

Professional Conduct Regulations

EFFECTIVE FROM NOVEMBER 2021

Professional Conduct Regulations applying to members of the Institute of Certified Bookkeepers (ICB) in their professional and business activities, both paid and voluntary.

"Professionals are expected by employers, clients and by the public to adopt a higher standard of conduct and behaviour in their professional life. It is that which underpins our value and the confidence the public has in us as professionals.

“These rules set out those basic principles of minimum conduct. However, ethics and professional conduct rules do more than that. The choices faced by a professional on a day-to-day basis are rarely black or white. Those choices are often made at a time when one is under pressure from a client or the clock. The professional rules help us judge our conduct by an objective benchmark at those difficult times. They provide us with a ready and polite reason for saying 'Sorry, I can't do that' when faced with pressure to stray across the line.”

Professor Mark Watson-Gandy, Barrister

PROFESSIONAL CONDUCT REGULATIONS

1. The Professional Conduct Regulations (PCR) were created on 1 November 1996 and have been amended periodically to reflect changes to legislation and working practices. This current version is version 6 (v6/2021) and came into force on 1 November 2021.
2. The regulations apply to all members of ICB, which shall include Student Member, Affiliate Member, Associate Member, Member, Fellow, Lifetime Member, Companion, Corporate Member, Licensed Practice.
3. A member must be a minimum of 16 years of age.
4. A member applying for a licence to practise must be a minimum of 18 years of age.
5. The regulations apply to the conduct of members in all jurisdictions.
6. A member must comply with the requirements of the regulations and any failure to do so shall constitute misconduct.
7. The Board of ICB shall have the power to waive the requirements of the regulations in whole or in part and on such terms as it shall deem fit in respect of any of its members.

THE FUNDAMENTAL PRINCIPLES

In Society a bookkeeper has a special role. Trust in the accounts and books of businesses and individuals is dependent on the bookkeeper's truthful, careful and diligent making and keeping of records. Members of ICB are expected to demonstrate and maintain the highest standards of Professional Conduct. Ethical and professional behaviour by ICB bookkeepers is necessary to engender trust in bookkeepers and the bookkeeping profession. The ICB Professional Conduct Regulations (PCR) exist to assist ICB members in maintaining the highest standards of professional conduct and in meeting their obligations to themselves, the public and ICB. The purpose of the PCR is to set out the standards of professional behaviour for members of ICB that are appropriate to their conduct in employment or in practice as well as in their personal lives, to the preservation of the dignity of their profession.

ICB regulations are based on the five fundamental principles of ethics as stipulated in the International Code of Ethics for Professional Accountants. These are:

- Integrity
- Objectivity
- Professional Competence and Due Care
- Confidentiality
- Professional Behaviour

Integrity

To be straightforward and honest in all professional and business relationships.

Objectivity

Not to compromise professional or business judgements because of bias, conflict of interest or undue influence of others.

Professional Competence and Due Care - to:

- a. Attain and maintain professional knowledge and skill at the level required to ensure that a client or employer receives competent professional service, based on current technical and professional standards and relevant legislation; and
- b. Act diligently and in accordance with applicable technical and professional standards.

Confidentiality

To respect the confidentiality of information required as a result of professional and business relationships.

Professional Behaviour

To comply with relevant laws and regulations and avoid any conduct that the professional bookkeeper knows or should know might discredit themselves or the profession.

COMPLIANCE WITH RELEVANT LEGISLATION

In addition to the five fundamental principles, members must be observant of and adhere to all relevant Acts, Legislation and regulations including but not restricted to:

- The Money Laundering, Terrorist Financing and Transfer of Funds (information on the payer) Regulations 2017 (MLR)
- Proceeds of Crime Act 2002
- The Bribery Act 2010
- Terrorism Act 2000
- Criminal Finances Act 2017
- Terrorist Asset-Freezing Act 2010
- Anti-Terrorism Crime and Security Act 2001
- Counter-Terrorism Act 2008 Schedule 7
- The Data Protection Act 2018
- CCAB Anti-Money Laundering Guidance for the Accountancy Sector
- Professional Conduct in Relation to Taxation
- Register of Trust and Company Service Providers

