

20/11/13

IRISH PARKING ASSOCIATION CODE OF CONDUCT

1.1 Introduction

The Irish Parking Association was established in 1995, and seeks to represent the interests of all members engaged in the parking industry. The Irish Parking Association is comprised of the major parking operators, equipment suppliers and other key stakeholders in the car park industry. The Association seeks to develop best practice and acts as a point of contact for those interested in the parking industry.

The purpose of this Code of Conduct is to safeguard and maintain the common respect and regard for parking management as a profession, to serve as guidance for owners and managers of property, parking management organisations, employees of parking organisations, clients, suppliers, consumers, and the public regarding the ethical duties that apply to parking organisations as part of the execution of parking operations and activities.

The Association is committed to maintaining the highest standards of professional conduct and ethics at all times.

1.2 The Association

The Association is the professional body representing the interests of parking managers in Ireland. Its objective is to promote parking management as a recognised management profession, to promote the highest standards in the parking management profession, and to emphasise members' and Directors' responsibilities to society, to their clients, to their employers and to each other, as outlined in this Code by:

- (i) Influencing relevant areas of public policy;
- (ii) Contributing to relevant training programmes;
- (iii) Encouraging and enabling the exchange of ideas and information;
- (iv) Organising relevant events, exhibitions, seminars etc. for industry members;
- (v) Establishing strategic alliances; and
- (vi) Liaising with appropriate Government agencies on legislation and policy.

1.3 Designation / Post Nominals

Compliant members are entitled to use the IPA logo in accordance with the IPA Brand Guidelines and the Terms and Conditions of being a Corporate Member. For the avoidance of doubt, the IPA Brand Guidelines also apply to individual members of the Association. If an individual or organisation ceases to be a member of the Association, either by resignation or expulsion, that member must cease usage of the IPA corporate livery from the date of cessation of membership.

The Board of Directors of the Association may, at any time and from time to time, make changes to this Code.

2. GENERAL PRACTICE STANDARDS

MEMBERS OF THE ASSOCIATION UNDERTAKE:

2.1 Statutory Duty

To conform with any laws applicable to the provision of parking management and comply with all current and future statutory legislation, in particular:

- Criminal Justice Act 1994
- Data Protection Acts 1988 and 2003
- Companies Acts 1963 to 2009
- Fire Services Act 1981
- Occupiers Liability Act 1995
- Safety, Health and Welfare Act 2005
- Waste Management and Litter Pollution Acts
- Competition Act 2002

And such other relevant statutes as are passed into law from time to time.

2.2 Professional Competence

- 2.2.1 To act with integrity, reasonable care and diligence and to provide services in a manner that is expected and accepted as competent professional practice.
- 2.2.2 Not to engage in any act or behaviour that could bring the Association into disrepute.
- 2.2.3 To act with all reasonable professional care, skill and forethought in managing parking facilities entrusted to them.
- 2.2.4 To keep abreast of legislation, market conditions, new knowledge and techniques relating to parking management, for the benefit of clients and colleagues generally.
- 2.2.5 To participate in Association activities and to promote and protect its interests.
- 2.2.7 To contribute to public policy on matters relating to parking management.
- 2.2.8 To encourage suitable candidates to apply for membership of the Association.
- 2.2.9 To abstain from any form of conduct liable to morally or materially prejudice fellow members, corporate members or affiliates.
- 2.2.10 To ensure that their advertisements and other public pronouncements are, where factual, strictly accurate and are in keeping with the dignity of the parking managers' profession and are not such as would bring the Association or the Member into disrepute.
- 2.2.11 To act, at all times, objectively, with honesty and free of any conflict of interest and not to allow their actions to be unduly influenced by others.

2.3 Civic Responsibility

- 2.3.1 To recognise their civic responsibility and, at all times, to act in a manner which affirms this. They should endeavour to ensure that public confidence in the integrity, probity and honesty of the profession is maintained by adhering to the highest standards of service delivery.
- 2.3.2 To have due regard to the effect of their work and ensure that it causes as little adverse effect as possible, to the ecology or the environment, and if possible, promote sustainable friendly working methods.
- 2.3.3 To encourage the conservation of energy and the recycling of used products, packaging and materials.

3.2 Conduct towards fellow Members

- 3.2.1 A member or affiliate shall not maliciously injure the professional reputation or practice of another member. However, if they have evidence that another member has been guilty of unethical, illegal or unfair practices in violation of this Code, this information should be presented to the Board of Directors of the Association.

