

ARLA INVENTORIES ACCREDITATION SCHEME RULES



INTRODUCTION

The Membership Rules apply to all Principal (sole trader), full equity partner (not associate) or director (listed at Companies House) (PPD) and Employee members of the scheme. Propertymark reserves the right to amend these rules, subject to agreement by the Propertymark Board.

Note: Suspended members and current members who currently are subject to disciplinary procedures (including appeals) remain subject to these Conduct Rules.

GENERAL OBLIGATIONS

1. Obligations to provide and update information

- 1.1 Accredited members have an obligation to provide the Membership Department with up-to-date information about their employment status, company and branch details including addresses, contact details and changes in company type. Personal contact details must be updated including contact details such as home address, mobile and email addresses. This is to ensure members can be contacted at any time.

2. Professional Indemnity (PI) insurance

- 2.1. Professional indemnity insurance provides indemnity against claims for compensation by Clients who sustain a financial loss arising out of professional negligence by directors, partners or employees in the conduct of their business.
- 2.2. Accredited members are required to provide documentary evidence on application and thereafter on an annual basis that they hold or are covered by their employers PI insurance.
- 2.3. The minimum limit of indemnity required is £50,000 per claim and the policy should cover from the day the business started trading.

3. Professional Liability (PL) insurance

- 3.1 Professional Liability insurance covers claims made for injury or damage caused to someone or something while in or around a relevant property.
- 3.2 Accredited members are required to provide documentary evidence on application and thereafter on an annual basis that they hold or are covered by their employers PL insurance.
- 3.3 A minimum limit of indemnity required is £50,000 per claim and the policy should cover from the day the business started trading.

4. Data Protection

- 4.1 Accredited members, as required by the General Data Protection Regulation 2018 register their firms' activities, as and when appropriate, with the Information Commissioner, www.ico.org.uk.

5. Use of ARLA Inventories window sticker

- 5.1 Companies with a ARLA Inventories accredited member within the company should display the appropriate window sticker as provided by Propertymark.

6. Use of ARLA Inventories logo

- 6.1 Companies with a ARLA Inventories accredited member should use the logo throughout the company and associated branches and on applicable documentation such as marketing literature, websites and on letterheads.

It is a condition of the use of the Propertymark logos that they shall not be used without indicating that they are a Collective Trademark. This can be done by adding a note on your website which states: "The Propertymark logo is a Collective Trademark owned by Propertymark Ltd."

7. Propertymark logo

- 7.1 The Propertymark logo in isolation must not be used by any member. This is the corporate logo used by Propertymark only.

Note: Displaying the logo of a trade body when you are not authorised to do so, or falsely claiming to be a member of a professional body, is a criminal offence. The business itself, a person in charge, or an employee or an associate, may be the subject of the conviction, fine, or civil court order.

CONDUCT RULES FOR ALL MEMBERS

8. General duty to uphold high standards of ethical and professional behaviour

- 8.1 No accredited member shall do any act (whether in business or otherwise) which:
 - 8.1.1 Involves dishonesty, deceitful behaviour, or misrepresentation.
 - 8.1.2 Involves other unprofessional practice or practice that is unfair to members of the public.
 - 8.1.3 In any other way brings Propertymark or subsidiaries into disrepute.

9. Duty to assist in disciplinary proceedings

- 9.1. Accredited members shall co-operate with disciplinary investigations and/or proceedings taken against them or other members.
- 9.2. Accredited members shall comply with the timescales described in the disciplinary procedures and are expected to attend disciplinary hearings. If these procedures result in a fine that is not paid within the prescribed time, then membership will automatically be terminated and the Propertymark will pursue payment and undertake civil action against the accredited member if necessary.
- 9.3. Propertymark reserves the right to take disciplinary action regardless of any Ombudsman's actual or potential adjudication arising from the same matter.
- 9.4. Accredited members must co-operate with compliance visits conducted by Propertymark staff or others acting on their behalf.
- 9.5. This rule applies to work undertaken during the period of membership, even if the accredited member has subsequently left membership for any reason.

10. Whistle blowing

- 10.1 Accredited members are under a duty to provide Propertymark with details of any other member who they suspect has breached these ARLA Inventories Accreditation Scheme Rules or the Propertymark Conduct and Membership rules. No accredited member shall be unfairly treated as a result of reporting such breaches.

11. Duty not to accept secret commissions

- 11.1 Accredited members shall not accept any payment from a third-party service provider unless it is disclosed to their Client.

