

National Register  Access Consultants

**Code of Practice for Consultant and
Auditor NRAC Members**

2016

National Register Access Consultants

Contents

| | |
|--|----------|
| Introduction | 1 |
| Definitions | 1 |
| 1.0 Code of Practice | 2 |
| 2.0 Disciplinary Action | 2 |
| 3.0 Principles, Rules and Notes | 3 |
| 3.1 Principle One – Meeting the Client’s Requirements | 3 |
| 3.2 Principle Two – Member Responsibilities | 3 |
| 3.2.1 Competence | 3 |
| 3.2.2 Agreement on deliverables and fees | 3 |
| 3.2.3 Professional indemnity insurance | 3 |
| 3.2.4 Sub-contracting | 3 |
| 3.2.5 Confidentiality | 3 |
| 3.2.6 Supplanting other NRAC Members | 4 |
| 3.2.7 Due care | 4 |
| 3.2.8 Communication | 4 |
| 3.2.9 Respect | 4 |
| 3.3 Principle Three – Integrity, independence and objectivity | 4 |
| 3.3.1 Disclosure | 5 |
| 3.3.2 Conflicts of interest | 5 |
| 3.3.3 Inducements | 5 |
| 3.3.4 Privacy of information | 5 |
| 3.3.5 Objectivity | 6 |
| 3.4 Principle Four – Responsibility to other Members and the NRAC | 6 |
| 3.4.1 Annual affirmation | 6 |
| 3.4.2 Continuing Professional Development | 6 |
| 3.4.3 Professional obligations to others | 6 |
| 3.4.4 Fees | 7 |
| 3.4.5 Publicity | 7 |
| 3.4.6 Personal conduct | 7 |
| 3.4.7 Dealing with Complaints | 8 |

National Register Access Consultants

Introduction

There are two NRAC Codes of Practice in effect:

- This **Code of Practice** which is binding for all NRAC Access Consultants or Access Auditors.
- A Supporter Code of Practice which is binding for all Supporters. This can be found by accessing the Supporter section of the website.

Definitions

| | |
|-------------------------|--|
| Client | The person, firm or organisation with whom the Member in practice makes an agreement or contract for the provision of services. |
| Declaration | A written statement referring to and disclosing facts relevant to the situations covered by particular rules of the relevant Code of Practice. |
| NRAC | The National Register of Access Consultants |
| Management Board | The Management Board of the NRAC |
| Member | A Registered NRAC Consultant or NRAC Auditor |
| Supporter | Supporters are not accredited to undertake access consultancy or access auditing work. |

National Register Access Consultants

Code of Practice

1.0 Principles

This Code of Practice identifies four basic principles dealing with:

- Meeting the client's requirements;
- Member responsibilities;
- Integrity, independence and objectivity
- Responsibility to other Members and to the NRAC.

These principles are underpinned by:

- Detailed rules, which are specific injunctions; and
- Practical notes, which either lay down conditions under which certain activities are permitted or indicate good practice and how best to observe the relevant Principle or Rule.

The NRAC Management Board may from time to time issue further Principles, Rules or Notes. Notice of changes will be published on the NRAC web site and circulated to individual Members together with a date when they will come into effect. Members are expected to abide by all new provisions from the date they become effective.

The Principles, Rules and Notes of the Code apply not only to the Members personally, but also to acts carried out through a partner, co-director, employee or other agent acting on behalf of or under the control of the Member.

2.0 Disciplinary action

All Members are liable to disciplinary action if their conduct is found by the Management Board of the NRAC to be in contravention of this Code, to bring discredit to the cause of improving access, to other NRAC Members, or to the NRAC.

In accordance with the principles, rules and notes, Members may be required to make a declaration in answer to enquiries from the NRAC concerning their professional conduct. A Member failing to make such a declaration may be found in breach of the Principle to which the Rule or Note relates.

Should the need arise, a Member shall comply fully with any reasonable requests from the NRAC Management Board or those acting on its behalf for information and/or attendance at hearings necessary in pursuance of any complaint or action against the Member.

