



STATEMENT OF ETHICS AND PROFESSIONAL CODE OF CONDUCT

PREAMBLE

The Uganda Marketers Society commits itself to promoting the highest standard of professional ethical norms and values for its members (practitioners, academics and students). Norms are established standards of conduct that are expected and maintained by society and/or professional organizations. Values represent the collective conception of what communities find desirable, important and morally proper. Values also serve as the criteria for evaluating our own personal actions and the actions of others. As marketers, we recognize that we not only serve our organizations but also act as stewards of society in creating, facilitating and executing the transactions that are part of the greater economy. In this role, marketers are expected to embrace the highest professional ethical norms and the ethical values implied by our responsibility toward multiple stakeholders (e.g., customers, employees, investors, peers, channel members, regulators and the host community).

1.0 ETHICAL VALUES

1.1 Honesty – to be forthright in dealings with customers and stakeholders.

TO THIS END, WE WILL:

- 1.1.1 Strive to be truthful in all situations and at all times.
- 1.1.2 Offer products of value that do what we claim in our communications.
- 1.1.3 Stand behind our products if they fail to deliver their claimed benefits.
- 1.1.4 Honor our explicit and implicit commitments and promises.
- 1.2 Responsibility – to accept the consequences of our marketing decisions and strategies.

TO THIS END, WE WILL:

- 1.2.1 Strive to serve the needs of customers.
- 1.2.2 Avoid using coercion with all stakeholders.
- 1.2.3 Acknowledge the social obligations to stakeholders that come with increased marketing and economic power.
- 1.2.4 Recognize our special commitments to vulnerable market segments such as children, seniors, the economically impoverished, market illiterates and others who may be substantially disadvantaged.
- 1.2.5 Consider environmental stewardship in our decision-making.
- 1.3 Fairness – to balance justly the needs of the buyer with the interests of the seller. To this end, we will:
 - 1.3.1 Represent products in a clear way in selling, advertising and other forms of communication; this includes the avoidance of false, misleading and deceptive promotion.
 - 1.3.2 Reject manipulations and sales tactics that harm customer trust.
 - 1.3.3 Refuse to engage in price fixing, predatory pricing, and price gouging or “bait-and-switch” tactics.
 - 1.3.4 Avoid knowing participation in conflicts of interest.
 - 1.3.5 Seek to protect the private information of customers, employees, employers and partners.

- 1.4 Respect – to acknowledge the basic human dignity of all stakeholders. To this end, we will:
 - 1.4.1 Value individual differences and avoid stereotyping customers or depicting demographic groups (e.g., gender, race, sexual orientation) in a negative or dehumanizing way.
 - 1.4.2 Listen to the needs of customers and make all reasonable efforts to monitor and improve their satisfaction on an ongoing basis.
 - 1.4.3 Make every effort to understand and respectfully treat buyers, suppliers, intermediaries and distributors from all cultures.
 - 1.4.4 Acknowledge the contributions of others, such as consultants, employees and coworkers, to marketing endeavors.
 - 1.4.5 Treat everyone, including our competitors, as we would wish to be treated.
- 1.5 Transparency – to create a spirit of openness in marketing operations.

TO THIS END, WE WILL:

- 1.5.1 Strive to communicate clearly with all constituencies.
 - 1.5.2 Accept constructive criticism from customers and other stakeholders.
 - 1.5.3 Explain and take appropriate action regarding significant product or service risks, component substitutions or other foreseeable eventualities that could affect customers or their perception of the purchase decision.
- 1.6 Citizenship – to fulfill the economic, legal, philanthropic and societal responsibilities that serve stakeholders.

TO THIS END, WE WILL:

- 1.6.1 Strive to protect the ecological environment in the execution of marketing campaigns.
- 1.6.2 Give back to the community through volunteerism and charitable donations.
- 1.6.3 Contribute to the overall betterment of marketing and its reputation.
- 1.6.4 Urge supply chain members to ensure that trade is fair for all participants, including producers in developing countries.

- 1.7 Ethical Norms

As Marketers, we must:

- 1.7.1 Do no harm. This means consciously avoiding harmful actions or omissions by embodying high ethical standards and adhering to all applicable laws and regulations in the choices we make.

