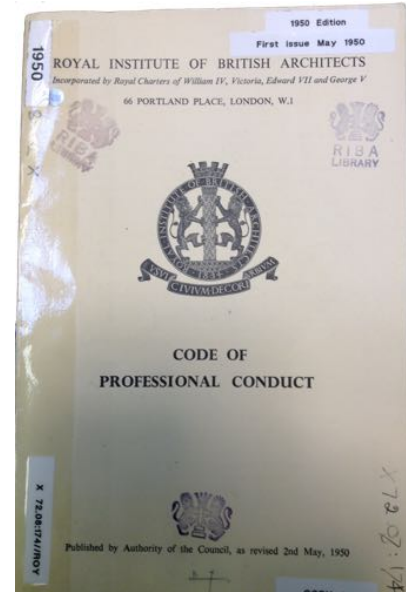
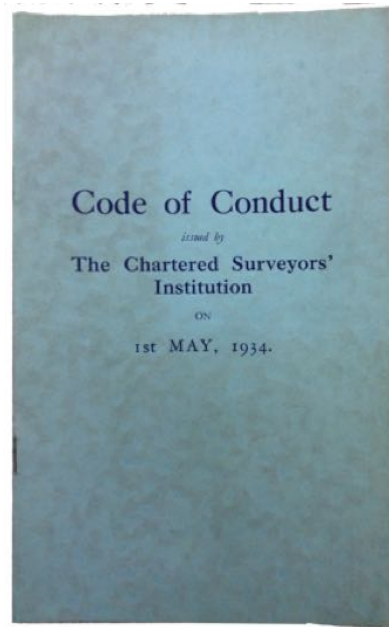
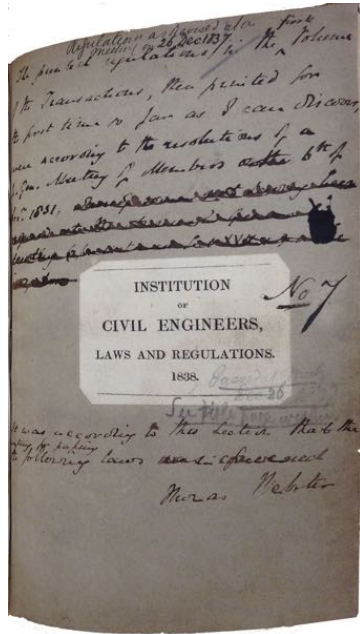


Who do we build for? Ethics, Public Interest and a Shared Code of Conduct

Ecobuild
8th March 2018



What are Codes of Conduct for?

Ideally:

- Controlling behaviour
- Raising standards

But they are very rarely invoked ...

Originally:

- Demarcation & distinction
- Reputation & dignity

Currently:

- Up-to-date expertise (e.g. CPD)
- The environment
- Bribery

PROFESSIONAL CONDUCT.

20. All Corporate Members of the Institution are required to order their conduct so as to uphold the reputation of the Institution and the dignity of the profession of the Civil Engineer.

ICE By-laws and Regulations 1936

I.—Relationship with other Professions and Occupations.

(a) No member shall engage in or be connected with any occupation or business which in the opinion of the Council is inconsistent with membership of the Institution.

Chartered Surveyors' Institution 1934

3.2 Members should be aware of the environmental impact of their work.

RIBA Code of Professional Conduct 2005

o Not offering or accepting gifts, hospitality or services, which might suggest an improper obligation.

RICS Global Professional and Ethical Standards 2012

What is in a Code of Conduct?

Requirements for:

- Honour, integrity
- Expertise (up to date), skill
- Competence, diligence, capability, reliability, discipline (duty of care)
- Objectivity, independence, fairness, incorruptibility, trust
- Transparency, truthfulness
- Avoiding/reporting conflicts of interest
- Confidentiality, security

There is nothing in any of the codes that is discipline specific



What is in a Code of Conduct?

... and there many gaps:

- Timeliness – ARB only
- Plagiarism – ICE only
- Best endeavours – RIBA only
- Cooperation – CIBSE only
- Variations in writing – ARB & RTPI
- Employment – RIBA & RICS
- Supplanting – ICE & LI
- Client security – ARB & LI
- Promote profession – EC & LI

Construction Industry Professional Codes of Conduct - 2017												
	Engineers						Architects					
	Engineering Council / Royal Academy of Engineering (2014) Statement of Ethical Principles	ICE (2014) Code of Professional Conduct	CIBSE (2015) The Code of Professional Conduct	Institution of Structural Engineers (2014) Code of Conduct	ARB (2017) Architects Code: Standards of Conduct and Practice	RIBA 2008 Code of Professional Conduct	Landscape Institute (2013) Code of Standards of Conduct and Practice	CIAT (2014) Code of Conduct	RICS (2012A) Global Professional and Ethical Standards	CIOB (2015) Rules and Regulations of Professional Competence and Conduct	RTPI (2015) Code of Professional Conduct	Society of Construction Law (2004-1) Statement of Ethical Principles
INTEGRITY												
Integrity												
Transparency												
Duty of care												
Truthfulness												
Impartiality												
Skill & care / Standards												
Timeliness												
Supervision of others												
Conflicts of interest												
Advertising/ promotion												
Confidentiality												
Clients' papers												
Money												
Supplanting												
Improper influence												
Bribery												
Plagiarism												
COMPETENCE												
Skill knowledge care												
Best endeavours (time/cost/quality)												
Capability & capacity												
Effective systems in place												
Resources												
Keeping up-to-date												
Appointment in writing												
Variations recorded in writing												
Client communication												
Incapacity												
Health & safety												
Risk												
Client security												
CONSIDERATION FOR OTHERS												
Respect and fairness												
Public interest												
Environment												
Cooperation with other professionals												
Obedying the law												
Employment practice												
Insurance												
Competition												
Complaints procedures												
Dispute resolution												
PROFESSION / INSTITUTION												
Uphold reputation, dignity and trust												
Promote profession												
When acting on behalf of institution												
Reporting others												
Co-operation with investigation												
Notifying institution												
Membership insignia												
Response to correspondence												
Institutional rule-making												
Discipline												

What do Codes of Conduct do?

