



# GSSA Professional Code of Ethics



**#cherish**  
**#promote**  
**#prosper**

## 1. Introduction

Competence, integrity, accountability and high ethical standards, judged peer-to-peer are the hallmarks of what it means to be part of a professional community (Allington R. A., 2016). This month's article focusses on the Geoethics Statements, Codes of Ethics, Codes of Conduct, Codes of Practice that are central to the concept of Professionalism in the Geosciences.

The field of **Geoethics** consists of research and reflection on the values which underpin appropriate behaviours and practices, wherever human activities interact with the Earth system (<http://www.geoethics.org>). Geoethics deals with the ethical, social and cultural implications of geoscience education, research and practice, and with the social role and responsibility of geoscientists in conducting their activities. Geoethics has its roots in the global academic community, with key concepts as freedom of choice, fairness and responsibility, obligation and consciousness, contribution, integrity and humanity as the basis for addressing geological situations, problems and dilemmas (Bobrowsky, Cronin, Di Capua, Kieffer, & Peppoloni, 2017) (Nikitina, 2016).

**Codes of ethics**, typically, govern decision-making, and codes of conduct, govern actions, represent two common ways that companies and other organisations self-regulate (<https://www.whistleblowersecurity.com/code-of-ethics-and-code-of-conduct-whats-the-difference/>). Typically, good Codes of Ethics include several common clauses that will be found in many other codes of ethics regardless of country or culture of origin. For example, they will all include a clause referring to the fundamental need to protect the public from harm by the practitioner, or a clause requiring that the professional may only practice in the field for which he / she is qualified and experienced in. There is always a clause requiring the practitioner to adhere to the law, both international and local.

**Codes of Conduct** may be employed to expand on the actual behaviours that the code of ethics may define. The details of a code of conduct are generally more specific to standards of norms and behaviours in respect of activities peculiar to the organisation. Both types of Codes are used to encourage (or discourage) specific forms of behaviour; the Code of Ethics are typically more generalised and non-specific, whereas the Code of Conduct characteristically provide a clear set of expectations regarding required, acceptable or prohibited actions or behavioural norms. However, there is no international standardisation of definition of codes of ethics or conduct and many organisations use the terms interchangeably.

**A Code of Practice**, by contrast, is a set of written rules which explains how people working in a particular profession should behave (<https://www.collinsdictionary.com/dictionary/english/code-of-practice>). The purpose of codes of practice is, generally, to ensure compliance with an agreed upon set of objectives that a specific set of interested and affected parties (<https://lawpath.com.au/blog/what-is-an-industry-code-of-practice>). These objectives usually concern the promotion of best industry practice, improving safety standards and enhancing consumer confidence. The Code of Practice most applicable to GSSA members is the SAMCODES, which set out the minimum standards, recommendations and guidelines for the Public Reporting of mineral related issues in South Africa.

International organisations that promote geoethics as well as professional ethics abound. Probably the most well-known are:

### **1.1. International Union of Geological Services (IUGS) Task Group on Global Geoscience Professionalism (TG-GGP) (<https://tg-ggp.org/>)**

See last quarter's article for a more detailed discussion on the TG-GGP.

### **1.2. International Association for Promoting Geoethics (<http://www.geoethics.org/>)**

The International Association for Promoting Geoethics (IAPG) is a multidisciplinary, scientific platform for widening the discussion and creating awareness about problems of Ethics applied to the Geosciences. IAPG promotes geoethics through the international collaboration with Associations and Institutions. During the 2016 35<sup>th</sup> IGC, the concepts, values and views on individual responsibilities of geoscientists, were reflected in the creation of the "Cape Town Statement on Geoethics". The statement aims to capture the attention of geoscientists and organisations, and to stimulate them to improve their shared policies, guidelines, strategies and tools to ensure they consciously embrace (geo)ethical professional conduct in their work.

The IAPG Executive Council also approved a *White Paper on Responsible Mining* on 1 December 2017. This document intends to provide essential reference elements for framing this important topic (responsible mining) from an ethical perspective and to draw geoscientists', companies', policy makers' and society's attention to the ideas and approaches that the actors involved in mining have developed and use.

### **1.3. International Association for Geoethics (IAGETH) (<http://www.icog.es/iageth/>)**

IAGETH has as its stated objectives:

- To improve both the quality of professional work and the credibility of geoscientists,
- To foster excellence in geosciences,
- To assure sustainable benefits for communities, as well as to protect local and global environments;
- All with the aim of creating and maintaining the conditions for the healthy and prosperous development of future generations.

