

AIB Information Publication No.12 – Policy Statements of the Institute

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CONTENTS

Introduction	1
Part 1 Policies Relating to the Institute	
Chapter 1.1 The Institute’s Objectives and Code of Ethics	2
Chapter 1.2 Continuing Professional Development	3
Chapter 1.3 Competency Based Standards	4
Part 2 Policies Relating to Building Practice	
Chapter 2.1 Builders Licencing & Registration	4
Chapter 2.2 Consolidation of Building Legislation	5
Chapter 2.3 Quality Assurance	5
Chapter 2.4 Women in the Building and Construction Industry	5
Chapter 2.5 Information Technology	6
Chapter 2.6 Security of Payment	7
Chapter 2.7 Waste Minimisation Code of Practice	8
Part 3 Policies Relating to Education and Training	
Chapter 3.1 Education for the Profession of Building	9
Chapter 3.2 Training Levies	10

INTRODUCTION

1. This AIB publication contains AIB policy statements on matters which could be of interest to persons outside the Institute. It may be promulgated as necessary to inform people of the Institute’s policies.
2. The publication will be updated whenever the Institute’s Council adopts a new policy statement or amends a previously adopted statement.

PART 1 – POLICIES RELATING TO THE INSTITUTE

Chapter 1.1

OBJECTIVES OF THE AUSTRALIAN INSTITUTE OF BUILDING

- 1.1.1 The objectives of the Australian Institute of Building are to:
- a. Promote excellence in the construction of buildings and just and honourable practices in the conduct of business;
 - b. Advance the study of building and all kindred matters, arts and sciences;
 - c. Encourage the friendly exchange between members of knowledge of practical, technical and ethical subjects; and
 - d. Uphold the dignity of the profession of Building and the status of the Institute.

CODE OF ETHICS

- 1.1.2 The guiding principles of the Code of Ethics are to:
- a. Respect the inherent dignity of the individual;
 - b. Place the welfare, health and safety of the community before sectional or private interests; and
 - c. Act in accordance with the spirit as well as the letter of the law.
- 1.1.3 Members shall:
- a. Act in accordance with the guiding principles;
 - b. Act fairly and honestly in all dealings;
 - c. Undertake professional practice in a responsible, careful and diligent manner at all times;
 - d. Always uphold the integrity and status of the Institute, its members and the profession of Building;
 - e. Not disclose any confidential information required in the course of professional practice unless required to do so by law;
 - f. Act faithfully as agent of their client or employer and disclose any potential conflict of interest that may arise;
 - g. Respect the privileges, rights and reputation of other members;
 - h. Only make public statements, express opinions or give evidence based on adequate knowledge; and
 - i. Continue to develop relevant knowledge, skill and expertise throughout their careers.

PART 1 – POLICIES RELATING TO THE INSTITUTE

Chapter 1.2

CONTINUING PROFESSIONAL DEVELOPMENT

Policy

1.2.1 The Australian Institute of Building (AIB) has a responsibility to encourage and support its members to maintain a proper level of competence and professionalism in their service to industry and the community. This goes beyond membership and implies a system of Continuing Professional Development (CPD), which is defined as ‘the systematic maintenance, improvement and broadening of knowledge and skill, and the development of personal qualities necessary for the competent execution of professional and technical duties throughout a professional’s working life’.

1.2.2 An annual minimum of 20 hours appropriate CPD (a maximum of 10 being private study) must be undertaken by:

- a. AIB members wishing to upgrade (other than Student to Graduate); and
- b. Persons wishing to be listed, and retain listing, on the National Building Professionals Register (NBPR).

1.2.3 Appropriate CPD should include activities related to competencies which are required for a person to carry out his/her professional tasks.

Background

1.2.4 CPD may include activities carried out by the AIB or other organisations, such as:

- a. Technical meetings,
- b. In-house workshops and site visits,
- c. Conferences, forums and seminars, and
- d. Formal academic courses.

1.2.5 To assist in recording CPD activities, each member will be issued, free of charge, with Personal Achievement Diary. Copies of appropriate pages from the Diary should be forwarded with any application for grade transfer. Chapters are encouraged to implement a system for endorsing members’ Personal Achievement Diaries.

