



MILAN  
CHAMBER OF  
COMMERCE



*Federlingue Code of Conduct*

TRANSLATION, INTERPRETING  
AND LANGUAGE TEACHING  
COMPANIES

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## FOREWORD

The market in which companies and consumers operate changes rapidly, and the Chamber of Commerce, in its role as a forum promoting communication between businesses and consumers, is called upon to interpret this developing scenario. The situation is such that producers, service providers and their clients all need to rely on a body of simple, precise and flexible **rules**, as well as an effective system of **controls**, which can prevent possible distortions and illicit practices, so as to protect the interests of everyone involved. These are necessary conditions for the harmonious development of an efficient and competitive market.

### The Chamber of Commerce's market regulatory functions

The Chamber of Commerce carries out some activities critical to the oversight and transparency of the market at the local level, which can be subdivided in three functions: Information and Prevention; Vigilance; Dispute resolution. Specifically, with reference to Regulation, it is self-evident that the existence of clear and fair rules and conducting business in an equitable manner are necessary conditions for the efficient operation of a market and permit the development of the companies operating within it. For this reason, the Chamber, in collaboration with trade associations and consumer groups, organizes events and offers services designed to create conditions of contractual balance, particularly between companies and consumers, but also in business to business relations. In addition, it oversees the drawing up and diffusion of standard contracts and promotes the adoption of Codes of Conduct and Charters of Services. The **distinctive role of the Chamber of Commerce** with respect to the abovementioned activities is not only to safeguard **consumer rights**, but also to support **businesses** to operate on the market according to the rules and help them guarantee greater transparency and apply the regulations in force.

### Code of Conduct

In the context of the above functions, in 2016 the Chamber of Commerce, **at the request of Federlingue**, decided to revise the Code of Conduct that Federlingue, the most prominent association in the field of language teaching, language services and translations was already making use of internally.

The Code sends a signal of quality to the market, with the aim of raising the standard of language services offered to all kinds of consumers by member companies. It was drawn up by a Team consisting of the executive board and legal services of Federlingue in collaboration with executives from the Market

Harmonization Department of our Chamber of Commerce.

It contains not only the provisions that form the basis of the association and its activities, but also those defining the roles of language teachers, translators and providers of ancillary services. In this way, the interests of the consumers are protected, and thanks to the Code, they can identify business practices to support or reject.

Operating in this way means laying the foundations for success: in fact, companies that invest in self-regulatory principles enjoy greater credibility, and their services can offer that extra something that sets them apart from their competitors.

As a matter of fact, we can safely say that self-regulation entails:

1. lower transaction costs;
2. more effective interaction;
3. greater transparency and legality;
4. fewer disputes.

In our view, this is the best way to face the challenges posed by a society that absolutely demands linguistic competences. Experience accrued in the specific area of drawing up codes has made it clear that it is not only the company, as a single business entity, which benefits: the Code provides a new point of reference for the entire spectrum of language schools and translation services. It clearly and simply sets out both rights and obligations of the parties involved, and thus promotes a framework of mutual trust, favoring economic and cultural exchange.

## COMMON PRINCIPLES

### 1. Membership in Federlingue and adoption of the Code of Conduct

On joining Federlingue, language schools and translation and interpreting companies adopt this Code of Conduct in its entirety. This means that if any of the principles listed below is amended, the member companies are asked to officially and expressly re-declare their adherence to the updated version of the Code no later than six months after the date of modification.

### 2. Participation in the Association's activities

All member companies are welcome to express their views, advance proposals and opinions and suggest projects that would benefit the association and enhance membership in Federlingue.

Member companies agree to forego membership in other associations whose objectives conflict with those of Federlingue, and in any case to give advance notification of any possible application for membership in other associations.

### 3. General obligations of member companies

Member companies agree to:

- guarantee rights of consumers, with particular reference to the provisions and procedures indicated in the Consumers' Code (Leg. Decree 06/09/05 n. 206 and subsequent amendments and additions) and act towards them with maximum transparency and fairness;
- to behave in accordance with the principles and provisions indicated in the relevant Italian and European legislations, as well as in a moral and professional manner towards the State, the Public Administration, the political parties and any and all other Institutions;
- to observe, in the performance of their activities, principles of fairness and correctness in dealings with all subjects, public and private, with whom they interact, whether they be clients, suppliers, associates or third parties.

### 4. Adoption of industry standards

Federlingue supports and promotes the adoption, on the part of its member companies, of system standards, such as ISO 9001 and specific industry standards, such as UNI EN 15038, ISO 17100 for translations, UNI 10574 for interpreting companies and UNI 29990 for language teaching and any subsequent update, amendment and addition.