IAGETH has 49 National Chapters globally (including South Africa) that make it possible to emphasize in each country the more appropriate and needed fields of activities.

## **2. The GSSA Code of Ethics**

Adherence to a Code of Ethics/Conduct or Practice is typically associated with those members who are operating in the applied or "industry" sector of the geosciences. However, it is reasonable to expect that such codes should also be applicable for all geoscientists, irrespective of their field of expertise (Allington & Fernandez, 2015). So, if we accept the premise that all who work in the geosciences are professionals, then the GSSA Code of Ethics applies equally to all of its members in industry, academia, research and even regulatory administration.

The GSSA Code of Ethics (Annexure 2 of the GSSA Constitution) comprises of a Preamble and NINE clauses, each of which is followed by a set of principles that define acceptable or non-acceptable behaviour. *The GSSA Code of Ethics is binding upon all members of the GSSA and that membership with the GSSA implies that the member agrees to abide by them and be subject to them and the associated Complaints and Disciplinary processes described (Annexure 3 to the GSSA Constitution).*

## 2.1. PREAMBLE

THE PURPOSE OF THE CODE OF ETHICS IS TO COMMIT MEMBERS TO UPHOLD AND ENHANCE THE HONESTY, HONOUR, INTEGRITY AND DIGNITY OF THEIR PROFESSIONS, SUCH THAT THE MEMBERS AND THEIR PROFESSIONS MERIT THE HIGHEST ESTEEM BY THE COMMUNITY. ALLEGED BEHAVIOURS, WHICH COULD BE DEEMED A BREACH OF THE CODE OF ETHICS, INCLUDE:

- a. Any breach of the specific clauses of the code of ethics. Breaches without dishonesty, intent, repetition or reckless incompetence should be deemed as “non-compliance” which could result in personal counselling and/or admonition, but not suspension. More serious breaches (with the aforementioned characteristics) should be deemed as ‘unethical behaviour’ and could give rise to suspension, expulsion, and/or publication
- b. Any breach of any rule or code of the Society, or relevant to the profession that is characterised by dishonesty, intent, or reckless incompetence (further, any repeated code violations would be taken as a *prima facie* case of “unethical behaviour”).
- c. Gross professional incompetence, misconduct or unethical behaviour
- d. Professional defamation.
- e. Criminal conduct.

Provisions contained within the code of ethics are not designed to restrict competitive behaviour in any way. The Society is committed to promoting vigorous competition within the industry.

For an “unethical behaviour” to occur, the alleged behaviour must be sufficient in nature to “bring the members and their profession’ into disrepute with the community. Behaviours that could potentially merit such an outcome include:

- Any breach of the specific clauses of the code of ethics;
- Dishonesty and misrepresentation;
- Professional incompetence;
- Defamation; and
- Criminal conduct.

## 2.2. CLAUSE 1:

IN CONDUCTING THEIR PROFESSIONAL ACTIVITIES, THE RESPONSIBILITY OF MEMBERS FOR THE WELFARE, HEALTH AND SAFETY OF THE COMMUNITY SHALL AT ALL TIMES COME BEFORE THEIR RESPONSIBILITY TO THE PROFESSION, TO SECTIONAL OR PRIVATE INTERESTS, THEIR CLIENTS OR EMPLOYERS, OR TO OTHER MEMBERS.

The principle here is that the interests of the community have priority over the interests of others. It follows that members:

- a. Shall avoid assignments that may create a conflict between the interests of their client or employer and the public interest.
- b. Shall work in conformity with acceptable technological standards and not in such a manner as to jeopardise the public welfare, health or safety.
- c. Shall endeavour at all times to maintain technological services essential to public welfare.
- d. Shall in the course of their professional life endeavour to promote the well-being of the community. If their judgement is over-ruled in this matter, they should inform their client or employer of the possible consequences (and, if appropriate, notify the proper authority of the situation)
- e. Shall, if they consider that by so doing, they can constructively advance the well-being of the community, contribute to public discussion on scientific and technological matters in their area of competence.

### **2.3. CLAUSE 2:**

MEMBERS SHALL AT ALL TIMES ACT SO AS TO UPHOLD AND ENHANCE THE HONESTY, HONOUR, INTEGRITY AND DIGNITY OF THE PROFESSION.