1.2.6 In order to support and encourage members to carry out CPD, each chapter must:

- a. Appoint a CPD sub-committee,
- b. Conduct CPD activities, including joint activities with kindred associations,
- c. Promulgate a continuing program of CPD activities, and
- d. Advise the AIB Office to facilitate promulgation of information re CPD activities.

Chapter 1.3

COMPETENCY BASED STANDARDS

1.3.1 The Australian Institute of Building acknowledges the importance of competency-based standards to Australia as a whole and to building in particular. Because of its involvement with building education and practice, the Institute shall endeavour to take a leading role in the development and application of competency based standards for building at professional and para-professional levels, co-operating as necessary with other interested parties.

PART 2 – POLICIES RELATING TO BUILDING PRACTICE

Chapter 2.1

BUILDERS' ACCREDITATION/LICENSING/REGISTRATION

Policy

- 2.1.1 All practitioners who are responsible for design, construction or assessment of building work should be accredited under state or territory legislation. Such accreditation must be recognised throughout Australia, preferably by way of uniform legislation.
- 2.1.2 Accreditation requirements must include:
 - a. Applicable academic qualification (see paragraph 2.1.3),
 - b. Adequate insurance, and
 - c. Building and business competencies.
- 2.1.3 Minimum academic qualifications should be:
 - a. For housing, low rise and single story commercial: AQF level 4 (Certificate IV)
 - b. For building up to 3 storeys: AQF level 5 (Diploma)
 - c. Unlimited: AQF level 6 (Advanced Diploma).
- 2.1.4 To carry out the role of, or purport to be, a building practitioner without accreditation should be an offence under the relevant legislation. However, genuine owner-builders should be permitted to construct their own buildings.
- 2.1.5 A body should be authorised under the legislation to monitor compliance by accredited practitioners, carry out audits, investigate complaints and report as required.
- 2.1.6 There should be a mechanism for a person to appeal against a decision by the authorised body.

Background

- 2.1.7 The above policy is based on the Tasmanian Building Act 2000, which AIB believes should be the model for other states and territories.

Chapter 2.2

CONSOLIDATION OF BUILDING LEGISLATION

- 2.2.1 Building legislation should be consolidated into one act, which includes:
- a. Replacement of joint and several liability with proportionate liability;
 - b. Accreditation of building practitioners (contractors, architects, engineers, designers and surveyors);
 - c. Mandatory insurance; and
 - d. Maintenance of essential safety and health requirements in buildings.
- 2.2.2 A Building Act should satisfy the objectives of:
- a. Binding the Crown by provisions of the legislation;
 - b. Protecting the health, safety, amenity and social needs of building users;
 - c. Establishing appropriate standards;
 - d. Clearly allocating responsibilities;
 - e. Maintaining public order in respect of building construction and use;
 - f. Protecting customers who use building practitioners;
 - g. Promoting sustainability;
 - h. Underpinning an efficient building industry; and
 - i. Being consistent with legislation in all other states and territories.

Chapter 2.3

QUALITY ASSURANCE

2.3.1 AIB members should provide all services and products in accordance with customer specified requirements and guarantee this level of performance by the operation and maintenance of a Quality System to suit the requirements of AS series 3900.

Chapter 2.4

WOMEN IN THE BUILDING AND CONSTRUCTION INDUSTRY

Policy

2.4.1 The Australian Institute of Building (AIB) supports and encourages equal career opportunities for women in the building and construction industry. It recognises that women have the right to pursue career paths and recommends to AIB members that they exercise their influence in ensuring positive work environments and are supportive of equal opportunity and responsibility.

Background

2.4.2 Efforts should be made to ensure that both genders are adequately represented on all aspects of the Institute's activities.

2.4.3 The responsibility for implementing a fair and equitable approach to women lies with people at all levels in the industry. This includes the use of procedures which will encourage women to

voice any issues under dispute without fear of any retribution; the application of equal employment opportunity (EEO) principles in the selection process for recruitment; determination of salary packages commensurate with expertise and experience regardless of gender; the provision of training and promotion opportunities to senior roles regardless of gender; and the application of review processes which do not differentiate between genders.

2.4.4 Any workplace should be in an environment where all workers, regardless of gender, feel comfortable and welcome as colleagues. This can be achieved by having in place a code of ethics and behaviour, the prohibition of discrimination and harassment, together with the provision of appropriate facilities and clothing.