12. Personal declarations, applications and fees

- 12.1 Any person wishing to become an accredited member of the ARLA Inventories Accreditation scheme shall complete the application form, including declaration questions, and provide payment upon receipt of invoice. Membership is not finalised until these steps have been completed.
- 12.2 All accredited members are required to complete the renewal form, including declaration questions annually and provide payment upon receipt of invoice.
- 12.3 We retain the right to refuse membership or terminate accredited members as a result of matters disclosed, or because of a failure to disclose.
- 12.4 Accredited members are required to pay an annual subscription fee as set by the Propertymark Board. Any concessions to the fees must be agreed by the Propertymark Board.

13. Information sharing

- 13.1 PPD accredited members have a duty to inform Propertymark of any allegation or finding made about their firm by any ombudsman, independent redress scheme or other professional body. Employee accredited members have a duty to inform Propertymark of any allegation or finding made about them personally by any ombudsman, independent redress scheme or other professional body.
- 13.2 Propertymark reserves the right to distribute or receive information about alleged or actual misconduct by accredited members with other relevant bodies, such as the ombudsman, independent redress scheme and tenancy deposit schemes.

14. Sale, disposal and merger

- 14.1 Membership is personal and therefore is not a transferable asset or benefit.

MEMBERSHIP RULES

15. Membership rules

- 15.1 Full membership of the ARLA Inventories Accreditation Scheme is open to persons practising as inventory professional.

16. Ability for Propertymark to Terminate Membership

- 16.1 Propertymark reserve the right to terminate the membership of an accredited member without recourse to any disciplinary procedures if:
- 16.2 Any aspect of the declaration and certification in the accredited member's application for membership proves to be false.
- 16.3 After investigation, an accredited member is deemed to have failed to ensure that their personal and professional finances have been managed appropriately.
- 16.4 The subscriptions or any other monies due to Propertymark remain outstanding for more than one month, monies remain a debt and are recoverable by Propertymark.
- 16.5 Propertymark notify an accredited member in writing that they no longer meet the current qualifications for membership or a condition for membership imposed on the accredited member.
- 16.6 Propertymark attaches to the accredited member's membership special conditions and the accredited member is in breach of those conditions.
- 16.7 The accredited member fails to maintain any other requirements or criteria specified by the Propertymark Board.
- 16.8 The accredited member is deemed not to be a Fit and Proper person by the Propertymark Fitness Panel as a result of any declaration made as part of the annual membership renewal process.
- 16.9 If an accredited member ceases to be an accredited member and they represent themselves as an accredited member, Propertymark may take action, including legal proceedings as deemed necessary and reserves the right to publish the facts in any local and/or national newspapers and other relevant publications.
- 16.10 An accredited member who ceases to be an accredited member for any reason shall not be entitled to a refund of any part of his membership fee.
- 16.11 An accredited member who has their membership terminated by decision of the Fitness Panel has the right of appeal to the Appeals Tribunal, however, their decision is final and binding upon the accredited member.

17. Designatory letters

- 17.1 Designatory letters are not permitted for ARLA Inventories Accredited members, however they are permitted to describe themselves as a 'ARLA Accredited Inventory Provider'. This designation can be used on email signatures etc.

18. Continuing professional development (CPD) rules

- 18.1. CPD is mandatory for all accredited members of the scheme.
- 18.2. Accredited members are required to undertake at least twelve hours' CPD activity per year. At least four of the twelve hours must be obtained by attendance at relevant educational events and up to eight hours by relevant private study (except for those studying for Propertymark Qualifications relevant to their specialism). All CPD should be relevant to the membership specialism and/or relevant to business needs.

18.3. The CPD year runs from 1 January to 31 December and the twelve hours should be submitted by 31 January of the following year, listing the learning outcomes.

18.4. CPD must be provided annually for membership to continue.

19. Membership criteria

19.1. Applicants must have a minimum of one year's experience as an Inventory Provider and be working as an Inventory Provider at time of application.

19.2. Applicants must commit to achieving a Level 3 (Level 6 in Scotland) regulated, nationally approved qualification within the first two years of accredited membership. The qualification must be approved by Propertymark for accredited membership.

19.3. Failure to achieve a relevant qualification may result in termination of membership.

20. Suspended members

20.1. If accredited membership is suspended by the Compliance Department, an accredited member will be informed of the reasons for suspension with any actions required to mitigate the suspension. Once a suspension has been lifted, if membership fees are outstanding, membership fees will be backdated to the end of the membership period in which suspension took place.