



New Zealand Institute of Forestry
Te Pūtahī Ngāherehere o Aotearoa Incorporated

NZIF CODE OF ETHICS – GUIDANCE NOTE

(1 January 2022)

1. Status of Guidance Note

This guidance note is not part of the NZIF Code of Ethics. It has been prepared to provide background information on the Code, some examples of issues that fall under the Code, some actions a member might consider as far as their behaviour is concerned, etc. But it must not be used to provide a formal interpretation of the meaning of any aspect of the Code. Interpretation of whether or not the Code has been followed is only possible when compliance or otherwise of the Code is examined, taking into account the specific circumstances and features of the issue being examined.

2. Background

The NZIF objects, as stated in Rule 6 are:

- | |
|---|
| <p>6. The Objects of the Institute shall be the advancement of the profession of forestry within New Zealand by means including but not limited to:</p> <ul style="list-style-type: none">6.1. establishing, maintaining and improving standards of professional forestry;6.2. contributing to the development and recognition of good forestry practice;6.3. recognising, regulating and supporting those demonstrating competence in the forestry profession;6.4. supporting forestry professionals in their career development;6.5. representing the forestry profession;6.6. acting as an independent advocate for forestry;6.7. serving Members by:<ul style="list-style-type: none">6.7.1. affording them opportunities to express and exchange views;6.7.2. encouraging fraternity and “esprit de corps”. |
|---|

NZIF Rules require the Institute to have a Code of Ethics that, along with the Rules and NZIF Regulations is binding on every member (Rules 54 and 32). A Code of Ethics (called a Code of Conduct in some professional bodies), sets out requirements of professional behaviour necessary to meet the NZIF objects

This Code replaces the NZIF Code of Ethics, which was in force from 1975 until 31 December 2021. It was largely based on the Code of Ethics of the NZ Institute of Valuers.

During the 2018 NZIF Conference in Nelson, Tim Dare, Professor of Philosophy at the University of Auckland, presented a workshop on ethics (his presentation is available on the 2018 conference page on the NZIF web site). Prof Dare specialises in professional and applied ethics and has

worked with a number of professional bodies in New Zealand on ethics matters. For the workshop he talked generally about ethics, analysed aspects of the NZIF Code of Ethics and identified some issues with it.

Following the conference, the NZIF Council agreed that a review of the NZIF Code of Ethics was necessary and established a sub-committee convened by David Evison, NZIF President and representing the NZIF Council. Other members were Russell Dale representing the Fellows committee and Andrew McEwen representing the Registration Board. The working group sought feedback and assistance from Professor Dare on a number of occasions. It also examined the Codes of Ethics of professional forestry associations in other countries and of professional bodies in New Zealand.

The sub-committee decided to use the format and much of the content of the UK Institute of Chartered Foresters (ICF) Code of Conduct (which was approved in 2015) as the basis for the revised NZIF Code of Ethics. When developing its Code, ICF had followed a similar process to NZIF in having input from an ethics specialist and researching the Codes of other professional bodies. ICF consented to NZIF using its Code as the basis for the revised NZIF Code. The ICF Code was also used by the Institute of Foresters of Australia (IFA) (also with approval from the ICF) as the basis for its Code of Conduct. Having a similar Code for forestry professionals in all three countries is sensible, given the interchange of forestry professionals between the three countries.

This revised Code, has been approved by the NZIF Council and the Registration Board. Approval from the NZIF membership for the revised Code was obtained at the 2020 NZIF AGM. Approval was given by the Ministry of Justice on 18th October 2021 as required by the exemption for Registered Members under the Real Estate Agents Act 2008 (see NZIF Rule 165). The NZIF Council determined that the Code would become binding on all NZIF members (Rule 32) from 1 January 2022.

In summary, when updating the Code of Ethics, NZIF has followed New Zealand and overseas trends. It has avoided more prescriptive matters and matters that are best resolved through agreement between affected parties, instead focussing on ethical matters such as respect for others, promoting safe practices and sustainability, providing high standards of service (which include maintaining competence and not operating outside the limits of competence, maintaining confidentiality and taking responsibility), promoting trust in the profession and respecting the principles and obligations of the Treaty of Waitangi. The result is a Code that is comparable with those of overseas professional forestry bodies and also the more recent published Codes of other professional bodies in New Zealand.

