



# EIANZ

CODE OF ETHICS AND PROFESSIONAL CONDUCT



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# EIANZ

## CODE OF ETHICS AND PROFESSIONAL CONDUCT

Adopted by the Annual General Meeting of EIANZ on 24th October 2012.

All members of EIANZ and Certified Environmental Practitioners are required to conform to this Code of Ethics and Professional Conduct in their professional practice.

Copies of the EIANZ Code of Ethics and Professional Conduct can be requested by contacting EIANZ Central Office at:

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Or downloading the document from the EIANZ website [www.eianz.org](http://www.eianz.org)

# FOREWORD

## REVISED EIANZ CODE OF ETHICS

Codes of ethical conduct have been the hallmarks of professional practice since the inception of what we can identify as the founding professions such as the medical profession and the legal profession.

In essence a true professional has regard to a higher order of considerations beyond self-interest such as the pursuit of an occupation merely for remuneration.

With the emergence of the environmental professional, where practitioners' core discipline has the hallmark of environmental management at its focus it was identified that like other professions there was a need to distinguish between practitioners simply pursuing a job, and practitioners who aspire to a higher order of practice, adhering to standards of competency and working within an ethical framework.

It emerged that there was a common objective of a professional practitioner in the environmental field: that it was appropriate, indeed essential, that the practitioner should have regard to principles of environmental protection which were variously described but in essence emerged as the principles of sustainability.

Initially the EIANZ called for an applicant simply to certify their agreement to abide by the Rules of Association, including the all-important objectives of the Institute, and then be assessed for admissibility by a Membership Applications Committee. Within a few short years it was identified as essential that a Code of Ethics be formulated to which EIANZ members would be required to undertake compliance.

The first iteration of our Institute's Code of Ethics was formulated following extensive consultation. The Code has stood EIANZ in good stead for many years. The process adopted once the Code was in place has been that members must undertake to abide by the Code in the course of their professional practice. This is now also applied through the Certified Environmental Practitioner (CEnvP) program initiated by the EIANZ.

We have now undertaken a revision of our Code of Ethics, so as to update it in accordance with the requirements, and indeed expectations, of our 21st century times. Law and regulations evolve placing new considerations and demands on practice, but more critically as a profession matures, its own strengths and stresses emerge demonstrating the need to upgrade and update.

This new EIANZ Code of Ethics reflects the maturity, indeed some might say its "coming of age", of the profession in which it can objectively assess its conduct and its needs, gained from its experience over its 25 years of incorporation in Australia.

In the spirit of pursuing continual improvement, I commend the Institute's Revised Code of Ethics to you.

Professor Simon R Molesworth

AO QC, FEIANZ, C.Env.P.

BA, LL.B, FAICD, FAIM, FVPELA, PIA(Hon.F), M.ICOMOS

EIANZ Honorary Life Member



# THE ROLE OF EIANZ IN GOVERNING PROFESSIONAL CONDUCT

## BACKGROUND

The Environment Institute of Australia and New Zealand (EIANZ) is a not-for-profit, politically independent, incorporated association; founded in 1987 as the leading professional body for environmental practitioners in Australasia.

The Primary Purposes of EIANZ are to:

- Facilitate interaction among environmental professionals ;
- Promote environmental knowledge and awareness; and
- Advance ethical and competent environmental practice.

The functional areas of environmental practice are to be found in the EIANZ Rules of Association. Eligibility requirements to be accepted as a Student Member, an Associate Member, Member or Fellow of EIANZ are to be found in the EIANZ Rules of Association.

By-Law 16 of the Rules of Association provides for a Certified Environmental Practitioner (CEnvP) Scheme including the establishment of minimum requirements for certification, and the establishment of a Certification Board, as a Standing Committee of EIANZ, to administer the Scheme.

## OUR VALUES AND EXPECTATIONS

As environmental practitioners, we understand that the environment is a living system; and human beings are part of that system. The environment provides ecological services on which human beings depend; hence, we believe we have a collective duty to protect and enhance the environment for the benefit of future generations. The integrity and resilience of biological systems are essential to the sustained maintenance of human well being. Environmental practitioners work in a range of roles including as employees and consultants, assessing the environmental consequences of development, giving advice on and regulating environmental practice, and undertaking research. The EIANZ expects that its members will give the same honest, objective and well founded advice on any issue or project regardless of the party that employs or engages the person and the specific objectives of such party.

The work of environmental practitioners is governed partly by government policy and legislation, and compliance with the law represents a minimum standard of environmental practice. The EIANZ expects environmental practitioners to work at and encourage others to adopt environmental practice that goes beyond compliance with the law.

