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CHARTERED
BUILDING
CONSULTANCY
SCHEME

CODE OF
PROFESSIONAL
CONDUCT
AND RULES



CHARTERED BUILDING CONSULTANCY SCHEME

PROFESSIONALISM AND INTEGRITY IN CONSTRUCTION

The construction industry embraces a very wide range of companies and individuals. Its image with the general public is all too often determined by the performance of the worst in class, lowest common denominator.

There are many highly respected and responsible consultancies managed by professionally qualified, well-trained and dedicated staff. These provide a very professional and economic, value-driven service. The challenge is to ensure that the industry's clients, especially those who require construction work infrequently, are able to easily identify suppliers who provide a quality service. This is where the Chartered Building Consultancy scheme comes into its own, offering that professional service.

The Chartered Building Consultancy (CBC) scheme was established to address this very problem. The underlying philosophy is that by employing a Chartered Building Consultancy, a client is assured that they will be receiving the highest possible service level, as those running the business have met the exacting standards laid down. The rules governing acceptance into the CBC scheme demand that the business is run by professionally qualified and where possible, corporate members of the CIOB. Consultancies meeting the exacting standards will be eligible to use the title 'Chartered Building Consultancy'. The scheme enhances the image of the professional consultancy and its role within the whole industry.

The scheme does not offer a guarantee as to the performance of member consultancies. Problems may arise on a job however, where no formal contractual arrangements exist for resolving disputes. If necessary, the CIOB's complaint procedure may be available.

The key elements are the Code of Professional Conduct and Rules, both of which are set out in full in this booklet. The code requires that member consultancies at all times discharge their duties with honesty, efficiency and integrity, and to provide their clients with a quality service and value for money. Fourteen specific 'commandments' are set out, for member consultancies to adhere to.

The Rules describe the membership criteria, outline the way complaints may be handled, and set down disciplinary procedures for dealing with member consultancies, who, it is believed, have failed to abide by their obligations under the scheme.

The Chartered Building Consultancies then, are taking an important place in the development of the professional construction industry. All firms whose principal activity is related to construction, who meet the eligibility criteria, and who want to be identified as 'Chartered' and therefore as professional, are encouraged to join.

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CODE OF PROFESSIONAL CONDUCT

A Chartered Building Consultancy shall at all times discharge its duties to its clients, employees and its supply chain with honesty, efficiency and integrity. It will strive to provide its clients with a quality service and value for money, be mindful of its duty to the general public and thereby to enhance the reputation of the construction industry.

In particular it shall:

- 01 Comply with the rules of the Chartered Building Consultancy scheme.
- 02 Manage its affairs so that all its actions are conducted in accordance with best practice.
- 03 Inform its employees and members of the supply chain of the obligations of this Code, and monitor their compliance with it.
- 04 Employ staff and members of the supply chain who are competent and qualified to carry out the work assigned to them, meeting the demands of the scheme.
- 05 Strive to ensure that all its work is in accordance with best practice and current standards, and complies with all relevant statutory and contractual requirements.
- 06 Be adequately insured for all relevant risks.
- 07 Strive to resolve any complaints quickly and equitably.
- 08 Not divulge any information of a confidential nature relating to the business activities of its clients.
- 09 When working in a country other than its own, conduct its business in accordance with this Code, so far as it is applicable to the customs and practices of that country.
- 10 Uphold the dignity of the Chartered Institute of Building, and the reputation of the Chartered Building Consultancy scheme.
- 11 Ensure that at all times the best interests of the client are uppermost in all its dealings.
- 12 All staff engaged in the administration of the construction process have achieved, or are working towards, appropriate qualifications and are undertaking an adequate regime of continuous professional development (CPD).
- 13 Current knowledge of, and standards of practice in, health and safety considerations, are given proper and absolute priority.
- 14 The CBC member shall try to be aware of all contemporary industry developments such as (currently at March 2012) BIM and 'The Green Deal'.

RULES

1. Application of the rules

- 1.1 These rules shall apply to all firms which are members of the Chartered Building Consultancy (CBC) scheme.

2. Control of the CBC Scheme.

- 2.1 The CBC scheme will be controlled by a board responsible to the CIOB's Business Development Board.

- 2.2 The CBC Board (the Board) will at all times act in accordance with its terms of reference.

3. Amendments to the Rules and Code of Professional Conduct.

- 3.1 The Board may, when necessary, recommend to the Business Development Board amendments to these Rules and to the Code of Professional Conduct.

- 3.2 Any amendments approved by the Business Development Board shall be notified in writing to all CBCs.

