

## Annex 3



Ghana Institution of Engineering

# Code of Ethics

Submitted for Approval of Council on 19<sup>th</sup> July 2023

## PREAMBLE

The first Code of Ethics for Engineers was approved by the National Redemption Council in June 1975 in accordance with The Professional Bodies Registration Decree 1973, NRCD 143 and first published in September 1975. The second and third publications were made in September 1992 and September 2002 respectively.

It became necessary to review the Code of Ethics to fall in line with the:

- i. The revised Constitution of the Institution adopted on the 13<sup>th</sup> of July 2017;
- ii. The revised Bye-Laws of the Institution adopted on the 13<sup>th</sup> of March 2018; and
- iii. The Engineering Council Act, 2011 (Act 819).

This Code of Ethics is adopted in response to Article 8.1.1 of the GhIE Constitution which states that, *“The Institution shall publish and periodically update a Code of Ethics that defines in detail the ethical behaviour expected of Engineering Practitioners, Engineering Service Providers, and Engineering Educational Units.”*

Article 8.2.1 requires all Members and Registered Entities to uphold the highest standard of integrity in the practice of engineering and order their conduct in accordance with the Code of Ethics. Engineering Service Providers and Engineering Educational Units also have the responsibility under Articles 8.3.3 and 8.3.4 respectively to ensure that Engineering Practitioners working for them uphold the Code of Ethics.

Though this Code of Ethics provides for sanctions for professional misconduct, the Council in adopting it, expects that the Code is observed not because of the penalty that may follow a contravention but because Members and Registered Entities of the Institution recognise the duty they owe to Society and to themselves to uphold the standing and reputation of the engineering profession.

This revised Code of Ethics was adopted by the Council on ----- in accordance with Article 8.1 of the Constitution.

(Signed and dated by the President)

## DEFINITIONS

- a) “Affiliated Engineering Groups” means any group recognized by the Institution in accordance with Article 4.6.3 of the Constitution as amended.
- b) “Branch” means a geographical branch of the Institution established under Article **Error! Reference source not found.** of the Constitution.
- c) “Bye-Laws” means rules and regulations, subsidiary to the Constitution and adopted under **Error! Reference source not found.**
- d) “Chapter” means a group of Members, recognized by the Branch, to organize Ordinary Meetings as provided for in Article **Error! Reference source not found.** of the Constitution.
- e) “Class” means a category of membership of an Occupational Group as provided for under Article **Error! Reference source not found.** of the Constitution.
- f) “Code of Ethics” means this code of ethics adopted by the Council in accordance with Article 8.1.1 of the Constitution.
- g) “Constitution” means the constitution of the Ghana Institution of Engineering (GhIE)
- h) “Council” means the Governing Body of the Institution established under Article **Error! Reference source not found.** of the Constitution.
- i) “Engineering” means the science and art of applying scientific and mathematical principles, experience, judgment, and common sense to create, develop, maintain, sustain, and apply technology for the needs and desires of society.
- j) “Engineering Council” means the Council set up under the Engineering Council Act 2011 (Act 819) for the Regulation of Engineering in Ghana.
- k) “Engineering Educational Unit” means a Registered Entity that trains potential Engineering Practitioners as provided for in Article **Error! Reference source not found.** of the Constitution.

- l) “Engineering Practitioner” means a person possessing the necessary qualifications and experience and who is engaged in the practice of engineering.
- m) “Engineering Service Provider” means a Registered Entity that employs Engineering Practitioners to provide engineering services as provided for in Article **Error! Reference source not found.** of the Constitution.
- n) “Executive Director (ED)” means the person appointed by the Council to head the Secretariate of the Institution as provided for in Article 4.2.2 and 10.4.1 of the Constitution.
- o) “Full Member” means a Member of the Institution in the Class of Fellow, Senior Member or Member in all Occupational Groups.
- p) “Groups of Strategic Interest” means any group set up or recognized by the Institution in accordance with Article 4.6.2 of the Constitution as amended.
- q) “Institution” means the Ghana Institution of Engineering (GhIE) as provided for in Article 2.1.1 of the Constitution.
- r) “Member” means a person who is registered with the Institution as provided for in Article **Error! Reference source not found.** of the Constitution.
- s) “Member of Good Standing” means a Member who has satisfied the conditions prescribed in article **Error! Reference source not found.**.1 of the Constitution.
- t) “Occupational Group” means a category of Engineering Practitioners as provided for under Articles **Error! Reference source not found.** of the Constitution.
- u) “Registered Entity” means an Engineering Service Provider or Engineering Educational Unit registered with the Institution, as provided for in Article **Error! Reference source not found.** of the Constitution.
- v) “Technical Division” means a technical group of the Institution established under Article **Error! Reference source not found.** of the Constitution.

