

ILCA Code of Ethics

Preamble: This Guide is directed to the attention of those individuals who, having been admitted to membership of the Institute upon filling the qualifying requirement and remitting the due fee currently payable, are permitted to designate themselves as Ordinary Members, Diplomaed, Associates or Fellows of the Institute. Such individuals are hereafter collectively referred to as 'Members'. Where Members are referred to herein in the masculine gender this shall also denote the feminine gender.

The Guide is issued by the Executive Council to assist Members to conduct themselves in a manner conforming to the aims and objects of the Institute which are in principle the maintenance of publicly recognisable standards of professional integrity, reliability and high standards of performance; and to enable Members to meet the obligations which membership of the Institute entails, being the fulfilment of their duty to those who employ or retain them, to their fellow Members as individuals, and to Society in general.

The Council recognises that in view of the breadth of the Membership, the differing areas in which Members are employed, and the variance of tasks and degrees of responsibility which they undertake, the guidance must to some extent be generalised. Consequently the Code comprises both mandatory clauses and recommendations.

Members are therefore advised that if they find themselves in doubt on the interpretation of this guide they should immediately refer to the Executive Council's Advisory Committee for advice, as failure to follow the guidance given may be considered to constitute misconduct. However such failure will require to be justified in the Council's considering complaints lodged against Members.

1. Designation. Members will use their Designatory Letters or describe themselves as Members of the Institute of Legal Cashiers and Administrators on all practicable occasions and the performance of their work as such. They may not use nor allow to be used those letters nor that description in connection with any other employment with a public or private concern unrelated to a law practice. They must not permit any other person the use of their name, qualification or designation for the purpose of carrying out any work for which they may or may not be responsible.

Individuals may not use their Designatory Letters nor continue to describe themselves as Members of the Institute of Legal Cashiers and Administrators in default of payment of their annual subscription to the Institute within three months of the due renewal date; nor from the date they are notified that they have been removed from Membership of the Institute. In either case the former Member will return his Institute Certificate or Diploma to the Institute's office without delay.

2. Contract of Employment. Members must strenuously endeavour to secure from each of their employers a written Contract of Employment which, in addition to being in conformity with current Employment legislation, also confirms on the part of employer and employee to the requirements of this Code. Their Contracts should leave them free to exercise their knowledge, judgement and skill to the utmost so that in the acceptance and/or continuance of any engagement Members will be permitted to follow the ethical code of the Institute as herein expressed and will be enabled generally to conduct themselves in a manner consistent with a high degree of professional integrity.

Members should not undertake nor continue professional work which they themselves are not competent to perform until they have obtained such advice and assistance as will enable them competently to carry out their allotted tasks.

3. Standards of Performance. Members must at all times during their employment maintain, and ensure that their subordinates also maintain, proper accounting records avoiding misrepresentation or deception and must practice a proper regard of the technical and professional standards expected of them as Members.

They must keep themselves conversant with all current relevant legislation and/or Law Society Rules as may be necessary to enable them to perform their function to the full. They must maintain complete freedom from influences or considerations which might prejudice their observance of such legislation or Rules with impartiality and objectivity in order to preserve their professional independence and integrity.

4. Breaches within own employment. Where Members have reason to believe that a significant breach of relevant legislation and/or Law Society Rules has occurred, whether accidentally or intentionally, they should immediately advise their Principles at the earliest opportunity. If this is impracticable they should seek the Institute's advice.

5. Breaches by another Member. Likewise where Members have reason to believe that a breach of ethics has been committed by another Member whether within or without their own employing concern, they should advise the Institute.

6. Criminal Offences. No Member may commit or participate directly or indirectly in any illegality or fraud of whatever degree in connection with his professional duties or in any private capacity. Any Member who is charged with a criminal offence of whatever nature may be automatically suspended from Membership of the Institute by decision of the Institute's Disciplinary Committee until notice of his/her conviction or acquittal is received by them. A Member who has been convicted of a criminal offence may be removed from membership until the final result of Appeal is advised. Applications for reinstatement to the Register of Members upon satisfaction of a sentence for a criminal act will be considered by the Executive Council sitting as the Disciplinary Committee upon individual merit.

7. Complaints against Members. Where complaints or allegations of breach of conduct are lodged against a Member, the Member concerned will be notified as soon as is practicable and invited to respond in writing or by personal attendance at a meeting of the Disciplinary Committee to consider the matter at a date not less than three weeks thereafter. The Committee's decision will be notified to the Member concerned not more than three weeks after the meeting.

8. Confidentiality. Members shall observe and maintain strict confidentiality in he professional and personal affairs to their Employers and their Clients at all times during and subsequent to their employment with those Employers unless specifically instructed by the Employers to make true disclosures in, for example, circumstances such as a change of ownership. Where Members are engaged in more than one employment, conflicts of interest can occur. Members should therefore avoid accepting any appointment or assignment where such conflict might arise but if they find themselves in such a situation they should immediately supply each party involved with a full and frank statement of their commitment to the other.

9. Disclosure of material benefits. No Member may advance himself/herself loans, secured or unsecured, nor order goods for his/her personal use through his/her Employer's account. No Member should accept, nor allow close members of his/her family to accept, cash gifts nor benefits in kind from Clients of or suppliers to his/her Employers without his/her Employer's consent.

10. Membership of other bodies. Members should not enter into membership of any body whose aims, objects or interests may be in conflict with those of the Institute.

11. Furtherance of the Institute. As a duty to their own Institute, Members are required to observe and further its aim to continue to acquire and retain the general confidence of the public and more particularly the legal profession by their attitude and performance; and to co-operate with their fellow Members and to help and encourage Students as far as is constant with the protection of their won Employer's interests and those of their Clients.

12. Furtherance of efficient standards. To preserve respect for the Institute as a body Members should strive to provide continuity of service in the legal accounting/administrative sphere, to familiarise themselves at all times with and advise their Employers of, the adequacy and efficiency of the systems they operate and how they may be improved.

ILCA Objectives...

1. To provide **an independent and professional organisation** for persons associated with the accounts, bookkeeping and administrative work in a solicitors' or a licensed conveyancers' practice. This will include: (i) Solicitors, Licensed Conveyancers or Cashiers in solicitors' or licensed conveyancers' practices (ii) Accounting systems Consultants (iii) Accountants' staff who normally carry out solicitors' accounts audits (iv) Administrators in solicitors or licensed conveyancers' practices.
2. To **promote studies**, research and exchange of ideas in the modern methods of accounting, bookkeeping, cashiering and administration in solicitors' or a licensed conveyancers' practice.
3. To foster, protect and promote the interest and status of its members; **to promote honourable practice**; to repress malpractice and to settle disputed points of practice.
4. To **encourage the improvement of accounting methods** in manual, and computer systems.
5. To **publish and/or promote** the **publication** of articles, reports, periodicals and text books on subjects of interest to its members and the legal profession.
6. To organise by itself, or by an approved organisation, seminars and conferences **to further knowledge and expertise** in the Legal Cashiering/Administration professions.
7. To **provide recognised qualifications** for its members and to maintain standards by a system of examinations and research work.
8. To **encourage young people** to take up Legal Cashiering/Administrations a profession.
9. To enter into agreement with, or organise or associate itself with any other Institute of Professional Body throughout the world who have similar aims and objects to promote benefit to its own or to the other Institute or Professional Body's members on such terms and conditions as shall be approved by its Executive Council.
10. To **provide an advisory service** to the members and to solicitors or licensed conveyancers' on accounting and administration methods and systems.
11. To **assist members moving** to different areas in the country by helping them to find employment within the profession.
12. To form, maintain and improve **a library**.