

APEB Ethics Policy

A. Introduction

1. The ethical policy set out herein outlines the manner in which the Association of Professional Engineers of Belize (APEB) will view the ethical responsibilities of its members and the rules and procedures for dealing with ethical complaints.
2. The policies given herein will be applicable after they have been endorsed by the Council of APEB at a council meeting set for that purpose.

B. Code of Ethics

3. As per the APEB Byelaws, the Code of Ethics governing the professional conduct of members of the Association shall be as outlined in PUBLICATION (73) 001 of the Council of Caribbean Engineering Organization adopted by the CCEO at its fifth Meeting held at Holiday Inn, St. Lucia, 14-15 September 1972 for regional application and entitled: "CODE OF ETHICS AND GUIDE TO PRACTICE UNDER THE CODE OF ETHICS".

C. Ethics and Standards Committee

4. The Ethics and Standards Committee shall comprise the members of the Council of APEB or any other members of APEB appointed by the Council.
5. The Chair of the Ethics and Standards Committee shall be elected by the Council of APEB from among the council members.
6. The Chair's appointment shall expire at the expiration of the Council's term of office

D. Criteria for Accepting Complaints

7. APEB may consider complaints only against APEB members, and then only if the complaint is filed within a reasonable period of time, defined as six months from the time that the alleged unethical conduct occurred or was discovered.
8. APEB will normally defer complaints which fall under the jurisdiction of local or national regulatory bodies to those bodies, and will review the status of APEB membership subsequent to their decision and at the end of the period for appeal.
9. APEB shall not act on anonymous complaints unless the information is already in the public domain.
10. Where APEB becomes aware of APEB members who have been convicted of criminal acts, or disciplined by other statutory boards, whether or not a specific complaint is lodged with APEB, the President of the Association may request that the Ethics and Standards Committee conduct a review of the matter.

E. Procedures for Addressing Complaints

11. All ethical complaints against members of APEB, regardless of their origin, shall be forwarded to the President of APEB for initial review.
12. All complaints shall include the following information:
 - i. Name and signature of complainant;
 - ii. Name of person against whom the complaint is being made;
 - iii. Date;
 - iv. Description of unethical conduct;
 - v. Any evidence and copies of documents supporting claim.
13. Complaints received by the President shall be forwarded to the Executive Director who shall initiate proceedings as directed by the President. The Executive Director upon receipt of a complaint shall open a file, acknowledge receipt and send the complainant a copy of the governing APEB Code of Ethics and a copy of the APEB Ethical Policy. The Executive Director shall advise the complainant of the initial review of the complaint.
14. At the conclusion of such procedures and deliberations as may occur in response to the complaint, the Executive Director shall inform the complainant of the ultimate disposition of the complaint.
15. In the absence of the Executive Director, the Chair of the Ethics and Standards Committee or the Secretary of the Association shall assume the role of the Executive Director.

F. Procedures for Investigating Complaints

16. On the request of the President of APEB, the Ethics and Standards Committee shall conduct a preliminary investigation of the complaint.
17. When directed to do so by the Chair of the Ethics and Standards Committee, the Executive Director shall communicate with the member against whom the complaint has been lodged by registered mail with the following information:
 - i. A precise description of the nature of the complaint including, if possible, the specific section(s) of the Code of Ethics which the member against whom the complaint has been lodged is alleged to have violated.
 - ii. A copy of the governing APEB Code of Ethics and a copy of the APEB Ethical Policy.
 - iii. A request for a reply in writing within 21 calendar days.

- iv. A statement that information submitted by the member against whom the complaint has been lodged shall become part of the record in the event that further investigation and proceedings ensue.
 - v. Failure to reply, unjustified delay in responding, or lack of co-operation in the investigation, shall not prevent continuation of any proceedings, and in itself constitutes a violation of ethical principles.
18. The Executive Director shall forward all information to the Chair of the Ethics and Standards Committee.
19. The Chair may request, or direct the Executive Director to request, information from any other source which is deemed appropriate, subject to the member against whom the complaint has been lodged being so informed.
20. The Chair shall circulate the information relevant to the complaint to the members of the Ethics and Standards Committee for their individual evaluation and response. Members will be asked to respond within 30 calendar days from the time of the request.
21. The Chair shall prepare an integrated summary of the comments and opinions submitted by the Committee members and forward this report to the President within 60 calendar days of the initial request to the Committee members.

