

BANGLADESH INSTITUTE OF PLANNERS

CODE OF ETHICS AND PROFESSIONAL CONDUCT

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CODE OF ETHICS AND PROFESSIONAL CONDUCT

PREAMBLE

The 'Code of Ethics and Professional Conduct', hereinafter called CEPC, has been framed to give effect to the Article 44, 45, 46, 47 of the BIP constitution, to protect the rights and privileges of the Planners community in Bangladesh above all to uphold the aims & objectives of the constitution of Bangladesh Institute of Planners (BIP).

CEPC will provide guidance and support to the Members of BIP on their conduct in the professional arena. Similarly, it will give protection to the client who avails the services of Planners.

Under these Regulations, a Member may be held responsible not only for his/her own actions but also for the conduct of his/her practices, of whatever nature. They are advised, therefore, to bring this Code to the notice of all those associated with them in practice.

A Member who in a circumstances finds that his professional interest conflicts with the Principle of these Code, shall as the circumstances may require, either withdraw from the situation or remove the source of conflict within three months of adaptation of these Code. After that, the Code will be binding upon all the Members.

In case of a professional misconduct not specifically covered by these regulations, it will be dealt with by the Executive Committee with regard to the particular circumstances.

The Code of Ethics and Professional Conduct may be amended by the Institute under the procedures necessary to amend any Bylaws of the Institute constitution.

PART ONE: PRINCIPLES AND RESPONSIBILITIES

1. Responsibility to the Public

Planners' obligation is to serve the public interest, achieve high standards of professional integrity, proficiency, and knowledge. To comply with it Planners will stick themselves with the following principles;

- i. always be conscious of the rights of others.
- ii. provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers.
- iii. give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them.
- iv. seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration and urge the alteration of policies, institutions, and decisions that oppose such needs.
- v. promote excellence of design and endeavor to conserve and preserve the integrity and heritage of the natural and built environment.

- vi. deal fairly with all stakeholders/participants in the planning process. Planners who are public officials or employees shall also deal evenhandedly with all planning process participants.

2. Responsibility to Clients and Employers

With hard-working, creative, and competent performance of the work, Planners will pursue the interest of the client provided that activities will not contradict with the public interest and the principles of CEPC.

- a) Members shall exercise independent professional judgment on behalf of respective clients and employers.
- b) Members shall accept the decisions of respective client or employer concerning the objectives and nature of the professional services.
- c) Members shall avoid a conflict of interest or even the appearance of a conflict of interest in accepting assignments from clients or employers.

3. Responsibility to the Profession and Colleagues

A member shall work for increasing cohesion among the community and intercept others from disgracing the community by his misconducts.

- i. A member shall uphold the integrity and dignity of the profession.
- ii. A member shall rely on professional competence, describe and comment on the work that affects public interest and views of other professionals in a fair and professional manner.
- iii. A member shall not intentionally mislead existing or prospective clients about the results that can be achieved through the use of the Member's service, nor shall the member state that he can achieve results by means that violate applicable building laws.
- iv. A member shall not give his consent/approval or put his signature to any work, report, drawings, plans or specifications that was not prepared by him or his office.
- v. A member shall not attempt to supplant another Member nor shall he/she compete with another Member by means of reduction of fees or by other inducements.
- vi. A member having substantial information which leads to a reasonable belief that another Member has committed a violation of this Code which raises a serious question as to that Member's honesty, trustworthiness, or fitness as a Member, shall file a complaint with BIP office.
- vii. A member shall, share the result of his research; examine the applicability of planning theories, methods, research and practice and standards to the facts and analysis of each particular situation.
- viii. A member shall increase the opportunities for other members and help them advance in the profession and shall contribute time and resources to the professional development of students, interns, beginning professionals, and other colleagues.
- ix. when working outside Bangladesh show their professional conduct according to the recognized standards of conduct in that country, provided always that their conduct shall be such as to uphold the status and integrity of the Institute;
- x. when working within the field of another profession pay due regard to the ethics of that profession.

