

# **Constructing Building Integrity: Raising Standards Through Professionalism**

## **Industry Factsheet: Building Surveyors**

October 2024

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## Overview

This fact sheet summarises the integrity system framework for building surveyors. Building surveyors have a statutory role regulating building compliance in Australia; as such the profession is highly regulated. Legislation in each state and territory prescribes functions that must be undertaken by a registered building surveyor, including approving the construction or occupation of a building, conducting inspections during construction, and issuing enforcement notices. Historically, building surveyors worked within local government. More recently, their statutory functions have been privatised, which has generated unique tensions for the profession.

This fact sheet outlines building surveyors' goals, values, and professional standards before summarising the various ethical challenges that the profession in Australia faces. It should be read in parallel with the industry report – [Constructing Building Integrity: Raising Standards Through Professionalism](#), – which describes the full scope of this work, methods used and recommendations, as well as the supplementary resource document that outlines the integrity system maps (high-level and detailed) for building surveyors.

### Goals and values of peak professional bodies

The Australian Institute of Building Surveyors' (AIBS) core values are to be:

- Innovative
- Ethical and respectful
- Accountable
- Inclusive and accessible
- Professional

The AIBS's vision emphasises "safe, compliant buildings" (AIBS 2023). The building surveyors that were interviewed for this project supported this vision, stressing their responsibility to ensure building compliance to promote public safety.

### Integrity system analysis – Building Surveyors

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

#### Integrity Enablers

**Strong governance:** the principal vs statutory function tension is mitigated by legislative obligations to support the provision of a statutory function in a commercial environment



**Strong Professional Association:** the AIBS has implemented a Professional Standards Scheme (PSS) to monitor,



enforce and improve the professional standards of members. In return, the PSS limits the civil liability or damages that a building surveyor may incur if a court upholds a claim against them.

**Professionalism:** the AIBS goals/values, mission statement, and strategic plan emphasise the importance of maintaining high ethical and professional standards.



**Education and training:** AIBS-accredited tertiary degrees in three states, high accreditation standards and Continuing Professional Development (CPD) requirements.



#### Ethical Tensions

**Principal vs statutory function tension:** Building surveyors are contracted by the client, in a free market, to undertake a statutory function in the public interest.



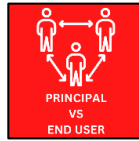
**Lack of regulatory oversight:** Insufficient or inexpert regulatory oversight is the primary barrier to ethical behaviour for building surveyors. While most building surveyors want to do the right thing, insufficient oversight makes ethical behaviour unprofitable.



**Aggressive competition tension:** the interviewees noted that building surveyors face considerable commercial pressure to do, and charge, as little as possible.



**Principal vs end-user tension:** Where the building surveyor is not engaged by the building owner, the principal's short-term interest in the building can conflict with the owner's long-term interest.



**Competence tension:** Privatisation of building surveying was accompanied by a change to the qualification for level 1 building surveyors. Existing practitioners were grandfathered in, resulting in varying degrees of competence in the profession.



**Work overload tension:** The profession is subject to an ongoing skills shortage, exacerbated by its anonymity. This skills shortage can lead to overwork for the remaining building surveyors.



## Key findings

Building surveyors interviewed for this project commented on the **importance of their legislative obligations to undertake a statutory function** in the private sector. Private building surveyors face commercial pressure to do, and to charge, as little as possible. However, a statutory function must be undertaken in the public interest, despite the client's hiring power. Private building surveyors therefore rely on legislation to set an appropriate minimum standard for professional services and conduct.

Interviewees also noted that their ethical values are closely interwoven with the statutory requirements, and that government must support the profession to undertake a statutory function in a commercial environment.

Complementary to statutory obligations is **regulatory oversight**. Insufficient or inexperienced regulatory oversight was found to be the primary barrier to ethical behaviour. We heard that while most building surveyors want to do the right thing, insufficient oversight makes ethical behaviour unprofitable. Aggressive competition in the market drives a 'race to the bottom'.

The reviewed literature agreed that the necessity of competing for work, in a market where the clients shop

for the cheapest price, drives professional standards down (Law 2021, Bolton King 2017, van der Heijden 2010). **Consistent, competent oversight is vital** to enforce an acceptable minimum standard for both the profession and the industry.

State and territory governments have worked to create a regulatory environment that supports building surveyors to work ethically, supported by the peak body, AIBS. Further work is required, through regulatory oversight and measures to address liability.

However, in 2021 AIBS adopted a Professional Standards Scheme, a strong indication that the profession is evolving. No longer relying solely on the minimum standards set by regulation, the profession is establishing its own professional standards and policing professional conduct.

Other ethical risks and challenges for building surveyors identified in this research include:

- Anonymity of the profession and its function, resulting in:
  - Clients and industry practitioners misunderstanding the building surveyor's statutory function
  - Professional skills shortages.
- Inequitable distribution of liability across the project team and supply chain, with a disproportionately high liability for building surveyors.
- Commercial pressures driving a 'race to the bottom' for the industry and the profession.
- Insufficient understanding or availability of regulatory requirements and building standards.
- Industry attitudes that low standards are adequate.
- Lack of understanding between construction industry professions and sectors.

## Pathways to action

It is recommended that the following actions (which are derived from the main recommendations that are outlined in the *Final Industry Report* and profession-specific findings) are taken to address the ethical tensions and strengthen the integrity enablers for building surveyors:

### RECOMMENDED PATHWAYS TO ACTION

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

- Promote the implementation of mandatory courses on professional ethics in tertiary courses
- Continued efforts to increase the number of registered building surveyors and students entering the profession

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

- Consistent, competent enforcement action by each state and territory regulator to uphold the legislated minimum standard.

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

- Advocacy platforms that focus on raising the public profile of the profession

#### **Other**

- Greater promotion of collaborative relationships and mechanisms with other construction professions, professional associations, regulators and academic institutions.

## FURTHER READING

Australian Institute of Building Surveyors (2023) *AIBS Strategic Plan 2023-2025*, viewed 25/9/2024. [https://aibs.com.au/Public/Public/Our\\_Mission.aspx](https://aibs.com.au/Public/Public/Our_Mission.aspx)

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Law, T. (2021) 'Beyond minimum: proposition for building surveyors to exceed the minimum standards of the construction code', *Journal of Legal Affairs and Dispute Resolution in Engineering and Construction*, 13(2). Viewed 25/9/2024 [https://doi.org/10.1061/\(ASCE\)LA.1943-4170.0000463](https://doi.org/10.1061/(ASCE)LA.1943-4170.0000463)

van der Heijden, J. (2010), On peanuts and monkeys: private sector involvement in Australian building control, *Urban Policy and Research*, 28(2), 195-210. Viewed 25/9/2024. <https://doi.org/10.1080/08111141003712776>

## 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

Bazen, E. (2024). *Industry Fact Sheet: Building Surveyors*. Griffith University, October 2024.