4. Eligibility and requirements for joining the Chartered Building Consultancy.

- 4.1 A firm must:

- a) Have its principle activity relating to the construction sector.
- b) For smaller organisations, or businesses with a smaller number of executive directors or partners, the following shall apply:
1. Sole Proprietors **MUST** be Corporate CIOB members.

2. Where there are TWO executive directors or partners, then at least ONE must be a Corporate CIOB member.

3. Where there are THREE executive directors or partners, then TWO must be members of a relevant Chartered Professional Institute and ONE of those TWO must be a Corporate CIOB member.

- c) Where there are FOUR executive directors or partners or more, then that organisation shall have 75% of its executive directors/partners as Corporate members of a relevant Chartered Professional Institute. (To approximate most nearly to this, a formula is provided with the 'new member pack' for potential CBCs, or is available to any interested party, setting out the exact requirement). At least ONE of this number (ideally more) must be a Corporate member of the CIOB.

- d) The CBC shall sign an undertaking that said CBC shall abide by the CBC Code of Professional Conduct and Rules, under bye-law 12 (detailed below), bye-law 32a and 32b and the CIOB Disciplinary Procedures.

Bye-Law 12: A Chartered Building Consultancy may, so long as they remain a fully paid-up member of the scheme, and not subject to suspension from membership made in accordance with the bye-laws and regulations, describe themselves, and be known as a Chartered Building Consultancy.

- 4.2 Where an application for membership is made by an organisation which is a discrete entity such as a division but is also part of a larger entity, the board shall have the discretion to grant membership where the organisation:

- a) Has identified to the Board's satisfaction a body of individuals which manages the business of that entity, and has the requisite proportion of qualifications as per 4.1.
- b) That the discrete entity satisfies the Rules in all other regards.

- 4.3 All applicants for membership must demonstrate client integration experience, and if requested be able to show clear examples of workings with that client to understand that client's objectives, and the delivery of a satisfactory outcome.

To that end applicants are asked where possible to submit two references from existing clients showing how this has been achieved. The Board will consider these and if necessary conduct further interviews accordingly.

5. Use of Title 'Chartered Building Consultancy'.

- 5.1 Only fully paid-up CBCs may use the approved logo and description.

- 5.2 A member may use the description 'Chartered Building Consultancy' in association with, but not as part of, its company name. For instance 'John Smith Ltd', a Chartered Building Consultancy is acceptable, but 'John Smith Chartered Building Consultancy Ltd' is not.

- 5.3 If a member uses the description 'Chartered Building Consultancy' in this way, it is encouraged to publish this on all relevant letter headings and business documents. It is further encouraged to list the name of each Director/Partner with their appropriate professional qualifications.

- 5.4 All CBCs are encouraged to display the CBC logo to promote the fact that they are members of the scheme in accordance with the requirements of the Board.

6. Application for Membership.

- 6.1 Applicants for membership of the CBC scheme must complete and submit an application form, together with the first year's annual subscription and the one-off enrolment fee.

- 6.2 The CBC Board is entitled to require an applicant to submit supplementary information to support its application.

- 6.3 The Board may, in its absolute discretion, refuse to admit an applicant to membership of the CBC Scheme without providing reasons.

- 6.4 At the discretion of the Board, the annual subscription element of the application fee may be refunded if an application is refused.

7. Enrolment Fee, Annual Subscription and Annual Return.

- 7.1 Members of the CBC scheme will pay an annual subscription on each anniversary of entry to the scheme. The enrolment fee and annual subscription will be as determined by the Board and altered from time to time.

RULES

7.2 CBCs will be required to make an annual return on a form which will be provided by the scheme administrator, and which must be returned within one month of the renewal date.

7.3 The Board may from time to time request that the annual renewal return forms are accompanied by client endorsements. When requested, failure to submit satisfactory client assessments could result in membership suspension.

8. Register of CBCs.

8.1 The Board will maintain a database of CBCs, and may publish from time to time information from that database, subject to the requirements of the Data Protection Act.

8.2 CBCs will notify the board within 28 days of any matter which may affect a consultancy's membership of the scheme. This may be particularly relevant where the CBC for any reason has change of its directors/partners.

8.3 The Board will, at its discretion, provide lists of names of CBC members on request. This will be subject to the requirements of the Data Protection Act and changes to it.

9. Changes to the Executive Directors or Partners of CBCs.

9.1 All changes to the executive directors of a CBC's board or partners must be notified to the scheme's management or board, within 4 weeks of the change, stating the qualification of any new executive director or partner.