4. Obligation to Colleagues

- i. Members should respect the rights and acknowledge the professional aspirations and contributions of their colleagues.
- ii. A member shall compensate his associates and employees fairly, and facilitate their professional development.

- iii. A Member leaving a job/firm shall not, without permission, take any report, plan, database, designs or other materials whether or not performed by the member.
- iv. A member shall not unreasonably withhold permission from a departing employee or partner to take copies report, plan, database, designs or other materials performed by the employee or partner that are not confidential.

PART TWO: FINANCIAL MATTERS FOR TRADE AND SERVICE

5. Remuneration for Services

- i. A member shall uphold the minimum scale/ standard of professional salaries/fees
- ii. A member shall not accept any work which involves transaction of discounts, gifts or commissions nor accept discounts, gifts or commissions from contractors or tradesmen whether employed upon his/her work or not.
- iii. The above rule does not prevent a Member in his capacity as a contractor from accepting or giving the trade and cash discounts customarily allowed by manufacturers or suppliers.

6. Involvement with Other Trades/Profession

- i. A member shall not engage in any trade or business which is in conflict with his professional duties or that are likely to raise doubts about his integrity or may bring disrepute to the Institute and the profession.
- ii. A member while practicing the profession may engage in, any of the business of trading in land or building, property developers or agents, or of contractors, or a turnkey operator, or trading in building materials or whose activities are connected with construction work or the building industry provided he avoids his positional duties and business.

7. Involvement with Other Persons

- i. A member must not hold, assume or consciously accept a position, as a partner, director, or an employee of a company, in which his professional interest is in conflict with this Code. Breach of this Code by the other partners or directors or any other persons of the practice is considered a breach by the Member.
- ii. A member shall not enter into business or partnership with a person who is disqualified to be a member of BIP by reasons of the fact his name has been removed from the register of BIP.

PART THREE: PROCEDURE OF INQUIRY & DISCIPLINARY ACTION

In brief, this part describes,

- (1) the way that a member may obtain an informal advisory ethics ruling, and
- (2) the way how a charge of misconduct can be filed, and how charges are investigated, prosecuted, and adjudicated.

8. Informal Advice

Members are encouraged to seek informal ethics advice from the President/ General Secretary/ Concerned Member of the Board for professional disputes and confusion. Informal advice is not given in writing and is not binding on BIP, but the BIP Executive Committee shall take it into consideration in the event a charge of misconduct is later filed against us concerning the conduct in question.

9. Procedure of Disciplinary Action of a Charge

1) Filing a Charge

BIP Secretariat will maintain a log of all letters containing charges of misconduct filed against a member of BIP. Any charge of professional misconduct or/and unethical acts against a member, hereinafter shall be referred as 'RESPONDENT' must be in writing, addressed to the General Secretary of BIP and shall state the grounds of complaint clearly and shall be accompanied by description of facts, true place, name and address of complainant, necessary facts and documents.

2) Preliminary Notice

Within a week of receipt of a charge against a member, General Secretary will prepare a covering letter and send it to the RESPONDENT accompanied by the documents filed by the complainant for the 'preliminary response' of the RESPONDENT. He may ask both RESPONDANT and COMPLAINANT at BIP office for preliminary hearing.

3) Dismissal of Charge or issuance of Complaint

After receiving the preliminary response/ hearing, General Secretary may dismiss the charge if he finds the charge is clearly without merit. If, however, the GS finds that a complaint is warranted, then he/she shall draft a complaint and send it to the Respondent by registered Certified Mail, with a copy to the Charging Party. The complaint shall consist of numbered paragraphs containing recitations of alleged facts. Following the fact paragraphs, there shall be numbered paragraphs of alleged violations, which shall cite provisions of the CECP that the General Secretary believes are implicated. Complaint shall;

- (i) specify the section of CEPC under which the violation was made;
- (ii) fix the date, place and time on which the Executive Committee intends to meet the Respondent: and
- (iii) call upon the Respondent to answer the charge in writing and to appear before the Executive Committee on the appointed date. place and time.

