

# PRHK Professional Code of Conduct

## 1. A MEMBER OR MEMBER FIRM/ORGANISATION SHALL

- 1.1. Have a positive duty to observe the highest standards in the practice of public relations. Furthermore, a member or member firm has the responsibility at all times to deal fairly and honestly with clients, past and present, fellow members and professionals, the public relations profession, other professions, suppliers, intermediaries, the government, political parties or people in the public service, the media of communication, employees, and above all else the public.
- 1.2. Be expected to be aware of, understand and observe this code, any amendment to it, and any other codes which shall be incorporated into this code, and to remain up-to-date with the content and recommendations of any guidelines issued by the PRHK, and shall have a duty to conform to good practice as expressed in such guidelines.
- 1.3. Uphold this code and co-operate with fellow members in so doing by enforcing decisions on any matter arising from its application. A member or member firm that knowingly causes or permits a member of its staff to act in a manner inconsistent with this code is party to such action and shall itself be deemed to be in breach of it. Any member of staff of a member firm who acts in a manner inconsistent with this code must be disciplined by the employer.
- 1.4. *A member or member firm shall not:* Engage in any practice nor be seen to conduct itself in any manner detrimental to the reputation of the Council or the reputation and interests of the public relations profession.

## 2. CONDUCT TOWARDS THE PUBLIC, THE MEDIA AND OTHER PROFESSIONALS

*A member or member firm shall:*

- 2.1. Conduct its professional activities with proper regard to the public interest.
- 2.2. Have a positive duty at all times to respect the truth and shall not disseminate false or misleading information knowingly or recklessly, and to use proper care to avoid doing so inadvertently.
- 2.3. Have a duty to ensure that the actual interest of any organization with which they may be professionally concerned is adequately declared.
- 2.4. When working in association with other professionals, identify and respect the codes of these professions and shall not knowingly be party to any breach of such codes.
- 2.5. Shall not offer, or assist a client to offer, monetary or related benefits to members of the media in return of editorial favor or as an attempt to influence editorial independence.
- 2.6. Honor confidences received or given in the course of professional activity.
- 2.7. Neither propose nor undertake any action that would constitute an improper influence on organs of government, or on legislation, or on the media of communication.
- 2.8. Neither offer nor give, nor cause a client to offer or give, any inducement to persons holding public office or members of any statutory body or organization who are not directors, executives or retained consultants, with intent to further the interests of the client if such action is inconsistent with the public interest.

## 3. CONDUCT TOWARDS CLIENTS

*A member or member firm shall*

- 3.1. Safeguard the confidences of both present and former clients and shall not disclose or use these confidences, to the disadvantage or prejudice of such clients or to the financial advantage of the member firm, unless the client has released such information for public use, or has given specific permission for its disclosure; except upon the order of a court of law.

- 3.2. Inform a client of any shareholding or financial interest held by that firm or any member of that firm in any company, firm or person whose services it recommends.
- 3.3. Be free to accept fees, commissions or other valuable considerations from persons other than a client, only provided such considerations are disclosed to the client.
- 3.4. Be free to oblige a prospective or current client to respect the intellectual property rights of any original idea, creative design or strategic recommendation that it proposes
- 3.5. Be free to negotiate with a client terms that take into account factors other than hours worked and seniority of staff involved. These special factors, which are also applied by other professional advisers, shall have regard to all the circumstances of the specific situation and in particular to:
  - 3.5.1. The complexity of the issue, case, problem or assignment, and the difficulties associated with its completion.
  - 3.5.2. The professional or specialized skills and the seniority levels of staff engaged, the time spent and the degree of responsibility involved.
  - 3.5.3. The amount of documentation necessary to be perused or prepared, and its importance.
  - 3.5.4. The place and circumstances where the assignment is carried out in whole or in part.
  - 3.5.5. The scope, scale and value of the task, and its importance as an issue or project to the client.
- 3.6. Be entitled to timely compensation for professional service rendered for a client and request reasonable interest surcharge for overdue payment.
- 3.7. *A member or member firm shall not:* Misuse information regarding their client's business for financial or other gain.
- 3.8. *A member of member firm shall not:* Use inside information for gain. Nor may a consultancy, its members or staff directly invest in their clients' securities without the prior written permission of the client and of the member's chief executive or chief financial officer or compliance officer.
- 3.9. *A member or member firm shall not:* Serve a client under terms or conditions which might impair its independence, objectivity or integrity.
- 3.10. *A member or member firm shall not:* Represent conflicting or competing interests without the express consent of the clients concerned.
- 3.11. *A member or member firm shall not:* Guarantee the achievement of results which are beyond the member's direct capacity to achieve or prevent.
- 3.12. *A member or member firm shall not:* Invite any employee of a client advised by the member to consider alternative employment; (an advertisement in the press is not considered to be an invitation to any particular person).
- 3.13. Conduct towards colleagues  
*A member or member firm shall*
  - 3.13.1. Adhere to the highest standards of accuracy and truth, avoiding extravagant claims or unfair comparisons and giving credit for ideas and words borrowed from others.
  - 3.13.2. Be free to represent its capabilities and services to any potential client, either on its own initiative or at the behest of the client, provided in so doing it does not seek to break any existing contract or detract from the reputation or capabilities of any member consultancy already serving that client.
- 3.14. *A member or member firm shall not:* Injure the professional reputation or practice of another member.

