

# The appointment of a structural engineer

## A guidance note for clients

### 1 Introduction

This guidance note is for clients considering appointing a structural engineer. The objective of the note is to promote a clear understanding between the parties.

Chartered and Incorporated structural engineers are members of the Institution of Structural Engineers and details of the Institution and professional conduct of its members are given overleaf.

### 2 Definitions

- 2.1 The services are the duties to be performed by the engineer. These may include consultancy advice, investigations, reporting, analysis, drawing production and appraisal of works during construction. A full design service includes all the duties normally required on a project from inception to completion of construction: a limited service excludes some of these duties.
- 2.2 The works comprise the structure, or part of the structure, on which the engineer undertakes the services. The works can range from a single beam for a house extension, to the structure for a complete regional development, such as an airport.
- 2.3 The appointment is the contractual arrangement by which the client instructs the engineer to undertake the services on the works.

### 3 Responsibility of the engineer

- 3.1 To define the extent of the services and scope of the works for the consideration of the client in a written fee proposal. To advise the client of any potential shortcomings with a limited service appointment.
- 3.2 To state clearly how fees are to be calculated and expenses and VAT are to be dealt with, including frequency and timing of payments.
- 3.3 To advise the client on the appointment of other professionals.
- 3.4 To execute the services provided for the client with reasonable skill and care.
- 3.5 To maintain the confidentiality of the client and impartiality in the advice provided.
- 3.6 To respond to the client's reasonable requests for information and updates on the progress of the project.

### 4 Responsibility of client appointing the engineer

- 4.1 To agree the extent of the services and scope of the works to be provided by the engineer together with the level of fee and its method of payment. This should be agreed in writing, even if the engineer has commenced the services.
- 4.2 To assist the engineer in obtaining such information as is available and to provide access for inspections.
- 4.3 To fulfil the conditions of the appointment, with timely payments of the agreed fees and expenses.
- 4.4 To ensure that the moral right of the engineer to be regarded as an author of the works recognised in accordance with the terms of the *Copyright Act 1988*.

The Institution of Structural Engineers is a professional body with over 24 000 members. In accordance with its Royal Charter, the Institution's main purpose is to promote the general advancement of the science and art of structural engineering. As well as being an international learned society, it is also a qualifying body with high entry standards. Corporate members of the Institution are designated as MIStructE (Members) or FIStructE (Fellows). Incorporated structural engineers are elected Associate-Members, with the designatory letters IEng AMIStructE.

The Institution is not a trade association and firms and companies are not members.

## Professional conduct

The Institution's Bye-Laws are approved by the Privy Council. The Code of Conduct requires:

- All corporate members shall at all times so order their conduct as to uphold the dignity and reputation of the profession and to safeguard the public interest in matters of safety and health and otherwise. They shall exercise professional skill and judgment to the best of their ability and discharge their professional responsibilities with integrity.
- All members of any class shall at all times so order their conduct as to uphold the dignity and reputation of the Institution and to act with fairness and integrity towards all persons with whom their work is connected and towards other members.
- All non-corporate members shall at all times exercise their skill and judgment and discharge their structural engineering responsibilities to the best of their ability.

The Council of the Institution has issued the following Rules of Conduct, which apply to all members:

1. Members of the Institution in their responsibility to the profession shall have full regard to the public interest.
2. Members of the Institution shall order their conduct so as to uphold the dignity, standing and reputation of the profession.
3. Members of the Institution shall discharge their duties with integrity.
4. Members of the Institution shall not maliciously or recklessly injure or attempt to injure, whether directly or indirectly, the professional reputation of another engineer.
5. Members of the Institution responsible for the control of a consulting practice shall ensure that its documentation properly describes its structure and organisation, for example as a sole practitioner, partnership, or private or public limited company.
6. Members of the Institution shall have a duty to update and broaden their professional knowledge and skills on a continuing basis.

These Rules have been amplified by Guidance Notes which are issued regularly to all members.

The Institution will send you a copy on request.

**‘Working together to promote world-class standards of safety, efficiency and excellence in structural engineering’**