3. Why do ethics matter?

The workshop presentation by Professor Tim Dare at the NZIF 2018 Conference in Nelson included the following statement:

“The clients of professionals are obliged to rely on relative strangers for things that matter when they cannot assess the expertise or diligence with which their interests have been pursued.”

People generally relate to professionals as “role occupants”. They only need to know that the professional is a role-occupant and the values the professional role requires the professional to adopt. This then determines what values should govern the professional.

In order for the people to be able to rely on the professional, they need to have confidence that the professional accepts the demands of the codes, rules, laws, standards, etc., that govern the profession.

Ethical practice is therefore at the core of a professional’s activity. It is not an optional extra.

Forestry professionals have significant knowledge and specialised expertise. They are capable of making judgements, applying their skills and reaching informed decisions in relation to their

work, that the general public cannot. The decisions you make and the services you provide often don't just impact you and a client or employer, but have wide-reaching effects on the public.

The public places trust in the forestry profession to self-regulate. As a professional, you take responsibility for being competent and acting ethically. Your actions as an individual professional also play an important role in the way in which the ethics of the profession are viewed by the public. If we don't behave ethically, we lose the public's trust and confidence, and our standing and influence.

The Code of Ethics sets out shared expectations of ethical practice that we have agreed to uphold. The Code gives the public confidence that all members have agreed to uphold high standards of ethical behaviour, and it is a benchmark by which we can measure expected standards of conduct.

The principles in the Code remind us of our obligations as professionals, and the responsibilities we have to others. The Code helps us in two key ways:

- It tells us what we need to do to be ethical practitioners (for example, keep our knowledge and skills up to date); and
- It helps us decide what to do in difficult ethical situations by reference to agreed standards of behaviour.

As a general rule, most professionals who breach their codes of ethics are guilty of errors of judgement such as:

- They fail to notice threats to independence, the existence of conflicts of interest, or that a disclosure will breach confidentiality
- They are not clear about just who their clients are or what they are providing to them
- Their clients are not clear about the professional's role
- They place themselves under time pressure
- They act beyond or at the limits of their competence or experience.

A Code of Ethics is one of the mechanisms by which the profession sets out the values the professionals are expected to abide by, and by which it communicates those values to those who obtain services from the profession.

4. Place of Code of Ethics in NZIF Framework

The NZIF Code of Ethics features in the NZIF Rules and also in the exemptions to the Real Estate Agents Act 2008 granted to NZIF Registered Members by the Real Estate Agents (Exemptions) Regulations 2017

The need for the Code of Ethics is a requirement under NZIF Rules 54 to 56 and is binding on all members (Rule 32).

An applicant for registration must affirm in writing their intention to abide by the Code (Rule 148.6)

Breaches of the Code of Ethics will be a significant factor in any complaint about a member and in the deliberations and findings of a complaints and disciplinary committee (Rules 58 and 59).

NZIF must obtain the approval of the Ministry of Justice for any amendments to the Code. The Real Estate Agents (Exemptions) Regulations 2017 will cease to apply if approval has not been obtained (Rule 165).

Members undertaking Real Estate Agent work under the exemption regulations must comply with the NZIF Rules (which are defined in the Regulations to include the Code of Ethics).

5. Making ethical decisions

Every time you consider doing (or not doing) something in your work that has significant implications and consequences, you potentially make an ethical decision. Sometimes the ethical

decisions you need to make are simple. At other times you may have competing obligations, and how you should respond may not be immediately clear.

The Code of Ethics is designed to help you make an ethical decision, and the decision that is best aligned to the standards of ethical behaviour set by your profession.

The principles in the Code might give you a clear answer on what you need to do in a particular situation (for example, that you must not misrepresent your competence). But ethical principles can't provide precise or specific answers for every conceivable set of circumstances. In more complex situations, use the Code to help guide your decision making and conduct, with reference to the standards of behaviour set by the profession.

There is no one right way to work through these more complex ethical decision-making processes. In general, making a good decision means pausing to think consciously about the decision you need to make. It requires you to weigh up all relevant information, consider your ethical obligations, think about the implications or consequences of the options open to you, and staying objective. For example, ask yourself:

- Do I feel comfortable with this issue or situation? If so or if not, why?
- Do I have all the information to consider the situation fully and objectively?
- What are my options?
 - What are the potential consequences or implications of those options? What are the risks?
 - Is what I am considering doing consistent with the Code of Ethics and the law?
 - How would my peers respond if they were in the same situation? Should I talk to a colleague about what they would do?
 - How comfortable would I feel justifying my actions to a respected senior forestry professional?
 - Would I feel confident justifying my decision publicly (including in court) if I had to?

