



Application Submodule 4.1: Association codes: codes of ethics and codes of practice

A. TO BEGIN THE SUBMODULE

This submodule sets out your association's codes of ethics or practice information that an applicant association should complete and submit to the Professional Standards Councils when seeking approval for a Professional Standards Scheme.

The relevant sections of the legislation (using the *Professional Standards Act 1994* (NSW) as an example) are:

- a. sections 10 and 36 in respect of associations providing their detailed list of professional risk management strategies intended to be implemented in respect of members, and the means by which they intend to implement those strategies.
- b. section 37 in respect of associations providing information on their risk management strategies to the Councils if requested to do so.

The submodule is designed for initial Scheme applications by associations and should be read in conjunction with Guidance 4.1.2 *Association codes* and 4.0.1 *Professional risk management strategies guidance*.

B. WHAT ARE CODES OF ETHICS OR PRACTICE IN THE CONTEXT OF A PROFESSIONAL STANDARDS SCHEME?

Typically, an association's members may be subject to one or more occupational code of ethics and code of practice. There may be statutory codes in a single document, or statutory codes that are dispersed throughout various laws dealing with the occupation's particular regulatory environment. There may be an occupation-wide code or codes, or a code operated by the individual applicant association. Association codes may operate in addition to, and augment, a statutory code.

In all cases, the Councils' interest is with how codes protect and increase protections for consumers of the services provided by an association's members. This means that codes must be developed with an objective of protecting consumers, involve consumers in the process of developing and improving the code, identify consumers in the code, and be clearly communicated to, and available to, the public. Establishing the conduct and competency which a consumer and the members can expect from every association member is critical in this process. In doing so, codes are designed to have practical application in terms of required conduct, public accountability, and transparency.

The questions in the templates aim to provide the Councils with information on how your association's codes operate, particularly in respect of the legislative object of protecting consumers.

Your codes sit within the professional risk management system, often referred to by the Councils as the professional integrity system. Your association is required to detail the operation and outcome for consumers and the members of the professional risk management system in Module 4.0 and its submodules.

C. COMPLETING THE REQUIRED INFORMATION

Your association should enter relevant information in Templates 4.1.1a *Association codes* and 4.1.1b *Association codes comparison table*.