

Joint Code of Professional Conduct

June 2019

Introduction

In Collaboration for Change (2015), **The Edge** Commission Report on the Future of Professionalism written by the former Government Chief Construction Adviser, Paul Morrell, a key recommendation (A1) was to **“develop and standardise a national code of conduct/ethics across the built environment professions, building on shared experience in the UK and internationally”**. This was intended to encourage the development of a strong understanding of the duties of professionals across the industry, whatever their discipline. Professionals currently working together on projects operate in accordance with standard protocols, a shared plan of work and back-to-back appointments intended to provide comprehensive and seamless coverage of responsibilities and effective teamwork, yet they operate in accordance with very different codes of conduct, practice and ethics. This is not sustainable.

The Edge has examined numerous codes in operation across the industry including those of the: Society of Construction Law, RIBA, ARB, EC-RAE, ICE, RICS, CIAT, CIBSE, CIOB, IStructE, LI, RTPI, International Ethics Standard, Nolan, Deloitte, Atkins and Arup – as well as the new professionalism code proposed by Bill Bordass and Adrian Leaman in *New Professionalism*, a special issue of *Building Research & Information* (January 2013, p6).

From its analysis the Edge notes the following:

- Despite their differences, codes across the industry are not discipline specific. All clauses in the codes examined can be applied to all other disciplines.
- Codes tend to be reworked versions of earlier published codes with any new and pressing concerns dealt with in a series of supplementary clauses. In other words, codes gradually accrete, but they also tend to end up reflecting issues exercising each profession at the moments of their major revisions. Very rarely are they comprehensively rethought to address current issues of practice and ethics.
- In addition to making explicit demands that their members refrain from certain activities individual codes are also frequently silent on matters that are given high priority in the codes of sister professions. On analysis professional codes are revealed to be full of holes.
- The structure of the great majority of codes follow Mosaic principles of ‘thou shalt not ...’ while only a handful of them attempt to describe what actions should positively be taken.

Introduction continued

In response to the Commission's recommendation and following its own analysis the Edge is proposing a **model text for a shared industry code of conduct**. This has been principally drawn and adapted from clauses in the industry codes listed above. Rephrasing has been carried out where necessary to achieve consistency and grammatical sense.

The proposed code is intended to:

- Demonstrate that a shared code can be comprehensive, feasible and practicable.
- Act as a resource for professional institutions rewriting or reviewing their codes.
- Provoke discussion as to the use and significance of professional codes in the industry.

The structure of the proposed code is based on whom duties are owed to, as is, for example, le Code Guadet (France 1895) and the American Institute of Architects' code. The format was selected in order to provide maximum clarity to all those using the code, including professionals, those commissioning services from them, their employees and wider society.

The proposed code doesn't include institutional housekeeping matters or disciplinary procedures as it is considered that these are generally better located within the rules and regulations of membership.

It is the Edge's view that the most important role of a professional code (of ethics, conduct or practice) is to communicate to society, prospective commissioners of projects and others the obligations of industry professionals to uphold agreed industry-wide standards, behaviours and responsibilities. These include a requirement to put the interests of the wider environment and society before those of the individuals and bodies paying for professional services. To this the end the text of a professional compact between built environment professionals and those commissioning their services is included in a standalone section at the end of the document. The code and compact complement each other but can be treated and published separately.

For further information and analysis please consult *Professionalism for the Built Environment* by Edge member, Simon Foxell (Routledge, 2019)

the Edge, June 2019

1. Duties towards the wider world

The environment

To minimise any adverse effect on the natural environment now and into the future

Use of resources

To take into account the limited availability of natural and human resources

Future proofing

To allow for the needs of future generations taking into account any reasonably predictable circumstances, including the effects of climate and demographic change

Accounting

To demonstrate for each project, by an appropriate audit trail, that all reasonable steps have been taken to ensure that the above issues have been adequately addressed

Feedback

To evaluate and reflect upon the performance in-use of projects and feed back the findings

2. Duties toward society

Public interest

To act consistently in the public interest and take the interests of all stakeholders in any project properly into account, including future generations

Integrity

To act with objectivity, responsibility and truthfulness at all times

Impartiality

To exercise impartial and independent professional judgement

Use of evidence

To base professional advice on relevant, valid and objective evidence and the best quality knowledge that can be reasonably accessed

Impact

To consider the broader impact of projects on society, the industry and government

Health and safety

To take all reasonable steps to protect the health and safety of occupants, users and members of the public affected by projects over their full lifecycle

Responsibility

To provide timely information and warning of matters, which may adversely affect others, when they become apparent

Disclosure

To disclose accurate and truthful information on project intentions and outcomes in accordance with industry-wide methodologies and metrics

Fairness

To treat all persons fairly and with respect and to embrace equality of opportunity, diversity and the elimination of discrimination

2. Duties toward society continued

Users

To have a proper concern and due regard for the impact that projects may have on both users and local communities

Bribery

To reject bribery and all forms of corrupt behaviour and make positive efforts to ensure others do likewise

Value

To create lasting value and keep options open for the future

3. Duties towards those commissioning services

Honesty

To act for each and every one commissioning services in a reliable and trustworthy manner

Duty of Care

To discharge professional duties with fidelity and probity

Transparency

To keep identified and relevant individuals informed of the progress of projects and any key decisions made

Conflicts of interest

To identify and declare any potential bias, conflict of interest or undue influence, whether real or perceived

Competence

To be competent to carry out the professional work undertaken, and if others are engaged, to ensure that their work is also competent and adequately supervised

Diligence

To apply high standards of skill, knowledge and care in all work undertaken

Knowledge and skills

To maintain and develop new knowledge and skills to ensure services are kept up to date and effective