Existing codes set a low bar for professional conduct.

The legal requirements for company directors are more stringent:

Responsibilities of Company Directors (The UK Companies Act 2006, Clause 172-1)

A director of a company must act in the way he considers, in good faith, would be most likely to promote the success of the company for the benefit of its members as a whole, and in doing so have regard (amongst other matters) to -

- a) the likely consequences of any decision in the long term,
- b) the interests of the company's employees,
- c) the need to foster the company's business relationships with suppliers, customers and others,
- d) the impact of the company's operations on the community and the environment,
- e) the desirability of the company maintaining a reputation for high standards of business conduct, and
- f) the need to act fairly as between members of the company

What do Codes of Conduct do?

Codes of Conduct could:

- Provide greater confidence in professionals
- Maintain and improve standards
- Provide consistency (and a level playing field)
- Support individual practitioners
- Be responsive to changing needs and circumstances

But only if it is clear who they are for.



Who are Codes of Conduct for?

- Professional Institutions?
- Practitioners?
- Professional firms?
- Government?
- Clients?
- Society?

Professional ethics

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In addition to the Rules of Conduct, RICS members are expected to apply a set of 5 global professional and ethical standards in order to meet the high standards of behaviour required of them. Act with integrity; Always provide a high standard of service;...

Please note that this document is only available to isurv subscribers. Please [login](#) or [contact](#) for more information.

RICS website 2018

If they are for Clients and/or Society then should they be re-thought?

If Codes of Conduct were intended for clients?

It would be a good idea if there was:

- A clear explanation of the duties of professionals
- Clarity as to whom (or what) duties are owed
- Prioritisation of duties (in case of conflict)
- A common code of practice across the construction professions

This could lead to a well recognised standard of professional conduct



If a Common Code worked for UK plc?

It might help establish a standard and reputation for:

- Integrity, trustworthiness, incorruptibility
- Skill, expertise, competence
- Comprehensibility, relevance
- Flair, creativity, innovation
- Collaboration and teamworking
- Value for money

A Common Code

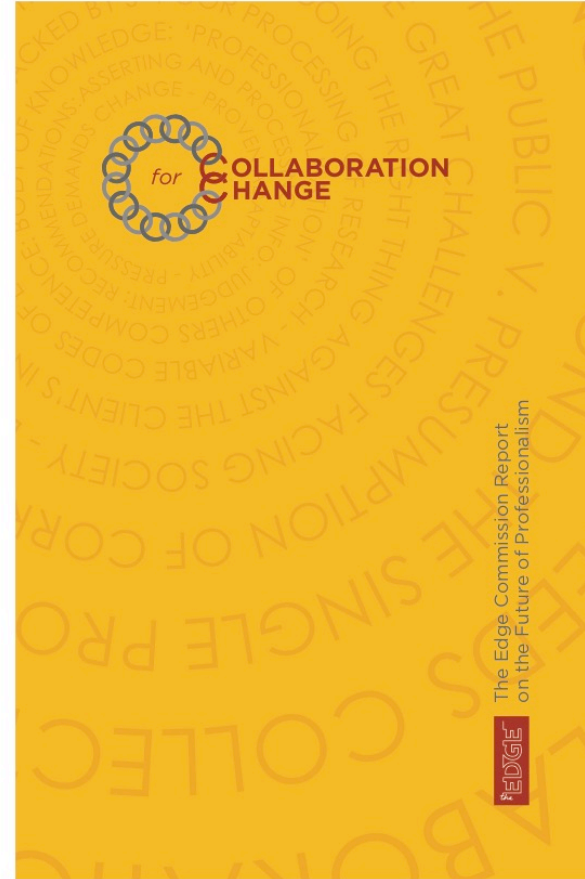
“The authority of the Institutions would increase exponentially if they presented a shared view on matters of public interest .”

Paul Morrell

Collaboration for Change, 2015

Recommendation:

A-1) Develop and standardise a national code of conduct/ethics across the built environment professions, building on shared experience in the UK and internationally.



Available from: www.edgedebate.com

Model Common Code of Conduct



1. Duties towards the wider world
2. Duties towards society
3. Duties towards those commissioning services
4. Duties towards those in the workplace
5. Duties towards the profession
6. Duties to oneself

Available at http://www.edgedebate.com/?page_id=3185



Proposed Professional Compact between construction property professionals and their clients/employers



Professionals in the construction and property sectors will deploy:

- expertise, skill, knowledge and experience to deliver agreed services in good faith;
- competence, diligence, honesty, integrity and care;
- evidence-based judgement to achieve high standards of work and conduct.

Subject to the obligation to:

- put the interests of the wider world and society first and to take protective action when necessary, but otherwise to put clients' interests before their own;
- take personal and corporate responsibility for the outcomes of their work;
- show proper care, consideration and fairness towards others, especially those involved in realising projects and those who will live with the outcome;
- keep their own knowledge relevant and up to date;
- train and help develop the abilities of other members of both their profession and society;
- measure, feed back and share relevant information and insights gained from their work in order to develop and improve knowledge and skill across the disciplines.

In exchange for:

- the trust of those commissioning services;
- recognition of their independence and right to self-direction;
- the grant of respect and status;
- a degree of exclusivity over the provision of socially important services;
- fair payment for their work.

Available at http://www.edgedebate.com/?page_id=3185