9.2

a) Where the number/qualifications of directors or partners fall below the minimum required by Rule 4, the CBC member will have strictly by agreement with the CBC Manager/Board, a period not exceeding 6 months to appoint such new board member(s) or partner(s) who are corporate members as are necessary to comply with Rule 4.

b) If there is no appointment of a suitably qualified person or persons as to qualify for Rule 4 within the 6-month period, the consultancy will be deleted from membership. However, strictly by agreement with the CBC Manager/Board a further grace period may be granted.

c) If, however, within a further 6 months the consultancy becomes re-eligible to join the Scheme, it may be re-admitted to the Register without the payment of an enrolment fee.

9.3

a) In the event of a change resulting in a CBC no longer having a corporate member of the CIOB in an executive position, the consultancy will immediately be deleted from the membership, unless extenuating circumstances already communicated to the CBC Manager/Board as per above 9.2.

b) If, however, within a further 6 months, the consultancy re-joins the scheme, it may be re-admitted to the register without the payment of a further enrolment fee.

9.4 The Board reserves the right to suspend, for a maximum of 18 months, the application of Rules 9.2 and 9.3 to a particular organisation where, through the promotion, resignation, retirement, death or dismissal of an executive director or partner, it is in breach of the provisions of Rule 4.1(c) PROVIDED THAT the organisation has notified the Board promptly of its situation and supplied evidence satisfactory to the Board that, with a view to regularising its position under Rule 4.1(c):

a) the organisation is actively taking steps to recruit a suitably qualified candidate to replace the departed executive director/partner and/or

b) a director, partner or senior employee of the organisation is seeking to achieve membership of the CIOB.

10. Complaints against CBCs.

10.1 A CBC is bound to resolve any complaint it receives quickly and equitably. Should that fail then the procedure under CIOB bye-law 32 shall apply.

11. Deletion of names from the Register of CBCs.

11.1 CBCs may resign from the scheme at any time by giving 28 days notice in writing to the board.

11.2 CBCs in arrears with their annual subscription may have their names deleted from the register at the discretion of the board not less than 4 weeks after the subscription falls due.

11.3 A CBC's name will be deleted from the register of CBCs upon bankruptcy, liquidation, the appointment of a receiver, liquidator or administrator.

11.4 A CBC may be deleted from the register as a result of disciplinary action by the board. Any decision made under this rule will be notified to the consultancy by recorded delivery letter and will take effect 28 days after the receipt of the letter unless an appeal is lodged under Rule 14.

12. Publicity for deletions on disciplinary grounds.

12.1 When a CBC is deleted from the register for disciplinary reasons, the Board may decide to publish the name of the firm with reasons for deletion.

13. Continuing Liability for former CBCs.

13.1 Any CBC which is deleted from the register shall, in accordance with the Code of Professional Conduct, complete all work and honour all undertakings to its clients outstanding at the time of leaving the register.

14. Liability of the CBC Scheme and of the CIOB.

14.1 The Board will consider any bona-fide complaint against CBCs in accordance with Rule 10. However, any guarantee, or satisfaction with the quality of service, or the way CBCs conduct their own business is the sole responsibility of the individual CBCs to their clients.

14.2 The liability of the scheme and of the CIOB, is strictly limited to the investigation of complaints against members under Rule 10, and the taking of disciplinary action where deemed appropriate by the board under rules 11 and 12.



CODE OF PROFESSIONAL CONDUCT

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In particular it shall:

- Comply with the rules of the Chartered Building Consultancy Scheme
- Manage its affairs professionally so that all its operations are conducted efficiently and effectively, and in accordance with good business practice
- Inform its employees and specialist contractors of the obligations of this Code and monitor their compliance with it
- Employ staff and specialist contractors who are competent to carry out the work assigned to them
- Strive to ensure that all its building work is in accordance with good practice and current standards and complies with all relevant statutory and contractual requirements
- Be adequately insured for all relevant risks
- Strive to resolve any complaints quickly and equitably
- Not divulge any information of a confidential nature relating to the business activities of its clients
- When working in a country other than its own, conduct its business in accordance with this Code so far as it is applicable to the customs and practices of that country
- Uphold the dignity of the CIOB and the good reputation of the CBC Schemes.
- Ensure that at all times the best interests of the client are uppermost in all its dealings.
- All staff engaged in the administration of the construction process have achieved, or are working towards, appropriate qualifications and are undertaking an adequate regime of continuous professional development (CPD).
- Current knowledge of, and standards of practice in, health and safety considerations, are given proper and absolute priority.
- The CBC member shall try to be aware of all contemporary industry developments such as (currently at March 2012) BIM and 'The Green Deal'.

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