- 1.7.2 Foster trust in the marketing profession. This means striving for good faith and fair dealing so as to contribute toward the efficacy of the exchange process as well as avoiding deception in product design, pricing, communication, and delivery of distribution.
- 1.7.3 Embrace ethical values. This means building relationships and enhancing consumer confidence in the integrity of marketing by affirming these core values: honesty, responsibility, fairness, respect, transparency and citizenship.

1.8 IMPLEMENTATION

We expect UMS members to be courageous and proactive in leading and/or aiding their organizations in the fulfillment of the explicit and implicit promises made to those stakeholders. We recognize that every industry sector and marketing sub-discipline (e.g., marketing research, e-commerce, Internet selling, direct marketing, and advertising) has its own specific ethical issues that require policies and commentary. An array of such codes can be accessed through links on the UMS Web site. Consistent with the principle of subsidiarity (solving issues at the level where the expertise resides), we encourage all such groups to develop and/or refine their industry and discipline-specific codes of ethics to supplement these guiding ethical norms and values.

2.0 Code of Professional Standards

2.1 A member shall at all times conduct himself with integrity in such a way as to bring credit to the profession of marketing and Uganda Marketers Society.

This standard reflects the call upon the society to maintain for the benefit of the public high standards of professional skill, ability and integrity amongst marketers. Public confidence is crucial. Obviously anything done without integrity, or which is discreditable, affects the public's perception of marketers when dealing with the next marketer they encounter. As is well known, a marketer's field of work cannot be closely overseen by those who engage their services, neither can they easily perceive whether work has been done unnecessarily, wastefully, or unprofessionally. Examples of gross lack of integrity can be imagined from those features. If a marketer is convicted of a serious criminal offence, arising out of his private or working life, bringing discredit on the profession or the society e.g. a conviction for fraud or blackmail, then this would be a breach of this standard. In cases of complaint where there is no complaint then the ethics & profession standards committee itself will decide whether the complaint is proved. As in all complaints of misconduct the onus of proof is on the complainant and the standard of proof will be commensurate with the gravity of the offence.

In cases which allege criminal conduct, the standard of proof will be the criminal standard. The scope of this standard covers all behaviour which the public knows of, or is likely to find out about, which unjustifiably brings the profession or the Institute into public disrespect. As in all standards and in this one in particular, a good test which a member can apply to himself is to ask whether there was an informed member of the public who would consider his conduct to be lacking in credit, unprofessional, and likely to bring the society into disrepute.

2.2 A member shall not by any unfair or unprofessional practice injure the business, reputation or interest of any other member of the Society.

This standard does nothing to discourage legitimate competition between members. But it is not to be by unfair or unprofessional practice. Such features cause members to distrust each other; it allows the unfair member to gain advantage by unscrupulous means rather than merit; and it does not serve the public who can be deceived by unfair practices into not choosing the most appropriate person for them to employ.

2.3 Members shall, at all times, act honestly in their professional dealings with customers and clients (actual and potential), employers and employees.

This standard sets members a minimum standard of behavior commonly accepted in our society today. This standard is also related to 2.1. A conviction of a member for serious dishonesty, particularly in the course of his work as a marketer, is very likely to lead to expulsion from the Society. This standard not only includes requirements of honesty towards employees but also towards suppliers and clients. This very important standard covers potential clients, for example those who are being given proposals, quotations and descriptions about the expertise of the member or his employees.

2.4 A member shall not, knowingly or recklessly, disseminate any false or misleading information, either on his own behalf or on behalf of anyone else.

To 'knowingly disseminate' such information means to know that you are doing it, or causing it to happen when somebody else is doing it on your behalf. To "recklessly Disseminate" such information means either that you have not checked the information properly when you know that it is false or misleading, or alternatively you disseminate it not caring whether it is false or misleading. The standard covers a wide span of activity. It deals with a member's own information about himself and his services. As such it relates to 2.8. It particularly relates to how he "sells" himself. For example, to claim to a client that he has expertise in a particular speciality when he does not, could amount to a breach of this standard. The standard also is concerned with the way he imparts information on behalf of a client or customer. He should not knowingly make himself a mouthpiece of information which is false or misleading. Current advertising standards should be borne in mind, especially as marketing communications are a central plank of member's activities. The tenet "Legal, Decent, Honest and Truthful" applies.

2.5 A member shall keep abreast of current marketing practice and act competently and diligently and be encouraged to register for the Society's professional schemes for Continuing Professional Development.

