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Introduction

Professional ethics in construction and engineering

Consider ethics, as well as religion as supplements to law in the government of man.

Thomas Jefferson (1807)

1.1 Introduction to the Book

The above powerful and unequivocal quotation from the former President of the USA reinforces the importance of ethics in the society and world we live in. It is perhaps the same quotation which has provided the focus for this book in an attempt to encourage construction practitioners to take a more proactive ethical stance in project management, change current working practices in the construction industry and improve project outcomes. Accordingly, the main focus of the book is to explore the role of ethics in construction management. In this regard, the overarching aim of the book is to create a factual client 'how to do it' guide or 'toolkit' for procuring more successful project outcomes. It is intended that this practical guide for construction practitioners can develop into a common due diligence framework on how to initiate, procure and manage construction projects and developments with ethical considerations at their heart. From this perspective, it will raise awareness of best practice and instil improvements in construction management with ethical compliance at the epicentre of project teams. It will seek to address the significant institutional risk that lies in the lack of a clear and consistent approach to ethics in projects and guidelines which are seldom universal and therein open to different interpretations. Such an approach will constitute a viable tool in ensuring effective, appropriate and successful interfaces of ethical standards and principles, via codes of conduct, in pursuit of improvements to construction management practices. Furthermore, it is also intended to provide an important insight into the influence of professional ethics in the success of construction projects and redevelopment programmes.

Despite the fact that few would disagree with the importance, values and principles of ethics, the practice of professional ethics has however traditionally not been an area for widespread reflection, consideration and focus within the construction industry. Cases have emerged over the last few years questioning the morality of the industry and the direction of its moral compass, bringing increased scrutiny upon it. In 2009 tender

practices within the industry, associated with bid rigging or collusive tendering came under scrutiny by Competition and Markets Authority, resulting in multimillion-pound fines against over 100 main contracting organisations. *The 2017 Taylor Review* of modern working practices raised serious concerns about payment practices in the UK construction industry, especially the morality of supply chain management practices which have been seen to impose payment terms of up to 120 days onto sub-contracting organisations. In 2018, the collapse of Carillon led society to question the ethical practice of the industry. In addition, *Dame Judith Hackett's independent review of Building Regulations and Fire Safety in 2018*, following the Grenfell Tower disaster raised major questions about contractors' use of 'value engineering' to reduce costs at the expense of safety and once again led to society questioning the morality of the construction industry. Whilst events such as these continue to occur, bringing widespread negative publicity and reputational damage for the industry, rebuilding the confidence and trust of the general public remains a major priority. Farmer (2016) adopted medical metaphors, describing the construction industry as a sick and dying patient in urgent need of treatment if it was to survive.

Against this background, this book will provide further insight into the subject of professional ethics relevant to the construction industry and discuss the key areas of ethical standards, values and behaviours, environmental ethics, cultural change, governance and regulation amongst others. It will articulate, discuss and analyse some of the problems relating to adopting professional ethics and provide possible reasons to explain and understand why unethical practices exist. The potential importance of ethical principles and potential improvement measures to enhance and improve current practice, especially in the context of the UK construction industry, will also be articulated and discussed from different perspectives. Accordingly, in this regard the aim and objectives will be to expand the knowledge and breadth of understanding of professional ethics in the construction industry. Reflections will be presented together with possible recommendations for improvement measures and further research.

The book investigates the current arrangements that exist within the global construction industry, to create a more comprehensive understanding of the problems and dilemmas of unethical conduct. It explores and analyses the overall commitment of organisations and professional bodies to embed professional ethics into all construction stages which could be hindering the overall effectiveness of projects. This is intended to provide a suitable context for paradigm shifts in practice with measures to improve ethical values, principles and leadership as the catalyst for increasing project success.

A deficiency in appropriate and strong construction practitioner leadership to promote ethics in the construction industry has been highly documented by authoritative sources over many years (Boyd and Chinyio 2006; Kamara et al. 2002). The book will seek to address this ongoing ethical dilemma and act as a catalyst for improvements to the construction procurement processes. This is intended to encourage more transparency, honesty, integrity and openness between clients, their appointed consultants and the whole supply chain. This is a deliberate attempt to improve project management practices, which have arguably not been delivering the impact, and benefits in terms of successful project outcomes.

The book is intended to assist academics, construction-related practitioners and clients in their awareness, breadth of knowledge and comprehension of the issues around

ethical considerations, with the overarching aim of delivering more successful project outcomes. This is felt to be particularly important as in previous studies into ethics in the built environment, very little attention has been focused on giving practical advice. The book has sought to infill the literature gaps through examination of traditional roles of clients, design consultants, main contractors and subcontractors and through providing guidance through the toolkit on potential improvement measures. Case studies and practical examples have been included to assist the reader on how theoretical perspectives can be applied to real-life construction projects and scenarios which involve ethical dilemmas. The book has also addressed academic calls for greater insight into how leadership around ethics can be created, mobilised and developed and more understanding of the resultant positive effects and impact that can be generated therein (Walker 2009). There will be frequent reference to construction practitioners' views and opinions throughout the book, and these have been sought through qualitative research carried out in 2020 from a small sample of semi-structured interviews.