## 5. Relations with employees and collaborators

Member companies agree to rigorously apply employment contracts and to behave equitably and fairly towards all their employees and collaborators, favoring their professional development and promoting their merits.

## 6. Safety in the workplace

Member companies agree to scrupulously safeguard safety in the workplace, for everyone who for any reason finds him/herself on the company's premises, and to commit themselves to safeguarding the health and psychophysical wellbeing of their employees and collaborators, in accordance with the principles and provisions indicated in the Unified Text on safety in the workplace (Leg. Decree 81/2008 and subsequent amendments and additions).

## 7. Accurate and correct information

Member companies agree to provide their clients only with information drawn up in such a way as to prevent misunderstandings or false expectations, to refrain from misleading advertising and to adhere to the principles and provisions contained in Leg. Decree n.145 of 02/08/07 and subsequent amendments and additions.

## 8. Fairness and competition

Competition among translation, interpreting and language teaching companies shall be based exclusively on factual elements, such as professional skills, experience and the quality of the services offered.

Member companies agree to behave honestly and fairly in business relations with common clients. When they work together on the same project, member companies shall collaborate fairly and productively with each other, with the sole purpose of fully satisfying the client's needs and in observance of the provisions governing confidentiality and unfair competition.

Member companies shall avoid unfair competition practices, as defined in article 2598 of the Italian Civil Code, and shall not pass judgment on the professional quality of their competitors. Comparisons and relations about services offered by competitors are permitted, but shall be based on objective and factual parameters. Member companies shall refrain from passing information and data referring to their clients to other companies operating in this industry.



## 9. Equal opportunities

Member companies make a commitment to their employees at every level and to anyone who has relations with member companies to refrain from unjustified discrimination based on gender identity, conjugal status, socioeconomic level, religion or creed, political orientation or union membership, race, age or disability, with regard to hiring, promoting and any other pertinent purpose.

## 10. Protection of personal data

Member companies agree to scrupulously observe the principles and provisions contained in Leg. Decree n. 196 of 2003 and subsequent amendments and additions, informing employees, collaborators, clients and suppliers, through specific clauses contained in the company's forms, regarding the rights and protections guaranteed by the abovementioned decree with respect to the treatment of personal data.

## 11. Standard contract conditions

In relations with their clients regarding the various services offered, member companies agree to adhere to general contract conditions drawn up and approved by Federlingue, which are based on principles of equity and transparency. Member companies also agree not to introduce contradictory clauses to the literal meaning of the general contract conditions drawn up and approved by Federlingue.

## PROVISIONS REGULATING LANGUAGE TEACHING COMPANIES AND SCHOOLS

### 12. Quality standards for language teaching services

Member schools commit to providing their clients with the best possible services and to satisfy their needs, if necessary going beyond the required specifications, with the ultimate goal of the lasting and effective acquisition of proficiency in a language.

**In order to ensure a high quality and professional level, member schools shall:**

- employ teaching methods in line with the state of the art in the sector;
- use analytical methods to assess their students' learning needs;
- adjust their teaching methods to suit the level of the participants;
- ensure and monitor the following activities by means of qualified personnel:
  - › adoption of a verifiable evaluation system of language skills, based on the Common European Framework of Reference for languages of the Council of Europe or other official bodies for non-European languages (such as HSK for Chinese);
  - › course planning in line with the levels and objectives indicated in the Common European Framework;
  - › setting of the entering and final levels of participants;
  - › periodic assessment of students' progress;
  - › periodic assessment of teaching performance by sample observations;
  - › planning of ongoing training for teachers;
- adopt the following correct behaviors in relations with their teachers and other employees:
  - › member schools shall rely on administrative staff and professionally qualified teachers;
  - › member schools shall assign courses to faculty members based on their competencies and experience, as well as the suitability of each teacher to the needs of their students;
  - › work relationships with everyone who contributes to the operation of the school shall comply with the applicable laws. Any and all items not directly addressed within the single work contracts shall be governed by the provisions of the relevant laws in force;
  - › payment for teaching services rendered by possible freelance teachers shall be determined by the member schools based on the qualifications and professional skills of each teacher and on the duration of each individual teaching assignment.

### 13. Spaces, tools and ancillary services

Member schools agree to provide adequate resources to meet students' needs, including:

- classrooms complying with current standards of safety and security;
- platforms, software and internet and intranet web sites;
- teaching materials suited to the needs of the participants;
- services and counseling designed so as to allow students to examine and discuss individual issues in greater depth.