The principle here is that the profession should endeavour by its actions to merit the highest esteem of the community. It follows that a member:

- a. Shall not be involved with any business or professional practice that is known to be of a fraudulent or dishonest nature.
- b. Shall not use association with other persons, corporations or partnerships to conceal unethical acts and relationships.
- c. Shall not knowingly continue in partnership with, nor act in professional matters with any person who has been removed from membership of The Society because of unprofessional conduct.
- d. Shall, whenever called upon to give professional advice, provide an opinion that is objective and reliable, to the best of his/her knowledge and ability. If, having given professional advice a member becomes aware that it will not be followed, he/she shall take all reasonable steps to ensure that the person(s) neglecting his/her advise is (are) aware of any danger or other serious consequence which may result.

### **2.4. CLAUSE 3:**

MEMBERS SHALL NOT TAKE ON THE FUNCTIONS OF AN EXPERT IN FIELDS OTHER THAN THEIR OWN OR ACCEPT PROFESSIONAL OBLIGATIONS THAT THEY ARE NOT COMPETENT TO DISCHARGE.

To this end the society has determined that members:

- a. Shall inform their employer or client and make appropriate recommendations on obtaining further advice, if an assignment requires qualifications and experience outside of their field of competence.
- b. In the provision of professional services members shall not describe themselves, nor permit themselves to be described, nor act as a consultant or contractor unless they are a member or fellow of the Society, registered with SACNASP, occupy a position of professional independence, are prepared to design and supervise works or act as an unbiased and independent adviser, and conduct their practice in strict compliance with the conditions approved by the Council of The Society
- c. Shall not give a professional opinion, make a report, or give legal testimony, without being as thoroughly informed as might be reasonably expected, considering the purpose for which the opinion, report or testimony is required; and the degree of completeness of information upon which it is based should be made clear.

### **2.5. CLAUSE 4:**

MEMBERS SHALL BUILD THEIR PROFESSIONAL REPUTATION ON MERIT AND SHALL NOT COMPETE UNFAIRLY.

The principle here is that members shall not act improperly in a professional sense to gain a benefit. It follows that a member:

- a. Shall only approach prospective clients or employers with due regard to their professional integrity and to this Code of Ethics.
- b. Shall promote the principle of engagement upon the basis of merit. They shall uphold the principle of adequate and appropriate remuneration for professional staff and shall give due consideration to terms of employment which have the approval of the profession's appropriate association.
- c. Shall not attempt to supplant another, employed or consulting, who has been appointed.
- d. In the practice of consulting, shall not undertake professional work on a basis that involves an undisclosed speculative fee or remuneration that is conditional on implementation of the work unless fully disclosed.

- e. Shall neither falsify nor misrepresent their own or their associate's qualifications, experience and prior responsibility.
- f. Shall neither maliciously nor carelessly do anything to injure, directly or indirectly, the reputation, prospects or business of others.
- g. Shall not use the advantages of a privileged position to compete unfairly with others.
- h. Shall exercise due restraint in explaining their own work and shall refrain from unfair unjustified criticism of the work of another.
- i. Shall give proper credit for professional work to those to whom credit is due and acknowledge the contribution of subordinates and others.
- j. Shall refrain from plagiarism in both oral and written communications and not knowingly accept credit rightfully due to another and will not submit the same professional paper for publication in more than one peer review journal.
- k. May properly use circumspect advertising (which includes direct approaches to prospective clients by any means) to announce their practice and availability. The medium or other form of communication used, and the content of the announcement shall be dignified, becoming to a professional person and free from any matter that could bring disrepute on the profession. Information given must be truthful, factual and free from ostentatious or laudatory expressions or implications.

## **2.6. CLAUSE 5**

MEMBERS SHALL APPLY THEIR SKILL AND KNOWLEDGE IN THE INTERESTS OF THEIR EMPLOYER OR CLIENT FOR WHOM THEY SHALL ACT, IN PROFESSIONAL MATTERS, AS FAITHFUL AGENTS OR TRUSTEES.