G. Options for Recommendations on Disposition

22. In formulating their recommendations the members of the Ethics and Standards Committee shall consider the following possibilities:
- i. that the complaint has no basis in fact;
 - ii. that the complaint is insignificant;
 - iii. that the complaint has been corrected;
 - iv. that the nature of the conduct of the member against whom the complaint has been lodged is such that the complaint may be resolved between the Committee and the member without making a formal complaint to the President or holding a formal hearing. This may include, but shall not be limited to:
 - a. the member against whom the complaint has been lodged agrees to cease and desist the alleged conduct;
 - b. the involved parties agree to negotiate a mutually acceptable resolution;
 - c. the member against whom the complaint has been lodged agrees to resign and reapply for membership in the Association only under stipulated conditions;

- v. that the evidence indicates that the member against whom the complaint has been lodged has committed a serious violation of ethical principles which is not amenable to informal resolution.
23. On receipt of the report from the Chair of the Ethics and Standards Committee, the President may:
- i. recommend to the APEB Council that no further action be taken and the matter be closed;
 - ii. direct that the Ethics and Standards Committee proceed to seek a resolution of the matter within the terms of G (22) (iv);
 - iii. recommend that the APEB Council hold a formal hearing on the complaint.
24. The President shall direct the Executive Director to inform the member against whom the complaint has been lodged of the outcome of the preliminary investigation made by the Ethics and Standards Committee. In the case of G (23) (i) or G (23) (iii) the APEB Council will deliberate on the President's recommendation at the earliest meeting at which the President may submit the report of the Ethics and Standards Committee and its recommendations.
25. In the event that the APEB Council decides to hold a hearing, the Provisions of Byelaw III (17), (18) and (21) shall apply.

H. Records

26. The Chair of the Ethics and Standards Committee, on completion of a case, shall forward all individual records relative to the complaint to the Executive Director at the APEB office for storage according to the following guidelines:
- i. Permanent files of the Ethics and Standards Committee shall be confidential and shall be maintained by the Executive Director in the Head Office of the Association;
 - ii. Files on ethical complaints shall be available only to those specifically authorized by the President of the Association;
 - iii. The anonymity of the complainants shall be preserved by removing the complainants' names and personal information from all documents and files.

I. Conflict of Interest

27. Should an ethical complaint be lodged against any member of the APEB Council or the Ethics and Standards Committee, then that member must withdraw from all Council or Committee proceedings pertaining to that complaint.

28. All ethical complaints against the President of the Association shall be forwarded to the Vice President who shall assume the role of the President in all subsequent proceedings as detailed in this policy.
29. Should an ethical complaint be lodged against the Chair of the Ethics and Standards Committee, then the President of the Association shall assume the role of Chair in all subsequent proceedings.

J. Appeals

30. All appeals shall be forwarded to the President of APEB within 30 calendar days of the outcome of any formal hearing.
31. Upon receipt of an application for appeal, the President shall appoint an Appeals Board to conduct an appeals hearing.
32. The Appeals Board shall comprise of three members. One member shall be a member of APEB not previously associated with the specific case. The other two members shall be from any of the following organizations:
 - i. Association of Professional Architects of Belize;
 - ii. Belize Bar Association;
 - iii. University of Belize Faculty of Science and Technology.

A chairperson shall be selected by the council.

33. Upon completion of review of the case under appeal, the Appeals Board shall have the power to:
 - i. Uphold the original decision made by the APEB Council;
 - ii. Overturn the original decision made by the APEB Council and order a new hearing on the matter.
34. The Appeals Board shall submit their decision to the President of APEB who shall then direct the Executive Director to inform the appellant of the decision in writing.