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code of professional conduct & ethics

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Preamble

The Canadian Association of Professional Heritage Consultants, hereafter referred to as the "Association", has several objectives in establishing a code of professional conduct and ethics, notably:

- the establishment of guidelines for members to follow when conducting their professional affairs;
- the establishment of a set of standards to which members must comply;
- ensuring that the interests of the public in general and the clients in particular will be properly served members of the Association.

This Code of Conduct addresses:

- A. **Qualifications**
- B. **Professionalism**
- C. **Responsibility to colleagues, employers, and clients**
- D. **Proposals and fees**
- E. **Disciplinary procedures**

A. Qualifications

Members must be qualified to perform the work which they accept. Qualifications may include academic training and/or knowledge and skills gained through practical experience and continuing education. Accordingly members shall wherever possible:

- become informed appropriately of previous research on a project and will develop an appropriate methodology which meets the objectives of the project and satisfies prevailing heritage conservation and planning principles.
- ensure that adequate staff, resources, and support facilities are provided to carry out the project.
- recommend that other professionals will be retained whenever additional special knowledge or skills are required by the client.

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B. Professionalism

Members shall conduct themselves in such a manner as to uphold the reputation of the Association and of the heritage consulting profession. In particular members shall:

- not undertake any duty or task, or carry out any other instruction from a client or employer that involve making statements either in written or verbal form purporting to be their own, but which are contrary to their own bona fide professional opinion;
- not sign or otherwise associate themselves with any letter, document, report or verbal statement that the member knows to contain false or misleading information;
- only provide a professional opinion after being as fully informed as might reasonably be expected;
- regard as confidential all information gathered as part of an assignment and will not take personal, financial or other advantage of this information as defined in the agreement with the client nor allow others to take advantage of this information;
- render or perform services based on adequate research and preparation and will not neglect services that they have agreed to perform;
- not serve two or more competing clients without the prior knowledge and

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- consent of all parties;
- not maliciously or falsely injure the professional reputation, prospects or practice or another member but may without fear or favour bring before the appropriate body of the Association any case of unprofessional, dishonest or unethical conduct;
- not attempt to displace a competing member consultant after that member has been engaged by the client;
- not engage in any illegal or unethical conduct involving the practice of heritage conservation;
- not accept remuneration or benefit from an outside party in connection with a client's project without the client's knowledge and written consent;
- not pay or accept commissions in securing professional work;
- avoid or disclose any conflict of interest which might influence the performance of their work for an employer or client;
- refuse to comply with any request or demand of an employer or client which is contrary to the Association's Code of Professional Conduct and Ethics.

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C. Responsibility towards colleagues, employers, and clients

It is important that members shall at all times conduct themselves with courtesy, honesty and good faith in the practice of heritage conservation whether employed in the public or private sectors or when serving as a volunteer.

In particular, members shall:

- be aware of the objectives of the Appleton and Venice Charters and other nationally, internationally or provincially recognized statements of heritage conservation principles and assess the impact on heritage resources;
- actively support the conservation of material heritage wherever it is warranted;
- where possible enhance public regard for the heritage consulting profession;
- ensure that they do not adopt any method of obtaining business which will reflect poorly on the public image of the profession;
- enhance the effectiveness of heritage consulting through the exchange of information and experience;
- give appropriate credit for work done by others;
- endeavour to advance the development of juniors and employees;
- respect the interests of the employer or client insofar as it is consistent with the public welfare and the Association's code of conduct and shall regard as confidential all information obtained about the financial affairs, technical methods or any other matters pertaining to the client's or employer's business.

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D. Proposals and Fees

Members employed either in the public or private sectors must try to ensure at all times that heritage conservation consulting is carried out in a financially responsible manner. Those members in the private sector shall:

- charge an appropriate fee for their services taking into account factors such as the nature of services, ability and reputation, degree of responsibility, and assumed benefit to the client;
- not agree to undertake work for fees that are less than reasonable;
- agree where possible on fees or the basis of the calculation of fees prior to providing heritage consulting services;
- try to ensure at all times that the client receives a written proposal outlining the objectives, scope and fee for the proposed work;
- before submitting a proposal confer with the prospective client and gain a clear understanding of the scope of work, the issues or other matters that may arise during the course of such work and the anticipated benefits at completion of the work.

It is incumbent on those members employed by a public body or agency to ensure

that where Association members are retained to provide heritage conservation consulting services the above matters are adhered to wherever possible.

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E. Disciplinary Procedures

- The duty of investigating any alleged breach of the Association's Code of Professional Conduct and Ethics shall be vested in the Professional Conduct and Ethics Committee, hereinafter referred to as the Committee.
- If the Committee considers that an alleged breach of conduct requires investigation, particulars of the alleged breach of the Code or other alleged unprofessional conduct shall be sent in writing to the member concerned with a request for the member's observations.
- The Committee shall not proceed with its investigation until the member's observations have been received and considered or a period of sixty days has elapsed without written response from the member.
- Without prejudice to the member's right's or the Committee's duty the Committee may invite the member concerned to discuss the matter informally with the Committee at this stage.
- The Committee shall not recommend any disciplinary action to the Board of Directors without first notifying the member concerned of the recommended course of action, with the reasons for such action. Within a period of sixty days from the date of notification the member may make written representations to the Committee or appear before the Committee in person or through an representative that the member may choose.
- When its investigation is complete and subject to the preceding paragraph the Committee shall report to the Board of Directors and may recommend disciplinary action within the powers of the Board as set out in the following paragraph.

If the Board is satisfied on a report from the Committee that a breach of the Code of Conduct or other unprofessional conduct has been proved the Board may:

- warn the member as to their future conduct;
- reprimand the member;
- suspend the member from membership of the Association for such period as the Board may determine; or
- terminate the member's membership of the Association.

The Board's decision shall be conveyed in writing to the member and shall be considered final.

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