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## **1 INTRODUCTION**

The Constitution of the Institution requires all Members and Registered Entities to uphold the highest standard of integrity in the practice of engineering (Article 8.2).

This Code of Ethics is published in fulfilment of Article 8.1.1 of the Constitution of the Institution to define in detail the ethical behaviour expected of Engineering Practitioners, Engineering Service Providers, and Engineering Educational Units.

The Code provides for the professional conduct of engineering practice, professional misconduct, the procedures for investigating professional misconduct and the applicable sanctions.

The Engineering Practitioner's Oath is also included in accordance with the Article 8.1.2 of the Constitution.

## **2 PROFESSIONAL CONDUCT OF ENGINEERING PRACTICE**

### **2.1 General Provisions**

2.1.1 Honesty, justice, integrity, and responsibility form a moral philosophy, which associated with mutual interest among people, constitute the foundation of ethics. Members and Registered Entities of the Ghana Institution of Engineering shall recognise such a standard as a set of dynamic principles to guide their conduct and way of life; their duty to practise the profession according to this Code of Ethics.

2.1.2 In keeping with high standards of ethical conduct, Members and Registered Entities shall discharge their duties with fidelity to the public, their employers, clients, and colleagues (or peers) with fairness, impartiality, and respect. It is the duty of Members and Registered Entities to be competent, and to be knowledgeable about issues involving public welfare, and to be ready to apply their professional knowledge and skill to the benefit of mankind.

2.1.3 Members and Registered Entities shall uphold the honour and dignity of the profession and avoid association with any enterprise of questionable character.

2.1.4 In their professional conduct, Members and Registered Entities shall be fair, tolerant, and courteous.

### **2.2 Professional Life**

2.2.1 Be committed to developing and improving their knowledge, skills, and competence on a continuing basis through professional practice, participation in continuing education courses, reading pertinent literature, and attendance at professional meetings and seminars.

2.2.2 Co-operate in extending the effectiveness of the engineering profession by interchanging information and experience with other engineering practitioners and students and by contributing to the work of engineering societies, schools, and the scientific and engineering press.

2.2.3 Employ systems and processes that will ensure the consistent delivery of competent services.

2.2.4 Comply with relevant national and international laws, rules, regulations, and standards.

- 2.2.5 Not advertise their work or merit in a self-laudatory manner and shall avoid all conduct or practice likely to discredit or do injury to the dignity and honour of the profession.
- 2.2.6 Not improperly solicit professional work either directly or indirectly or by an agent, nor shall pay, by commission or otherwise, any person who may introduce clients to them.
- 2.2.7 Report knowledge of any alleged violation of this code to the Professional Practice and Ethics Committee (PPEC) and, when relevant, also to appropriate public authorities, and cooperate with the PPEC or the relevant public authority in investigating violations by volunteering relevant information or other assistance as may be required.
- 2.2.8 Disclose a potential conflict of interest to a potential or current client or employer upon discovery of the possible conflict.
- 2.2.9 Promote transparency, fair competition, and equal opportunities in procurement processes, project bidding, and professional appointments. They shall not engage in collusive practices or manipulate procedures to gain undue advantage or unfairly influence outcomes.
- 2.2.10 Report any suspected instances of corruption, bribery, or unethical conduct by filing a Complaint. They shall cooperate fully in investigations and maintain confidentiality as required by law or organizational policies.
- 2.2.11 Exercise due diligence when entering business partnerships, collaborations, or joint ventures. They shall assess the integrity and reputation of potential partners to prevent associations with entities involved in corrupt practices.
- 2.2.12 Only issue honest and objective statements, devoid of fraudulent assertions, misleading information, or deceitful statements to create misleading impressions.



