



## CODE AND RULES OF CONDUCT AND DISCIPLINARY REGULATIONS FOR REGISTERED AUTHORISING ENGINEERS

### PREAMBLE

**An Authorising Engineer (AE) is defined as an independent professional adviser to a healthcare organisation, with a brief to provide services in accordance with the relevant Healthcare Technical Memorandum (HTM) including all national, regional or local variations.**

The terms Authorising Engineer, himself or herself are gender neutral and apply to all Authorising Engineers.

### PRECEDENCE

In respect of duties carried out as an Authorising Engineer, unless rescinded by the Council of the Institute of Healthcare Engineering and Estate Management ("the Council"), the following Code of Conduct, Rules of Conduct and associated Regulations shall take precedence over all other such codes, rules and regulations to which any Registered Authorising Engineer (AE) may be subject, no matter from what source, and irrespective of whether the individual AE is, or is not, a member of the Institute of Healthcare Engineering and Estate Management ("IHEEM").

### CONDUCT

#### **Code of Conduct**

Every AE shall at all times, so order their conduct as to uphold the dignity and reputation of their profession and to safeguard the public interest in matters of safety and health and otherwise. Every AE shall exercise their professional skill and judgement to the best of their ability and discharge their professional responsibilities with integrity.

#### **Rules of Conduct and Disciplinary Regulations**

The Council shall from time to time promulgate Rules of Conduct and Disciplinary Regulations and shall have power to require all AE's to conform to such Rules and Regulations. Both the Rules of Conduct and Disciplinary Regulations may be amended, varied or rescinded from time to time as the Council may think fit provided that they shall not be inconsistent with the overriding principles of the Code of Conduct.

The Rules of Conduct are stated in the Appendix to this document.

The Disciplinary Regulations applying to IHEEM members shall also apply to registered AE's whether or not they are members of IHEEM.

This **Code and Rules of Conduct and Disciplinary Regulations** for Registered Authorising Engineers was approved by the IHEEM Council on **27 October 2016**

## **APPENDIX**

### **RULES OF CONDUCT**

#### **Preamble**

1. The Code of Conduct is designed to embody broad ethical principles and is necessarily drawn up in general terms. The Rules of Conduct set out below indicate the manner in which an AE's are required to conduct themselves in most situations. In relation to situations which are not specifically encompassed by the Rules of Conduct or where there is a conflict of interest, the overriding principle of the Code of Conduct shall apply and shall take precedence over the personal interest of the AE.

#### **Rules of Conduct**

2. When discharging their professional duties, AE's:
  - (a) should satisfy themselves as to their scope, obtaining in advance any necessary clarification or confirmation and shall not accept professional obligations which they believe they have not sufficient competence or authority to perform.
  - (b) shall accept responsibility for all work carried out by them, or under their supervision or direction, and shall take all reasonable steps to ensure that persons working under their authority are competent to carry out the tasks assigned to them and that they accept responsibility for work done under the authority delegated to them.
  - (c) shall, when asked for professional advice, give an opinion that is objective and reliable to the best of their ability.
  - (d) shall, if their professional advice is not accepted, take all reasonable steps to ensure that the person who over-rules or disregards their advice is aware of the possible consequences.
3. Save as required by law, an AE shall not do anything, or permit anything under their authority to be done, of which the probable and involuntary consequences would, in their professional judgement, endanger human life or safety, expose property to the risk of destruction or serious damage, or needlessly pollute the environment.
4. In their work, an AE shall comply in all respects with all relevant laws and statutory regulations.
5. In respect of their professional relationship with employers, colleagues or clients, an AE:
  - (a) shall not maliciously or recklessly injure, whether directly or indirectly, the professional reputation of another;
  - (b) shall disclose to their client or employer any benefits or interests that he may have in any matter in which he is engaged on their behalf;

(c) shall neither communicate to any person, nor publish any information or matter, not previously known by him or published in the public domain, which has been communicated to him in confidence by a client or employer without the express authority of that client or employer.

6. An AE shall not solicit work improperly as an independent adviser or consultant, either directly or by an agent, nor shall he improperly pay any person, by commission or otherwise, for the introduction of such work.
7. An AE shall not be the medium of payments made on their employer's or client's behalf unless so requested by their employer or client, nor shall they, in connection with work on which they are employed, place contracts or orders except with the authority of and on behalf of their employer or client.
8. An AE working overseas shall observe these rules so far as they are applicable in such work. Where, however, there are recognised standards of professional conduct which apply to AE in the country in which they are working, they shall additionally adhere to them.
9. If an AE is convicted by a competent court or tribunal of a criminal or civil offence which, in the opinion of the Council, renders them unfit to be an AE, they may be deemed guilty of improper conduct and may have their registration as an AE withdrawn.
10. If, in the opinion of the Disciplinary Body, an AE is precluded from performing their professional duties in a manner consistent with the standards of their profession, as a result of having been adjudicated bankrupt or making a composition with their creditors, they may be deemed guilty of improper conduct and may have their registration as an AE withdrawn.
11. If, in the opinion of the Disciplinary Body, an AE is precluded from performing their professional duties in a manner consistent with the standards of their profession, as a result of having been expelled from another relevant professional body or association, they may be deemed guilty of improper conduct and may have their registration as an AE withdrawn.
12. The AE shall comply with particular regard to the requirements described in HTM 00 and the relevant HTM for their specialisation.
13. An AE shall exercise their judgement impartially and independently. The following are examples of practices which the Registrar considers do not display appropriate impartiality and will lead to disciplinary action:
  - (a). receiving payment or benefit in kind associated with the awarding of a contract;
  - (b). using their position as an AE, to promote or otherwise endorse any equipment or service related to specialisation;
  - (c). discharging their duties as an AE in connection with work carried out by staff or organisations for whom he is managerially responsible;

(d). discharging their duties as an AE in connection with providing procurement advice for products or services sold by a company they own or have an interest in or by a company they are employed by

(e). providing AE services on equipment where they have been involved in the maintenance or testing on that equipment within the previous 12 months;

(f). attending sales or technical specification meetings on equipment where the AE is an employee of or has a current contract or business agreement with the equipment manufacturer for the provision of technical and professional services.

(g). providing AE services at the initial commissioning of equipment manufactured by a company with which the AE is an employee of or has a current contract or business agreement for the provision of technical and professional services which are concerned with the specialisation;

(h). where an AE holds a position in more than one company, or more than one position in a company, they shall not provide AE services on equipment maintained or tested by that company, or companies, unless complete independence between AE functions and any other function is clearly demonstrable and fully documented.

14. The AE shall take care to describe fully the work he will undertake when making an offer to enter into a contract for the provision of AE services. The AE shall also fully explain the inter relationship between their and any other associated company such that the client is entirely convinced of the impartiality of the proposed services. The AE shall declare fully in writing to any prospective client the nature of any past or present relationship with any company or organisation involved in the provision of products or services to the client and shall require written acknowledgement from the client prior to entering into any agreement for the provision of AE services.
15. Any request to enter into a contract which conflicts with their Code of Conduct shall be referred by the AE to the Registrar. Additionally, if an AE is unsure that a proposed course of action will fully satisfy the Code of Conduct, they are to refer the matter to the Registrar before entering into a contract.
16. Failure to comply with the Code of Conduct and the Rules of Conduct will lead to disciplinary proceedings in accordance with the Disciplinary Regulations below. If registration is withdrawn, a minimum time may be stated before an application for re-registration will be considered.