

~~DRAFT~~ CODE OF ETHICS FOR INTERIOR DESIGNERS IN
KENYA

This document is developed by
the Association
for compliance by Interior Designers in Kenya and are
required to conduct their professional practice in a manner that will command the respect of
clients, suppliers of goods & services to the profession, fellow professional Interior designers, as
well as the general public.

1.0 PREAMBLE .

CONSIDERING that Interior Designers are part of the built Environment Consultants;

ACKNOWLEDGING that establishment of this Code is in pursuant to the Association Constitution towards steering the purpose and objects of the association.

CONVIENCED of the need to strengthen Professional Interior Design Practice and achieve professionalism in Kenya;

AIMED at providing guidance, setting industry ethical standards, establishing and promoting professionalism in the Interior design practice;

RECOGNISING that best professional practice places the Professional Associations at the centre stage of policy formulation;

FURTHER RECOGNISING the need to have this Association be at par with other International Associations in giving direction to the Interior Design Industry in Kenya.

EXPECTING Interior Designers to conduct themselves honourably and honestly in their dealings with their clients, the community and their professional colleagues;

NOTING that it is the individual responsibility of every member of the Association to uphold this code

REQUIRING that Interior Designers subscribe to adhere to this code as they practice in Kenya.

ADOPTS, in accordance with the Association's Constitution, this Code of Ethics on 6th June 2020

The Governing Council
ASSOCIATION OF DESIGNERS OF KENYA

2.0 DEFINITIONS.

- 2.1 The Association shall mean Association of Designers of Kenya; and
- 2.2 Terms used in developing this Code shall be defined in the same manner in which they are defined in the By-laws as enshrined in the Constitution.

3.0 RESPONSIBILITY TO THE CLIENT.

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- 3.1 Prior to commencing services, notify the client in writing of the conditions of engagement, fees and charges, including the method of calculating the fees, in respect to:
 - 3.1.1 Scope of work
 - 3.1.2 Allocation of responsibilities
 - 3.1.3 Limitation of responsibilities, if any; and
 - 3.1.4 Termination of services,And shall, within sixty days from the date the notification is duly served on the client, obtain the client's agreement in writing regarding the conditions of engagement, fees and charges.
 - 3.2 Notwithstanding subparagraph (3.1), where the client's agreement in writing is not obtained within the period as stipulated in subparagraph (3.1) but the client agrees by conduct to the conditions of engagement, fees and charges, the client shall for the purposes of subparagraph (3.1) be considered to have agreed to such conditions of engagement, fees and charges.
 - 3.3 Not sub-contract the principal work commissioned without the client's full knowledge and consent.
 - 3.4 Undertake to perform professional services only when they, together with their consultants, are qualified as shall be prescribed.
 - 3.5 Treat all knowledge of a client's intentions, production methods and business organisation as confidential and shall not, at any time divulge such information without the consent of the client. It is the Interior designer's responsibility to ensure that all members of his/her staff are similarly bound to confidentiality.

4.0. RESPONSIBILITY TO THE PUBLIC

- 4.1 Exercise reasonable care and competence, and conform to existing laws, regulations and codes governing built environment industry and the profession of interior design and as such related as established.
- 4.2 May use calling cards containing accurate particulars concerning his/ her qualification and designation.
- 4.3 At all times in the course of providing services, ensure that he/she does not contravene Acts and Regulations pertaining to the public safety.
- 4.4 Not knowingly violate the law, or counsel or assist clients in conduct they know, or reasonably should know, is illegal.
- 4.5 Not permit their name or signature be used in conjunction with a design or project for which interior design services are not to be, or were not, performed under their immediate direction and control.
- 4.6 Not make misleading, deceptive or false statements or claims regarding their professional qualifications, experience or performance.
- 4.7 Endeavour to act in the best interests of ecology and promote green building practices.

