriate description prescribed in Bye-Laws 17 and 18 and in accordance with Professional Conduct Regulation 1.
- 9** Corporate members only are permitted to use the logo approved by the Board for use by members in connection with their advisory service, in accordance with Professional Conduct Regulation 2 and the guidelines published by the Institute from time to time.
- 10** Members providing an advisory service are required to obtain professional indemnity insurance to cover the full liability of any advisory service offered and to abide by Professional Conduct Regulation 3.
- 11** Members undertaking any other construction related activity are required to maintain insurances and indemnify their client against the risks for which insurance is commonly effected arising out of the works in respect of workmen, third parties and adjoining properties.
- 12** Members shall not maliciously or recklessly injure or attempt to injure, whether directly or indirectly, the professional reputation, prospects or business of others.
- 13** Members shall keep themselves informed of current thinking and developments appropriate to the type and level of their responsibility. They should be able to provide evidence that they have undertaken sufficient study and personal development to fulfil their professional obligations in accordance with the current guidelines for Continuing Professional Development (CPD).
- 14** Members shall only advertise their services in accordance with the conditions set out in Professional Conduct Regulation 4. Within this framework they are permitted to make their experience and availability known to individuals and organisations where it is believed that an opportunity may exist for their services.

- 15** Members shall at all times have comprehensive knowledge of, and due regard for, legislation in respect of Health, Safety and Welfare as it affects all parts of the building process, from design, construction, maintenance to demolition. Members shall be responsible for ensuring that colleagues and others involved with the building process are aware of and understand their responsibilities under such legislation. In particular members are expected to:
  - 15.1** have competence to undertake risk assessment and to ensure that the outcome from the assessment is followed through into safe systems of working;
  - 15.2** be committed to providing a safe, clean and tidy working environment for all concerned in the building process, and at all times to comply with legislation and best practice;
  - 15.3** provide and encourage all under their control to undertake training and continuing development in Health and Safety matters;
  - 15.4** have a Health and Safety plan for any building activity, to keep the plan current and to ensure that the plan is implemented and adhered to;
  - 15.5** ensure that all records are properly kept, documented and filed for easy access and inspection, and available for audit at all times;
  - 15.6** be prepared and committed to take disciplinary action against any individual or individuals who abuse or ignore any regulations, putting themselves or any others at risk.
- 16** Members shall not discriminate on the grounds of gender, race or ethnic origin, sexual orientation, marital status, creed, nationality, disability or age and shall seek to eliminate such discrimination by others to promote equal opportunities.

## Regulations

### I Distinguishing Letters and use of Descriptions

- 1.1** All members are entitled to use their distinguishing letters of membership and/or description only in conjunction with their personal name. Distinguishing letters and/or descriptions may not be used in conjunction with the name of a business or other organisations.
- 1.2** Members who are proprietors, partners or directors of a business may display their name, any appropriate distinguishing letters of membership, and a supporting description on the premises and nameboards of the business.
- 1.3** Members may display their name, any appropriate distinguishing letters of membership, and/or description, on personal stationery, site notice boards and publications, and on those of business and/or other organisations with which they are connected.
- 1.4** The Institute will from time to time publish guidance setting out the exact style and manner in which members' distinguishing letters and descriptions may be used.

Note: Bye-Laws 17 and 18 read as follows:

17 Affixes

*The following designatory letters may be used:*

- (a) FCIOB for a Fellow;*
- (b) MCIOB for a Member;*
- (c) HonFCIOB for an Honorary Fellow;*
- (d) ICIOB for an Incorporated member;*
- (e) ACIOB for an Associate member.*

### 18 Descriptions

*Members who meet the Institute's requirements in respect of professional standards, experience and continuing professional development, in accordance with such regulations as the Board considers from time to time to be appropriate, and who are not subject to any order of suspension under the Disciplinary or Competency Regulations, may describe themselves as follows:*

- (a) Fellow of the Chartered Institute of Building for a Fellow;*
- (b) Member of the Chartered Institute of Building for a Member;*
- (c) Chartered Builder for a Fellow or a Member;*
- (d) Incorporated Builder for an Incorporated member;*
- (e) Associate member of the Chartered Institute of Building for an Associate member;*
- (f) Student member of the Chartered Institute of Building for a Student member (if any);*
- (g) Chartered Building Company for a Chartered Building Company;*
- (h) Chartered Building Consultancy for a Chartered Building Consultancy.*

### 2 Logo

Corporate members offering an advisory service may use the logo approved by the Board on:

- Stationery
- Brochures and report covers
- Advertisements
- Drawings
- Site signboards

in accordance with guidelines as published by the Institute from time to time.

### 3 Advisory Service

The Institute does not prescribe a scale of fees. Any charges made by a member shall be fair and reasonable. Before undertaking a remunerated advisory service, members must agree in writing with their client:

- 3.1 the nature, scope and limitation of the proposed advisory service and where appropriate the manner in which it is to be provided and documented;
- 3.2 the basis and timing of any charge to be made including that for abandoned work;
- 3.3 any provision to be made for reimbursement of printing costs, travelling and other related expenses;
- 3.4 procedures for settlement in the event of a dispute;
- 3.5 the nature and scope (including any restriction or limitation) of the insurance offered in relation to any advisory service including but not limited to Professional Indemnity, Third Party Liability and Employer's Liability insurance.

*Note: The Institute can, on request, provide details of insurers prepared to consider the forms of risk mentioned in Professional Conduct Regulation 3.5 above. The arrangement and operation of such insurances is entirely a matter between the member and the insurer.*

### 4 Advertising

- 4.1 Advertisements shall be factual and relevant in substance and presentation. They must not contain information which is untrue, misleading, unfair, flippant or otherwise discreditable to the profession.
- 4.2 If any advertising agency is used by a member, the member remains responsible for ensuring that advertisements conform to the provisions of these Rules and Regulations of Professional Competence and Conduct.