#### **4. DISCRIMINATORY CONDUCT**

A member or member firm is required to take all reasonable care that professional duties are conducted without causing offence on the grounds of gender, race, religion, disability or any other form of discrimination or unacceptable reference.

# PRHK Arbitration & Disciplinary Procedures

## 1. INTRODUCTION

- 1.1. The purpose of the PRHK Arbitration and Disciplinary Procedures is to have a mechanism whereby the PRHK Professional Code of Conduct and Client/Agency Charter is seen to be capable of enforcement.
- 1.2. It also provides a mechanism by which complaints under the PRHK Professional Code of Conduct and Client/Agency Charter against PRHK members may be processed effectively and fairly.
- 1.3. Additionally, it allows parties in disagreement to submit their cases by mutual agreement to arbitration and settlement.

## 2. COMPLAINTS

The following complaints will be covered by this procedure:

- 2.1. An apparent breach of the PRHK Professional Code of Conduct and Client/Agency Charter by a member.
- 2.2. Where there are reasonable grounds to believe that a member has brought discredit upon the profession or the Council (PRHK).
- 2.3. Where one member considers they have cause to complain about the professional behaviour of a fellow member.
- 2.4. Where having regard to both the letter and the spirit of the PRHK Professional Code of Conduct and Client/Agency Charter, a member of the public believes cause for complaint against a member exists.
- 2.5. Where the PRHK Chairman believes cause for complaint against a member exists.
- 2.6. Stages in the procedure are specified and are designed to ensure that any complaint is dealt with as speedily as possible whilst giving all parties concerned adequate time to respond to each stage.
- 2.7. A complaint may be originated by any individual, whether a member of the Council (PRHK) or not, or by any organisation, by the Board itself or by the PRHK Chairman.
- 2.8. It shall be the duty of the PRHK Board to investigate promptly any complaint properly brought before them against a member.
- 2.9. The PRHK Board will recommend sanctions on the member concerned where serious breaches of the PRHK Professional Code of Conduct and Client/Agency Charter have been proven. Such sanctions may extend to suspension or termination of membership coupled with a published censure. The Board is empowered to impose sanctions (short of suspension or termination) on the member concerned where minor breaches of the PRHK Professional Code of Conduct or Client/Agency Charter have been proven, including, but not necessarily limited to warnings, admonishments or reprimands which may be published.
- 2.10. Matters that are currently the subject of a legal action will not be covered by the Board. The Board should advise all parties concerned of this as soon as possible.

## 3. DEFINITIONS

**“Board”** – The duly-elected directors of the PRHK.

**“Committee”** – The Professional Practices Committee of the PRHK

**“Complainant”** – The person, organisation, PRHK Chairman or Council Member making the complaint.

**“Defendant”** – The PRHK member against whom the complaint is being made.

## 4. PROCEDURE AND TIMINGS

- 4.1. On receipt of a formal complaint the Honorary Secretary of the Council shall if necessary correspond with the complainant in order to clarify any matters of uncertainty and to identify the specific clause or clauses of the PRHK Professional Code of Conduct and Client/Agency Charter which relate to the complaint. The Secretary must inform the complainant in writing of the Board's disciplinary procedure and in particular explain that the defendant will be notified of the complaint in order he may exercise the right to reply. The Secretary shall then send details of the complaint to the defendant and invite him to submit written observations within five working days which will be placed before the Professional Practices Committee together with the original complaint.
- 4.2. Any complaint must be placed before the Committee in session as soon as possible but no longer than 20 working days after the complaint was received except in exceptional circumstances. If the Board consider that there is no prima facie case for invoking disciplinary procedure the respective parties should be notified accordingly.
- 4.3. Each party shall supply within 10 working days to the Committee, and to the other party, a written summary of their case, with copies of any relevant documents. If both parties agree to the procedure, and sign their respective summaries and documents as fairly representing the facts, then the Committee may proceed to give their decision upon the evidence contained in the documents. Otherwise the Committee shall fix a time and place for the hearing of both parties and of any witness each party may consider necessary.
- 4.4. In the event of a hearing both parties shall be entitled to make oral submissions to the Committee either personally or through a representative. The Committee may invite further representations from either or both parties. Any such representations shall be made within five working days of the Committee meeting.
- 4.5. Any party may by notice in writing (at any time no later than five working days before the day fixed for the hearing) call upon any other party to admit any document and, if such other party desires to challenge the authenticity of the document, he shall within five working days after service of such notice, give notice that he does not admit the document and requires that it be proved at the hearing.
- 4.6. The proceedings of the Committee shall be held in private unless otherwise agreed by all parties.
- 4.7. After consideration of the case, the Committee shall decide whether there has been a breach of the PRHK Professional Code of Conduct and Client/Agency Charter and, if so, what sanctions should be applied against the defendant. Such decisions shall be made by a majority vote at the Committee Meeting where the matter is considered. The Committee's decision except in the case of a resolution of suspension or termination shall be final and binding on all concerned (subject to the member's right of appeal). The Committee shall give their decision in writing.
- 4.8. If the Committee decides that the correct sanction is one of suspension or termination it shall recommend this decision to the Board Chairman who shall consider the report and recommendations of the Committee and shall approve, amend, or overrule the recommendation of the Committee and shall give its judgement in writing.
- 4.9. Where suspension or termination of membership is the outcome, then following appeal the terms of censure will always be published. If the decision is to warn, admonish, or reprimand then an additional vote must be taken as to whether or not following appeal the terms of the censure will be published.
- 4.10. Any appeal by a member against a disciplinary decision must be lodged in writing to the Board through the Honorary Secretary at the Council's registered office within five working days of the Board's decision being notified to the defendant. Such appeal shall be considered by the Board together with the Professional Practices Committee and the Board shall approve, amend, or overrule the decision which was the subject of the appeal.
- 4.11. In the unlikely event that the Committee are unable to settle a grievance or there is a conflict of interest within the Committee, the Chairman shall nominate a Subcommittee of three who are not associated with the parties concerned, and who shall have the power to hear both parties and decide between them.