If you are facing a difficult situation, you should think through these types of questions and talk to your colleagues. Consulting with colleagues is a great way to test your proposed response to a difficult situation. You can also talk confidentially to others in NZIF such as members of the Registration Board.

When you have been faced with a difficult or complex professional situation, keep a record of what you decided and why, including who you consulted. This will be a useful reference if you ever need to explain the decision you made.

6. Practice Notes

When you look at the former NZIF Code, there are a number of items that seem more directed at Registered Members who are providing services to clients. This dates back to the time when most Registered Members described themselves as Registered Forestry Consultants. Some years ago, NZIF ceased having two categories of registration (Registered Forestry Consultants and Registered Members), with different requirements for each category. Instead, the two categories were combined into a single Registered Member class with a single set of requirements. The focus now is that the Code of Ethics applies to all members, whether or not they are registered.

So how do we deal with the sort of issue that applies more specifically to just one membership category, rather than to all members, whether or not they are registered?

Professional associations generally deal with this by issuing practice notes. These are likely to be more common where significant numbers of members are engaged by clients. Examples include Engineers NZ and Chartered Accountants Australia & New Zealand.

The specific issues in the former NZIF Code of Ethics that do not specifically appear in the revised Code and which might be better placed in a practice note are:

- Clause 3 Professional fees

- Clause 6 Use of Member's name and designation
- Clause 7 Advertising and Promotion

But also note that aspects of these matters are indirectly covered in the new Code, for example in managing conflicts of interest, providing a high standard of service and maintaining confidentiality.

7. Introduction to Code

The new NZIF Code of Ethics comprises nine key values or standards. They apply to all members, whenever or wherever they practice their profession. The standards are supported by explanatory statements. These statements elaborate the nature and application of the principles but do not cover all issues associated with each principle. Rather, they provide guidance for NZIF members in applying ethical principles in the conduct of their profession. In this guidance note the discussion on each value or standard contains further guidance on behaviours and questions you could ask yourself when considering if your conduct meets professional standards.

8. Nine Values or standards

The nine values or standards are:

In your role as a forestry professional, you shall:

1. Have regard for sustainability in the practice of your profession
2. Treat others with respect
3. Promote safe practices
4. Always provide a high standard of service
5. Disclose and manage conflicts of interest
6. Maintain confidentiality
7. Take responsibility
8. Promote trust in the profession
9. Respect the principles of and any obligations arising under the Treaty of Waitangi

Note that the Code applies specifically to the NZIF member's role as a forestry professional. It does not apply to any role the member might have such as a parent, a sportsperson, or whatever.

Note also the use of the compulsory term – “you shall” – there are no ifs or buts or maybes in that statement.

The full Code is set out in the box below.

<p>NEW ZEALAND INSTITUTE OF FORESTRY</p> <p>CODE OF ETHICS</p> <p>1 January 2022</p> <p>In your role as a forestry professional, you shall:</p> <ol style="list-style-type: none"> 1. Have regard for sustainability in the practice of your profession. <i>Practice your profession according to sound ecological, social, economic and environmental principles to the advantage of present and future generations.</i> 2. Treat others with respect. <i>Treat everyone fairly and with courtesy, politeness and respect; do not harass, bully or knowingly act with malice towards individuals or groups of people; consider cultural</i>

sensitivities and foster diversity; be open and transparent in your professional activities, making information and advice as plain and intelligible as possible.

3. Promote safe practices.

Act in such a way to avoid harm to people involved in or affected by your activities; safeguard the health, safety, wellbeing, rights and interests of people involved in or affected by your activities

4. Always provide a high standard of service.

Practice your profession with diligence and care, bringing your expertise and experience to bear upon your work.

Know and act within your limitations. Be aware of the limits of your competence and do not be tempted to work beyond these without adequate supervision and oversight. Only commit to what you can deliver. Be objective at all times. Give clear and appropriate advice.

