

The Designers Institute of New Zealand Code of Ethics (2019)

PURPOSE

This Code of Ethics (“the Code”) is issued by the Designers Institute of New Zealand (“the Institute”) for the compliance of all its members in whatever capacity they work, study or practise as designers.

Compliance with the Code is a requirement of Institute members. Although the Code represents a minimum standard of behaviour for members, Members are generally expected to achieve levels of professionalism exceeding the minimum required in both competence and conduct.

Members have a duty to familiarise themselves with the Code and to ensure that its rules are observed not only in the letter but also in the spirit.

1. UPHOLDING THE LAW

Members shall abide by all relevant laws when the member performs professional activities.

2. HONESTY, INTEGRITY AND PROFESSIONALISM

Members shall conduct their business with honesty, integrity and in a manner which encourages high standards of design, safety and unprejudiced professional judgment.

3. CONFIDENTIALITY

Members shall treat proprietary and non-public client information as confidential, and shall not at any time divulge such information without the prior consent of the client, unless required by law to do so.

4. TERMS OF APPOINTMENT

It is recommended (though no mandatory) that members provide professional services only if the engagement is on the basis of written terms of appointment appropriate for the relevant goods and/or services, to which the client has agreed and has issued an instruction to proceed. Such terms should cover the scope of work, allocation of responsibilities (including limitations), fees (or methods for calculating fees) and the invoicing and payment process.

5. CLIENT COMMUNICATION

Members shall, at all times, within the limits of their professional duties and project constraints:

- a) Act in the best interests of the client;
- b) Practise effective communication with the client when establishing and monitoring aspects of a project including its scope, budget and fee estimates, materials used, subcontractor involvement, and time frame; and
- c) Advise the client in a timely manner of any issues arising and endeavour to resolve any such issues in good faith.

6. CONFLICTS OF INTEREST

Members shall avoid any significant conflict of interest, or (where appropriate) manage any significant actual or potential conflict of interest and disclose it to all relevant parties.

7. COMPETENCE

Members shall:

- a) Actively maintain and strive to improve the design knowledge and skills relevant to the member's work; and
- b) Undertake business activities only in which the member is competent.

8. MISREPRESENTATIONS

Members shall not represent or promote the member's competence or professional services in a false, fraudulent, misleading or deceptive manner, or otherwise allow others to make such misrepresentations on that member's behalf.

9. COLLEGIALITY

Members shall:

- a) Assist and encourage new and emerging designers entering the profession; and
- b) Maintain a continuing education in the design profession.

Members shall not:

- c) Maliciously or in bad faith criticise or attempt to discredit another member or another member's design practice;
- d) Knowingly accept any professional assignment upon which another member has been acting without first establishing with the client that the former appointment has been properly terminated and that all materials relevant to the continuation of the project are the clear property of the client; or
- e) Accept instructions from clients which knowingly involve plagiarism.

10. RESPONSIBILITY TO THE PROFESSION

Members shall endeavour in their work to further the standards of the design profession in New Zealand, consistent with the objective of the Institute to develop New Zealand as a centre of excellence in design.

Members shall as far as possible contribute to the interchange of technical information and experience between designers and other allied professionals and at all times respect and maintain the interests and contributions of such other professionals.

11. HARASSMENT AND DISCRIMINATION

Members shall treat all colleagues, clients and others in their professional dealings with respect, courtesy, equality and professionalism.

Members shall not discriminate by reason of any of the prohibited grounds set out in the Human Rights Act 1993, as well as the additional grounds of gender and physical size. Members shall promote work environments which are free of all forms of harassment.

12. COMPLAINT PROCEDURE

Any complaint about a member's alleged contravention of this Code shall be submitted to the Chief Executive Officer of the Institute. Upon receipt of the complaint, it shall be passed on to the Board, which may then consider and dismiss the complaint (by notice to the complainant), or may convene a Complaints Committee to resolve the complaint.

Upon receipt of a complaint, the Complaints Committee shall:

- a) Acknowledge receipt to the complainant;
- b) Give notice of the complaint to the member who is the subject of the complaint;
- c) Investigate the complaint thoroughly and without bias, including any such methods as the Committee deems fit;
- d) Determine the outcome of the complaint (or make a recommendation to the Board for determination, where appropriate); and
- e) Advise the parties to the complaint of the Complaints Committee's determination (or Board determination, as the case may be) in writing.

The determination notified by the Complaints Committee shall be final and binding on the parties. Possible courses of action shall include (but not be limited to) dismissal of the complaint, recovery of costs, a fine, or a recommendation to the Institute's Board that a member be suspended or expelled. Any costs associated with the investigation or resolution of a complaint shall be payable at the outset of the complaint and on an equal basis by the complainant and the member who is the subject of the complaint, subject to the discretion of the Complaints Committee.

13. STATUS OF THIS CODE

This Code is a statement of best practice and is intended to represent a commitment by members to adopt and maintain professional design standards and practices. This Code does not create any legally enforceable rights or obligations, and the Complaint Procedure set out in clause 12 shall be the sole process by which an allegation of non-compliance with this Code may be pursued.