
PROFESSIONAL STANDARDS COMMITTEE

GUIDE TO INTERPRETING PROFESSIONAL STANDARDS

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A. Introduction

1. All Professional Standards are required to contain this clause:

“If a Member believes that this Professional Standard is ambiguous or wishes to seek clarification of it, then they may consult the Institute’s Professional Standards Committee for an interpretation.”
2. Accordingly, the Professional Standards Committee (“PSC”) has produced this Guide primarily to assist Members in understanding:
 - (a) how to seek guidance on interpreting a Professional Standard;
 - (b) the process the PSC undertakes to provide such guidance; and
 - (c) the powers of the PSC in providing that guidance, or in otherwise resolving the interpretation issue.

B. Power to resolve a Professional Standard’s interpretation issue

3. If there is an ambiguity in a Professional Standard, then the PSC may take any steps it thinks reasonably necessary to resolve the ambiguity. For example, it may provide guidance on an interpretation or it may refer the matter to Council.
4. However, the PSC:
 - (a) may choose to do nothing (if, for example, it believes the meaning is clear); and
 - (b) must not give private guidance.

C. Making a request for guidance

5. Any concerned party may request guidance on the interpretation of a Professional Standard. To do so, they must write to the Chair of the PSC.

D. Confidentiality of guidance request

6. The PSC may agree with a party requesting guidance to keep certain information confidential. However, the PSC may not agree to keep its guidance confidential.

E. Powers of PSC in resolving an interpretation issue

7. When the PSC is deciding whether, and if so how, to resolve the interpretation of a Professional Standard, it may do any one or more of the following:

- (a) consult with any Fellows of the Institute who have relevant experience and skills;
- (b) convene a Panel of Fellows made up of: any Members of the relevant Practice Committee; any Members who have special skills and knowledge relevant to the issue;
- (c) if a request for guidance raises legal matters, seek legal advice with the approval of the Institute's Chief Executive Officer;
- (d) refer the matter to Council if it believes doing so is necessary.

F. Amendment of a Professional Standard after guidance request

8. If the PSC has given guidance about an interpretation issue, then the PSC will, if it thinks an amendment to the Professional Standard is necessary, refer the Standard to the relevant Practice Committee for amendment in accordance with the Policy for Developing Documents to Guide and Regulate Professional Practice.

G. Where no guidance is provided

9. If the PSC does not provide guidance or do anything else to resolve an interpretation issue, then it may communicate with Members about the issue and the PSC's response to it. For example, the PSC might do this if it believes the meaning is clear and so simply wishes to confirm that view.

H. Recording guidance

10. The PSC is to arrange for its Secretary to promptly record guidance and responses about interpretation issues with the Institute.

END OF GUIDE TO INTERPRETING PROFESSIONAL STANDARDS