Maintain your professional competence in areas relevant to your work. Keep yourself informed of changes affecting the profession and broader developments relevant to your work and ensure your knowledge, skills and techniques are up to date. Apply your knowledge for the benefit of society.

5. Disclose and manage conflicts of interest.

Identify and disclose, in writing, any actual or potential conflict of interest and where others might perceive a conflict of interest. Do not act in a manner where such conflict or potential conflict has been identified or should have been identified unless all interested parties have been made aware of the situation and have consented, in writing, to you continuing with the task.

6. Maintain confidentiality.

Do not use or disclose confidential information obtained in the course of your professional activities without the express and informed consent of those entitled to control that information unless required to do so by law.

7. Take responsibility

Take full responsibility and be accountable for all your actions.

Have the courage to make a stand and be prepared to act if you suspect a risk to safety or malpractice of any sort.

8. Promote trust in the profession.

Set a good example and remember your actions could affect your own reputation and that of the Institute and other Members.

Demonstrate and encourage ethical behaviour and high professional standards amongst colleagues.

Report breaches of the Code of Ethics if you have reasonable grounds to believe a breach of the Code of Ethics by another Member.

Comply with legal requirements, relevant professional standards, the rules and regulations of the Institute, and base decision making on sound evidence.

9. Respect the principles of and any obligations arising from the Treaty of Waitangi.

The Treaty of Waitangi creates a unique and valuable relationship between Māori and those who live in New Zealand as Tangata Tiriti (treaty people). Members should have particular regard for the legitimate interests of Māori communities likely to be affected by their work.

In the following sections each of the nine values or standards is set out along with some guidance on how you might consider actions you consider taking against the ethical standards demanded by your profession. The guidance notes are just that. They do not form part of the Code itself.

Value 1 - Have regard for sustainability in the practice of your profession.

Practice your profession according to sound ecological, social, economic and environmental principles to the advantage of present and future generations.

GUIDANCE

A generally accepted definition of sustainability is “sustainable management involves allocating resources to meet the needs of the present without compromising the needs of future generations”.

In practice this includes, but is not limited to, behaving as follows:

- Understand how your actions affect others and the environment and, if appropriate, question or amend that behaviour
- Use your skills and experience to serve the needs of wider society
- Act in accordance with the best principles for the avoidance or mitigation of environmental harm
- Serve as an example to others for responsible behaviour
- Encourage others to promote and advance a sustainable and resilient approach by understanding their responsibility
- Take responsibility for personal development and work towards securing change and improvements for a sustainable future
- Use resources efficiently
- Minimise waste and encourage environmentally sound reuse, recycling and disposal

Some of the key questions that you could ask yourself include:

- Do I develop best practice by actively learning from results to improve future sustainable solutions and approaches?
- Do I help others to understand the wider picture?
- Do I encourage others to actively contribute to sustainability?

Value 2 – Treat others with respect

Treat everyone fairly and with courtesy, politeness and respect; do not harass, bully or knowingly act with malice towards individuals or groups of people; consider cultural sensitivities and foster diversity; be open and transparent in your professional activities, making information and advice as plain and intelligible as possible.

GUIDANCE

In practice this includes, but is not limited to, behaving as follows:

- Always be courteous, polite and considerate in all professional relationships, across all areas of your forestry activities. This includes clients, colleagues, project team members, officials, politicians, the public and everyone else with whom you come into contact. It also means treating all contributing professions in an inclusive and cooperative manner
- Never discriminate against anyone for whatever reason. Always ensure that issues of race, gender, sexual orientation, age, size, religion, country of origin or disability have no place in the way you deal with other people
- As much as you are able, encourage the company or organisation you work for to put the fair and respectful treatment of staff and clients at the centre of its business culture
- The principle applies to all communications in whatever form, whether face to face, phone, voicemail or otherwise including email, texts and social media posts
- Maintain your own professionalism even when faced with poor or inappropriate behaviour from others. Always separate the person from the problem and respond to the problem, not the person.

Some of the key questions that you could ask yourself include:

- Would I allow my behaviour or the way I make my decisions to be publicly scrutinised? If not, why not? If so, what would the public think?
- Are my personal feelings, views, prejudices or preferences influencing my professional decisions?
- How would I feel if somebody treated me this way?
- Do I treat each person as an individual?
- Do I address the problem not the person?