When members hold themselves out as marketers and members of the society they are in fact holding themselves out as being up to date practitioners (unless they expressly state that they are not). And so it is essential that members should keep themselves up to date. This standard also relates to standard 2.1. It is obvious that a member enhances his profile when he offers himself as a member of the society, but the right to do that carries the corresponding duty to act with the competence and knowledge that membership of the Institute implies. A member who is neglecting to keep themselves up to date is being careless with the society's reputation.

2.6 A member shall, at all times, seek to avoid conflicts of interest and shall make prior voluntary and full disclosure to all parties concerned of all matters that may arise to any such conflict. Where a conflict arises a member must withdraw prior to the work commencing.

This standard may be thought to be tough but it is necessary and relates back to the standard 2.1 and 2.3. Clearly conflicts of interest colour judgement and in most cases may influence members to compromise themselves. Even if the member did not compromise himself, those who find out later about the conflict are likely to perceive that they did themselves.

2.7 A member shall keep business information confidential except: from those persons entitled to receive it, where it breaches this code and where it is illegal to do so. Such information belongs to the client. Clearly all business information that comes into the possession of members in their professional dealings must be treated confidentially and should only be disclosed in the ways that are permitted by its owner. To employ it as if it is one's own particularly for profit or in a way injurious to the client would be serious breaches of the standard. This standard is a central plank in the ethical dealings of members, and is the hallmark of a professional. It is all to do with trust. A client must be able to trust a member of the society when making disclosures to him in the course of business.

2.8 A member shall promote and seek business in a professional and ethical manner. This standard although short has very wide implications. It relates to how a member seeks and goes about business; and to the use of undue influence, bribes and inducements, which, subject to circumstances, are almost invariably an unprofessional practice. This standard is also related to 2.2 which concerns itself with unfair or unprofessional practices injuring competitors.

2.9 A member shall observe the requirements of all other codes of practice which may from time to time have any relevance to the practice of marketing in so far as such requirements do not conflict with any provisions of this code,

It is recognised that the vast majority of professional codes of conduct are very similar, and that where a member is working in an environment with a multi-disciplinary team they should understand the standards which other members of the team are working to. If for example a member is working in the area of medical records, it would be a breach of this standard to have no regard at all for the confidentiality of those medical records.

2.10 Members shall not hold themselves out as having the society's endorsement in connection with an activity unless the society's prior written approval has been obtained first.

Members cannot use the society's logo in such a way in their literature as to convey the impression that the society is endorsing their company, or products or services thereby suggesting that they were working in some way for the society or on its behalf. A similar impression can be created that in some way the society is regulating, or worse still responsible for, that member's activities. This is a wholly wrong practice and is strictly prohibited unless the member has prior written approval from the society to do so, and only then in the prescribed manner. The general public must know with whom they are dealing. This standard is related to 2.2, 2.4 and 2.8. Apart from exposing the society any member who does this without permission is gaining an unfair advantage by clothing his activities with the respectability that the society's "stamp of approval" would give to his projects.

2.11 A member shall have due regard for, and comply with, all the relevant laws of the country in which they are operating.

This particular standard is self-explanatory and has particular relevance to local and international dealings. It is the member's personal responsibility to ascertain what national jurisdiction governs his contract for services, and to make it his business to know the relevant laws in the country in which he is operating. All countries do not have the same laws, and particular care in this respect needs to be taken in financial dealings. This standard is also related with

2.1.

2.12 A member who knowingly causes or permits any other person or organization to be in substantial breach of this code or who is a party to such a breach shall himself be guilty of such breach.

In short a member who knowingly causes or permits another person to be in substantial breach of the code shall be deemed himself to be guilty of such breach. A word of explanation about what "knowingly causes or permits" means maybe helpful here. This standard is aimed at the member who gets somebody else to act in an unprofessional and unethical manner on his behalf, knowing that the work would involve a breach of the code. It would be a technical Disciplinary offence for a member "to permit" another person to act in breach of the code where he can only seek to persuade him not to but he lacks the power to prevent him. On the other hand it would be far from a technical offence if that breach of the code is designed by the member to lead to substantial profit for that member, or serious injury to a competitor

In many cases there are others who work for a member who are not themselves members of the society. It is not a permissible practice to get those who work for you to undertake activities which are not permissible under the code. It is very important for members to maintain ethical quality standards and provide sufficient peer group. Pressure so that others adopt the same standards.