Template 1

Codes of ethics and practice, including guidance comparison

# Instructions

This template asks about your association’s codes that improve professional standards and provide consumer protection. These could be current or draft codes, such as your code of ethics, conduct or practice. It also asks about any relevant statutory codes.

Complete the Code list and Code comparison tables to show how the codes that apply to your members align with the requirements in our Codes of ethics and practice guidance. You will also be asked several questions about your implementation strategy, communication, governance, improvements and consumer protection outcomes.

* Code list

|  |  |  |
| --- | --- | --- |
| Reference | Code title | Required by other statutory or regulatory scheme? |
| 1  |  | Yes or No (if yes, answer the questions in the next table)  |
| 2 |  |  |
| 3 |  |  |

|  |  |
| --- | --- |
| **Reference** | **Code title** |
|  | **Questions** | **Response** |
|  | 1. Who is the regulator?
 |  |
|  | 1. How does your association, as a professional conduct co-regulator, interact with the statutory regulator? Provide examples, such as through scheduled meetings or consultation, or panel or committee membership
 |  |
|  | 1. What elements does your association include in its code that add to, or enhance, the statutory code?
 |  |

# Code comparison: Introduction

| Guidance section | Corresponding association code section  | Comments |
| --- | --- | --- |
| Mission statement, statement of intent, oath |  |  |
| Mission statement |  |  |
| Statement of intent |  |  |
| Oath |  |  |
| Sources of code legitimacy |  |  |
| Ownership |  |  |
| Ethical content  |  |  |
| Contractual legitimacy |  |  |
| Link to constitution |  |  |
| Overarching guidance statements |  |  |
| Ethical priority |  |  |
| Stakeholder priority |  |  |
| Comprehensiveness |  |  |
| Review and growth |  |  |
| Guidance |  |  |
| Organisational support |  |  |
| Accountability |  |  |
| Hayne’s 6 norms of conduct |  |  |
| 1. Obey the law
 |  |  |
| 1. Do not mislead or deceive
 |  |  |
| 1. Act fairly
 |  |  |
| 1. Provide services that are fit for purpose
 |  |  |
| 1. Deliver services with reasonable care and skill
 |  |  |
| 1. When acting for another, act in their best interests
 |  |  |

|  |  |  |
| --- | --- | --- |
| **Other supporting information you will need to provide** |  |  |
| **Documents** | Attach documents such as: * relevant elements of your constitution
* approved policies, procedures and processes
* forms, templates, internal or external standards
* oversight by executive bodies/ committees and their terms of reference
* standing communication to members
* relevant website content
 |  |
| **Implementation** | If you are proposing or amending a code of ethics or practice, how will your association implement it? Include the resources you will use (such as staff, financial and IT) and the implementation timetable. |  |
| **Governance** | What are the consequences of nonconformance with your code of ethics or breaching the code of practice? |  |
|  | What is the executive and governing body's role in consumer protection? For instance, how does your governing body seek relevant independent expert advice to support its decision-making? |  |
| **Communication** | How do you communicate your codes to your members and the public? How do you assess and improve this communication? |  |

# Code comparison: Content

| Values and principles  | Corresponding association code section  | Comments |
| --- | --- | --- |
| Expertise  |  |  |
| Ongoing education |  |  |
| Competency |  |  |
| Diligence |  |  |
| Peer and entrant education |  |  |
| Objectivity |  |  |
| Prohibition on conflicts of interest |  |  |
| Independence |  |  |
| Impartiality and disclosure |  |  |
| Prohibition on over-servicing |  |  |
| Care for consumers |  |  |
| Consumer best interests |  |  |
| Care for the vulnerable |  |  |
| Prohibition on inappropriate relationships with clients |  |  |
| Confidentiality, privacy and record keeping |  |  |
| Consumer confidentiality  |  |  |
| Record keeping |  |  |
| Consumer autonomy |  |  |
| Informed consent |  |  |
| Communication |  |  |
| Commitment to law and society |  |  |
| Respect for law |  |  |
| Respect for legislative intention |  |  |
| Non-discrimination |  |  |
| Public interest |  |  |
| Human rights |  |  |
| Complicity |  |  |
| Collective support of standards |  |  |
| Support for colleagues and subordinates |  |  |
| Appropriate use of resources |  |  |
| Accountability |  |  |
| Non-retaliation |  |  |
| Integrity |  |  |
| Honesty |  |  |
| Transparency |  |  |
| Candour |  |  |
| Cooperativeness |  |  |
| Collective delivery |  |  |
| Teamwork |  |  |
| Non-plagiarism |  |  |
| Competitiveness |  |  |
| Collegiality |  |  |
| Fair competition |  |  |
| Ethical culture |  |  |
| Building ethics regimes |  |  |

|  |  |  |
| --- | --- | --- |
| **Other supporting information you will need to provide** |  |  |
| **Improvement and consumer protection outcomes** | Do you have any plans to improve your association’s codes? If so, please describe your plans, including any strategies to address consumer harms and risks.  |  |
| What measures do you use to assess how effectively your codes ensure professional conduct? How often do you assess their effectiveness? Measures could be qualitative, such as measures of satisfaction, or quantitative, such as actual numbers or dollar amounts. |  |
| How do these measures help you to continuously improve the codes and further protect consumers of your members’ services? |  |
| 1. What is the improvement cycle for your association’s codes?
2. Include information such as:
 |  |
| * how you use trends identified in the outcomes of conduct and competence processes (including consumer claims, notification and complaints data) to inform your revisions
 |  |
| * how you identify and incorporate best practice
 |  |
| * how you identify and confirm the purpose and benefits of the improvement
 |  |
| * how you assign adequate resources to the improvement
 |  |
| * how you keep the process free of inappropriate or conflicted influence (including by government, the profession, employers or other interested parties)
 |  |
| * how you engage and consult with stakeholders (such as members, the public, consumers, regulators and related occupational associations) to assure alignment with your strategies
 |  |
| * how you develop practical measures of effectiveness for each code improvement (for example, by using data collection, collation, analysis and reporting to the governing body)
 |  |
| * which changes require approval by the governing body and a general meeting of members.
 |  |