There have been few books which have been written on the specific subject of incentivising appropriate professional ethics in construction specifically through a practical guide or 'how to do it' toolkit. Those which have been published have largely focused on theoretical studies examining different construction practitioner behaviours and relational analysis of clients with construction teams. Albeit the component elements of professional ethics have been covered previously and therein well-trodden ground, there has been very little to articulate how these can be incorporated into construction procurement strategies. The book, drawing on case studies from the authors' experiences and interviews, takes a different approach to professional ethics in the construction industry by asking some very fundamental questions:

- What is the importance and influence of leadership in influencing the strict compliance and adherence to ethical principles, values and standards?
- What is the extent to which good ethical standards, behaviours and practices can influence the success of construction projects?
- How can professional ethics be best embedded into the procurement of projects?
- What constitutes best practice and what is the extent to which the governance, regulation and practice of ethics can influence the success of construction projects?

In consideration of the above questions the book's objectives are:

- To be the standard reference for businesspeople in understanding how ethics affect projects and therein reducing construction-based risk.
- To explain in straightforward terms with practice-based examples, both real life and hypothetical, where ethical dilemmas may occur and how to steer construction practitioners to make the right business decisions and avoid immoral or illegal practices.
- To use case studies to look at patterns of ethical and unethical construction team behaviours and how these affect successes, failures and key risks on projects.
- To identify valued knowledge, skills, attitudes and behaviours and business practices that construction practitioners can use in their ethical approach to projects.
- To identify a set of clear guidelines, national or international, to support the adherence and regulation around ethical practices.
- To form the basis of a practical toolkit for guidance and teaching of ethics in the built environment.

The book is mainly intended for construction management practitioners and clients but could suit a wide target audience including under- and postgraduate students and academics. For its target audience it will provide a summary of best practice and guidance in upholding ethical values, principles and standards from initiation to post-handover across many different projects. For professional practitioners, the book will explore how ethical management can be a complimentary project skill and whether such skills can be proven to reduce risk in projects. Accordingly, it will provide the ‘voice’ of professional and institutional clients and present their recommendations and mechanisms for the creation of a common standardised ethical protocol. Furthermore, it will also consider whether this approach might compliment other developments in project management such as project team integrated working.

The book's findings are presented to encourage professional practitioners to implement improvement measures through ethical governance mechanisms and initiatives. The introduction of such mechanisms is explained in the book and presented in a simple and effective way for improvements in construction project management practice. Reading this book will hopefully support the development of a deeper understanding of the benefits of having strong ethical leadership for improved outcomes for construction projects. With a better insight to how professional ethics can be instrumental to project success it should provide the potential to embrace the true philosophy of trust, confidence and how these can promote more improved construction management practices. The book is not intended as a holistic course textbook albeit it could be worthy inclusion on a recommended reading list for courses related to construction management. The toolkit for improving professional ethics for construction practitioners could be used as a basis for short-term training or conference proceedings for professional institutions and public sector organisations. Notwithstanding this, it is not intended solely as a practitioner guide. Rather, the book aims to cross this divide and provide useful insight to both academics and practitioners in developing their understanding of the topic area.

Understanding the risks posed for breaches of ethical standards by construction practitioners is a growing area as the tolerance for project failure reduces. Contemporary books to this seek to externalise professional ethics and codes of conduct by rooting them with professional institutions that create and regulate them. This book takes a different perspective and is unique in considering professional ethics as an integral and valuable component part of every construction stage. In doing so it creates a practical baseline for awareness of ethical considerations and therein smoothing the transition between traditional ethics teaching and embedding standard, values and principles in project practice. Accordingly, it is a starting point for standard ethical practices to be developed and integrated within project theory to support and de-risk subsequent project management.

The value proposition of this book is that it will be read, understood and accepted by businesspeople as their main guidance and reference tool for reducing construction-based risk associated with unethical conduct. Accordingly, this is a book written for businesspeople by businesspeople based on sound theory (how to do it) and sound practice (lessons derived from case studies). It is considered unique in that it represents a comprehensive and wide-ranging analysis of best ethical practice in the construction industry as well as other industries and sectors and what can be learnt from them. The

book will take established and widely accepted business ethical management practices and models and align them with development/construction issues. From this perspective, it does not seek to adapt established project management systems and processes but simply use ethical best practice models to co-exist alongside them. The book also investigates the area of environmental ethics and corporate social responsibility. These have become more prominent and important over recent years with the advent of cases such as the Deepwater Horizon oil spill which had major financial implications and reputational damage for British Petroleum PLC.

Although the research was undertaken in the UK, and all findings are likely to therefore have best fit with the UK construction industry, the overall knowledge and understanding to be provided by this book will have international relevance. Other countries seeking to develop ethical guides using similar approaches to the UK will be able to utilise the book, with consideration of how the findings fit with their own understanding in practice.

Finally, it is worth acknowledging that the author has gained over 32 years' experience of construction management from both a practitioner and an academic perspective. From this, the book has drawn on both academia and practice, and it seeks from both these perspectives to prove an important insight into an area which has long been problematic for the construction industry.

