

# **ARP - Code of Practice for Relocation Professionals**

## **Introduction**

This Code of Practice sets out the professional standards expected of Relocation Professionals, as defined below.

The Code has two sections:

1. Dealing with clients
2. Managing businesses and staff

ARP's Code of Conduct for Members, a copy of which is annexed, is supplementary to this Code of Practice.

## **Definitions**

**"ARP"** means the Association of Relocation Professionals, Meadowside, Pottery Hill, Wattisfield, Diss, IP22 1NH;

**"Client"** means the individual or organisation which has instructed Relocation Services and also, where the context allows, the individual in receipt of Relocation Services as end-user;

**"Relocation Professional"** means an individual or organisation which charges a fee for the provision of Relocation Services;

**"Relocation Services"** means services designed to support an individual or family in connection with his, her or their move to a home in a new location, typically including home-finding, area orientation, education support and other settling-in services.

## **Section 1 Dealing with clients**

### **1 Relocation Professionals must act legally, ethically, with honesty and integrity.**

Relocation Professionals:

1a Must ensure they work to meet clients' reasonable expectations by exercising a high standard of skill and care.

1b Must act in a way that encourages and respects equality, diversity and inclusion.

1c Must not abuse their position by taking unfair advantage of clients.

1d Must not mislead or attempt to mislead clients or others, either by their own acts or by omissions, or by allowing or being complicit in the acts or omissions of others.

1e Must not seek business by methods that are dishonest, deceitful, manipulative or involve misrepresentation.

1f Must avoid any course of action that can be construed as aggressive behaviour or harassment.

1g Must notify the appropriate authorities, such as the police or National Crime Agency, if they suspect any person using their services is engaged in money laundering, human trafficking, or another criminal activity.

## **2 Relocation Professionals must seek to avoid conflicts of interest, and where this is unavoidable, declare all conflicts of interest and ensure these are managed properly.**

2a Relocation Professionals must ensure that they have procedures in place to identify and avoid conflicts of interest.

2b Where a conflict of interest is unavoidable, Relocation Professionals must immediately disclose that conflict in writing to all relevant parties.

2c Where there is a significant risk of a conflict of interest arising, Relocation Professionals must immediately disclose this in writing to all relevant parties.

2d Disclosure of conflicts of interests or the significant risk of one arising must be documented and responses from relevant parties recorded.

## **3 Relocation Professionals must treat all clients fairly and equally.**

Relocation Professionals:

3a Must treat clients fairly and equally regardless of their race, religion or belief, sex, sexual orientation, gender recognition, disability, pregnancy or maternity, or nationality. Unlawful discrimination includes giving less favourable treatment because someone is perceived to have one of these personal characteristics or because they are associated with a person with such a characteristic.

3b Must take special care when dealing with clients who might be disadvantaged because of factors such as their age, infirmity, disability (e.g. blind), lack of knowledge, lack of linguistic or numeracy ability, economic circumstances, bereavement or do not speak English as a first language.

#### **4 Relocation Professionals must comply with all relevant legislation.**

4a Relocation Professionals must conduct their business in a way that complies with all relevant legislation, including where appropriate, the registration requirements related to Data Protection, Anti-Money Laundering and Property Redress.

4b Relocation Professionals must ensure that all staff are fully conversant with the aspects of this Code of Practice applicable to their role and their legal responsibilities. Such staff must observe the Code and their legal responsibilities in all their dealings with clients. Staff must have a good working knowledge of relevant legislation.

4c Where the law and the interests of a client conflicts, adherence to the law must prevail.

#### **5 Relocation Professionals must act with due skill, care and diligence.**

Relocation Professionals:

5a Must perform all undertakings with professional diligence, care and to the best of their ability. Where matters arise outside of their ability and experience, these matters and their actions and recommendations are clearly communicated to affected clients.

5b Must ensure their duty of care and skill applies to every aspect of their services and exists throughout the period of the instruction.

5c Must offer suitable, accurate and unbiased advice to meet the client's aims and needs.

5d Must perform all undertakings within an agreed timescale or, if no timescale has been agreed, within a reasonable amount of time.

5e Must not accept an instruction that is beyond their field of experience, unless, with their client's permission, they secure the assistance of a specialist in that particular field.