## **2.3 Relationships with the Public**

- 2.3.1 Be guided by the principle of promoting public welfare and shall not perform any engineering function which, when measured by generally accepted engineering standards or procedures, is reasonably likely to result in the endangerment of lives, health, safety, property, or welfare of the public. Any conduct which constitutes incompetence or gross negligence, or a criminal violation of national laws, constitutes misconduct and violation of this code.
- 2.3.2 Report any act or conduct that endangers life or public safety to the PPEC or to the appropriate public authority.
- 2.3.3 In their professional conduct, endeavour to extend public knowledge of engineering, and shall discourage the spreading of untrue, unfair, and exaggerated statements regarding engineering.
- 2.3.4 Have due regard for the safety, health, and welfare of the public and staff who may be affected by the work for which they are responsible, and in this regard shall not undertake responsible engineering work for which they are not competent and qualified.
- 2.3.5 Have due regard for the cultural and historical heritage of Ghana and ensure that as far as possible, their actions are not detrimental to cultural and historical heritage.
- 2.3.6 Promote sustainable development and environmental stewardship. They should minimise the negative impact of their projects on the environment, conserve resources, and consider long-term sustainability in their designs and practices.
- 2.3.7 Express opinion only when it is founded on adequate knowledge and honest conviction, while they are serving as a witness before a court, commission, committee, or other tribunal.
- 2.3.8 Not issue ex-parte statements, criticisms, or arguments on matters connected with public policy which are inspired or paid for by private interests, unless they indicate on whose behalf the statement is being made.
- 2.3.9 Refrain from expressing publicly an opinion on an engineering subject unless they are well informed and convinced about the facts relating thereto.

## **2.4 Relationships with Clients and Employers**

- 2.4.1 Desist from undertaking responsible engineering work for which they are **NOT** competent and qualified.
- 2.4.2 Act in professional matters for their client or employer as a faithful agent and trustee.
- 2.4.3 Act with fairness and justice between their client or employer and the contractor when dealing with contracts.
- 2.4.4 Make their status clear to their client or employer before undertaking an engagement if they may be called upon to decide on the use of inventions, apparatus, or any other thing in which they may have personal or financial interest.
- 2.4.5 Guard against conditions that are dangerous or threatening to life, limbs, or properties or work for which they are responsible, or if not responsible, shall promptly report such conditions to the attention of those responsible.
- 2.4.6 Clearly present the consequences to be expected from deviations proposed if their engineering judgement is overruled by a non-technical authority in cases where they are responsible for the technical adequacy of engineering work.
- 2.4.7 Engage, or advice their client to engage, and shall co-operate with, other experts and specialists whenever the client's or employer's interests are best served by such service.
- 2.4.8 Disclose no information concerning the business affairs or technical process of clients or employers without their consent, except where such acts and processes endangers lives or compromises public safety.
- 2.4.9 The duty to maintain confidentiality extends beyond the termination of an engineer's professional engagement. Engineers shall respect and uphold confidentiality obligations even after the conclusion of their work, preserving the trust placed in them and the integrity of the profession.
- 2.4.10 Take reasonable steps to protect confidential information during storage, transmission, and disposal. They shall employ appropriate security measures, such as encryption, access controls, and secure data management practices, to prevent unauthorised access or breaches.

- 2.4.11 Not accept compensation, financial or otherwise, from more than one interested party for the same service, or for service pertaining to the same work, without the consent of all interested parties.
- 2.4.12 Not receive directly or indirectly any royalty on, or any gratuity or commission in respect of any patented or protected article or processes used on, or for the purpose of the work in respect of which they are acting for a client or employer unless and until such royalty, gratuity or commission has been authorised in writing by such client or employer.
- 2.4.13 Not accept commissions or allowances directly or indirectly, from contractors, or other parties dealing with their client or employer in connection with work for which they are responsible.
- 2.4.14 Not have any self-interest financially or otherwise in the tenders of a contractor on competitive work for which they are employed as an Engineer unless with the written consent of their client or employer.
- 2.4.15 Promptly disclose to their client or employer any interest which may be financial or otherwise in a business which may compete with or affect the business of their client or employer. Members shall not allow such interest in any business to affect their decision regarding engineering work for which they are employed, or which they may be called upon to perform.
- 2.4.16 Not be the medium of payment on behalf of their client or employer, unless specifically so requested in writing by the client or employer but shall only issue certificates for payments.
- 2.4.17 Not place orders on their own behalf but shall only do so explicitly on behalf of their client or employer.

## **2.5 Relationships with Engineering Practitioners**

- 2.5.1 Endeavour to protect the engineering profession collectively and individually from misrepresentation and misunderstanding.
- 2.5.2 Ensure that credit for engineering work is given to those to whom credit is properly due.