1.2 Structure of the Book

The book has been structured into 12 chapters and covers a wide variety of different areas and consideration relevant to professional ethics in the construction industry, namely:

Chapter 1: Introduction

Introduction, justification, aims and objectives, readership and brief description of the areas covered throughout the book.

Chapter 2: Application of ethics in the context of the construction industry

Importance and significance of the construction industry, complexities around the bespoke nature of building projects and the risks associated with the dynamic and fragmented environment.

Chapter 3: The significance and relevance of ethics

Articulation of what ethics are, their origins and history, important to society and how to recognise unethical practices. Different roles and responsibilities of construction professionals and the ethical differentiation and non-alignment that this can create.

Chapter 4: Ethical dilemmas for construction practitioners

Explanation of how dilemmas that can be created, especially where commercial benefits are at stake offers practical guides and recommendations for maintaining ethical principles and practices under different scenarios. Non-adherence of codes of conduct and breaches of rules and regulatory standards and regulation and governance policies and procedures to avoid and address such adversities.

Chapter 5: Types and examples of unethical conduct and corruption

Identification of the various types of unethical and illegal practices from misuse of power to serious fraud. Articulation of what constitutes each type of unethical and illegal practice and how they can occur in a business context. Contains both hypothetical and real-life examples of situations and scenarios where breaches of ethical standards and illegal activity has ensued and measures that can be adopted to reduce unethical and illegal practices across the world.

Chapter 6: Regulation and governance of ethical standards and expectations

Focus on the importance of organisational transparency, regulation, and governance in the pursuit of ethical compliance, including management governance processes and procedures that can reduce the risk of unethical practices and behaviours.

Chapter 7: Ethical project controls in construction management

Articulation of what governance requirements can be instigated by construction professionals on their projects and presentation of some practical control mechanisms for regulatory adherence.

Chapter 8: Developing an ethics toolkit, as a practical guide for managing projects

A practitioner's toolkit designed specifically for the book, for encouraging best practice and to ensure that critical aspects of projects, including statutory compliance and quality controls are not compromised during the life of projects. In this way, it is intended as a practical guide for managing the processes and procedures linked to each aspect.

Chapter 9: Ethical selection and appointment processes for the construction industry

Highlighting the importance for construction professionals of the ethical processes around selection and appointment of their contracting partners to encapsulate the right level of transparency and sense of impartiality during tendering.

Chapter 10: Codes of conduct for professional ethics

Explanation of codes of conduct in regulating professional ethics, what these comprise and how they are applied to improve practices and behaviours. Articulation of the benefits of having codes of conduct and how they vary between different professional bodies and institutions. Importance of embedding codes of conduct, and ethical behaviours and standards into organisational culture by professional bodies.

Chapter 11: Implications in practice for ethics in the construction industry

Implications for the construction industry from unethical practices, including reputational damage and image considerations for organisations. Effects on construction project performance and brought about by unethical practices, especially focused on those developing countries around the world with construction quality data generated from research studies in Nigeria.

Chapter 12: Summary of key points, reflections, overview and closing remarks

Final chapter to summarise the book with reference to each chapter, extrapolating the key findings and issues raised. Presentation of the author's reflections and recommendations for the future of the construction industry, taking account of the inherent dilemmas for professional ethics.

1.3 Summary

The main focus of the book is to explore the role of ethics in construction management with the overarching aim to create a factual ‘how to do it’ practical guide or ‘toolkit’ to assist construction professionals procure more successful project outcomes. It will raise awareness of best practice and instil improvements in construction management with ethical compliance at the epicentre of project teams. It is also intended to provide an important insight into the influence of professional ethics in the success of construction projects and redevelopment programmes.

Even though few would disagree with the importance, values and principles of ethics, the practice of professional ethics has however traditionally not been an area for widespread reflection, consideration and focus within the construction industry. Cases have emerged over the last few years questioning the morality of the industry and the direction of its moral compass, bringing increased scrutiny upon it. High profile cases such as the Grenfell Tower disaster in 2017 and the collapse of Carillion PLC in 2018 have brought the construction industry into ill repute resulting causing reputational damage and loss of public confidence and trust in some cases. To respond to this issue, the book investigates the current arrangements that exist within the global construction industry, to create a more comprehensive understanding of the problems and dilemmas of unethical conduct. It explores and analyses the overall commitment of organisations and professional bodies to embed professional ethics into all construction stages which could be hindering the overall effectiveness of projects.

The book is intended to assist academics, construction-related practitioners and clients in their awareness, breadth of knowledge and comprehension of the issues around ethical considerations, with the overarching aim of delivering more successful project outcomes. Case studies and practical examples have been included to assist the reader on how theoretical perspectives can be applied to real-life construction projects and scenarios which involve ethical dilemmas. The book will hopefully support the development of a deeper understanding of the benefits of having strong ethical leadership for improved outcomes for construction projects. With a better insight to how professional ethics can be instrumental to project success it should provide the potential to embrace the true philosophy of trust, confidence and how these can promote more improved construction management practices.

References

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