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Constructing Building Integrity: Raising Standards Through Professionalism

Industry Factsheet: Building Designers

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Overview

This fact sheet summarises the integrity system framework for building designers in Australia. Recent reforms in New South Wales under the *Design and Building Practitioners Act 2020* and the *National Registration Framework* (NRF, 2021) have enhanced statutory registration and licensing requirements for building designers. The Building Designers Association of Australia (BDAA) provides accreditation pathways, training, continued professional development (CPD) and advocacy platforms to raise professional standards for building designers and to address key areas of concern, while the public visibility of the profession has grown in accordance with their increased statutory obligations. Alongside these strengths, there is currently no consolidated national regulatory framework in place and while accreditation is mandatory in some states, and the title of 'building designer' is not legally defined or protected in Australia.

Our research identified a number of ethical tensions arising from the qualifications and competencies of building designers compared with registered architects. The building designers interviewed for this project spoke to a range of issues that negatively impact the profession (see key findings). The suggested pathways to action recommend that building designer professional and regulatory frameworks continue to be improved to ensure that the qualifications, competencies and associated obligations are commensurate with the scope of their work.

The fact sheet will summarise the goals, values, and professional standards of building designers, together with the various ethical challenges that the profession faces in Australia. It should be read in conjunction with the industry report *Constructing Building Integrity: Raising Standards Through Professionalism* which describes the full scope of the research, methods, recommendations, and the supplementary resource document that outlines the integrity system maps (high-level and detailed) for building designers.

Goals and values of peak professional bodies

The peak professional body for building designers is the Building Designer Association of Australia (BDAA). The core values of the BDAA are:

- Design excellence
- Education
- Advocacy
- Sustainability
- Community
- Collaboration

The vision of the BDAA is to *'elevate the standards of our profession, promote best practices, and advocate for policies that benefit our members and the wider community. By fostering collaboration and innovation, we aim to shape a sustainable and resilient future for the built environment'* (BDAA, n.d.). The BDAA provides voluntary accreditation pathways, continuing professional development (CPD), resources library, mentoring and networking opportunities for building design professionals, while the association also emphasises the importance of ecologically sustainable development (ESD) and climate change as part of its broader commitment to promoting sustainable building design practices (BDAA, 2024).

The BDAA has a Code of Ethics (BDAA, 2024), which has twelve broadly delineated provisions that partially cover the ethical values and professional standards that comprise the building industry integrity system.

The building designers who were interviewed for this project highlighted the importance of protecting the 'public good' in their professional practice. According to Interviewee 1, the building design process is

> *'always kind of more about the greater good rather than the greater good for one person'.*
> **– Interviewee 1**

Sustainability and green/climate-positive building design were also defined as core values for building designers, with all interviewees agreeing that

> *'every building that we do needs to have a focus on reducing the amount of energy that it consumes'.* **– Interviewee 1**

When comparing their personal values with professional standards, some interviewees were ambivalent about the impact of formal statements of value (such as codes of conduct) on their ethical decision-making, with Interviewee 2 stating that

> *'they are there but typically, they're not talked about much'*. **– Interviewee 2**

Integrity system analysis – building designers

As outlined above, the integrity system for landscape architects has various strengths and weaknesses that comprise the profession's identity. This section summarises integrity enablers that promote high ethical and professional standards, and ethical tensions that negatively impact building designers in various aspects of their work.

Integrity enablers

Improved regulatory oversight: Recent reforms in NSW and in the *National Registration Framework* (NRF) have raised the expected professional standards and associated statutory obligations for building designers.

BDAA governance: The BDAA offers accreditation pathways, training and CPD, networking and advocacy platforms, while its policies and guidelines focus on sustainability, climate change, green building practices and ecologically sustainable development (ESD).

Professionalism: The Diploma of Building Design that is offered at Technical and Further Education (TAFE) institutes and Registered Training Organisations (RTOs) in all examined jurisdictions provides students with practical training on how to design Class 2-9 buildings. The recent reforms in NSW have also increased the public visibility of building designers.

