

**Faculty of Engineering**  
**Department of Architecture**

# Professional Practice

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Week	Lecture Date	Number of hours	Topic
1	8/10/2019	3 h	Introduction, course overview
2	13/2/2019		
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# Ethics and Professional Practice





## Course Reading List and References:




# **The Architect's Handbook of Professional Practice**

by R. L. Hayes, Ph.D., AIA Editor-in-Chief





## **Ethics and Professional Practice**

- Architecture as a practice is equally based on a moral foundation of professionalism, with responsibilities to the general public, our respective clients, to the profession itself, our colleagues, and to the shared environment that surrounds all of us.
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For members of the American Institute of Architects (AIA), the concise language of the Code of Ethics and Professional Conduct is both guide and measuring stick for professional behavior.





## STRUCTURE OF THE CODE

- The code is arranged in three tiers of statements: Canons, Ethical Standards, and Rules of Conduct.
- **Canons** are broad principles of conduct. The code of ethics primarily addresses responsibilities that architects and other AIA members have to others. Except for Canon I, General Obligations, the canons reflect the categories of those to whom duties are owed: the public, clients, the architectural and related professions, colleagues (as individuals), and the environment.
- **Ethical Standards** are more specific goals toward which members should aspire in professional performance and behavior.
- **Rules of Conduct are mandatory.** Violation of a Rule of Conduct is grounds for disciplinary action by the Institute.
- Rules of Conduct, in some instances, implement more than one Canon or Ethical Standard.

## Ethics

- Ethics is also known as moral philosophy which is a branch of philosophy that addresses questions about morality that deals with concepts such as good and evil, right and wrong, virtue and vice, justice, etc.





## Ethics

- There are actually a number of different ways to think about ethics and philosophers mean different things when they use the word.
- Philosophers have been thinking about ethics for a long time. The study of ethics in philosophy goes all the way back to the ancient Greeks with some of the very earliest philosophers we have on record.



## **The code of Ethics**

- An ethical code is adopted by an organization in an attempt to assist those in the organization called upon to make a decision. Usually most understand the difference between 'right' and 'wrong' and to apply this understanding to their decision.
- **General principles of the code of Ethics**
- **Duty to society.**
- **Duty to employers.**
- **Duty to clients.**
- **Duty to colleagues.**
- **Duty to employees and subordinates.**
- **Duty to the profession.**
- **Duty to oneself.**



## **Duty to society:**

- Duty to protect the safety, health, and welfare of society whenever society is affected by their work.
- The professions receive the privilege of self-regulation.

## **Duty to employers:**

- Must act fairly and loyally to the employer.
- Must keep the employer's business confidential.
- Must disclose any conflict of interest.

## **Duty to clients:**

- Same obligations to clients as an employee has to the employer.



## **Duty to colleagues:**

- Must act with courtesy and good will toward colleagues.
- The Codes of Ethics states specifically that fellow professionals must be informed whenever their work is reviewed.
- **Duty to employees and subordinates.**
- Must recognize the rights of others, especially if they are employees or subordinates.
- **Duty to the profession:**
- Must maintain the dignity and prestige of the profession.
- Must avoid scandalous, dishonorable, or disgraceful conduct.



## **Duty to oneself:**

- Must ensure that the duties to others are balanced by the individual's own rights.
- Must insist on adequate payment, a satisfactory work environment.
- Strive for excellence and maintain competence in the rapidly changing technical world.



## **Design Beyond Ethics.**

- Expecting an architect to design a safe structure is like expecting a chef to cook a safe meal: It is at once a high ethical requirement and a very low expectation.
- Currently the legal authority of architects rests with their licensure and their parallel commitment to professional ethics.
- But what if the raw, primal power of aesthetics could trump that of ethics? If so, aesthetics may be the key to unlocking the real authority of architects, and therefore of architecture, to shape society.




“**Aesthetics**” is not what it used to be: the term has undergone some renovations.

- Around the mid-nineteenth century, the word became most closely associated with ideas of beauty or taste.
- **Aesthetics** describes the first contact with reality, whether at the beginning of each day or at the beginning of life itself.
- **Morality**, in contrast, evolves as part of the culture utilizing it. as of beauty or taste.



## The Construction Industry

- The construction industry is concerned with the planning, regulation, design, manufacture, fabrication, erection, construction and maintenance of buildings and other structures.
  - Whilst the demarcation between the aforementioned disparate activities is blurred, the majority of architects are involved solely with building projects in their various forms.
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## Significance of the construction industry

There are certain characteristics that distinguish construction from other industries including:

- the physical nature of the '*product*'
- the product is normally produced on the client's land.
- most products are a prototype (i.e. a one-off design)
- the traditional arrangement which separates design from construction
- it produces an investment rather than something to be consumed
- its activities may be affected by the vagaries of the weather
- its processes include a complex mix of different materials, skills and trades.
- typically it includes a small number of relatively large construction companies and a very large number of small firms.

## Clients

- A project team comprises the designers and the constructors both working at the behest of a client; the customer and the most important team member.
- The client commissions a design and contracts for the building works.