4) Appearance to the Board Members

The notice referred to in bye-law B(3) shall be sent at least seven days before the date of the inquiry and shall be accompanied by a copy of each of these bye-laws and the CECP.

A copy of the notice shall, at the same time, be sent to the complainant.

The procedure for hearing shall be as follows:-

- (i) The General Secretary will read to the Executive Committee the notice of the inquiry addressed to the Respondent.
- (ii) The Complainant will then be invited to state his opinion and to produce his evidence in support of it. At the conclusion of the Complainant's evidence, his case will be closed.
- (iii) The Respondent will then be invited to state his opinion and to produce his evidence in support of it.
- (iv) At the conclusion of the Respondent's statement, the Executive Committee will, if the Respondent has produced evidence, hear the Complainant in reply on the case generally but will receive no further evidence, except in very special case in which the Executive Committee may think it right to receive such further evidence. If the Respondent produces no evidence, the Complainant will not be heard in reply.

Where no Complainant appears, the enquiry shall be suspended or shall be closed by the Executive Committee, as it feels deemed necessary.

5. Action against Charge

(i) Upon the conclusion of the hearing of both the parties and on the basis of the documentary evidences, the Executive Committee shall deliberate thereon in private and, at the conclusion of the deliberations, the President shall call upon the Executive Committee members to vote on the question whether disciplinary action is to be taken against the Respondent or not for professional misconduct, unethical act and/or malpractice.

(ii) If minimum six members of the Executive Committee votes to take action against the Respondent, then following disciplinary measures be taken against him/her:

- a) he/she may be given the option, if the situation permits, of withdrawing himself/herself from the situation within a given period of time and shall reprimand him/her or
- b) debar the him/her from certain privileges as BIP member and shall reprimand him/her or
- c) shall suspend his/her membership for a maximum period one year or
- d) shall refer the matter of expulsion to an extra ordinary general meeting or an annual general meeting or bi-annual general meeting whichever may be the case, for voting.

(iii) The Executive Committee may either of its own or upon application made to it, within a period of thirty days from the date of its decision under this rules, review its decision after giving reasonable notice to the parties affected thereby and while so reviewing modify, reverse or confirm the order.

(iv) In case of expulsion, the decision of two third majority of the current members present in the extra ordinary general meeting or an annual general meeting or bi-annual general meeting, whichever may be the case, through voting shall be final and binding upon all.

10. Member Convicted of Serious Crimes

If a member is convicted of a "serious crime," BIP's certification and membership shall be automatically suspended indefinitely. The automatic suspension applies whether the conviction resulted from a verdict of Judiciary of the State, and regardless of the pendency of any appeal. A "serious crime" shall include any crime determined by the statutory or common law definition of involvement with a state ban organization, false swearing, misrepresentation, fraud, willful failure to file income tax returns or to pay the tax, deceit, bribery, extortion, misappropriation, theft, conflict of interest, or an attempt to or a conspiracy or solicitation of another to commit a "serious crime."

11. Publication of Disciplinary Action

The decision of the disciplinary action against a Member is to be communicated in writing to him/her by the General Secretary within 14 days. Notices or letters left at the address of the Respondent Member listed in current directory of BIP will be deemed to be served. The Board shall have the right to publish the news of the disciplinary action, termination of BIP's membership and Certification in Newsletter of BIP, any media it feels deemed necessary.

Notes.

1. In this code, the word 'member' means every corporate member, member and fellow as described by the constitution of the Institute. Words importing the singular number include the plural and vice versa.
2. Social Justice means no discrimination on the grounds of race, sex, creed, religion, disability or age.
3. This code is come into force on 27 February 2015 after approved by the Annual General Meeting.

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