

FMB Code of Conduct

The aim of this Code is to uphold the good reputation of the Federation of Master Builders (FMB) both internally (to members and employees) and externally.

Members of the FMB agree to comply with the requirements of the Code of Conduct when they join the FMB. The Code of Conduct sets out the standards expected from FMB Members covering day to day dealings with clients through to those additional responsibilities placed on FMB Board of Directors, Area Boards and Committee Members.

The starting point for this Code of Conduct is that everyone associated with the FMB is required to demonstrate high levels of integrity in their interactions with others, and act in a positive and non-discriminatory way, reflecting the ethos of the FMB.

Code of Conduct

General Principles

All members of the FMB are required to:

- a) Act with honesty, in good faith, with integrity and in the best interests of the FMB.
- c) Comply with equality legislation and value diversity and inclusion
- d) Treat others with courtesy and respect, including clients, fellow members and staff employed by the FMB.
- e) Comply with the findings/sanctions of the Standards Committee regarding any proven breach of the Code of Conduct.

This includes information that is in electronic form, for example emails and interactions on in social media platforms.

The FMB reserves the right to carry out background checks on all members, to ensure continued compliance with FMB membership criteria.

This Code of Conduct is regularly reviewed by the FMB Standards Committee, made up of fellow Master Builders and independent members.

Part I: Dealing with Clients

Before work begins

It is a condition of being a member of the FMB that you have sufficient current public liability insurance, in addition to employer's liability insurance, which is a legal requirement. All of your advertising material must be clear, legal and truthful. It must be compliant with all relevant UK legislation.

Your full company name and trading name should be displayed on your website and all other formal communications. This name must also be registered with the FMB. ONLY the company registered with the FMB is entitled to carry the FMB logo, which is a registered trademark and must not be used by unauthorised businesses.

Any images displayed on your website must be pictures of your own work, or if using stock images, or images provided by sub-contractors, this must be acknowledged, so that consumers are not misled.

You must make sure that your workforce is competent to complete the work. You will fulfil

all financial dealings and contractual obligations with your client with the utmost integrity, and the work must be completed in a timely manner.

Unless otherwise agreed in writing, you will give a written quotation together with a description of the work and ensure it complies with all relevant legislation including the Consumer Rights Act 2015 and the Consumer Contracts Regulations 2013.

Working with sub-contractors

As the main contractor, you will retain responsibility for the project as a whole, including any sub-contracted work. If you sub-contract entire projects to any other builder, you must make sure they are also members of the FMB. The client must also agree to the change of contractor and their agreement should be confirmed in writing.

It should always be clear to clients who they should contact in case of any concerns about their project, or for any snagging issues once complete.

Using a contract

You should always use a written contract. The FMB has a range of contracts to suit all types of projects which are available to members only from the Member Dashboard at www.fmb.org.uk/members.

Agree any deposits or staged payments with the customer by including them in your quote and contract. These should be fair and proportionate. Never take full payment from a customer before starting work.

You should make your clients aware of insurance-backed warranties, which are available through FMB Insurance at www.fmbinsurance.co.uk.

Work in progress

As a FMB member when work is in progress you are expected to:

- Use your best endeavours to maintain a good relationship with your client and their appointed representatives as appropriate.
- Proceed with the work with due diligence according to the written contract or quotation between you. If you encounter any technical difficulties with the project you must seek further advice. The FMB can assist.
- Brief your client regularly on progress, particularly if there are likely to be any delays or unforeseen problems.
- Notify Building Control and any other authorities as required.

- Confirm in writing any change to the work and any extra costs and agree these with the client before work begins.
- Ensure the working site remains a safe, clean and tidy environment and comply with all health and safety law, including the CDM 2015 Regulations where applicable.
- You are responsible for the work of all of your employees and sub-contractors, so you must ensure they are competent and adequately supervised.
- Supply the client with samples of materials and fittings for prior approval if required.
- Use your best endeavours to maintain reasonable relationships with any neighbours affected by the building works you are carrying out.