## Clients

- Clients appear in many guises. They are the person who engages the consultants (e.g. an architect), they are the “Employer” under many standard forms of building contract (e.g. the SBC “Standard Building Contract”) and they generally own the building or facility constructed until such time as they dispose of it.
- It is the client **who pays the fees and the costs to construct the works**. In that respect they call the tune, something that should not be forgotten.
- Architects, like most other professionals, must have clients in order to practise.
- Unlike the painter, the author or the poet, they are not at liberty to choose their subject.



## Clients

- How does a client choose an architect? It may be in one of several ways.
- the client may approach the Royal Institute of British Architects (RIBA) Client Services and be provided with a list of suitable architects, from which to choose
- the client may search the Chartered Practice area on the RIBA website
- the client may see a building or photograph of a building that they like and research the name of the architect
- the architect may be recommended by a third party



## Clients

- the architect may specialise in the design of a particular building type which is sought by the client
- it may be as a result of a successful competition for a particular building or project
- it may be from an entry in a directory of architects
- it may be in response, by the architect, to an advertisement in the official journal of the European Union.



## Contractors

- The contractor, or constructor, is at the hub of a complex construction industry.
- Contractors are firms which differ greatly in their size and capabilities.
- Traditionally, the contractor is chosen by competitive tender having priced either a specification and drawings or a bill of quantities and drawings.
- Alternatively, work may have been negotiated with a preferred contractor.
- In both instances an architect has been engaged by the client. Today the procurement processes and the contractual arrangements entered into are many and varied.




## Contractors

- Sub-contractors, as their name suggests, are businesses to whom the contractor sub-lets its work.
- When work is sub-let it is delegated to another with the contractor remaining liable to the client (or 'employer') for the performance of the sub-contractor (e.g. defects in the sub-contracted works) under the building contract.



## Contractors

- In general terms work will be sub-let in one of two ways. **First**, it may be the specific wish of the architect, employer or other member of the design team that a certain facet of the work is to be carried out by a particular company.
  - This may be for a number of reasons that could include a particular expertise, quality based on past performance or simply price.
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## Contractors

- **Second**, The choice of sub-contractor to undertake the work could be left to the contractor.
- Such a sub-contractor is known as a 'domestic' sub-contractor; servant of the contractor or a part of the contractor's 'household'.
- Under the standard forms an architect has no power to object to any names put forward by the contractor as sub-contractors.



## Contractors

- Their only power might be, in given circumstances, to object to that particular facet of the works being sub-let on the grounds that it was always expected or required that it would be undertaken by the contractor.



## Consultants

### ➤ Architects

- Architects are usually the principal or lead designers on a building project and in many cases the lead consultant. They have the difficult task of translating a client's ideas into an acceptable design and then into working drawings.
- For business purposes no one can call themselves an architect in the United Kingdom unless they are on the register maintained by the Architects' Registration Board (ARB).



## Consultants

### ➤ Architects

- The list of duties identified by Hudson, in the last edition to be edited by him of *Hudson's Building Contracts* (1926), is still considered relevant today<sup>8</sup> and are set out below.
- To advise and consult with the employer (not as a lawyer) as to any limitation which may exist as to the use of the land to be built on, either by restrictive covenants or by the rights of adjoining owners or the public over the land, or by statutes and by-laws affecting the works to be executed.
- To examine the site, sub-soil and surroundings.
- To consult with and advise the employer as to the proposed work.



## Consultants

### ➤ Architects

- To prepare sketch plans and a specification having regard to all the conditions which exist and to submit them to the employer for approval, with an estimate of the probable cost, if requested.
- To elaborate and, if necessary, modify or amend the sketch plans as he may be instructed and prepare working drawings and a specification or specifications.



## Consultants

### ➤ Architects

- To consult with and advise the employer as to obtaining tenders, whether by invitation or by advertisement, and as to the necessity or otherwise of employing a quantity surveyor (Engineers do not so often employ a quantity surveyor).
- To supply the builder with copies of the contract drawings and specification, supply such further drawings and give such instructions as may be necessary, supervise the work, and see that the contractor performs the contract, and advise the employer if he commits any serious breach thereof.



## Consultants

### ➤ Architects

- It should be noted that usually architects inspect, rather than supervise, work; something which the courts have endorsed.
- Architects must have a good practical knowledge of building and allied trades, and must have at least a working knowledge of the more specialised aspects of building, such as mechanical and electrical engineering services.



## Consultants

### ➤ Quantity surveyors/cost managers

- The work and services provided by the quantity surveyor might be described as the financial management of the project, whether it is on behalf of the client or the contractor.
- Traditionally, certainly during the early part of the last century, quantity surveyors were employed to prepare bills of quantities for building projects.
- Their role was constrained to a specific but important part of the building process.

## **Quantity surveyors/cost managers**

Today the work of the quantity surveyor can be summarised briefly as follows:

- preliminary cost advice
- cost planning including investment appraisal and whole life costing
- value management or engineering
- risk analysis
- procurement and tendering procedures
- contract documentation
- tender evaluation
- cash flow forecasting, financial reporting and interim valuations
- final accounting and advice on contractual claims and disputes
- cost advice during use/occupation by the client
- contractor insolvency advice
- technical auditing.



## Other consultants

- The other members of the design team who may be involved with a project could include any combination of the following:
- structural engineer
- building services engineer
- landscape consultant
- specialist consultants.



**THANK  
YOU  
FOR  
YOUR  
ATTENTION**