- 2.5.3 Uphold the principle of appropriate and adequate compensation for those engaged in engineering work, including those in subordinate capacities and staff, as being in the public interest and maintaining the standards of the profession.
- 2.5.4 Not impede but rather endeavour to provide opportunity for the professional development and advancement of engineering practitioners in their employment or working under them.
- 2.5.5 Not directly or indirectly injure the Professional reputation, prospects, or practice of another engineer. However, if a member considers that an engineer is guilty of unethical, illegal, or unfair practice or professional misconduct, the information shall be reported to the Institution by completing an Ethics Complaint Form.
- 2.5.6 Exercise due restraint in criticising colleague engineering practitioners' work in public but should take advantage of technical fora and publications offered by the Institution for such discourse.
- 2.5.7 Not attempt, directly or indirectly, to supplant an engineer in a particular employment after becoming aware that definite steps have been taken toward the appointment of another competent engineer.
- 2.5.8 Not take over the work of another engineer for the same client, until the member has either obtained the consent of such an engineer or has been formally notified by the client that the connection of such an engineer with the work has been terminated.
- 2.5.9 Not knowingly associate in responsibility for work with engineering practitioners who do not conform to ethical practices.
- 2.5.10 If practising outside the Republic of Ghana, conduct themselves according to the rules of the professional conduct or code of ethics obtaining in that foreign country.

## **2.6 Anti-Corruption Practices**

- 2.6.1 Corruption is the abuse of power by individuals in positions of authority or entrusted with public or private resources, for personal gain or to benefit others in exchange for illicit favours.
- 2.6.2 The following are considered as corrupt practices: conflict of interest; nepotism and other forms of favouritism; bribery and all forms of gift giving with the intent of influencing the judgement of the receiver; misuse or manipulation of public or corporate resources for personal gain; collusion in procurement; and embezzlement of funds, stealing and other fraudulent practices.
- 2.6.3 Members and Registered Entities must foster a culture of ethics, transparency, accountability and promote a work environment that detests corruption at all levels and in all forms.
- 2.6.4 Registered Entities must endeavour to develop, regularly communicate, and enforce robust policies and procedures that explicitly prohibit corrupt practices among staff and stakeholders.
- 2.6.5 Members and Registered entities must disclose in writing, or fully communicate any potential conflict of interest when dealing with third parties.
- 2.6.6 Though the giving and receiving of gifts are part of business development, Members and Registered Entities must guide against any excessive and inappropriate use to peddle influence. Registered Entities must communicate to their staff and stakeholders the level of acceptance or modesty of courtesy gifts and entertainment their staff or those working on their behalf can offer or receive.
- 2.6.7 Members or Registered Entities shall encourage open communication, whistleblowing, and clear confidential reporting mechanisms and channels to expose corrupt practices without fear of retribution. Whistleblowers shall be protected in all instances. All reported incidents shall be promptly investigated and addressed.
- 2.6.8 Members and Registered Entities must conduct due diligence prior to entering business relationships or partnerships with individuals and organizations and avoid associations with entities known for involvement in corrupt practices.

### **3 PROFESSIONAL MISCONDUCT**

#### **3.1 Definition and Nature**

3.1.1 A professional misconduct is defined by Article 8.4.1 of the Constitution of the Institution to include *“a wilful or negligent action taken by a Member or a Registered Entity that is in contravention of the Constitution, Bye-Laws and/or Code of Ethics of the Institution, or in the opinion of the Council considered generally as professionally unacceptable and likely to bring the practice of engineering into disrepute.”*

3.1.2 A violation of any of the provision in Section 2: Professional Conduct of Engineering Practice, is a violation of the Code of Ethics.

#### **3.2 Offenses and Applicable Sanctions**

3.2.1 The nature of professional misconduct applicable to a Member as an individual practitioner or a Registered Entity as a body corporate or to both, include:

- a) Violation of the code of ethics.
- b) Failure to comply with the constitution and bye-laws of the Institution.
- c) Misrepresentation (including deceit in obtaining a licence) and breach of trust.
- d) Gross negligence, incompetency, or misconduct in the practice of engineering.
- e) Fraud and criminal behaviour.

3.2.2 Upon a determination that a professional misconduct had occurred and there are grounds for disciplinary action, as provided under 3.2.1 above, Council may:

- a) Issue a verbal warning. This is for a first-time offender whose offense is a minor infraction and may be delivered by the Professional Practice and Ethics Committee and reported to the Council.
- b) Issue a written warning. This is for a multiple offender whose offenses are minor infractions, or for a first-time offender whose infraction is moderately severe and shall be issued by the Executive Director on the Instruction of the Council.

- c) Deny an application for a license.
- d) Suspend a license. Suspension shall range from a minimum of three months to a maximum of three years, and shall be for an offender who has previously received two or more written warnings or for a first-time offender whose infraction is serious, and shall be issued through a notice by the Executive Director on the Instructions of the Council
- e) Revoke or refuse to renew a license and remove from the Register. This is for an offender who has received two or more written warnings previously or suspended previously or for a first-time offender whose infraction is very serious and shall be issued through a notice by the Executive Director on the Instructions of the Council.
- f) The Council may impose an additional administrative penalty up to five times the annual subscription for Engineering Practitioners and 10 times the annual subscription for Registered Engineering Entities in addition to the above sanctions.