Environmental practice is multidisciplinary and collaborative, requiring effective integration of knowledge and collaboration between stakeholders.

Scientific evidence is the basis of environmental practice , and a commitment to rigorous and objective science is fundamental.



## *The Role of EIANZ in Governing Professional Conduct (cont.)*

Environmental practice requires consideration of the long term consequences of actions that impact on the environment and leadership in avoidance, mitigation and adaptation.

The work of environmental practitioners must develop and maintain the trust of the community. That trust will be built by environmental practitioners with expert knowledge telling the truth and providing unbiased advice within their fields of expertise.

These values and expectations underpin the EIANZ Code of Ethics and Professional Conduct. These are the foundation principles to which environmental practitioners should turn, when resolving a specific aspect of ethics or practice that is not addressed by the Code. The following sections provide the Rules and Bylaws governing the Code and the Code requirements that members and certified environmental practitioners will be held accountable for.

### **ETHICAL AND PROFESSIONAL CONDUCT**

This Code of Ethics and Professional Conduct is the means by which the EIANZ and the Certification Board sets the standards of professional conduct expected of Members and CEnvPs.

Rule 40 of the Rules of Association states:

#### **CODE OF ETHICS AND PROFESSIONAL CONDUCT**

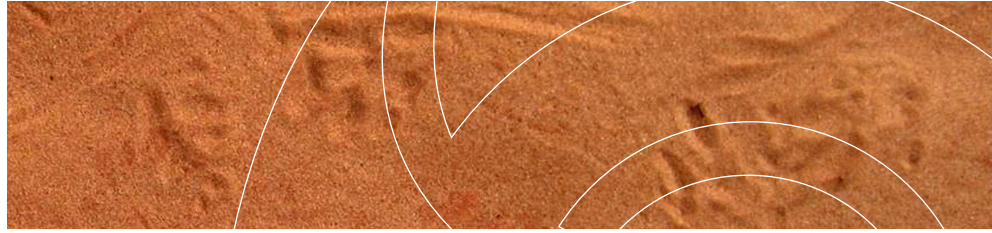
40. (1) *The Council may from time to time adopt a Code of Ethics and Professional Conduct which upon ratification by the Institute in general meeting (or by referendum) shall be binding upon all Members, Associate Members, Fellow Members and Student Members.*

(2) *Upon ratification of a Code of Ethics and Professional Conduct or the ratification of any amendment or variation of such Code, a copy of the Code, amendment or variation as the case may be shall be provided to each Member.*

Clause 16.2 (6) of By-Law 16 (Certified Environmental Practitioner Scheme) includes that one of the minimum requirements for certification is:

*An agreement to abide by ethical conduct principles, such principles being those agreed upon, published on the Institute website and otherwise made public by the Board.*

The Certification Board has resolved that this Code of Ethics and Professional Conduct shall also apply to Certified Environmental Practitioners under Clause 16.2 (6) of By-Law 16.



## BREACHES OF THE CODE

The Council of the EIANZ will respond to complaints regarding breaches of the Code of Ethics and Professional Conduct by its members. Similarly, the Certification Board will respond to complaints regarding breaches by CEnvPs.

The Council of the EIANZ will apply the principles of natural justice by ensuring that any complaint is independently investigated, and that the decisions of the Council or the Certification Board are subject to appeal.

Sanctions against members found to have breached the Code of Ethics and Professional Conduct range from counseling to expulsion, and for CEnvPs range from counseling to the revocation of Certification.

Rule 7 of the Rules of Association states:

### EXPULSION OF A MEMBER

7. (1) *In this rule, the term Member shall mean a Member, Associate Member, Fellow Member or Student Member of the Institute.*
- (2) *Subject to these Rules, the Council may by resolution:*
- (a) expel a Member from the Institute;*
  - (b) suspend a Member from membership of the Institute for a specified period;*
  - (c) or sanction a Member in accordance with the By-laws, if the Council is of the opinion that the Member:*
    - (i) has refused or neglected to comply with these Rules;*

*(ii) according to the Code of Ethics and Professional Conduct adopted according to Rule 40, has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Institute; or*

*(iii) has according to the said Code of Ethics and Professional Conduct adopted according to Rule 40, failed to observe a proper standard of professional conduct.*

The Rules of Association also provide for the appeal rights of members.

Clause 16.9 of By-Law 16 – Certification of Environmental Practitioners provides for the power of the Board to withdraw Certification of an environmental practitioner and appeal rights of Certified Environmental Practitioners.

