



IRSE
INSTITUTION OF
RAILWAY SIGNAL
ENGINEERS

Code of Professional Conduct

Published under the authority of Council

Any enquiries concerning matters covered in this document should be directed, in the first instance, to the Chief Executive of the Institution at the address below

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October 2015

CODE OF PROFESSIONAL CONDUCT

1. INTRODUCTION

This Code of Professional Conduct booklet has been prepared in order to provide information and guidance to members and is one which augments the general statements made in the Memorandum and Articles of Association and the Bye-Laws. These documents contain certain references to conduct which are, in the main, implicit rather than explicit. Rules of conduct have been prepared by Council in order to identify specific areas of activity and conduct pertinent in general to the signal and telecommunications engineering profession. In certain cases, particularly where safety is concerned, there are references specific to the railway signal and telecommunications engineer. Words importing the singular number only include the plural number and vice versa. Words importing the masculine gender only shall include the feminine gender and vice versa.

2. RULES OF CONDUCT

The Council of the Institution decided that a code of professional conduct designed to cover all eventualities should be produced and published, and the following rules were approved by Council on 6th October 2015.

In making the rules, cognisance has been taken of the fact that rules shall necessarily be written in general terms expressing broad ethical principles. Furthermore, it has to be recognised that doubts as to the proper course of action required to conform to the code of professional conduct can arise from a conflict between a member's personal interest and his duty to others. Rules issued by the Council for the interpretation of the Code indicate the manner in which members are required to conduct themselves in a number of frequently encountered situations. In other situations, members are required to conduct themselves in accordance with the principle that in any conflict between a member's personal interest and fair and honest dealing with other members of the community, his duty to the community shall prevail.

Under these rules any reference to "member" shall mean a member of any class referred to in Article 3 and reference to "employer" is extended to include client.

2.1. A member shall at all times order his conduct so as to uphold the dignity and reputation of his profession and that of the Institution. His conduct must also safeguard the public interest in manners of safety, health and otherwise. He shall exercise his professional skill and judgement to the best of his ability and shall discharge his professional responsibilities with integrity and fairness.

2.2. A member shall at all times take care to ensure that his work and the products of his work will not result in danger, death, injury or ill health to any person according to the railway engineering and safety practices at the time. In particular the safety requirements of railway signalling shall be his prevailing consideration. A member shall always recognise the need to ensure that the safety requirements of his work, the work of his associates and the work of those in his charge are correctly assessed and checked.

2.3. A member shall take all reasonable steps to avoid waste of natural resources, damage to the environment and wasteful damage or destruction of the products of human skill and industry

2.4. A member shall take all reasonable steps to maintain and develop his professional competence by attention to new developments in science and engineering relevant to his field of professional activity and shall encourage persons working under his supervision to do likewise.

2.5. A member shall not undertake responsibility as a railway signal or telecommunications engineer which he does not believe himself competent to discharge.

2.6. A member shall accept personal responsibility for all work undertaken by him, either under his supervision or by his direction. He shall assess relevant liability and if appropriate, hold professional indemnity insurance. He shall take all reasonable steps to ensure that persons working under his

authority are competent to carry out tasks assigned to them and that they accept personal responsibility for work carried out under the authority delegated to them.

2.7. A member called upon in his professional capacity to give an opinion shall, to the best of his ability, give an opinion that is objective and reliable.

2.8. A member whose professional advice is not accepted shall take all reasonable steps to ensure that the person overruling or neglecting his advice is made aware of any danger which the member believes may result from such overruling or neglect. He is advised to register such concern with the Institution and the Institution, at its discretion, may pursue the matter on his behalf.

2.9. A member shall not make any public statement in his capacity as a railway signal and or telecommunications engineer, without ensuring that his qualification to make such a statement, and any association he may have with any party which may benefit from his statement, is made known to the persons to whom it is directed.

2.10. A member, in self-laudatory language or in any manner derogatory to the dignity of the profession of railway signal and telecommunications engineers, shall not advertise or write articles for publication, nor shall he authorise any such advertisement or article to be written or published by any other person.

2.11. A member shall not recklessly or maliciously injure or attempt to injure, whether directly or indirectly, the professional reputation, prospects or business of another.

2.12. A member shall inform his employer in writing of any conflict between his personal interest and that of faithful service to his employer.

2.13. A member shall not improperly disclose any information concerning the business of either his current employer or of any previous employer.

2.14. A member shall not accept remuneration in connection with professional services rendered to his employer other than from his employer or with his employer's consent. A member shall not receive, either directly or indirectly, any royalty, gratuity or commission on any article or process used in or for the purpose of the work in respect of which he is employed unless or until such royalty, gratuity or commission has been authorised in writing by his employer.

2.15. A member shall not improperly solicit work 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. However, if a member shall be working in a country where there are recognised standards of professional conduct, laid down in that country by a competent authority recognised by the Council, which are in conflict with previous provisions of this rule, he may order his conduct according to such standards.

2.16. A member acting as an independent adviser or consultant shall not be the medium of payment made on his employer's behalf unless so requested by his employer. A member shall not place contracts or orders in connection with work on which he is employed, except with the authority of and on behalf of his employer.