Chapter 2.5

INFORMATION TECHNOLOGY

Policy

2.5.1 The Australian institute of Building (AIB) will:

- a. Foster, encourage and promote research and development in the application of integrated information technology (IT) in the design, construction and occupancy of buildings;
- b. Pro-actively encourage the use of IT in the construction of buildings;
- c. Support the introduction of electronic data exchange (EDI);
- d. Encourage the establishment of open data standards to allow free and straightforward exchange of information electronically;
- e. Support and contribute to the efforts of CIB W78 in establishing worldwide information standards by encouraging their implementation in Australia, including their incorporation into Australian Standards; and
- f. Participate in international cooperation for IT.

2.5.2 AIB members should proficient in the use of IT applicable to their area of expertise, and are encouraged to upgrade their skills regularly in the use of current software being used in the building industry.

Background

2.5.3 The International Council for Building Research Studies and Documentation (CIB) is a forum for cooperation and a unifying force in construction worldwide, fostering innovation and the creation of workable solutions to technical, economic and social problems. It is organised into working commissions and task groups. The scope of Working Commission 78 (W78) is to foster, encourage and promote research and development in the application of integrated IT throughout the life cycle of buildings and related facilities. It primarily relates to the integration and communication of data, information and knowledge in a building's life cycle.

Chapter 2.6

SECURITY OF PAYMENT

Policy

2.6.1 Persons defined in paragraph 2.6.2 and who undertake to carry out the following work must be entitled to a progress payment on and from each reference date as defined in the construction contract (or, if the contract contains no such definition, four weeks from commencement of construction work or the supply of goods and services):

- a. Building, including residential and non-residential;
- b. Civil engineering;
- c. Demolition;
- d. Electrical;
- e. Hire of plant or equipment;
- f. Landscaping;
- g. Maintenance;
- h. Mechanical;
- i. Professional services such as architectural, design and surveying; and
- j. Supply of building materials.

2.6.2 The following may make progress claims for payment:

- a. Contractors, against clients;
- b. Subcontractors, against contractors;
- c. Suppliers of materials or building components, against purchasers;
- d. Architects and engineers; and
- e. Others providing advice, against clients.

2.6.3 A progress payment becomes due and payable in accordance with terms of the contract or, if the contract does not contain such terms, at the end of two weeks after a progress claim is made.

2.6.4 A claimant may suspend construction or the supply of goods and services if the respondent fails to provide a payment schedule or, having provided a schedule, fails to pay an amount by the due date.

2.6.5 There is no place for 'pay when paid' provisions in a construction contract.

2.6.6 Disputes over the payment of progress payments should be settled by adjudication.

Background

2.6.7 The above policy is based on the NSW Building and Construction Industry Security of Payment Act 1999. It accords with the code of ethics which applies to both AIB members and those listed on the National Building Professionals Register (NBPR).

2.6.8 The policy is meant to:

- a. Apply to all contracts (written or oral) for building and construction work, the supply of related goods or services with the exception of contracts of homeowners, certain contracts with financial institutions, and contracts where payment is calculated other than by reference to the value of work;

- b. Provide rights to progress payments through payment claims for completed work;
- c. Require early notice to be given of any disputed claim;
- d. Impose default provisions where a construction contract is silent on payment terms;
- e. Provide for prompt adjudication of disputes over progress payment terms;
- f. Ban pay-when-paid and paid-if-paid clauses;
- g. Require security for disputed amounts following adjudication;
- h. Allow suspension of work for non-payment or failure to provide security after adjudication;
- i. Provide for panels of adjudicators to be maintained by Authorised Nominated Authorities which are provided by the building industry in an effective application of cooperation.

Chapter 2.7

WASTE MINIMISATION CODE OF PRACTICE

Introduction

2.7.1 Construction and demolition can constitute up to 40% of waste going to land fill. Australia has a national target to reduce such waste. Consequently, the Australian and New Zealand Environment and Conservation Council (ANZECC) has developed the Wastewise Construction Program.

2.7.2 The Australian Institute of Building is participating in the Wastewise Construction Program and is thereby committed to achieving waste reduction in any construction and demolition industry activities through avoiding, reducing, reusing and recycling waste wherever possible. It can only achieve such reduction through its members adopting a best practice approach in protecting the environment, saving resources, avoiding waste, increasing the reuse and recycling of materials and reducing the amount of waste going to land fill.