Value 3 - Promote safe practices

Act in such a way to avoid harm to people involved in or affected by your activities; safeguard the health, safety, wellbeing, rights and interests of people involved in or affected by your activities

GUIDANCE

This means making sure your work safeguards the health and safety of people as much as possible – not just your employees or your client but anyone who might be affected by your work including members of the public.

You should be familiar with your legal obligations under the Health and Safety at Work Act 2015.

When making a decision, you should consider:

- **Public safety.** Consider the community's safety and wellbeing as well as thinking about your obligations to clients, employers, employees and colleagues
- **Risk management.** This means taking reasonable steps to minimise injury and avoid loss of life as a result of your activities
- **Workplace safety.** This means minimising potential dangers and alerting anyone affected to the level and significance of the risk associated with the work.

Value 4 – Always provide a high standard of service

Practice your profession with diligence and care, bringing your expertise and experience to bear upon your work.

Know and act within your limitations. Be aware of the limits of your competence and do not be tempted to work beyond these without adequate supervision and oversight. Only commit to what you can deliver. Be objective at all times. Give clear and appropriate advice.

Maintain your professional competence in areas relevant to your work. Keep yourself informed of changes affecting the profession and broader developments relevant to your work and ensure your knowledge, skills and techniques are up to date. Apply your knowledge for the benefit of society.

GUIDANCE

In practice this includes, but is not limited to, behaving as follows:

- Be clear about what service your client or employer wants and the service you are providing
- Act within your scope of competence. If it appears that services are required outside that scope, then be prepared to do something about it. For example, make it known to your client or employer, obtain expert input or consultation, or if it's the case that you are unable to meet the service requirements, explain that you are not best placed to act in the matter
- Be transparent about fees and any other costs or payments such as referral fees or commissions
- Communicate with those you are associated with in a way that will allow them to make informed decisions
- If you use the services of others, then ensure that you pay for those services within the timescale agreed
- Taking personal responsibility for work. This includes both the work you do and the work done by those you supervise. It means ensuring that anyone you supervise is competent to carry out their tasks.

Some of the key questions that you could ask yourself include:

- Do I explain clearly what I promise to do and do I keep to that promise?
- Do I possess sound forestry knowledge that I apply with skill, diligence and care?
- Do I look at ways to improve the service I provide to those I work for or with?
- How can I help relevant people better understand the services that I am offering?
- Are my client's or employer's interests being served by the advice or service I'm providing?
- Am I providing a professional service for a professional fee?
- Would the client or employer still employ me if they knew more about me and the workload I have? If not, why not?
- Do I put undue pressure on myself and colleagues (especially junior colleagues) to do more than we actually can?
- Do I ever misrepresent my area of expertise, level of experience or level of competence?
- Do I keep my knowledge up to date through structured learning? For example, do I undertake continuing professional development and participate in specialist technical groups?
- Do I seek and accept supervision from another professional for any activity that is outside my competence?

Professionals develop competence throughout their career; for example, through:

- on-the-job learning and training
- working under the guidance of a supervisor or mentor
- having work peer reviewed and giving due consideration to the peer reviewer's comments.
- attending training courses, seminars, or conferences
- learning through networking and discussion groups, including with other related professionals
- joining and participating in expert technical groups
- delivering lectures, coaching or training through professional bodies or technical groups.

NZIF has a Continuing Professional Development Policy that Registered Members are required to follow to maintain their registration and which other members are encouraged to follow. It can be found on the NZIF web site.

Value 5 – Disclose and manage conflicts of interest

Identify and disclose, in writing, any actual or potential conflict of interest and where others might perceive a conflict of interest. Do not act in a manner where such conflict or potential conflict has been identified or should have been identified unless all interested parties have been made aware of the situation and have consented, in writing, to you continuing with the task.

GUIDANCE

Professional behaviour involves managing conflicts of interest. For example, when your interests conflict with a client's or employer's interests, or when the interests of two clients clash.

Conflicts of interest can be financial or involve personal relationships, they can affect your professional judgement in relation to a specific project or client, or just create a perception that your judgement could be affected.

Under the Code, you must disclose and appropriately manage any actual or potential conflicts of interest. First, you need to identify whether an actual or potential conflict of interest exists, then assess its implications. If you think there may be an actual or potential conflict of interest between your interests and a client's or employer's interests, discuss that with them. If you're not sure, it's best to be open and transparent by telling the client or employer and letting them decide – do this in writing to avoid any misunderstandings.

