

Article category: PROFESSIONAL

BUILT ENVIRONMENT PROFESSIONS BILL **The new profession of project and construction management - a giant stride backwards?**

By Bob Hindle and Pantaleo Rwelamila

By the time this article is published, a new suite of Acts relating to the built environment professions will have been passed in Parliament or is about to be. Two new professions will be recognised, several will be re-established and a new control body will be set up to monitor and manage the performance of each profession. It's the end of a process that began three years ago when the Human Sciences Research Council was requested to review the role of the built environment professions (BEP) in South Africa.

Readers may remember a series of articles published in PROJECTPRO in this connection, starting with one entitled **Do we need the professions** (March 1996), followed by **More questions about the professions** (May & July 1997) and **Walking in the footsteps of the dinosaurs** (July & Sept 1998). These were written by the authors of this article and were designed to encourage discourse and debate.

We had hoped to get some response from the Quantity Surveying, Architecture and Civil Engineering professions. We received many calls that were supportive and two calls from members of the BE professions who were unhappy, but neither was prepared to offer their response in writing. This is disappointing but understandable, given the record of professions generally, when faced with criticism.

Chambers (1994) described how normal professionalism maintains itself through a repertoire of defences against discordance and threat, including denial, rejection and assimilation. However, in this instance the established professions had the advantage of knowing that their interests were served through membership of a select committee. It consists of traditional built environment profession representatives and the policy designers who worked, behind closed doors, to present their own case and to help formulate the eventual policy.

Came the day however, when we had a public hearing where all interested parties that were astute enough to read the notice, could present their views. This occurred in June 2000 and the National Department of Public Works (NDPW) convened it. Members of Parliament, representing the various political parties, who formed the Parliamentary Portfolio Committee, attended. A visit to the Parliamentary Monitoring Group Website at www.pmg will take you to a summary of the proceedings and copies of the various papers presented.

Professions that made a written submission and those that gave a verbal one, made it quite clear that they were against the Bill that would formalise the Construction Project Management profession. They thought it unnecessary to create this new profession because, their own members had been performing this function for years. In a rare put-down, a representative of the National DPW acknowledged that the general level of performance of such project managers left much to be desired.

One strange feature of the public hearing was that most of the individual professions came simply to present their case, leaving without hearing other presentations and the discussions arising from them. In fact, because a number of speakers failed to arrive,

the proceedings were curtailed on the second day and the Association of Architects, who were scheduled to make their presentations, were not heard because they were not present when the decision was taken.

Gratifying though it was to participate in this hearing it seemed to us to be a case of 'too little too late'. Having been amongst the small number that responded to the original invitation to submit written comment in 1998 and then being 'kept in the dark', despite numerous enquiries, it seemed somewhat ironic and smacked of tokenism. Especially since consultation between government and the established professions had been going on 'behind closed doors' for many months.

What impact will this new set of bills have on the construction sector of the economy?

For the first time project managers in construction and construction managers are to be recognised, by government, on equal terms with the more traditional built environment professions. Will this benefit others in the process? Well perhaps, through the provision of a measure to gauge the extent of education or experience of the project manager with whom they interface. It also allows the NDPW to offer an equitable pay scale to project managers in government employ.

One can imagine that the established professions that offer project management services will be disappointed because they will now have to apply to register with a second professional body and to show that they have the necessary education, training and competence. Not an easy task for those who have gained management skills through 'osmosis'.

Of course, the NDPW's reason for introducing the Built Environment Professions Bill and renewing the existing professions Acts must be considered. At a meeting in August 2000 the Public Works Portfolio Committee were apprised of the purpose of the Council for the Built Environment Professions Bill. They were advised that the Council represented an overarching body that would be responsible for various things, including, the accreditation of professional competence, co-ordination of the development of the various professions and the regulation and promotion of these professions. In addition, it would ensure that there would be an authority competent of recognising and establishing new professions. The new legislation brought the various existing professions Bills in line with the constitution and, for the first time, opened up the professions to public participation and transparency.

Is this legislation bad for the professions and the industry?