## **4 DISCIPLINARY PROCEDURES**

### **4.1 Intent**

- 4.1.1 The purpose of the disciplinary procedures is to provide a mechanism whereby complaints against Members and Registered Entities of the Institution may be processed fairly, effectively and in timely fashion.
- 4.1.2 The procedures are primarily concerned with complaints relating to an apparent professional misconduct or breach of the Code of Ethics.

### **4.2 Complaints**

- 4.2.1 Council, through the Professional Practice and Ethics Committee (PPEC), shall initiate or receive and investigate a complaint against a Member or Registered Entity of the Institution who may have violated the code of ethics or whose misconduct may discredit the engineering profession.
- 4.2.2 The PPEC shall maintain the confidentiality of the complaint from receipt through to the investigation of the complaint. After the investigation is closed the complaint will no longer be confidential, and findings of the investigation and recommended sanctions may be published.
- 4.2.3 Council may release the following document in the investigation file upon request, pursuant to the Right to Information Act:
  - a) Copies of the original complaint documentation;
  - b) Copies of written communications between the PPEC and the complainant, the respondent, witnesses, technical experts used by the PPEC to advise on the complaint issues, and private or public entities regarding requests for records, documents, or information regarding the complaint; and
  - c) Witness interview reports.



### **4.3 Professional Practice and Ethics Committee (PPEC)**

4.3.1 The PPEC is a standing committee of Council and is constituted in accordance with Articles 13.1 and 13.2 of the Constitution of the Institution, and is responsible for prescribing, upholding and enforcement of professional engineering standards, conduct and ethics of Members and Registered Entities.

4.3.2 The PPEC investigates, reviews, and makes recommendation to the Council on all cases of professional misconduct by Members and Registered Entities.

4.3.3 PPEC members shall observe high standards of conduct so that the integrity and independence of the PPEC is preserved.

4.3.4 PPEC members shall not be swayed by partisan interests, public clamour, or fear of criticism, and shall be patient, dignified and courteous to all persons who appear before the PPEC during hearings.

4.3.5 Members of PPEC shall refrain from making any statement outside of PPEC meetings and hearings, which would have a likelihood of prejudicing a PPEC proceedings and shall preserve confidences of complainants and respondents.

4.3.6 The PPEC may setup a standing complaints and investigation sub-committee or form ad-hoc committees to investigate complaints. The subcommittee will include selected member(s) of the PPEC, any Full Member of the Institution who it is determined has adequate knowledge and experience to contribute meaningfully to the determination of the case, and a lawyer. The Executive Director shall be a member/secretary of the sub-committee. In the absence of the Executive Director, by reason of conflict of interest or other reasons, the PPEC shall select a member of the PPEC to serve as the secretary.

### **4.4 Filing a Complaint**

4.4.1 Any person who wishes to make a complaint against an Engineering Practitioner or Registered Entity may do so by making a written complaint to the Executive Director in the following manner:

- a) Completing a complaint form obtained from the website of the Institution or at its offices at 13 Continental Rd, Roman Ridge, Ghana; or

- b) Or by a letter sent to [secretariat@ghie.org.gh](mailto:secretariat@ghie.org.gh); or GhIE, P.O. Box AN 7042, Accra-North, Ghana; or
- c) By a phone call to -----.

- 4.4.2 All complaints submitted in accordance with paragraph 4.4.1 must be transferred unto a Professional Misconduct Complaint (PMC) form by the complainant. Where necessary, the Executive Director will designate an officer in the secretariate to help the complainant complete the form. The form must be properly signed.
- 4.4.3 The complainant shall provide sufficient information for the PPEC to determine jurisdiction to resolve the complaint.
- 4.4.4 Anonymous complaints will be received but will not be investigated unless sufficient information and evidence exists to demonstrate harm or potential harm to the public or violation of code of ethics or misconduct. Anonymous complaints that do not contain sufficient evidence and information to initiate an investigation will be logged and filed for information purposes only.

#### **4.5 Processing a Complaint**

- 4.5.1 Upon receipt of the written complaint and supporting evidence, the Executive Director (ED) shall acknowledge receipt and advise the complainant of the Institution's complaints and disciplinary procedures within 14 days.
- 4.5.2 The Executive Director (ED) shall refer all complaints received to the Chairperson of PPEC for further processing within 14 days.
- 4.5.3 The Chairperson of the PPEC shall place the complaint before the next regular meeting of the PPEC for review.
- 4.5.4 The PPEC shall determine if a potential violation exists.
- 4.5.5 If the PPEC determines that a potential violation exists, it shall refer the complaint to a complaints and investigation subcommittee to proceed with the investigation and the Executive Director (ED) shall notify the member against whom the complaint has been made and invite him/her to respond in writing within 14 days of notification.