#### **6 Relocation Professionals must communicate clearly, accurately and transparently to represent correctly their service or product.**

6a Relocation Professionals must provide information in a clear and easily accessible way.

6b Relocation Professionals must present all fees and charges clearly and accurately to clients. Clients must know the full extent of their financial liability before they are committed to using a service.

6c In line with Consumer Contracts Regulations, in most cases Relocation Professionals must give personal (non-corporate) clients 14 calendar days in which to cancel if a contract is signed away from their premises.

6d Relocation Professionals' contracts must clearly state the services to be provided, the period of instruction (where applicable) and the manner in which either party can amend or end the contract.

6e Where a Relocation Professional intends to instruct other parties to undertake ancillary tasks, the Relocation Professional must be diligent in the selection of those parties by taking reasonable steps to ensure they hold appropriate professional qualifications and the necessary public and professional liability insurance, and clearly communicate their involvement to relevant parties.

6f Relocation Professionals must clearly display and communicate their redress scheme (where appropriate) and availability of their complaints procedure at the outset of their dealings with clients.

## **Section 2 Managing businesses and staff**

### **7 Relocation Professionals must manage their businesses and staff effectively.**

Relocation Professionals:

7a Must apply their policies and procedures consistently and reasonably.

7b Must take all reasonable measures to manage their operations and staff effectively and ethically to ensure their business is a compliant business.

### **8 Relocation Professionals must maintain appropriate accounts and records of their business activities.**

8a Save where Relocation Professionals are required to delete such records sooner under applicable law, Relocation Professionals must keep clear and full written records of their business relationships and produce them when required by the appropriate redress scheme and/or any enforcement authority.

### **9 Relocation Professionals must ensure that all staff are qualified and capable to handle responsibilities delegated to them.**

Relocation Professionals:

9a Must be fit and proper persons.

9b Must ensure that all staff have been given proper instructions and training about complying with relevant laws and the requirements of this Code applicable to their role.

9c Must ensure that all staff are trained to deal with clients and colleagues in a manner that encourages and respects equality, diversity and inclusion.

9d Must ensure that staff are trained and hold any appropriate licences or registrations (where applicable) to undertake the responsibilities delegated to them.

**10 Relocation Professionals must handle information sensitively and in accordance with data protection legislation.**

Relocation Professionals:

10a Must not release or use confidential information for any purpose other than that for which it was given by clients without the client's permission, unless legally required to do so.

10b Must process personal data in line with data protection legislation and the relevant privacy notice.

**11 Relocation Professionals must have effective client complaints procedures in place.**

Relocation Professionals:

11a Must maintain and operate an in-house complaints procedure. Such procedures must be in writing; explain how to complain to their business and, where applicable, to the appropriate redress scheme; set out the timescales within which businesses will respond to complaints; be readily available in each office; and be available for inspection by a redress scheme where applicable.

11b Must record all verbal and written complaints at the time they are made.

11c Must agree to deal with any properly appointed representative of a complainant

11d Must not charge for handling a complaint (including requiring clients to report complaints via chargeable methods, such as premium rate telephone lines).

## **Annex**

### **ARP – Code of Conduct for Members**

- Every Member shall be actively involved in offering services that facilitate the relocation of individuals and/or companies.
- Every Member shall abide by the rules of ARP.
- Every Member must actively participate in and successfully complete an accreditation process that has the full backing of ARP either on an individual or corporate level.
- Members must have both Professional Indemnity and Public Liability Insurance.
- Members shall not misrepresent ARP, themselves or the services which they offer.
- Members shall not either act as selling or letting Members, nor will a principal, partner or director be involved in the day-to-day business of a selling or letting agency.
- All Members will indemnify and hold harmless ARP against any claims arising from their activities.
- Members shall not misrepresent their class of ARP Membership nor claim Membership when this has ceased.
- Should they be in breach of ARP's Code of Practice Members shall abide by the findings of ARP's Disciplinary Committee (comprising ARP's Chair, CEO, Legal Services Consultant and one additional Member).
- In the event of a Member becoming bankrupt, insolvent or making an arrangement with their creditors their ARP Membership will be withdrawn.
- Members shall maintain documentary evidence showing the training provided to all staff and individuals' ongoing training requirements.