Members' Obligations

2.7.3 Members must therefore develop or promote, at their workplace, waste management best practice, which includes:

- a. The recognition of Australian governments' determination to minimise waste and the benefits of a national approach;
- b. A framework commitment to undertake waste minimisation as part of normal business and operations, including sub-contractors;
- c. Promoting an organisational commitment minimisation through, for example, annual reports;
- d. A commitment to an industry waste reduction agreement target or the Wastewise Agreement; and
- e. A waste minimisation strategy covering:
 - (1) A waste audit,
 - (2) A waste minimisation plan for each area of operations,
 - (3) Management and training,
 - (4) Site arrangements, and
 - (5) Contracts and purchasing.

POLICIES RELATING TO EDUCATION AND TRAINING

Chapter 3.1

EDUCATION FOR THE PROFESSION OF BUILDING

Policy

3.1.1 Courses in building studies must be of standards which are appropriate for the building industry and at least of a similar standard to those of allied professions.

3.1.2 The Australian Institute of Building (AIB) will concern itself with the education and training of technicians, associate professionals and professionals in the building industry, and with the manpower resources required for the future well-being of the industry in the national interest.

It will be actively involved with:

- a. The promotion of new building courses where the need exists;
- b. The development of courses in cooperation with academic staff;
- c. The assessment of courses for accreditation of related qualifications by the AIB;
- d. Cooperating with kindred associations in course assessment where applicable; and
- e. The encouragement of secondary school students to undertake tertiary courses for careers in the Building industry.

3.1.3 In reflecting that concern, the Institute will provide resources for the essential activity of assessing courses, which maintains educational standards and provides an external verification of a course's quality. Courses will be assessed as to whether the resulting awards should be accredited as being academic qualifications for particular grades of membership. AIB accreditation confers status on a qualification, its related course and the staff who provide it, within both the community and educational institution. Overseas degree courses in countries of Australia's region will be assessed on invitation by the university concerned provided that costs of the visit are met by that university.

3.1.4 Courses in building studies must be of sufficient length to produce graduates who have the competencies required to enter the building industry at appropriate levels. Honours must be available to all students.

3.1.5 The AIB encourages the provision of:

- a. Composite building studies courses with specialist streams for students; and
- b. Post-graduate courses which provide opportunities for continuing education and further professional qualification.

Background

3.1.6 Degree courses in building are multidisciplinary, requiring students to achieve academic competence in distinct and, to an extent, disparate areas of building science, construction technology, surveying and engineering, construction management, building economics, law, planning and other subjects. Sufficient course length is required for students to develop

academically in this wide range of subjects without suffering from excessive weekly contact hours, while at the same time avoiding superficial coverage. Experience has shown that this requires the equivalent of eight full-time academic semesters.

3.1.7 Linked to the need for breadth and depth in courses is a school's responsibility for ensuring that graduates are adequately prepared to practise competently, ie. to have professional skills and expertise. Building courses should not therefore be linked in length with three year Arts degree courses which stimulate and develop students' intellectual capacities but do not teach practical skills.

3.1.8 A four year program allows a course structure with common foundation developing into specialist streams in later years. This is an efficient educational pattern and produces professional graduates with knowledge of and empathy for other sectors of industry. Such a program with honours capability also enables students to realise their academic potential and provides a lead into postgraduate study and research (which is crucial to development of the profession).

3.1.9 All courses must require the completion of a nominated period of practical experience before graduation – essential in the case of students with limited work experience who commence the course on a full-time basis. Programs should also include periods for practical, studio and laboratory work.

Chapter 3.2

TRAINING LEVIES

3.2.1 The Australian Institute of Building believes that every employer has a responsibility towards continuation training for his/her employees, and that there should be suitable government incentives for employers to meet that responsibility. Training programs should be available to employees of companies which are too small to provide their own programs. A levy on employers to provide funding for those training programs is supported, provided that:

- a. Funds raised are used exclusively for training in the industry from which they come;
- b. If a State or Territory Government levy is made, then employers in that state/territory are not required to pay any Federal Government training levy;
- c. Employers who provide acceptable training programs for their employees are not required to pay a government imposed training levy; and
- d. It applies to all employers irrespective of size.