Steps for managing a conflict of interest between two clients can include:

- Deciding which party you are acting for and telling the other party
- Not acting for either party, if acting for one could harm the other, and assess whether you should accept or withdraw from the project
- Suggesting other professionals who can supply independent advice
- Inducements, which can include gifts, travel and hospitality, always create conflicts of interest. You must neither give nor accept anything that could act, or be seen to act, as an inducement.

Apart from actual and potential conflicts of interest, it is also important to consider perceived conflicts of interest. These arise when, although there may be no actual or potential conflict, there is a possibility that some people (e.g. competitors or the public) will perceive there is or might be a conflict of some sort. Not being aware of these can be damaging to reputations.

There are very specific requirements for disclosure of conflicts of interest for those registered members engaged in any real estate transactions utilising the exemption they have under the Real Estate Agents (Exemptions) Regulations 2017. These are discussed in detail in the NZIF Guidance notes on the Real Estate Exemption, particularly *Advice to Client Before Undertaking Real Estate Work*. Note the serious consequences of not complying with the requirements.

The NZIF Registration Board is particularly concerned about some of the common conflicts of interest encountered by Registered Members and which need careful consideration and management. It is important to the integrity and transparency of the Registration Scheme that the behaviour of Registered Members is beyond reproach in all matters.

For example, some Registered Members act as both professional advisers and suppliers of goods and management services to their clients. Similarly, some clients require such a relationship – preferring the “one stop shop” concept to any separation of roles. Such business relationships have the potential for conflicts of interest to arise. These situations lead to Registered Members managing forests for clients where they can:

- Receive a commission from the client or another party – e.g. a log buyer on the value of any work carried out, or

- Are supplying materials as well as a management service to clients, or
- Value a forest that they manage, or
- Provide advice on forest management (including ETS) and then undertake work to implement the advice, or
- Are evaluating forests for purchase by a client when they expect to become the manager if the purchase is successful, or
- Provide advice recommending further work.

The potential for conflict cannot be avoided without total separation of the roles and can persist even if the roles of adviser, manager and supplier of goods are separated. In some cases, such separation may be most appropriate but this is not always practical or desired by the parties involved.

Where the decision is made to mitigate rather than avoid the potential for conflict the conflict of interest must be disclosed and accepted by all parties. NZIF Members should, as a minimum, ensure that clear and written disclosure is prominent in the records of correspondence with the client.

Other mechanisms for mitigation which should be considered as part of the advice to a client include provision for third party audit(s) and provision for regular contract review and/or retendering.

The overriding principle involved is complete and open disclosure of the conflict areas so that a client is at all times aware of and free to avoid such conflict if it so chooses.

Value 6 – Maintain Confidentiality

Do not use or disclose confidential information obtained in the course of your professional activities without the express and informed consent of those entitled to control that information unless required to do so by law.

GUIDANCE

When you deal with employers, employees and clients, you are expected to treat information appropriately. Confidentiality is the foundation of a professional relationship.

For you to deliver your work, clients often need to reveal important and sensitive information. Undertaking to keep the information confidential allows clients to be more open with you.

Confidential information is anything you access in the course of your work that a reasonable person would consider confidential.

You must be careful not to disclose any confidential information without the relevant party's agreement. It is recommended you gain this agreement in writing. You cannot use the information for another purpose, including for your own benefit.

Exceptions

There are two situations where you can disclose confidential information:

1. When significant harm to people or the environment is likely. Before disclosing the confidential information, you must check what action is being taken. You need to be as sure as is reasonably possible that the issue will be dealt with appropriately.
2. When required by a court of law.

If you are going to disclose confidential information, you must first inform the party to whom you owe the confidentiality. You need to tell them you are going to disclose the information and why, and give them an opportunity to respond.

Value 7 – Take Responsibility

Take full responsibility and be accountable for all your actions.

Have the courage to make a stand and be prepared to act if you suspect a risk to safety or malpractice of any sort.