# CODE OF ETHICS AND PROFESSIONAL CONDUCT

Compliance with this Code of Ethics and Professional Conduct is central to sound environmental practice and the credibility of the profession, and is required for persons who are members of the EIANZ and also for Certified Environmental Practitioners.

Environmental practitioners are committed to practice in accordance with this Code of Ethics and Professional Conduct, and accept personal accountability for professional conduct. This Code commits environmental practitioners to:

## PROMOTE ENVIRONMENTAL PRINCIPLES

- (a) Advocate the integrity of the natural environment and the health, safety and welfare of the human community and future generations as being central to environmental practice;
- (b) Advocate the protection of environmental values and the mitigation of environmental harm, based on objective scientific and technical knowledge;
- (c) Advocate and undertake environmental practice in accordance with principles of environmental stewardship, resilience and sustainability, with a view to achieving no net loss of environmental values and preferably a net gain, and to an appropriate standard.

## DEMONSTRATE INTEGRITY

- (a) Be honest and trustworthy, avoid misrepresentation or obfuscation, distinguish between fact and opinion, and state opinions which are honestly held;
- (b) Respect obligations of confidentiality and privacy;
- (c) Be objective, seek peer review and other quality assurance of work as appropriate, and accept as well as give honest and fair criticism when required;
- (d) Avoid or manage conflicts of interest, and make all relevant parties aware when there is such a conflict;

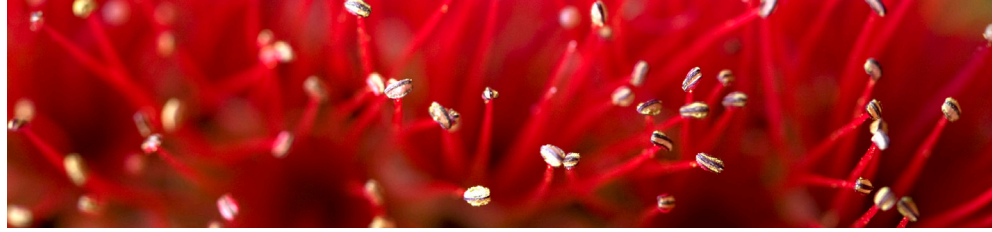
## REPRESENT AND PROMOTE THE PROFESSION

- (a) Promote and provide leadership in the adoption of high standards of environmental practice;
- (b) Contribute to the development and maintenance of knowledge about environmental practice and standards of professional competence;
- (c) Support others in their development as environmental practitioners;
- (d) Do not advertise or represent services, or those of another, in a manner that may bring discredit to the profession.

## PRACTICE COMPETENTLY

- (a) Provide services at an appropriate standard as required to achieve or foster optimal environmental outcomes;
- (b) Only practice and offer services in functional areas and specialisations in which one is appropriately qualified, experienced and competent;
- (c) Comply with all applicable governing laws and statutory requirements, and actively discourage non-compliance by others;
- (d) Promote the involvement of all stakeholders and the community in decisions and processes that may impact on environmental values;
- (e) Respect the contribution of other professionals and collaborate in multi-disciplinary approaches;
- (f) Be diligent in practice, providing accurate, up-to-date, objective, impartial and unbiased advice;
- (g) Acknowledge data and information sourced from others, and be accountable for data collected, analyses performed and conclusions drawn or plans developed as part of an assignment;
- (h) Be prepared to explain work and conclusions drawn, and provide the evidence on which the work is based;
- (i) Continuously update and develop skills through relevant professional development as a basis for competent practice.





## DEFINITIONS

**CEnvP** – Certified Environmental Practitioner

**Certification Board** – The Certified Environmental Practitioner Board

**EIANZ** – the Environment Institute of Australia and New Zealand

**Environmental Harm** – any adverse effect, or potentially adverse effect, on an environmental value

**Environmental Practitioner** – for the purposes of this Code, is a person who is a member of the EIANZ or a Certified Environmental Practitioner

**Environmental Resilience** – the ability of the environment to absorb perturbations without being degraded or unable to recover or adapt

**Environmental Stewardship** – the action of caring for and managing environmental values in the present and for the benefit of future generations

**Environmental Sustainability** – the qualities of human life and of the environment that are not gained at the expense of the future

**Environmental Values** - the qualities or physical characteristics of the environment that are conducive to ecological health or public amenity or safety

**Professional Development** – ongoing learning by a person who acts in a professional capacity to enhance knowledge, skills and experience in their field