4.5.6 If the PPEC concludes that the complaint resulted from a misunderstanding, is outside the jurisdiction of Council, or is without merit, the PPEC will recommend to the Council that the investigation be closed, and that the complaint be dismissed. If the Council accepts the recommendation of the PPEC, the complainant will be so notified by the Executive Director within 14 days of the Council decision, and the investigation will be closed.

4.5.7 No matters that are currently the subject of a legal action will be investigated.

#### **4.6 Investigating a Complaint**

4.6.1 The complaints and investigation subcommittee shall meet to consider all complaints referred by the PPEC.

4.6.2 Members of the complaints and investigation subcommittee shall study the written statements of the complainant and the defendant prior to their meeting to consider the complaint.

4.6.3 Both the complainant and the defendant shall be entitled to make oral submissions to the investigation subcommittee either personally or through a representative.

4.6.4 The investigation subcommittee may invite further written representations from both the complainant and the defendants. Any such representations shall be made within fourteen (14) days of such requests.

4.6.5 On completing its review of the case, the subcommittee shall substantiate the validity of the complaint or otherwise and make its recommendations in writing to the PPEC. If there is evidence that the allegation is substantiated, the recommendation shall include applicable sanctions.

4.6.6 The PPEC shall review the report of the sub-committee and submit it to the Council through the Executive Committee of the Institution.

4.6.7 The Executive Committee shall review the recommendation of the PPEC and advise the Council on the course of action.

#### **4.7 Decision of Council**

4.7.1 In case of adverse finding against a Member or Registered Entity, the Council may, upon consideration of the Executive Committee's report, sanction the Member or Registered Entity.

4.7.2 The votes of not less than two thirds majority of the Councillors present (and forming a quorum) at a Council Meeting is required where the nature of the misconduct requires that the Member or Registered Entity is removed from the Roll of Register.

4.7.3 The Executive Director (ED) shall communicate the Decision of the Council to both the complainant and the defendant within 14 days of the Decision.

#### **4.8 Reporting on Complaints**

4.8.1 The status of all complaints shall be published on the GhIE website. If the complaint has been investigated the publication shall contain the facts of the case as well as the final decision of the investigation committee.

#### **4.9 Appeal for Review of Council Decision**

4.9.1 Members and Registered Entities have the right to appeal the Decision of the Council on Complaints.

4.9.2 Any appeal against a disciplinary decision of the Council must be lodged in writing at the Institution's Secretariat within 14 days of notification of the decision.

4.9.3 If any such appeal is lodged, Council shall appoint an Appeals Committee made up of two Past Presidents (one of them to chair), the Chairperson of the PPEC and two other members of Council.

4.9.4 The member bringing the appeal shall have the right to make oral submission to the Appeals Committee either personally or through a representative.

4.9.5 The decision of the Appeals Committee shall be communicated through a formal communication to the Council through the Executive Director. The decision may uphold or reject the findings of the investigation subcommittee and/or confirm, reduce, or increase any sanction imposed.

4.9.6 The decision of the Appeals Committee will be adopted by the Council unless it is overturned by the votes of not less than two thirds majority of the Councillors present (and forming a quorum) at a Council Meeting. The decision of the Council on the appeal shall be final.

- 4.9.7 The Executive Director (ED) shall communicate the Decision of the Council to both the complainant and the defendant within 14 days of the Decision.

#### **4.10 Exceptional Circumstances**

- 4.10.1 An exceptional circumstance arises if the complaint, although not alleging a particular breach of relationship or professional life in the Code, gives the PPEC reasonable grounds for belief that the Member or Registered Entity against whom the complaint has been made is guilty of an act, omission or course of behaviour which has brought or is likely to bring discredit upon the profession or upon the Institution.

- 4.10.2 The Executive Director will write to the Member or Registered Entity against whom the complaint has been made to respond within 14 days of the request.

- 4.10.3 As soon as possible after receipt of the member's response or after expiry of the 14 days period for response if no response is received, an Investigations Team appointed by the PPEC Chair shall consider the complaint and any response thereto and shall decide whether a prima facie breach of the Code has been made.