3.3 Conduct towards the Public and the Media

MEMBERS OF THE ASSOCIATION UNDERTAKE:

- 3.3.1 To abstain from any undertaking, or any form of publicity which is prejudicial to the good name of the profession of parking managers.
- 3.3.2 To conduct professional activities in accordance with the public interest and with full respect for the dignity and standards of the profession and professionals who operate in it.
- 3.3.3 Not to intentionally disseminate false, misleading or insufficient information.
- 3.3.4 That any advertising material published, or caused to be published by them will adhere to advertising codes, as well as any relevant consumer legislation.
- 3.3.5 Where applicable, to comply with Irish data protection legislation and not to contact any person/organisation for the purpose of direct marketing, if that person/organisation has previously objected to such direct marketing.

4. STANDARDS FOR INDIVIDUAL MEMBERSHIP

4.1 Admission

- 4.1.1 Any person or company desirous of being admitted to membership shall sign and deliver to the Secretary of the Association, an application in writing.
- 4.1.2 At that next meeting of the Board of Directors, the recommendations for election to membership are presented. The Board of Directors may, in its absolute discretion, refuse to admit any person or company to membership without being required to give any reason for such refusal.
- 4.1.3 Any person or company duly elected to enter membership of the Association shall give an undertaking to comply with the Memorandum and Articles of Association of the Association and to abide by this Code.

5. Subscriptions

- 5.1 All members must be fully paid up and will cease to be members if their subscription remains unpaid for a period of greater than six months.
- 5.2 The amount of the annual subscription shall be determined pursuant to, or upon the authority of, an ordinary resolution proposed by the Board of Directors and passed at an extraordinary or annual general meeting convened in accordance with the Articles of Association of the Association. Subject to this, the Board of Directors may at any time increase or decrease the annual subscription fees payable.

6. DIRECTORS

- 6.1 Directors will be nominated and elected at the Association's Annual General Meeting.
- 6.2 Directors are elected to promote the activities of the Association and its membership, engage in public consultation and professionally represent the industry to government, the media and any public bodies.
- 6.3. Directors must be free from any criminal record, not be adjudged a bankrupt and not subject to impending criminal charges or conviction
- 6.4. Directors must be nominated representatives of 'Full Members' (unless otherwise unanimously agreed by the existing Board members).

7. COMPLAINTS AND DISCIPLINARY PROCEDURE

- 7.1 Any person, including fellow professionals or members of the public, may make a complaint in writing to the Association against a member of the Association in relation to an alleged breach of this Code.
- 7.2 If a complaint is made to the Association, or it appears that a member has acted in breach of this Code, the Secretary, if satisfied that the complaint is made in good faith and is not frivolous or vexatious shall:
- Advise the member, in writing, of the nature of the complaint and request a written response to the allegation/s within 30 days.
 - Advise the Board of Directors of the Association that an alleged breach of the Code has occurred.
- 7.5 Once a case is merited by the Board of Directors to warrant further investigation or if the member fails to respond, or responds in a manner that is considered unsatisfactory, the Board of Directors will formally establish a Disciplinary Board to adjudicate on the matter. The following procedures shall apply to the formation of a Disciplinary Board:
- The Disciplinary Board shall consist of a Chairperson, one current member of the Board of Directors and an independent external person to be appointed by the Board of Directors. No person shall be entitled to be a member of the Disciplinary Board if a conflict of interest exists.
 - The Chairman of the Association will act as Chairperson of any Disciplinary Board (except in cases where a conflict of interest exists in which case the Chairman shall designate another member of the Board to act as Chairman).

- 7.8 Once a Disciplinary Board has been formed, the following responsibilities and procedures shall apply:
- The Disciplinary Board shall investigate the complaint, giving the member and the complainant the opportunity to be heard during the investigation, if they so decide.
 - A Disciplinary Board, of its own motion or at the request of a party, may in its absolute discretion conduct an oral hearing of a complaint.
- 7.11 The Disciplinary Board shall issue a written recommendation on the complaint to the Board of Directors. The decision of a Disciplinary Board shall be by a majority of its members.
- 7.12 The Disciplinary Board shall take any other action necessary as a result of the investigation having regard to the legal rights of all concerned.
- 7.13 Sittings of any Disciplinary Board shall be held in private.
- 7.14 If the Board of Directors, on the Disciplinary Board's written recommendation, concludes that a member has been guilty of a breach of this Code, it may:
- Reprimand the member in writing and/or;
 - Require the member to give a written undertaking to refrain from continuing or repeating the conduct constituting the breach and/or;
 - Suspend the member from the Association and/or;
 - Expel the member from the Association.
- 7.19 The Association reserves the right to report any formal complaint to any relevant statutory body.

Ends.