**Services** – all professional services which may be provided by environmental practitioners including advice, decisions, reports, data, recommendations, research, teaching, mentoring, management and leadership

## CONTACT DETAILS



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### **Certified Environmental Practitioner Scheme**

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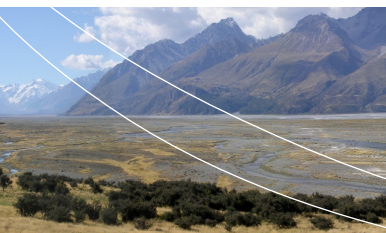
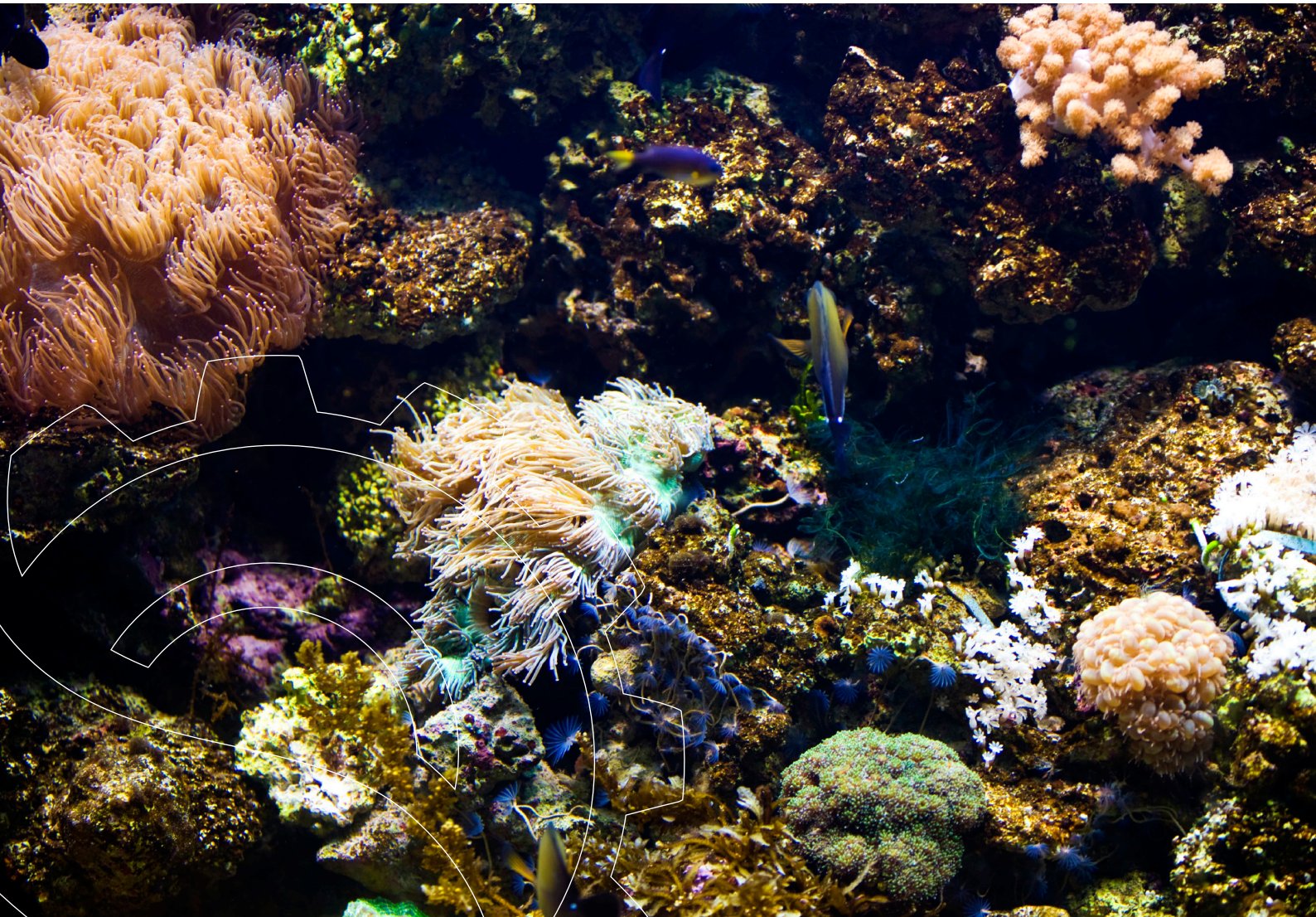
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