Personal values: The interviewees emphasised that public interest factors played a significant role in influencing their personal values and ethical decision-making during the course of their work.

Environmentally sustainable design: Interviewees stated that that building designers place equal importance on profitability, functionality, quality and sustainability when designing buildings and that ESD was a core element of their professional identity.

Ethical tensions

Statutory accreditation, registration and licencing: The accreditation, registration and licencing requirements for building designers are not uniform across state jurisdictions. NSW has the only statutory code of conduct for building designers.

Qualifications: Unlike Architects (who have to undertake 5 years of tertiary education and 2+ years of professional experience before they can become registered), building designers can work on most building types after completing a 2-year Diploma and 1-3 years of professional experience. The NRF has been criticised by the Australian Institute of Architects (AIA) for enabling building designers to perform many of the functions that are currently undertaken by registered architects (AIA, 2020).

BDAA Code of Ethics: The BDAA Code of Ethics is broadly delineated and only covers some of the ethical values and professional standards that were identified in the research and comparative analysis across the ten construction industry professions. It also does not include practical advice and case studies on how to manage ethical risks.

Collaboration challenges: Interviewees noted various on-site tensions when interacting with other professionals on construction projects and monitoring building works for potential defects.

Commercial drivers, pressures and incentives: Interviewees identified various commercial drivers, pressures and incentives for building designers including cost under-cutting during the procurement phase, aggressive tendering, unethical contracting practices, and lack of business support for ESD practices due to concerns over costs.

Key findings

The integrity system for building designers can be strengthened by addressing key areas for future reform: education, training and competencies; enhanced focus on raising professional standards by professional associations and regulators; and enhancing collaborative relationships during construction projects to reduce building defects.

Our research identified five key areas where ethical tensions and integrity system weaknesses persist for building designers:

- the **evolving roles and responsibilities of building designers** in the wake of recent regulatory reforms
- the ***ad hoc* identification of risks and defects** during the design phase of a building project
- the **profit-driven nature of the construction industry**
- fragmented approaches by various stakeholders (government, businesses and/or construction companies) to implementing **sustainable and green building practices** to address climate change and promote energy efficiency
- a **lack of consistency in implementing software and technology innovations** to improve building outcomes.

Regulatory Framework for Building Designers

Recent reforms in New South Wales under the *Design and Building Practitioners Act 2020* (DBP Act), *Design and Building Practitioners Regulations 2021* and the National Registration Framework (NRF) have increased statutory obligations for building designers, but they are **not uniformly enforced in all Australian state jurisdictions**. Building designers in Victoria, Queensland and Tasmania must be registered with their respective state regulatory bodies (VBA, QBCC, CBOS), while other states offer voluntary accreditation pathways.

The *DBP Act* is aimed at restoring *'confidence in the residential construction industry [to] make sure that apartments being built are trustworthy'* (SCA, 2021), but ethical tensions are apparent regarding the **capabilities and responsibilities of building designers and architects**. In their submission to the NRF discussion paper, the BDAA welcomed the inclusion of building designers on the basis that *'the industry has been calling for unified Building Design Registration for years'* and the new provisions *'align well with the National Building Design Training package qualifications [and] with the current BDAA Accreditation program across Australia and the Queensland Building Construction Commission (QBCC) licensing levels for Building Designers'.* (ACBC, 2020).

However, the Australian Institute of Architects (AIA) concluded that the NRF is *'inappropriate with regard to the skills required to deliver safe buildings and buildings [because it] does not recognise the significant differences in education and mandatory practical experience between registered architects and others providing building design services'* (AIA, 2020). The findings suggest that **further reform of the regulatory framework for building designers is needed** to clarify the differences between building designers and architects and to more effectively align the scope of authorised works with the qualification, accreditation and licencing standards for building designers.