- 4.10.4 The report of the of the Investigating Team shall be considered by the PPEC. If the PPEC decides that there is no prima facie case, the complaint shall be dismissed. Otherwise, the case shall be dealt with in the same way as a complaint of a misconduct or breach of the Code.

#### **4.11 Termination of Appointment or Contract**

- 4.11.1 A Member or Registered Entity, who feels aggrieved by the termination of an appointment or a contract, may petition the Institution for assistance to seek redress.

- 4.11.2 The Member or Registered Entity so aggrieved will be required to complete a petition for support form and submit it to the Executive Director within 12 weeks of such termination. The completed form, plus all necessary attachments, must provide all the events and circumstances surrounding the termination.

- 4.11.3 Upon receipt of the petition, the Executive Director shall promptly acknowledge receipt and refer it to the Chairperson of the Welfare Committee who shall place the petition before the next regular meeting of the Welfare Committee for review. The Welfare Committee may seek the assistance of a labour relations and/or legal expert for advice.
- 4.11.4 The Welfare Committee shall determine if a potential violation of the rights of the Member or Registered Entity exists.
- 4.11.5 If the Welfare Committee determines that there is no potential violation, then it will request the Executive Director to inform the Member or Registered Entity of its finding and that will close the case. The Council will be informed accordingly.
- 4.11.6 If a potential violation exists, the Welfare Committee shall request the Executive Director to refer the petition to a labour relation and/or legal expert to assist the Member or Registered Entity to seek redress. The Council will be informed accordingly.
- 4.11.7 The Executive Director (ED) shall update the Welfare Committee and Council on progress regularly until the case is disposed of.

## **5 ENGINEERING PRACTITIONER'S OATH**

Article 8.1.2 of the Constitution of the Institution requires that all Full Members of the Institution shall publicly subscribe to the Engineering Practitioner's Oath as follows:

*"I am an engineering professional, I pledge the highest standards of moral, professional, and ethical conduct.*

*I pledge to uphold, preserve, protect, and defend the Constitution of the Ghana Institution of Engineering (GhIE) and shall subject myself to the decisions and directives of the Council, the governing body of the Ghana Institution of Engineering*

*I shall discharge my duties in honesty, fairness and truthfulness and shall be just and courteous, exhibiting the highest form of moral philosophy. In as far as it is within my capabilities, I shall co-operate in extending the effectiveness of the engineering profession by my contributions to the training of engineering practitioners and the safe practice of engineering in the Republic of Ghana and beyond.*

*I pledge to uphold the honour and dignity of the engineering profession and shall not advertise my work or merit in a self-laudatory manner, in all these, having due regard for the safety of human life, the environment, and property, so help me God."*



## **6 APPENDICES**

## Appendix 1 – Complaint Form

### GHANA INSTITUTION OF ENGINEERING PROFESSIONAL MISCONDUCT COMPLAINT FORM

This form is for use by anyone wishing to file a **complaint** of professional mis-conduct against a Member, an Engineering Service Provider and/or an Engineering Educational Unit registered with the Ghana Institution of Engineering (GhIE) The overall process to address complaints can be accessed by clicking the [Process File](#).

Please fill out this form and endorse it by signing and forward it to us via our address below:

**Mailing address:**

The Executive Director  
Ghana Institution of Engineering  
P.O. Box AN 7042, Accra-North, Ghana.

Email: [secretariat@ghie.org.gh](mailto:secretariat@ghie.org.gh)

**Please provide the required information below:**

1. Date: \_\_\_\_\_
2. Are you an Engineering Practitioner?  YES  NO
3. Your Full Name ----- GhIE No. -----  
Address: -----  
Telephone: ----- E-mail: -----
4. Name(s) of the GhIE Member(s), Engineering Service Provider and/or Engineering Educational Unit against whom this complaint is being filed (the "Respondent(s)"): \_\_\_\_\_  
Respondent Address: -----  
Telephone No. ----- E-mail Address -----
5. Completely describe the professional mis-conduct or unethical conduct involved or the nature of your complaint. As much as possible please give dates and locations (You can provide the details on an attached sheet if the space is not adequate:

*GhIE Code of Ethics*  
*Submitted by the PPEC to the Council for Approval on 19<sup>th</sup> July 2023*

*In your opinion, the unethical conduct amounts to (Mark all that apply):*

- Fraud     Criminal behavior     Negligence     Incompetence  
 Misrepresentation and breach of trust     Other (Specify): -----

**If you answered YES to Question 2, please complete Question 6 otherwise continue to Question 7**

6. Based on your description in Question 4, the unethical conduct constitutes a BREACH in

- [Professional Life](#)  
 [Relationship with the Public](#)  
 [Relationship with Client and/or Employer](#)  
 [Relationship with Engineering Practitioners](#)  
 [Anti-Corruption Practices](#)

