

The Arboricultural Association
CODE OF CONDUCT AND ETHICS

Version 1

Effective from 29 July 2018

The Arboricultural Association requires its members to meet and maintain high standards of competence and to conduct themselves in a way that inspires trust and confidence in the profession.

Given the wide range of factors involved in amenity tree care, not all members of the Arboricultural Association will provide the same recommendations or undertake the same work under similar circumstances. However, all members are required to be able to justify their advice and practice, and undertake works, in line with relevant laws, regulations, industry standards and industry best practice.

This document is a code of professional conduct and practice, setting out the standards, ethics and professional behaviour expected of members of the Arboricultural Association. It is not an exhaustive statement of the conduct expected of members, but sets many of the minimum standards that they must observe.

The Arboricultural Association requires its members to adhere to six core principles, namely:

- Competence
- Honesty and integrity
- Independent professional judgement
- Due care and diligence
- Equality and respect
- Professional behaviour

The following numbered clauses indicate the required standards, ethics and professional behaviour of these six principles.

Competence

1. Members must maintain their professional competence, keeping themselves informed of changes affecting the profession and broader developments relevant to their work and ensure that their knowledge, skills and techniques are up to date.
2. Members must be aware of the limits of their competence and not be tempted to work beyond these, only committing to what they can deliver.
3. Members who, as employers or managers, have responsibility for other Members or professionals must take all reasonable steps to encourage and support them in the maintenance of professional competence.
4. Members must work in accordance with all relevant laws, regulations, standards and Codes of Practice.

Honesty and integrity

1. Members must always be honest and trustworthy in all that they do and not deliberately mislead, whether by withholding or distorting information.
2. Members must ensure that they do not allow bias, conflict of interest or the undue influence of others to override their professional or business judgments and obligations or their professional duty to adhere to best practice.
3. Members must always have regard to the interest of their clients or others to whom they have a professional responsibility.
4. Members must respect confidential information from their clients and potential clients, divulging information to others only if they have a professional or legal responsibility to do so.
5. Members should take all reasonable precautions to ensure that no conflict of duty arises between the interests of one employer, client or business associate and the interests of another.
6. Members must disclose to employers or clients, as appropriate, any potential conflicts of interest.
7. Members must not offer or accept inducements, financial or otherwise, to influence a decision or professional point of view.
8. If members use the services of others they should ensure that they pay for those services within the timescale agreed.
9. Members must not disclose or use to the advantage of themselves, their employers or clients, information acquired in confidence in the course of their work.

Independent professional judgement

1. Members must exercise their independent professional judgment impartially and to the best of their skill and understanding.
2. Members must not make or subscribe to any statements or reports which are contrary to their own bona fide professional opinions, nor knowingly enter into any contract or agreement which requires them to do so.

Due care and diligence

1. Members must discharge their duty to their employers, clients, colleagues and others with due care and diligence.
2. Members must ensure the work carried out by their employees and sub-contractors is discharged with due care and diligence and in accordance with these codes.
3. Members must work within the scope of their competence.
4. Members must be open, transparent and objective at all times, giving clear and appropriate advice, communicating in a way that will allow their client to make informed decisions.
5. Members should be clear about what service their client or employer wants and the service to be provided, including timescales.
6. Members should be transparent about fees and any other costs or payments such as referral fees or commissions.
7. Members must respond to complaints made against them in appropriate and professional manner and do all they can to resolve the matter to the satisfaction of the complainant as far as the member can, as quickly as possible.

8. If a member thinks something is not right, they should be prepared to question it and escalate the matter as appropriate.
9. Members must take all reasonable care to avoid damaging the environment or creating any danger of death, injury or ill-health to any person or damage to property.
10. Members engaging in arboricultural practice must, where applicable, be adequately insured against claims.

Equality and respect

1. Treat everyone fairly with courtesy and respect.
2. Members must not discriminate on grounds including but not limited to race, nationality, gender, sexual orientation, religion, disability or age.
3. Members must challenge discrimination by others and promote equality of opportunity throughout their professional activities.

Professional behaviour

1. Members are expected at all times to conduct themselves in such a manner that does not prejudice their own reputation, the reputation of the profession, or that of the Arboricultural Association.
2. Members should always meet the spirit of their professional standards and not just the letter of the standards.
3. Members must be accountable for, and take full responsibility for their actions, and be prepared to act if they suspect a risk to safety or malpractice of any sort.
4. Members must, wherever possible, fulfil their contractual obligations, doing what they say they will do in a timely fashion.

General provisions

The Code of Ethics & Conduct (the Code) operates under the oversight of the Arboricultural Association's Chief Executive, Board of Trustees, and Professional Committee.

1. The constitution and powers of any examining group or committee charged with investigating alleged breaches of this Code will be determined by the Arboricultural Association Board of Trustees.
2. In this code the word 'member' means every Approved Contractor, Registered Consultant, and all members of the Arboricultural Association who are engaged in the practice of arboriculture in a professional capacity.
3. All members are required to adhere to, and promote this code, in order to uphold the integrity and reputation of the profession of arboriculture and of the Arboricultural Association.
4. The requirements of this code apply regardless of any permission or agreement to the contrary by or with the client or body employing or consulting any member.
5. Members shall endeavour to ensure that the acts of their employees, insofar as they relate to the scope of their practice, whether or not they are members of the Association, also comply with this Code.
6. Members shall abide by the current rules of the Arboricultural Association regarding the use of its logo and post-nominal letters.

7. It is the duty of every member, subject to any restrictions imposed by law or the courts, to report to the Arboricultural Association any alleged breach of this Code of which he or she becomes aware and to assist the Arboricultural Association in its investigations.
8. It is the duty of every member who is the subject of investigation by the Arboricultural Association to assist the Arboricultural Association in its investigations.
9. Disciplinary action will be taken only when the Arboricultural Association believes that the member is personally responsible for the conduct or action in question.
10. Members who are an Approved Contractor or Registered Consultant of the Arboricultural Association shall comply with the rules and requirements of the relevant scheme.
11. Words implying the singular number include the plural and vice versa.
12. The Board of Trustees may from time to time publish supplementary regulations and Members must comply with any such regulations.
13. The Board of Trustees has power to discipline any member who:
 - a. in the opinion of a disciplinary committee contravenes any of the provisions of the Code of Conduct.
 - b. is convicted by a court of a criminal offence which in the opinion of the Arboricultural Association results in a breach of the Code of Conduct.
 - c. in the opinion of the Arboricultural Association is guilty of gross professional misconduct or incompetence or of such conduct as to render him or her unfit to continue to be a member of the Arboricultural Association.
14. A failure to comply with this Code will not necessarily give rise to disciplinary proceedings; however, a failure to follow any guidance associated with the Code is a factor that will be considered should it be necessary to examine the conduct of a member.
15. The Arboricultural Association reserves the right to publish information about upheld complaints.