2.17. A member shall notify the Institution if he is convicted of a criminal offence or upon becoming bankrupt or disqualified as a Company Director.

2.18. A member shall notify the Institution of any significant violation of the Institution's Code of Conduct by another member.

2.19. In addition to the foregoing general rules, further guidance is given as follows.

3. INDUSTRIAL ACTION

3.1. A member of the Institution who is also a member of a trade union should honour the obligations which he has voluntarily assumed by his membership of each. If, at any time, his obligations to his trade union should be in conflict with those deriving from the Articles and Rules of Conduct of the Institution, then his membership of the trade union may be incompatible with his membership of the Institution.

3.2. A member whose trade union requires him to take part in industrial action will not be regarded as infringing the Institution byelaws or rules of conduct, provided his actions are in accordance with the constitution of his trade union and the laws of the country.

4. ADVERTISING AND PUBLICITY

4.1. **Advertising:** Rules of conduct numbers 2.1, 2.10 and 2.15 refer.

4.2. **Publicity:** The rules of professional conduct do not prevent a member from being named in the press, writing for the press, radio or television, or taking part in radio or television programmes, films or other appearances. A member may be featured in articles or programmes relating to his own work and is permitted to submit articles and scripts about his own work to the press, radio or television. A member may submit articles and scripts on engineering topics of general interest. He is restricted only in that, in any such article or programme, he shall not advertise or offer his professional services or solicit work, or suggest that he is more competent than other engineers, or use self-laudatory language.

4.3. **Use of Title:** The use of the words Railway Signal or Telecommunications Engineer(s) and abbreviated titles descriptive of membership of the Institution are governed by Institution Article 7 which states:

"Honorary Fellows, Fellows, Members, Associate Members and Companions respectively shall be styled "Honorary Fellows/Fellows, Members/Associate Members/Companions of the Institution of Railway Signal Engineers" (as the case may be) and shall be entitled to use the designation shown in column 3 of the table in Article 3.2.

Associates, Students and Technicians shall not be entitled to use designations after their names."

Every member is entitled to use of the style or title designated in Article 7 for so long as he shall be a member. In using that description after his name he may associate with it the designation of the class in the Institution to which he belongs, stated in accordance with the following abbreviated forms, HonFIRSE, FIRSE, MIRSE, CompIRSE or AMIRSE as the case may be.

No member shall adopt or describe himself by any other description or abbreviation to indicate the class of membership to which he belongs other than that provided in Article 7.

5. DISCIPLINARY ACTION

In the event that a member fails to observe the Rules of Conduct of the Institution, he may become subject to disciplinary action under the provisions of Articles 17 and 18 which state:

Article 17

"The Council shall have the sole right to deal with and decide all questions of conduct, to hold all enquiries into the conduct of members of the Institution and make decisions in regard thereto and the sole power to call for and accept the resignation of or to expel any member of the Institution on any ground or to take such other disciplinary action as they may consider appropriate.

In all such cases the Council shall give the member of the Institution concerned the opportunity of being heard by serving at least seven days' written notice of the meeting at which such member of the Institution is to be heard. If such member of the Institution fails to attend such meeting or fails to satisfy those members of the Council present at such meeting that there is no case for expulsion, or no evidence of misconduct, or that there

should be no compulsion to resign or to have other disciplinary action taken against the member, such meeting of the Council or any further meeting of the Council shall in their sole discretion have the right and power to expel such member of the Institution or call for or accept his resignation or refuse to continue to receive an annual subscription or to take such other disciplinary action as they consider appropriate, and upon resignation or expulsion or the discontinuance of receipt of an annual subscription such member of the Institution shall cease to be a member of the Institution and the member's name shall be removed from the Register of Members of the Institution.

The quorum for meetings of the Council held to consider and decide the above-mentioned matters shall be nine members of the Council present in person and entitled to vote and all decisions at such meetings on such matters shall require a two-thirds majority of those present and voting

For so long as the Institution is a Licensed Body of the Engineering Council any person who is aggrieved by a decision of the Council in regard to a matter of discipline which impacts on their registration with the Engineering Council may appeal to the Engineering Council. Such right of appeal is limited to matters of process, findings or fact and may only be lodged after the Institution's processes have been completely exhausted."

Article 18

The office of a Member of Council or other Officer of the Institution shall be vacated if that Member of Council or Officer-

- 18.1 is subject to a receiving order or makes any arrangement or composition with creditors*
- 18.2 is found lunatic or becomes of unsound mind*
- 18.3 ceases to be a Member of the Institution*
- 18.4 by notice in writing to the Institution resigns from office*
- 18.5 ceases to hold office by virtue of any provision of the Act or becomes prohibited by law from holding office.*

6. PUBLICATION

The IRSE reserves the right, at its discretion, to publish the details of established breaches of this Code of Professional Conduct. Should the member initially considered to have potentially breached this Code be a registrant of the Engineering Council, then the Engineering Council may be informed of the potential breach. If, ultimately, it is established that there has been no breach of this Code, then, at the request of the defendant and using any manner of publication that the Institution sees fit, the Institution may publish this conclusion also.