

### Procedure for Alleged Breaches of the Code of Conduct – 2025

For the purposes of this document “member or provider” may refer to a supplier, manufacturer and/or fabricator, designer, installer, inspector, contractor, consultant & trainer who are members of the BSIF Height Safety Group (BSIF-HSG). “the Code” refers to The BSIF-HSG Code of Conduct;

“appellant” refers to the person or organisation who has alleged that a member has breached the Code;

“respondent” refers to the member who is alleged to have breached the Code.

The statements below shall guide the process to be followed in the event of an alleged breach of the Code by a member:

1. The fundamental and over-riding principle is that members should provide the highest degree of safety, so far as is reasonably practicable.
2. Only formal notifications of alleged breaches of The Code will be reviewed. Formal notifications will normally be considered as those received by post, email or in the minutes of committee meetings, using the current prescribed template.
3. Each notification will be given a unique reference code, by the General Manager of BSIF, which maintains the anonymity and confidentiality of the appellant and the respondent.
4. A log of alleged breaches and the progress of their review will be maintained by the General Manager and will be reported in an anonymous and confidential manner to the members at committee meetings.
5. Each notification of an alleged breach of the Code will be reviewed by a panel of three persons who will represent the members. These three persons will be selected by the Chairman, taking into consideration that they should:
  - a. Not be associated with either the appellant or respondent
  - b. Not be associated commercially or technically with the specific subject of the alleged breach
  - c. Be willing to and capable of participating in the review process
  - d. Be considered acceptably knowledgeable and/ or qualified in the subject of the alleged breach by other members
  - e. Include at least one person drawn from BSIF-HSG’s group of independent experts
6. The panel will be appointed within seven working days of formal receipt of the notification. If the Chairman is unavailable, then the General Manager of BSIF will appoint the panel.
7. The respondent will be notified formally of the receipt of the alleged breach within three working days of its formal receipt. And they will be invited to make an initial response to the alleged breach within ten working days of being informed of the notification.
8. The reviewing panel will meet together, either physically or virtually as they see fit, to consider the allegation and the initial response. They will provide an initial report to the Chairman within five working days of receipt of the initial response.

9. The initial report from the reviewing panel will be categorised by the panel as one of the following summary statements:
  - a. No breach of the Code was found to have occurred
  - b. The alleged breach of the Code is confirmed to have occurred
  - c. A different breach of the Code to that alleged was found to have occurred
  - d. Further investigation is required to form an opinion
  - e. More time for initial review required
10. Where the review is conclusive and where appropriate, the review panel should make recommendations as to any subsequent actions to be taken and a timescale for these actions.
11. The reviewing panel, should only provide a report of which the content is fully agreed by all three of its members.
12. Where more time for initial review is required by the reviewing panel, this period should be kept to a minimum and a date for delivery of the initial report should be agreed with the Chairman. The appellant and respondent should be advised of the new date within 1 working day of the date being agreed.
13. Where further investigation is required, the review panel will contact the respondent directly and agree a process and timescale to ensure sufficient information can be gathered to allow a conclusive review to take place. The timescale for such a review should be kept to a minimum, typically this should not be longer than one calendar month.
14. If the respondent is not co-operative with the review process, to the satisfaction of the review panel, this shall in itself be deemed as a breach of the Code.
15. The respondent and appellant, will be provided with a copy of the initial report within 3 working days of it being received by the Chairman.
16. Where the initial report is conclusive, the respondent and appellant will be requested to confirm that they accept the initial report. If no response to the initial report is received within ten working days, and receipt of the initial report has been confirmed, this will be considered as acceptance of the report.
17. If either the respondent or appellant do not accept the initial report, they should appeal the findings of the report. If no appeal is received within ten working days, this will be considered as acceptance of the report.
18. Where the appellant or respondent wish to appeal against the findings of the review panel, then this will be considered by the Governing Board of BSIF and the appeal must be based on;
  - a. information which is supplementary to that already provided, or;
  - b. evidence that the review process was unfair or unreasonable
19. The timescale for an appeal to take place, should be kept to a minimum and should be agreed by all parties, typically this should not be longer than one calendar month.
20. Following an appeal process, a final report should be produced, following similar process to that for the initial report, but without the option for further appeal.

21. Based on the outcome of the review process, the Chairman will inform the respondent of:
  - a. the actions to be taken;
  - b. the timescale in which actions required of the respondent are to be achieved;
  - c. the evidence to be provided to demonstrate actions are completed.
22. Any alleged breach which is reviewed, will be considered unresolved, until all members of the review panel agree that all required actions have been completed to the satisfaction of the review panel.