Service improvement

To foster new ideas and service development to improve the value and performance of services over time

Targets

To use best endeavours to meet agreed time, cost and quality requests

Accountability

To take full responsibility for services provided

3. Duties towards those commissioning services continued

Appointment

To ensure that terms of appointment, the scope of work and the essential project requirements are clear and recorded in writing, and to explain to service commissioners the implications of any conditions of engagement and the way their fees are to be calculated and charged

Quality systems

To have systems in place to ensure that projects are run professionally, and are regularly monitored and reviewed

Communications

To be open and share (as appropriate and necessary) information with service commissioners and/or others in a way that is readily understood

Confidentiality

To ensure that appropriate security is in place for all records in accordance with the service commissioner's requirements for confidentiality and to ensure compliance with data protection legislation

Money

To keep proper records of all money held for service commissioners and other parties and be able to account for it whenever required

Insurance

To maintain appropriate professional indemnity insurance

Follow through

To provide project follow-through and aftercare when required

Post project evaluation

To carry out post-project evaluation, to learn from the evidence gathered and the project experience and to share understanding and admit mistakes

Complaints

To have in place (or have access to) effective procedures for dealing promptly and appropriately with disputes and complaints

4. Duties towards those in the workplace

Respect

To show consideration for colleagues and for all other persons encountered in the course of professional duties. All persons are to be treated with respect and without bias

Equal Opportunities

To avoid discrimination against anyone for whatever reason and ensure that issues of race, gender, sexual orientation, age, size, religion, country of origin or disability have no place in any dealings with other people or business decisions

Employment practice

To comply with good employment practice both as employer and employee

Payment

To pay a fair and commensurate reward to all employees and others in the workplace for work carried out

Working hours

To ensure hours worked are reasonable and allow for a healthy work/life balance

Training

To provide the training, advice and information necessary for employees and others to operate effectively, gain new skills and progress

Work environment

To provide a safe working environment

Health and safety

To take all reasonable steps to protect the health and safety of all those in the workplace and engaged in delivering projects

Collaboration

To cooperate and integrate proactively and with other professionals and to develop trusting relationships with open and honest collaboration

4. Duties towards those in the workplace continued

Competition

To avoid acting maliciously or recklessly when competing with another person or when taking actions likely to adversely affect the professional, business or other interests of another person

Supply chain

To avoid acts which, directly or indirectly, are likely to result in the unfair treatment of other people or deprive them of a fair reward for their work

Modern day slavery

To proactively counteract and report abusive labour practices in connection with any projects undertaken

Challenge

To challenge assumptions and standards. Be honest about what you don't know

Plagiarism

To respect the intellectual property rights of others and not collude with any form of plagiarism

Risk

To identify and evaluate and, where possible, quantify risks and to share any concerns with appropriate parties

Whistleblowing

To report dangerous situations and suspected wrongdoing as soon as possible, to take seriously and investigate any concerns, respect confidentiality and to protect those fairly raising concerns from any repercussions

Dispute resolution

To encourage, if appropriate, alternative methods of dispute resolution, including mediation or conciliation

5. Duties towards the profession

Behaviour

To act in a way that promotes trust in the profession:

- Promoting the highest standards globally
- Understanding that being a professional is more than just about how you behave at work; it is also, about how you behave in your private life
- Fulfilling your obligations. Doing what you say you will
- Always trying to meet the spirit of your professional standards and not just the letter of the standards

Notify

To notify the professional body if convicted of a criminal offence or disqualified as a company director

Disclose

To report, in confidence, to the professional body and subject to any restrictions imposed by law, issues, problems and 'near-misses' that could aid better and more informed future practice and the avoidance of preventable disasters

Professional knowledge

To contribute to the knowledge base of the profession through sharing appropriate project information and data with accredited research bodies and fellow professionals

Acting on behalf

To accurately represent the views of the professional body or other organisations when speaking on their behalf and to refrain from promoting personal, employers' or others' interests

Reporting on others

To report, in confidence, to the professional body and subject to any restrictions imposed by law, any alleged breach of this Code and assist the professional body in its investigation

6. Duties to oneself

Integrity

To fearlessly do the right thing, beyond any obligation to whosoever is paying you

Truthfulness

To decline to be a party to any statement you know to be untrue, misleading, unfair to others or contrary to your own professional knowledge

Leadership

To actively promote and robustly support the principles of professionalism and to challenge poor behaviour wherever it occurs

Accountability

To be personally accountable for decisions and actions you take and submit to the scrutiny necessary to ensure this

Confidentiality

To avoid taking personal advantage of confidential information or allowing others connected with you to do so

Openness

To take decisions in an open and transparent manner and not withhold information from the public unless there are clear reasons for doing so

Keeping up to date

To actively maintain, and where possible encourage others to maintain, professional competence through systematic improvement and broadening of knowledge and skill

CPD

To maintain, record and provide evidence of your continuing professional development (CPD)

Evaluate & reflect

To evaluate and reflect on the quality and impact of work carried out and the possibilities for improvement and potential for wider benefit

Proposed agreement 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

the Edge is a voluntary built and natural environment think tank. We stand for being:

- **Interdisciplinary:** bringing built environmental professionals together, inclusively along with others who share their concerns.
- **Open and creative:** working across all disciplines with competitors and collaborators.
- **Strategic in approach:** encouraging accessible and shared knowledge and seeking to connect place, practice, policy and research.
- **Visionary:** in identifying the issues and in promoting effective and urgent responses to both local and global challenges.
- **Professional:** developing a broad-based ethic of responsibility to social and environmental demands based on an equitable global framework.
- **Business-like:** furthering the skills and capacity of the UK construction industry to promote prosperity and deliver a better built environment.

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