Space does not permit a detailed discussion here. Refer to PROJECTPRO articles mentioned previously. In a nutshell, the collective way that professions behave, has the effect of placing a fence around a body of knowledge and then to get government to give them 'sole rights' to use it. Within this knowledge area professions develop a set of procedures that become the core practices of their members and these procedures are designed to suit the professions rather than customers or the whole delivery process. Any innovation that takes place is within the discipline and not across disciplines in the form of construction delivery or provision of customer satisfaction (*See Figures 1 and 2*). Beyond this, they form barriers to communication and co-ordination between professions, between contractors and professions and between clients and the project role-players. Their protected position has helped them avoid the natural development forces of competition and, in this way, resisting change for more than 80 years. Change that would have seen the industry adopt proven business practices that have helped other industries mature and keep pace with globalisation – a phenomenon which is wreaking havoc in industries, business entities and professions that have not orientated themselves properly.

If you see merit in this argument, then you can imagine why we believe that it is a tragedy that these Acts protecting the professions have been renewed and have increased in number. The designers of this suite of Bills seem to believe that a profession is not valid unless it has an Act to describe it. In global terms this is clearly not the case, few professions are protected by legislation and the trend is towards deregulation. Despite this, we will now have two more professions to add to the 'log-jam' of professions that stifle process development in South African construction delivery.

It may not all be bad news though. Whilst *Figures 1 and 2* show a basic difference between the orientation of individual professions and the integrating flow of project delivery, **Figure 3** shows that the new profession of Project Management embodies the skills needed to manage construction delivery by integrating the input of the various role-players. Providing that the PM and CM professions remember this, they can avoid the pit-falls of what Chambers (1993) terms 'normal professionalism'.

Why is this legislation being put in place?

Because the members of the professions in the NDPW want it, the built environment professions want it. But the public has not been consulted appropriately, nor is it represented by a cohesive body that can look after its best interests. Perhaps we should expect the government to act on behalf of the public but this can only happen if the members of the Parliamentary Portfolio Committee, charged with the development of this legislation, have been exposed to all of the arguments and theories that surround this issue. In particular, the material produced by eminent social scientists who have studied the behaviour of professions in general. (Eg Gilb 1966, Chambers 1993, Broadbent *et al.* 1997). There is little evidence of this because it would seem that the legislators believe that it is necessary to promulgate these Bills to protect the public from injury should buildings and structures fall on them!

Legislators seem to have forgotten that we have all of the safeguards that other countries have, in the form of a regulatory framework. This requires that plans be passed before developments take place, to ensure that they comply with the National Building Regulations, various local bylaws and that the structural calculations, electrical and other designs have been checked by a competent person. These are similar to the rules pertaining to automobiles, aircraft and other moving passenger vehicles that offer greater opportunities to kill people than do buildings. Yet, they do not have Acts to protect the professions that are involved in their structural design, costing, interior design, electrical and air-conditioning, assembly and planning! Remember also that the construction industry is thought to be so poor at what it does that it needs a 'development board' to 'sort it out'. Perhaps we should be asking why the aerospace, automotive and shipbuilding industries do not have enacted professions and do not need 'development boards'.

Construction Industry Development

The legislation concerned with the built environment professions is only one of several government initiatives that are impacting the construction sector and it should not be considered in isolation. We have seen legislation on public sector procurement, the reorganisation of the NDPW and the government's property holdings and perhaps the most significant initiative, aimed at developing the construction industry and NPWD capacity to manage the process (Construction Industry Development Board Bill). In total these interventions are said to be motivated by the need to make the governance of the industry more representative and democratic; to incorporate the broad socio-economic development policies described in the RDP; to obtain improved value-for-money through the construction process; and to allow the government to have a greater influence in the process which is understood to be flawed and in need of development. Indeed it is

thought to be so bad that it requires committed leadership, customer focus, and integration of role-players and activities, in effect, major changes.

Clearly there is a common thread running through these initiatives intended to improve an industrial process. But these separate initiatives do not complement each other. In fact, because the Acts concerning the built environment professions promote and entrench traditional practices and procedures, they act as a barrier to change and the kind of innovation and integration that is required to improve the construction delivery process. Because of this we believe that it will negate the potential and best endeavours of, the soon to be formed, Construction Industry Development Board and the broad aims of development through construction.

A giant stride backwards

This suite of legislation marks a giant stride backwards in the drive towards socio-economic development in South Africa. In all other countries around the world the trend is towards removal of such interventions, and special privileges that protect the occupations of certain groups making them feel so secure that they neglect customers, resist change and stifle process innovation. Nice work if you can get it, but who would have thought that in a country which projects an international image of active social development through a new order, you would find architects of policy embracing such a conservative elitist dogma; and to have reinforced it in ways not possible even in less enlightened countries?

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