Completed work

When the work is complete you are expected to:

- Leave the site clean, tidy and ready for use. Any waste must be properly disposed of in compliance with relevant legislation.
- Ensure that instruction manuals and maintenance requirements are handed over to the customer, and they understand any essential maintenance.
- Documents including guarantees, warranties or certificates must be passed to the client. It may be an offence to withhold these, even if payments are outstanding.
- Agree a return date with the client to complete any rectifications or snagging items which may arise, or as stated within the terms of the contract. The FMB can provide template completion documents if needed.
- Make sure your client knows who to contact if there are any defects arising from the work.

Disagreements

The FMB is a Certified Alternative Dispute Resolution (ADR) provider, and as an FMB member you therefore have access to an ADR service in case of any dispute. You must inform consumers of this on your website and other communications.

You should have your own complaints policy in place and keep a log of any complaints received.

In the event of a disagreement, you should follow the process outlined below:

- If you have a disagreement with the client you are expected to try to resolve the disagreement by discussion and by reference to the terms of the contract.
- If the disagreement still cannot be resolved the FMB can assist through its Dispute Resolution Scheme. You can issue your client with a 'deadlock letter' in order to trigger the process, or your client can contact the FMB directly.
- Once a dispute is lodged with the FMB, your participation in the Dispute Resolution Service is mandatory, in accordance with the FMB Rules. The dispute may be referred to an independent Alternative Dispute Resolution (ADR) organisation, but we will always inform you if this is the case and you will not be charged for this service.
- The purpose of the FMB Dispute Resolution Service is to assist members and their clients in reaching a settlement to their disagreement, not to apportion blame.
- If, however, in the course of dealing with the Dispute serious or repeated breaches of this Code of Conduct are alleged, the FMB reserves the right to refer the matter to the Standards Committee for consideration.

Part II: Additional Responsibilities for Members on the FMB Board of Directors, Area Boards and Committee Members

For the sake of brevity, the word 'committee' is taken to include 'working groups'.

Members who are elected, appointed or co-opted to sit on FMB committees have additional responsibilities to those outlined above. They are also entitled to receive an induction on taking on their role, which will include familiarisation with this Code of Conduct.

Members of FMB's board(s) and committees must:

- Demonstrate the highest levels of integrity in their interactions with others, and act in a positive and non-discriminatory way, reflecting the ethos of the FMB.
- Contribute their personal skills, experience and knowledge to the work of the FMB.
- Comply with FMB policies on personal data, including (but not limited to) storing and disposing of papers securely and treating all papers private to Board or committee members confidentially.
- Undertake any training or CPD required to enable the effective working of the FMB Board or committee.
- In the case of FMB Board members, play their part in ensuring that the Board operates within the limits of its powers as set out in the FMB's Articles of Association.
- In the case of Area Boards and committees members must play their part in ensuring that the committee operates within its Terms of Reference. .
- If required to represent the FMB at external meetings or in the media, members must liaise with the relevant FMB staff about policy lines and outcomes and represent the best interests of the FMB and its members.
- Act in accordance with the standards set out in Articles 45-51 of the FMB Articles of Association, and with the relevant committee Terms of Reference in relation to any potential conflicts of interest.
- Familiarise themselves with the up to date Terms of Reference for their Board or committee, which are updated by the FMB Board from time to time, and abide by all terms set out there.

Breaches of this Code

If a client of an FMB member believes that the member has breached this Code of Conduct in the course of carrying out building work for them, they should lodge their complaint via the Dispute Resolution pages of the FMB website at www.fmb.org.uk

Any other possible breaches of this Code should be set out in writing and addressed to the FMB Chief Executive (contact details available via www.fmb.org.uk). These concerns will be dealt with through the relevant FMB procedure, and may result in referral to the FMB Standards Committee, who will decide on the matter in accordance with their Terms of Reference.

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