It follows that a member:

- a. Shall at all times avoid all known or potential conflicts of interest. He should keep his employer or client fully informed on all matters, including financial interests, which could lead to such a conflict. In no circumstances should he participate in any decision that could involve him in conflict of interest.
- b. Shall, when acting as administrator of a contract, be impartial as between the parties in the interpretation of the contract. This requirement of impartiality shall not diminish his duty to apply his skill and knowledge in the interests of the employer or client.
- c. Shall not accept compensation, financial or otherwise, from more than one party for services on the same project, unless the circumstances are fully disclosed to, and agreed to by all interested parties.
- d. Shall neither solicit nor accept financial or other valuable considerations, from material or equipment suppliers for specifying their products unless fully disclosed.
- e. Shall neither solicit nor accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their client or employer in connection with work for which they are responsible;
- f. Shall advise their client or employer when as a result of their studies they believe that a project will not be viable;
- g. Shall neither disclose nor use confidential information gained in the course of their employment without express permission.
- h. Shall not, without a satisfactory reason, destroy calculations or documentary or other evidence required for verification of his/her work.

## **2.7. CLAUSE 6:**

MEMBERS SHALL GIVE EVIDENCE, EXPRESS OPINIONS OR MAKE STATEMENTS IN AN OBJECTIVE AND TRUTHFUL MANNER AND ON THE BASIS OF ADEQUATE KNOWLEDGE.

It follows that:

- a. Member's professional reports, statements or testimony before any tribunal shall be objective and accurate. They shall express an opinion only on the basis of adequate knowledge and technical

competence in the area, but this shall not preclude a considered speculation based intuitively on experience and wide relevant knowledge.

- b. Members shall reveal the existence of any interest, pecuniary or otherwise, that could be taken to affect their judgement in a technical matter about which they are making a statement or giving evidence.

## **2.8. CLAUSE 7:**

MEMBERS SHALL CONTINUE THEIR PROFESSIONAL DEVELOPMENT THROUGHOUT THEIR CAREERS AND SHALL ACTIVELY ASSIST AND ENCOURAGE THOSE UNDER THEIR DIRECTION TO ADVANCE THEIR KNOWLEDGE AND EXPERIENCE.

The principle here is that members shall strive to widen their knowledge and improve their skill in order to achieve a continuing improvement of the profession. It follows therefore that members:

- a. Shall maintain personal competence by keeping abreast with developments in his/her field or speciality, by doing all or some of the following: - research, further studies, reading, attending conferences, courses and lectures etc.
- b. Shall encourage their professional employees and subordinates to further their education.
- c. Shall take a positive interest in, and encourage their fellows to actively support, the Society and other professional organisations that further the general interests of the profession.

## **2.9. CLAUSE 8:**

WHERE MEMBERS ARE INVOLVED IN PREPARING PUBLIC REPORTS, OR PORTIONS THEREOF, FOR MINING AND EXPLORATION COMPANIES THE MEMBER SHALL COMPLY WITH ALL LAWS AND GOVERNMENT REGULATIONS RELATING TO THE MINERAL INDUSTRIES, AND WITH THE RULES, REGULATIONS AND PRACTICES AS ESTABLISHED AND PROMULGATED BY THE STOCK EXCHANGES WITH RESPECT TO THE OFFICIAL LISTING REQUIREMENTS FOR MINING AND/OR OTHER COMPANIES, WITHIN THE COUNTRY IN WHICH ONE IS WORKING.

It follows that members:

- a. Shall inform themselves of the laws and regulations relating to the mineral industries in South Africa and in other countries where they may be engaged as an employee or consultant.
- b. Shall observe the requirements of stock exchanges in respect to reports on mineral exploration and assessment issued by listed companies. In the particular case of the Johannesburg Stock Exchange they shall meet the requirement of a "Competent Person".

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## **2.10. CLAUSE 9:**

MEMBERS SHALL COMPLY WITH ALL RELEVANT LAWS AND REGULATIONS OF ANY COUNTRY IN THAT THEY WORK, INCLUDING LAWS, REGULATIONS, POLICIES AND PRACTICES REGARDING INTELLECTUAL PROPERTY.

It follows that members:

- a. Shall inform themselves of the relevant laws, conventions and regulations in South Africa and in other countries where they may be engaged as an employee or consultant.
- b. Shall observe the relevant laws, conventions and regulations relating to Intellectual Property with respect to commercial, consulting and academic intellectual property. For example, ownership of a report prepared for a company normally would remain with the company and not the author.

### 3. Enforcement of the Code of Ethics

Without a robust and enforceable Complaints and Disciplinary process, any Code of Ethics or Conduct or Geoethics Statement remains purely aspirational. *“It is a well-established feature of the human condition that too many of our species will act corruptly if they think they can get away with it”* (Paul Hoffman, Sunday Times, 14 Jan 2018). The next article in this series will examine the Complaints and Disciplinary process that is binding upon the GSSA membership in the application of the Code of Ethics.

### 4. References

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