5.0 RESPONSIBILITY TO OTHER INTERIOR DESIGNERS

- 5.1 Pursue professional activities with honesty, integrity and fairness, and with respect for other Interior Designers' or colleagues' contractual and professional relationships.
- 5.2 Not attempt to supplant another person registered by the Association who has already been engaged by a client nor shall he/she compete with another Interior Designer to secure a commission by a reduction of fees or otherwise.
- 5.3 Not accept instruction from their clients which knowingly involves plagiarism, nor shall they consciously plagiarize another's work
- 5.4 At all time, act honorably towards other registered interior Designers

6.0 RESPONSIBILITY TO THE ASSOCIATION AND INTERIOR DESIGN PROFESSION.

- 6.1 Agree to maintain standards of professional and personal conduct that will reflect in a responsible manner on the profession.
- 6.2 Seek to continually upgrade professional knowledge and competency with respect to the Interior Design Profession
- 6.3 Exercise reasonable standard of skill and diligence expected and accepted by the profession in respect of but not limited to :
 - 6.3.1 All forms of certification;
 - 6.3.2 Contract administration;
 - 6.3.3 Site supervision; and
 - 6.3.4 Compliance of statutory requirements
- 6.4 Wherever possible, encourage and contribute to the sharing of knowledge and information among interior designers, the industry, and the general public.
- 6.5 Offer support, encouragement, and information to students of interior design.
- 6.6 Not give or offer remuneration or other inducements for the introduction of a client or work.
- 6.7 When representing the interior design profession, act in a manner that is in the best interest of the profession.
- 6.8 May only use the designated appellation in accordance with current Association Rules.
- 6.9 Shall not knowingly make false statements or fail to disclose any material fact requested in connection with their applications for membership in the Association.
- 6.10 Carry appropriate insurance to including Professional Indemnity Cover.
- 6.11 Any person or Interior Design firm not registered or not renewed membership with the Association shall remove any logo and initials of the Association designation from all product literature, advertising and stationery until such a time registered, or renewed.

7.0 RESPONSIBILITIES AS AN EMPLOYER

- 7.1 Ensure that his/her employees are competent and adequately supervised to perform the task to the standard normally expected and accepted by the profession, and shall not by misrepresentation, fraud or deceit undermine the confidence of persons dealing with the Interior Designer or his employees.
- 7.2 Adhere to the requirements of Labour Laws.
- 7.3 Ensure that sub-contractors engaged by them carry insurance cover appropriate to their role, including Public Liability and Employer's Liability.

8.0 RESPONSIBILITIES AS AN EMPLOYEE.

- 8.1 Only undertake services where he/she can ensure that he/she possesses adequate knowledge, abilities and resources to fulfill his/her commitments to the client in every respect.
- 8.2 The services of an Interior Designer in employment shall be paid by salary and other benefits agreed with his employer, and shall be debarred from any other source of remuneration in connection with such services rendered.
- 8.3 Adhere to the agreed contract of employment, and shall not divulge confidential business information to another party.
- 8.4 Not identify as their own any plans or designs prepared by the employer or employer's company.

9.0 RESPONSIBILITY TO OTHER CONSULTANTS, DESIGN TEAM MEMBERS AND SUPPLIERS.

- 9.1 Administer interior design contract competently and responsibly and shall be impartial in any dispute that may arise between the client and the building contractor.
- 9.2 Not accept any discount, gift, commission or any form of inducement from contractors, tradesmen or suppliers in connection with the works and duties entrusted to him/her and not permit his/her employees receive such discount, gift, commission or inducement.
- 9.3 Not fail to disclose to his clients, owners or contractors significant circumstances known to him/her that could be construed as creating a conflict of interest and shall ensure that such conflict does not compromise legitimate interests of such persons or interfere with his/her duty to render impartial judgment of contract performance by others.
- 9.4 Ensure that information provided to consultants and suppliers for the execution of a project is professionally prepared and accurate.

10. DISPUTES & COMPLAINTS

- 10.1 While the Association demands high standards of professionalism from its members, it is recognized that occasionally a member may breach this Code. If you feel that one of our members has breached the Code and wish to make a formal complaint, please write to info@adke.or.ke for full details of the disciplinary process.
- 10.2 Please note that the Association cannot:
 - 10.2.1 Award compensation to a complainant
 - 10.2.2 Impose any fines on our members
 - 10.2.3 Restrict one of our members from practicing as an interior designer.

10.3 Whilst the Association members shall conform to the existing laws, regulations and professional codes as established by the Government, the association shall have the power to enforce its own Code and derivatives from its constitution or any of its regulations provided.

10.4 Any member, who, in the opinion of the Disciplinary Committee, has acted in contravention of this Code, may be cautioned, suspended, expelled or such as may be decided. Such action shall only occur after a member has been given the opportunity to answer allegations of misconduct brought by the Disciplinary Committee. The decision of the Disciplinary Committee shall be final and binding.

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