The conduct of a Member in matters that do not relate to the practice of access consultancy or auditing will not normally fall within the remit of this Code of Practice unless such conduct generally offends against the honour and integrity of the NRAC.

3.0 Principles, Rules and Notes

3.1 Principle One: Meeting the client's requirements

A Member shall regard the client's requirements and interests as paramount at all times. A Member shall inform the client of any access and equality legislation relevant to the project they are appointed on and the potential impact to the client of any changes in that legislation.

3.2 Principle Two: Member Responsibilities

A Member will pay due regard to the following responsibilities:

3.2.1 Competence

A Member will only accept work that he or she is qualified to perform and in which the client can be served effectively.

A Member will not make any misleading claims regarding their competence and will provide references for previous work undertaken if requested.

3.2.2 Agreement on deliverables and fees

A Member shall agree formally and in writing with the client in advance of commencing work the scope, nature and deliverables of services to be provided. The Member will also confirm in writing the basis of any remuneration for the work. Any subsequent revisions will be subject to prior discussion and agreement with the client and shall also be confirmed in writing.

3.2.3 Professional indemnity insurance

All Members must carry adequate Professional Indemnity Insurance to cover any work that they undertake as Members of the NRAC.

3.2.4 Sub-contracting

A Member shall not sub-contract or assign work without the prior agreement of the client and, except where otherwise agreed, the Member will remain responsible for the performance and satisfactory completion of the work.

3.2.5 Confidentiality

A Member will hold all information concerning the affairs of clients in the strictest confidence and will not disclose without prior consent from the client any proprietary information obtained during the course of an assignment.

3.2.6 Supplanting other NRAC Members

A Member will not deliberately approach another Member's client in a conscious attempt to take over an active project. A Member should therefore avoid, as far as possible, sending advertising mailshots or any other form of practice publicity aimed specifically at a project where it is apparent that another NRAC Member has already been appointed. This does not prohibit speculative approaches to clients who regularly engage NRAC Members.

During the period of a Member's engagement, the Member should not invite or encourage any employee of a client for whom the Member is working to consider alternative employment.

3.2.7 Due care

A Member will ensure that any advice, solutions and recommendations given or proposed are based on thorough, impartial consideration and analysis of all available pertinent facts and relevant experience and are realistic, practicable and clearly understood by the client.

A Member is expected to have in place (or have access to) effective procedures for dealing promptly and appropriately with disputes and claims.

3.2.8 Communication

A Member will ensure that the client is kept fully informed about the progress of the assignment.

A Member will encourage and take note of any feedback provided by the client on the performance of the Member's services.

3.2.9 Respect

A Member will act with courtesy and consideration toward all individuals contacted in the course of undertaking assignments.

3.3 Principle Three: Integrity, independence and objectivity

A Member shall act with honesty and integrity at all times.

A Member shall avoid any action or situation inconsistent with the Member's professional obligations, or which in any way could be seen to impair the Member's integrity. In formulating advice and recommendations, the Member will be guided solely by the Member's objective view of the client's best interests.

A Member should not be a party to any statement which he or she knows to be untrue, misleading, unfair to others, or contrary to their own professional knowledge.

3.3.1 Disclosure

A Member will disclose at the earliest opportunity any special relationships, circumstances, or business interests, which might influence or impair, or could be seen by the client or others to influence or impair, the Member's judgment or objectivity on a particular assignment.

This rule requires the prior disclosure of all relevant personal, financial or other business interests which could not be inferred from the description of services offered.

3.3.2 Conflicts of interest

A Member shall not serve a client under circumstances which are inconsistent with the individual's obligations as a Member or which might in any way be seen to impair the Member's integrity. Wherever a conflict or potential conflict of interest arises, the Member shall, as the circumstances require, either withdraw from the assignment, remove the source of conflict, or disclose and obtain the agreement of the parties concerned, to the performance or continuance of the engagement.

It should be noted that the NRAC may, depending on the circumstances, be one of the 'parties concerned'. For example, if a Member is under pressure to act in a way which would bring the Member into non-compliance with the Code of Practice, in addition to any other declaration which it might be appropriate to make, the facts should be declared to the NRAC.