Other ethical risks and challenges

Interviewees identified a range of additional challenges for building designers. According to interviewee 1, the construction industry is dominated by a ***'first past the post, lowest price'* culture of relentless competition and cost-undercutting** where builders are forced to cut corners to reduce the actual cost of delivering an asset because '*too much steel doesn't win the job*'.

Interviewees also expressed frustration at the **limited role that building designers play in the life cycle of an apartment building**. For example, interviewee 1 commented that building designers are often

> *'removed from the project at the end of the documentation phase and **never even see the thing get built** so therefore the responsibility lines of what's been actually constructed have no chance of being followed up'.* – **Interviewee 1**

Finally, our research identified various barriers to integrating green and sustainable building designs into construction projects. According to Chan, Qian & Lam (2009, p.3066), the main obstacles to environmentally sustainable/green building practices are perceived higher-up front costs, limited available education on the benefits of ESD, and a lack of fiscal incentives and awareness. However, they also found that demand for more energy efficient buildings has increased in response to worsening environmental conditions.

Pathways to action

It is recommended that the following actions are taken to address the ethical tensions and further strengthen the integrity enablers for building designers:

RECOMMENDED PATHWAYS TO ACTION

Education, Training & Accreditation (*Final Industry Report* Rec. 3)

- Continue to strengthen the education, qualification and accreditation requirements for building designers to ensure that they:
  - have the required skills and competencies to design high-quality residential apartment buildings, and/or
  - align the scope of authorised works more effectively with the qualification framework for building designers

Regulatory Framework (*Final Industry Report* Rec. 4)

- Implement statutory registration requirements for building designers in all state jurisdictions.
- Enact further industry reforms that are aimed at:
  - differentiating the roles, responsibilities, competencies and corresponding professional obligations of building designers and architects, and/or
  - enacting additional statutory safeguards to ensure that the work undertaken by building designers is commensurate with the regulatory framework for design professionals.

Professional Associations (*Final Industry Report* Rec. 5)

- Support greater focus by the BDAA on professional and ethical standards on their website.
- Expand the BDAA Code of Ethics to incorporate a wider range of ethical and professional standards as well as providing practical advice on how each code provision should be applied in a range of professional contexts.

FURTHER READING:

Australian Building Codes Board (2020) *Discussion paper: National Registration Framework for Building Practitioners*, Response 446227171.

Building Designers Association of Australia (n.d.), *Our Mission and Vision* https://bdaa.com.au/Web/Web/About-Us/Our-Mission-Vision.aspx

Building Designers Association of Australia (2024), *Code of Ethics* https://bdaa.com.au/common/Uploaded%20files/BDAA/BDAA-Code-of-Ethics-2024.pdf

Australian Building Codes Board, *National Registration Framework*, December 2021 https://www.abcb.gov.au/resource/guidance-materials/national-registration-framework-building-practitioners

Australian Institute of Architects (2020), 'Policy update: National Registration framework for Building Practitioners,' *Media Release*, 16 September https://www.architecture.com.au/archives/news_media_articles/policy-update-national-registration-framework-for-building-practitioners

Chan, E. H. W., Qian, Q. K., & Lam, P. T. I. (2009). The market for green building in developed Asian cities—the perspectives of building designers. *Energy Policy*, 37(8), 3061-3070. https://doi.org/10.1016/j.enpol.2009.03.057

Strata Community Association NSW (2021) 'Preparing for 1st July: The Design and Building Practitioners Regulation is here' https://nsw.strata.community/design-and-building-practitioners-act-2020/

PROJECT RESEARCH:

Additional research arising from the project (including the Final Industry Report) can be found at: https://www.griffith.edu.au/law-futures-centre/institute-ethics-law-governance/our-research/construction-building-integrity

CITATION

Cooper, K. & Desha, C. (2024). *Industry Fact Sheet: Building Designers*. Griffith University, October 2024.