GUIDANCE

In practice this includes, but is not limited to, behaving as follows:

- Always act with skill, care and diligence
- If someone makes a complaint about something that you have done, then respond in an appropriate and professional manner and aim to resolve the matter to the satisfaction of the complainant as far as you can
- If you think something is not right, be prepared to question it and raise the matter as appropriate with your colleagues, within your company or the organisation that you work for, with NZIF or with any other appropriate body or organisation

Some of the key questions that you could ask yourself include

- Am I approachable?
- Does my company or organisation have a clear complaint handling procedure?
- Do I learn from complaints?
- Do I take complaints seriously?
- Am I clear about what the process is within my company or the organisation that I work for about raising concerns?
- Have I considered asking NZIF for advice?

If you come across an issue that you think is likely to cause significant harm to people or the environment, you must act. You should at least take these steps:

1. Check that the issue is being managed appropriately. You need to satisfy yourself that reasonable action is being taken. This might mean taking all or some of these steps or finding the person responsible for the issue and informing them of the issue as you see it:

- Gathering as much information as you can about the issue
- Finding out what processes or systems could address it
- Satisfying yourself that these processes and systems are being appropriately used.

2. If you still have concerns, consider whether reporting the issue to a regulator has any confidentiality implications for you. If it does, you need to talk first to the person or people to whom you owe confidentiality (such as a client or your employer). You need to discuss with them your intention to report the matter to the appropriate regulatory body. This is so that the person or people to whom you owe confidentiality has an opportunity to respond to your concerns before you report them.

3. If you still have concerns after taking steps 1 and 2, you must report the issue to the appropriate regulatory body.

In dealing with this situation, you need to demonstrate professionalism, good judgement and diplomacy.

Value 8 – Promote trust in the profession

Set a good example and remember your actions could affect your own reputation and that of the Institute and other Members.

Demonstrate and encourage ethical behaviour and high professional standards amongst colleagues.

Report breaches of the Code of Ethics if you have reasonable grounds to believe a breach of the Code of Ethics by another Member.

Comply with legal requirements, relevant professional standards, the rules and regulations of the Institute, and base decision making on sound evidence.

GUIDANCE

In practice this includes, but is not limited to, behaving as follows:

- Promote what you and the profession stand for – the highest standards
- Understand that being a professional is more than just about how you behave at work; it is also about how you behave in your private life
- Fulfil your obligations – do what you say you will
- Always try to meet the spirit of your professional standards and not just the letter of the standards

Some of the key questions that you could ask yourself include:

- Do my actions promote the profession in the best light possible?
- What is the best way for me to promote trust in myself, my company and the profession?
- Do I explain and promote the benefits, the checks and balances that exist with the professional services that I provide?

You can expect others bound by the Code to also abide by it.

If you believe, on reasonable grounds, that another member may have significantly breached the Code of Ethics, you must report this to NZIF, which has a process for looking into such reports to determine whether the Code has, in fact, been breached.

What constitutes a significant breach is a matter of judgement. Relevant factors include the impact of the breach on people's health and safety, on the environment, on the forestry profession's reputation and on a client or employer. You should have factual information to support your view – you need more than suspicion or a reasonable difference of professional opinion.

Value 9 – Respect the principles of and any obligations arising from the Treaty of Waitangi

The Treaty of Waitangi creates a unique and valuable relationship between Māori and those who live in New Zealand as Tangata Tiriti (treaty people). Members should have particular regard for the legitimate interests of Māori communities likely to be affected by their work.

GUIDANCE

For a discussion on the principles of the Treaty of Waitangi, the following site is quite helpful <https://teara.govt.nz/en/principles-of-the-treaty-of-waitangi-nga-matapono-o-te-tiriti> (you may have to cut and paste the link into your browser, rather than clicking on it).

Members should be aware of statutory rights that have arisen through legislation in the areas in which they operate. These can include the obligation to consult with iwi (consult iwi or local authorities to identify the contacts for the relevant people).

The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 include protection of wahi tapu, archaeological sites, sites or places of historic interest, etc. Members need to be aware of any such sites on land they are responsible for or on which they are undertaking operations and must ensure they observe and respect any restrictions, requirements for consultation, etc., that apply to them.

Acknowledgements

The consent of the Institute of Chartered Foresters to use its Code of Conduct is gratefully acknowledged. We have also gained insights from the Codes of Conduct of the Institute of Foresters of Australia, Engineers New Zealand and other professional bodies in New Zealand.