### 14. Contract negotiations

During contract negotiations with clients, member schools commit to precisely defining the following:

- type and requirements of the service to be provided;
- modalities and times;
- fees both for basic services and additional services (if any), as well as payment terms and conditions.

### 15. Assessment of customer satisfaction

Member schools agree to carry out satisfaction surveys with their clients about their courses, as well as to elicit suggestions for the ongoing improvement of the teaching performance, the services rendered and this industry in general.

### 16. Diplomas and Certificates

Member schools agree to issue to their clients:

- certificates of participation, which will solely specify the duration of the course attended;
- certificates of proficiency, issued solely on the basis of a final examination test and based on the assessment of the language skills indicated in the Common European Framework for languages of the Council of Europe or other official bodies for non-European languages (such as HSK for Chinese). The school shall specifically indicate the reference framework adopted for the evaluation of proficiency on the certificate/diploma.

## PROVISIONS REGULATING TRANSLATION AND INTERPRETING COMPANIES

### 17. Quality standards for translation and interpreting services

Member companies agree to provide their clients with the best possible services, through stringent quality assessment from the acceptance of the order to the final delivery.

To this end, the project management shall include:

- analysis of the source text in order to ensure the availability of appropriate means and resources to complete the job;
- collection and preparation of materials and any reference terminology, in order to comply with the requirements of the service;
- assignment of competent translators or interpreters for the specific project;
- assignment of revisers and, if necessary, of reviewers;
- surveillance and supervision of the work of the translators;
- transmission of instructions to everyone involved in the project;
- ensuring consistency of the translation;
- surveillance and supervision of the schedule of the work in progress and deadlines;
- ensuring contacts among all the parties involved, including the client;
- if necessary, implementing corrections, also after delivery, and management of all the information required for traceability of all stages of the process;
- storage of the material received from the client.

### 18. Selection and training of staff

Member companies pledge to:

- select employees and collaborators who possess the abilities and qualifications required to successfully carry out the translations assigned, in compliance with UNI EN 15038 and ISO 17100 standards, corresponding to the positions of Project Manager, Translator, Reviser, Reviewer and Provider of ancillary services;
- promote ongoing professional development, so that the professional skills required for the translation process are constantly updated.

### 19. Availability of technical resources

Member companies guarantee that they have access to adequate resources for the correct execution of translation projects, as well as to manage, save, retrieve, store and eliminate documents and data, in absolute security.

## 20. **Contract negotiations**

Member companies shall work with maximum clarity and transparency, so as to allow a fair comparison of the service provided and indicate:

- the type of service provided;
- how the service will be provided;
- the type/profile of the resources involved in the specific project;
- the unit of measure used in calculating the cost of the service offered;
- when the service is delivered or performed;
- payment terms and conditions.

## 21. **Assessment of customer satisfaction**

Member companies agree to ask their clients to provide feedback regarding their satisfaction with the services rendered, as well as any suggestions they may have for the continuing improvement of the services.

## FINAL PROVISIONS

### 22. Violations of the Code

The executive bodies of Federlingue shall ensure that the member companies operate in observance of the principles and provisions set out in this Code, also with the help of independent consultants.

Clients of a company that is a member of Federlingue, or a member company itself, may directly notify the Internal Appeal Board of violations of the Code, without initiating formal proceedings.

The Executive Board may also decide to open a proceeding on its own initiative. After receiving a complaint, the Internal Appeal Board shall issue an opinion on the matter and request further details and additional information, in writing, from the complainant. The Internal Appeal Board shall also be obliged to receive explanations and rebuttals from the defendant. It is also possible that the parties will be heard directly, with the hearing duly recorded.

Depending on the opinion expressed by the Internal Appeal Board, the Executive board shall decide about possible sanctions to be applied or shall dismiss the case. Where a violation has been established, the sanctions to be applied shall be those specified in the Federlingue by-laws.

The parties involved in the above mentioned proceedings may use either ordinary mail or e-mail to communicate

### 23. Sanctions

The sanctions which the Executive Board may apply are the following:

- written censure;
- temporary suspension (preventing the member company from participating in activities involving the association's bodies);
- loss of membership, as per article 5, 1(f) of the Federlingue by-laws, only in cases of serious violations of the Code, without prejudice to any further liability.

The sanction shall be communicated in writing to the defendant and to the complainant, and shall be accompanied by an adequate explanation. Every sanction shall be communicated in writing to all the Federlingue member companies and to the executive bodies of Confcommercio-Imprese per l'Italia.

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