3.3.3 Inducements

A Member shall not accept discounts, hospitality, commissions or gifts as an inducement to show favour to any person or body, nor attempt to obtain advantage by giving financial inducement to clients, client's staff, potential clients, or potential client's staff.

Payment for legitimate marketing activity may be made.

3.3.4 Privacy of Information

A Member shall not use any confidential information about a client's affairs elicited during the course of an assignment for personal benefit or for the benefit of others outside the client organisation.

When required or appropriate, a Member will establish specific methods of working which preserve the privacy of the client's information.

3.3.5 Objectivity

A Member will advise the client of any significant reservations the Member may have about the client's expectation of benefits from an engagement.

A Member will not indicate any short-term benefit at the expense of the long-term welfare of the client, without advising the client of the implications.

3.4 Principle Four: Responsibility to other Members and to the NRAC

A Member's conduct shall at all times endeavour to enhance the standing and public recognition of other Members and the NRAC.

3.4.1 Annual affirmation

A Member will provide the NRAC with annual affirmation of adherence to this Code of Practice.

3.4.2 Continuing Professional Development

To ensure that the knowledge and skills that the Member offers to clients are kept up to date, a Member shall comply with the NRAC's requirements of undertaking a minimum of 15 hours Continuing Professional Development (CPD) per annum.

Submitting evidence of meeting the NRAC's requirements for CPD is a condition of annual renewal of membership.

Members have a duty to be available to sit on an Admissions Panel on at least one occasion per year. Time served on a Panel may be counted as contributing towards the NRAC's CPD requirement.

A Member will encourage access consultants or access auditors for whom the Member is responsible, to maintain and advance their competence by participating in CPD and to obtain Membership of the NRAC, or increase their skills within it.

3.4.3 Professional obligations to others

A Member shall have respect for the obligations and qualifications for all others with whom the Member works.

A Member referring a client to another access consultant or auditor will not misrepresent their qualifications, nor make any commitments for the other Member.

A Member accepting an assignment for a client knowing that another Member is serving the client will ensure that any potential conflict between assignments is brought to the attention of the client.

National Register Access Consultants

When asked by a client to review the work of another Member, a Member will exercise the objectivity, integrity and sensitivity required in all technical and advisory conclusions communicated to the client.

3.4.4 Fees

A Member will negotiate agreements and charges for access services only in a manner approved as ethical by the NRAC.

In order to gain a contract a Member should not knowingly price work below the level at which they can meet their responsibilities under this Code of Practice.

3.4.5 Publicity

In publicising work or making representations to a client, a Member shall ensure that the information given is:

- factual and relevant;
- neither misleading nor unfair to others;
- not otherwise discreditable to the profession; and
- consistent with this Code of Practice.

Accepted methods of making experience and/or availability known include:

- publication of work (with consent of the client);
- direct approaches to potential clients;
- entries in any relevant directory;
- advertisement (in printed publication, on radio, television, or the internet); and
- public speaking engagements.

3.4.6 Personal conduct

A Member shall be a fit and proper person to carry out access consultancy or access auditing work. A Member shall at all times be of good reputation and character.

Particular matters for concern might include:

- conviction of a criminal offence or committal under bankruptcy proceedings;
- censure or disciplining by a court or regulatory authority;
- unethical or improper behaviour towards clients, employees or the general public.

A Member shall not wilfully give the NRAC Management Board or those acting on its behalf false, inaccurate, misleading or incomplete information.

National Register Access Consultants

3.4.7 Dealing with Complaints

All NRAC members who offer services to clients or other NRAC members, whether for remuneration or not, are required to operate a Complaints Handling Procedure (CHP) and maintain a Complaints Register (CR).

The CHP must identify the process by which complaints should be made and the processes and procedures that will be adopted for investigating and addressing a complaint. The CHP shall also identify a suitable independent redress provider that the complainant may approach should they wish to pursue their complaint further.

Failure of an NRAC member to hold an appropriate CHP and to make it available on request to those wishing to lodge a complaint against the member's activities will be a direct breach of this Code of Practice.

End