

Summary of Revisions of ISBA Code of Conduct and Procedures, based on responses from ISBA members and others

Code of Conduct document:

The Code of Conduct has been substantially rewritten to make the list of expectations shorter, the language more friendly and the range of influence more focused on what ISBA can reasonably cover.

The three Policies (Ethics, Equal Opportunity, Anti-Harassment) have been shortened and embedded in the Code.

Procedures document:

The Procedures document now includes the following:

- a statement that the ombudsperson will be independent of the Committee and approved by the Board;
- a statement that conflicts of interest in the Committee will be handled on a case by case basis by the Chair of the Committee and the ISBA President;
- more detail on the process of investigation;
- a stronger statement about protection of rights of all those involved in a case;
- a statement that contact and correspondence about a case will be via the member contact details on the ISBA database;
- increased emphasis on the promotion of healing among parties;
- clarification of the statement about information escrow to clarify that the aim is to allow identification of a pattern of behavior by the same person;
- rewording of the statement about the limit of ISBA's responsibility, to remove the implication that ISBA could dodge an important issue by not seeking core information;
- revised wording to remove the perception that the Committee and Board could circumvent due process by not taking the Conduct Review Summary into due consideration;
- requirement of a 2/3 majority vote by the Committee to ensure a more stringent decision-making process;
- a responsible practice statement, acknowledging that investigations are necessarily limited by financial and other resources;
- a section to allow for a process of appeal;
- a section about retention of information about past cases, to the effect that this will be held by the Attorney and not by ISBA directly;
- a section regarding regular revision of the documents by the Committee, on approval by the Board.

Frequently Asked Questions (FAQ) document:

The FAQ document has been changed as follows:

- changed the questions and answers to the first few questions of the FAQ to clarify the definition of an ISBA and the jurisdiction of ISBA with respect to reporting, review and action;

Other suggestions:

The following suggestions will be considered by the Professional Conduct Committee in 2019:

- Institute a regular 'climate survey' for ISBA members to evaluate the cultural health of the Society and seek opportunities for improvement;
- Develop a detailed 'code of good practice' for the organisation of conferences and meetings to put our Code of Conduct and commitment to equal opportunity into action.
- Consider avenues for closer collaboration with other Societies regarding professional conduct.
- Consider the use of online reporting tool such as Callisto, which allows people to file complaints securely and confidentially.