Specify the section(s) of the Code of Ethics for which your choice(s) above apply (e.g., Section 1.3):

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7. Provide contact information of all other persons who have a direct interest or possess pertinent information in this matter, and whose testimony should be considered by the investigation committee in determining its final disposition of this matter:

A. Name: -----

Address: -----

Telephone: -----      Email: -----

B. Name: -----

Address: -----

Telephone: -----      Email: -----

C. Name: -----

Address: -----

Telephone: -----      Email: -----

D. Name: -----

Address: -----

Telephone: -----      Email: -----

*By submitting, I certify that the information provided here and in any attachments are true and accurate to the best of my knowledge and belief.*

**Signature:** -----

**Date:** -----

**Name in Capital letters:** -----

**Please date, upload any other documents supporting the alleged unethical conduct, and submit the completed form. Provide a list of uploaded documents below:**

**NOTE:**

- i. This complaint will not be considered filed without the name, address, and original signature of the Complainant.
- ii. Once filed, this complaint may not be withdrawn by the Complainant except with permission of the GhIE
- iii. It is an offense to knowingly file a false complaint.
- iv. The investigation of a complaint is confidential unless the Respondent requests that it be open.
- v. Unless the Professional Practice & Ethics Committee (PPEC) advises otherwise, the allegations in the complaint and any information supplied to or received from the PPEC shall not be disclosed to any third party by the Complainant, Respondent, witness, or designated party.

## **Appendix 2: Ethic and Anti-Corruption Policy of GhIE**

The objective of the Institution as captured under Article 3.1.1 of the Constitution is *“to promote and advance the science and practice of engineering to the benefit of society in Ghana and Africa, and globally.”*

Article 3.2.3 of the Constitution further states in paragraph (a) that the Institution will *“Prescribe, uphold and enforce professional engineering standards, conduct and ethics of Members and Registered Entities.”*

The whole of Article 8 of the Constitution is dedicated to Professional Conduct and Responsibility and provides for, among others:

- i. The publication of a Code of Ethics that defines in detail the ethical behavior expected of Members and Registered Entities; and
- ii. That Members and Registered Entities uphold the highest standard of integrity in the practice of engineering and order their conduct in accordance with the Code of Ethics of the Institution.

In upholding the requirements for ethical and anti-corruption behaviour of Members and Registered Entities, the Institution undertakes to:

- i. Foster a culture of ethics, transparency, accountability, and a work environment that promotes ethical behaviour and detests corruption at all levels and in all forms.
- ii. Do all in its power to avoid conflict of interest, nepotism and other forms of favouritism, bribery and all forms of gift giving with the intent of influencing the judgement of the receiver, misuse, or manipulation of corporate resources for personal gain, collusion in procurement, embezzlement, stealing, fraud, and all other forms of unethical and corrupt practices.
- iii. Develop, communicate, and enforce robust policies and procedures that explicitly prohibit unethical and corrupt practices among staff and stakeholders.
- iv. Encourage staff and stakeholders to disclose in writing, or fully communicate any potential conflict of interest when dealing with third parties.
- v. Guard against the use of gifts (given or taken) by staff and stakeholders to peddle influence, and to develop and enforces specific guidelines for what is an acceptable modest courtesy gifts or entertainment for staff and those working on behalf of the Institution.

- vi. Encourage open communication, whistleblowing, and clear confidential reporting mechanisms and channels to expose corrupt practices without fear of retribution. Whistleblowers shall be protected in all instances and all reported incidents shall be promptly investigated and addressed.
- vii. Conduct due diligence prior to entering business relationships or partnerships with individuals and organizations and avoid associations with entities known for involvement in corrupt practices.
- viii. Ensure that the Institution and Registered Entities have sufficient internal controls to promote accountability, ethical behaviour, and prevent corruption.
- ix. Conduct regular ethics training programs for Members, Registered Entities, and staff to boost their understanding, importance, and benefits of engineering ethics and anti-corruption practices, and provide guidance on how to identify, avoid, and report un-ethical and corrupt practices.
- x. Provide appropriate channels for reporting professional misconduct and corruption within the Institution and investigate all such cases against its Members, Registered Entities, staff and stakeholders, and exact sanctions where applicable.
- xi. Keep confidential all reported or suspected cases of unethical or corrupt behaviour until sufficient evidence is gathered, investigated, outcomes accepted by the Council, and the conclusions communicated to those it concerns. A legal or trusted advisor may be consulted for additional guidance.