Professional Conduct Regulations

1. A member must be courteous to all those with whom they have professional dealings.
2. A member must not compromise their professional standards or engage in or act as to assist or conceal any criminal act even if this is contrary to the instructions of their client or their employer.
3. A member may not engage in any activity that is likely to bring them or the profession of bookkeeper or ICB into disrepute. Such activities shall include but not be limited to:
 - a) being convicted of a criminal offence
 - b) being subject of an order or undertaking resulting in the member being disqualified from being a director of a company
 - c) being excluded from any other professional body
 - d) being disciplined by any other professional body.
4. A member must not accept or carry out any work which:
 - a) they are not qualified to undertake
 - b) they lack sufficient expertise or competence to complete
 - c) would involve them or any other person in the commission of a criminal act
 - d) they do not have adequate time or opportunity to complete promptly.
4. A member must not provide a service to the public whether paid or voluntary until such time as ICB has granted them a licence to practise in accordance with the *ICB Licensing Policy*.
5. A member must not engage in any act of procurement of business until a licence to practise has been granted.
6. A member must perform and complete all work for their client or their employer diligently and promptly.
7. A member must promptly inform their client or their employer if for any reason and at any stage it becomes apparent that they are unable to complete any work within a reasonable time of them being instructed to do so.
8. A member must preserve the confidentiality of their client's or employer's affairs absolutely unless required to make a disclosure by Law or by the direction of ICB or to prevent the commission of a crime.
9. A member wishing to provide services outside of the ICB qualifications shall only be permitted to do so provided ICB has granted clearance in writing on the provision of evidence of the member's qualification or licence held with a relevant professional body or authority. This shall include but not be limited to:
 - a) holding client or trust funds for another
 - b) giving estate planning advice
 - c) providing investment services or selling or giving advice on the appropriateness of any investment within the meaning of the Financial Services & Markets Act 2000.
10. A member must not make or prepare any account or record which they know or have reasonable grounds to suspect may be false or misleading or the truth of which they are not satisfied on the materials or evidence before them.
11. A member must ensure that any advice given to a client or employer is clear correct and comprehensibly expressed.
12. A member must not describe themselves or allow themselves to be described as:
 - a) holding any designation or qualification they do not currently hold
 - b) being a grade of member of ICB to which they are not entitled
 - c) being a member of any professional body of which they are not a member
 - d) being an accountant unless they are entitled to do so through their membership of a recognised accountancy body.
13. A member is expected to use their designatory letters in accordance with the *ICB Brand and Designations for ICB Members Policy*.
14. Subject to the other requirements of these rules, a member must always act in the interests of their client or employer.

Duties of all members to ICB

16. A member must undertake a programme of planned Continuing Professional Development (CPD) every year and provide to ICB a record of the CPD undertaken during their subscription year in line with the *ICB Continuing Professional Development Policy*.
17. A member must provide ICB with a current and valid criminal check and photographic identification as requested by ICB.
18. A member must pay all fees to ICB promptly upon such sums falling due. These shall include but not be limited to membership subscriptions, licence fees, fines, penalties or any other fees or sums from time to time payable by the member.
19. A member who does not pay to ICB all sums that fall due shall not be a member of good standing and shall be deemed to be a member in arrears and ICB shall take such action as necessary to recover the debts owed to it.
20. A member who has had a complaint lodged against them will be subject to a review of their compliance with both the Professional Conduct Regulations and the *ICB AML Policy*.
21. A member must ensure that all information held by ICB about them, their staff and practice is correct and must inform ICB within fourteen days in the event of any change.
22. A member must respond promptly to any request by the ICB for information or comments or documents.
23. A member must report to ICB whether before or during their membership the fact of their being convicted of any criminal offence in any jurisdiction or having been subject to a finding of a fraud or deceit by any civil court of competent jurisdiction or being disqualified from acting as a director.
24. A member must report to ICB whether before or during their membership the fact of their being subject to disciplinary action or judgement by another professional body.
25. A member must attend any meeting they are required to attend of the Disciplinary Panel of ICB or any panel or meeting convened by ICB.
26. A member must comply with any direction of the Disciplinary Panel of ICB or any panel or meeting convened by ICB.
27. A member must report to ICB immediately the fact of their being made bankrupt or subject to any voluntary arrangement with creditors.
28. A member wishing to resign must provide notice in line with the *ICB Resignation Policy*.
29. A member in arrears shall not be permitted to resign.
30. A member who is subject to a complaint or investigation of misconduct or sanction under the *ICB Disciplinary Sanctions Policy* shall not be permitted to resign from membership until such time as the matter has been finally disposed of and the amount of any fine, or cost or order made in respect of them has been discharged in full.
31. Any member giving notice of their intention to resign shall remain liable to pay any subscription or any other fees due at the date notice is accepted unless otherwise determined by ICB.