- 4.12. The Board may appoint legally qualified assessors and in appropriate cases instruct one or more to sit and act as non-voting members of the Board to ensure that the proceedings are conducted in accordance with the principles of natural justice and the law. The Board shall be bound by the legal rules of evidence.

## **5. ARBITRATION**

- 5.1. By mutual written consent of both parties a Subcommittee may arbitrate and determine settlement of disputes either between fellow members or between non-members and members of the PRHK. The above rules of procedure apply equally to the handling of complaints and to requests for arbitration.

## PRHK Client | Agency Charter

### SETTING OBJECTIVES

- *CLIENT*: we aim to provide comprehensive briefs with clear objectives and measures of success. Where possible, we will include business objectives and information on other marketing activities. In the event we cannot provide a written brief, we will set aside time to meet with the consultancy to discuss our goals and enable them to construct their own brief. We will set budgets with clear parameters.
- *CONSULTANCY*: we will deliver timely responses to briefs based on insightful thinking, experience and creative execution. Proposals will be bound by the client's budget but we may also offer additional ideas with incremental budget if we believe they are critical to achieving the objectives.

### MANAGING BUDGETS

- *CLIENT*: we appreciate consultancies make money by charging for consultants' time. We accept that changes in our demands may require additional funding, or a decrease in other activities.
- *CONSULTANCY*: we appreciate we should be as flexible as possible and work within the budgets agreed at the outset. We will commit to informing our clients proactively when unforeseen budgetary challenges arise and we commit to treating our clients' budgets as if they were our own.

### WORKING IN PARTNERSHIP

- *CLIENTS*: we recognize that working positively together will help both us and our consultancies deliver our goals. We will agree clear working processes and we will treat the consultancy team with the same respect we would show to our own team. We will ensure that mutually-agreed expectations are set and agreed at the start of the relationship and regularly reviewed.
- *CONSULTANCY*: we will aim to deliver results which delight our clients and support their communications and business goals. We will aim to ensure continuity in our account team in order to build shared expertise and stable points of contact and, wherever possible, we will share experiences from our business to help our clients grow & learn.

### TIMELINES

- *CLIENT*: we will give the consultancy reasonable timescales for responding to briefs. This will allow them time to deliver professional and comprehensive responses.
- *CONSULTANCY*: we will deliver material, on or before agreed deadlines. We will build in time for two-way feedback. We will flag early any challenges that may impact on delivery to deadline.

### COMMUNICATIONS

- *CLIENT*: we will give the consultancy clear and timely feedback. We will also respond to enquiries from the consultancy about its team's performance, standard of work and delivery.
- *CONSULTANCY*: if necessary, we will be prepared to challenge briefs with opinions based on sound insight, strategic thinking and honesty. We will ensure that the client's communication and business objectives are paramount in everything we do.

## **BUSINESS AWARENESS**

- *CLIENT*: we will help the agency understand the workings of our organization and the wider context in which it operates. We will ensure that the consultancy is informed promptly when things change within the business, especially when the change could have a material impact on communication objectives and outputs.
- *CONSULTANCY*: we will invest time in ensuring our teams understand a client's business, its industry and key competitors. We will ensure that the account team continues to keep abreast of industry developments. If there are changes in account team, we will take responsibility for transferring account knowledge to new members.

## **STAKEHOLDER RELATIONSHIPS**

- *CLIENT*: we will help the consultancy by making introductions to key stakeholders including senior management.
- *CONSULTANCY*: we will build a range of contacts within the client's stakeholder group to help maximise the effectiveness of our work. In doing so, we acknowledge we are ambassadors for our inhouse contacts and will act courteously and professionally at all times.

## **EVALUATING SUCCESS**

- *CLIENT*: we appreciate that meaningful evaluation of communications activity is essential, and that proper evaluation requires budget.
- *CONSULTANCY*: our focus will be to deliver substantive and measurable outcomes and we will help our clients communicate the value of our activity to internal audiences by developing business cases for our work.