



Built environment governance and professionalism: the end of *laissez-faire* (again)

SIMON FOXELL

SYNTHESIS

ubiquity press

ABSTRACT

The regulation of the built environment depends upon a combination of governmental regulation, robust professional practice and market forces. The balance between these varies over time and different jurisdictions. This essay considers the recurrent rise and fall of the principle of *laissez-faire*. The growth and public purpose objectives of the professional institutions are examined, as is their decline under the ascendancy of neoliberalism in the UK, though the analysis is relevant to other countries. A reconsideration of professional attitudes and attitudes to the professions resulting from the catastrophic fire in the UK's Grenfell Tower residential block in 2017 is currently underway. A return to the founding objectives of the institutions is recommended if they are to equip themselves with renewed purpose and to avoid over-restrictive regulation by government. Any such renewal needs to include a focus on behaviour, ethics, competence, research-based evidence and, above all, a transformation in the governance of the professions.

POLICY RELEVANCE

The recent history and current public purpose obligations of governmental and non-governmental organisations are considered to ensure that built environment professionals under their jurisdiction have the competence, authority and freedom of action to make reasonably certain that those obligations are fulfilled effectively. An approach to appropriate organisational governance and policy following several high-profile building failures, including the Grenfell Tower fire, as well as future environmental challenges, is described and discussed. A coordinated system of governance involving both market regulation and professionalism (guided by robust institutions) have an essential role to play in making an equitable and rules-based economy work and delivering both short- and long-term objectives.

CORRESPONDING AUTHOR: Simon Foxell

The Architects Practice, 23
Beacon Hill, London N7 9LY, UK
sf@architectspractice.com

KEYWORDS:

built environment;
professionalism; professional
institutes; governance; duty
of care; caring; accountability;
competence; UK

TO CITE THIS ARTICLE:

Foxell, S. (2025). Built environment governance and professionalism: the end of *laissez-faire* (again). *Buildings and Cities*, 6(1), pp. 767–782. DOI: <https://doi.org/10.5334/bc.713>

This paper considers developments in professionalism in the UK's built environment sector over the last 40 years and the challenges involved in establishing a way forward. It draws on the origins of the professional system in the early 19th century. Although focussed on the UK, the concerns raised here are relevant to many other countries experiencing deregulation, less governmental oversight and more dependence of markets.

The period from the mid-1980s onwards saw the adoption and normalisation of the political and economic theories of neoliberalism and the small state. These, and particularly the way they were implemented, effected lasting change on a system that was previously reasonably well established and understood; the built environment sector is still coming to terms with this change. The ongoing lessons for professional practice and governance gained as a result have relevance anywhere and everywhere that the neoliberal revolution took hold or significantly impacted, and, in a turbulent world, those lessons still have much to teach us.

1.1 THE END OF *LAISSEZ-FAIRE*

In 1924, the economist John Maynard Keynes delivered a hugely influential speech in Oxford entitled 'The End of *Laissez-Faire*' – later published as a popular pamphlet. In his lecture Keynes examined the philosophy of *laissez-faire* – of the small state, of market freedom – that was economic orthodoxy through most of the 19th century. He argued that the master individualist who believes he 'serves us by serving himself' will not lead us into paradise and there was a need to devise other forms of democratic government capable of operating in the public interest. Having identified the sins of *laissez-faire* he also warned of the dangers of swinging to the other extreme, in his case doctrinaire socialism, and recommended preferring 'semi-autonomous corporations to organs of the central government for which ministers of State are directly responsible' (Keynes 1926).

In practice it was Keynes himself who developed and implemented many of the measures and institutions that replaced economic *laissez-faire* across much of the western world in the years after the Second World War. They set the conditions for the recovery of conflict-ravaged countries and to the 30 years of relative growth and prosperity described by the French economist Jean Fourastié as *les trente glorieuses*. The system established by Keynes and others was later swept away by a generation of politicians in the 1980s led by Margaret Thatcher and Ronald Reagan, under the influence of the economists Friedrich Hayek and Milton Friedman. In its place they returned to principles of the small state, of limiting government intervention and of *laissez-faire*.

With *laissez-faire* – and the current casual belief in 'moving fast and breaking things' – having been in the ascendant for four decades, we are back in the position where its shortcomings and inequities are only too apparent and there are frequent calls for a return to the spirit of the post-war period, a time when remarkable social progress, institution-building and national reinvention were achieved in challenging economic circumstances. This does not mean there is a consensus, as many voices are clamouring for even greater economic freedoms to encourage business investment, the building of private-sector housing and much more, but nonetheless Keynes and Keynesianism are back in contention.

1.2 THE BUILT ENVIRONMENT

Attitudes and behaviours in the built environment have not necessarily followed the same timetable but the pattern has been similar. Standards and controls were gradually tightened up from a system of local by-laws and public health acts in the second half of the 19th century to formalisation of national systems of control in the 20th, with the creation of the Building Research Station (later the Building Research Establishment, BRE) in 1921, the 1948 Town and Country Planning Act and the 1963 Building Regulations. These gradually became more permissive in application (if not always intent) through innovations including planning enterprise zones (from 1981 and then 2012), the replacement of legal requirements with functional and often unchecked

performance standards in the 1984 Building Act, and the privatisation of the BRE in 1997. In 2025 both the UK Building Regulations regime and the planning system are in serious disarray and are respectively being strengthened, following the Grenfell Tower tragedy, and deregulated as a result of demographic and economic pressures. Big and little government are simultaneously in action.

2. PROFESSIONALISM

Another part of our sector has also followed this pattern: the numerous professions working in and for the built and natural environment.

There are many definitions of professions available, but the nine-point set of criteria provided by the Benson Commission on Legal Services in 1983 is an authoritative one – see [Table 1](#).

1	The profession must be controlled by a governing body which in professional matters directs the behaviour of its members. For their part the members have a responsibility to subordinate their selfish private interests in favour of support for the governing body.
2	The governing body must set adequate standards of education as a condition of entry and thereafter ensure that students obtain an acceptable standard of professional competence. Training and education do not stop at qualification. They must continue throughout the member's professional life.
3	The governing body must set the ethical rules and professional standards which are to be observed by the members. They should be higher than those established by the general law.
4	The rules and standards enforced by the governing body should be designed for the benefit of the public and not for the private advantage of the members.
5	The governing body must take disciplinary action including, if necessary, expulsion from membership should the rules and standards it lays down not be observed or should a member be guilty of bad professional work.
6	Work is often reserved to a profession by statute – not for the advantage of the members but because, for the protection of the public, it should be carried out only by persons with the requisite training, standards and disciplines.
7	The governing body must satisfy itself that there is fair and open competition in the practice of the profession so that the public are not at risk of being exploited. It follows that members in practice must give information to the public about their experience, competence, capacity to do the work and the fees payable.
8	The members of the profession, whether in practice or in employment, must be independent in thought and outlook. They must be willing to speak their minds without fear or favour. They must not allow themselves to be put under the control or dominance of any person or organisation which could impair that independence.
9	In its specific field of learning a profession must give leadership to the public it serves.

Table 1: Criteria for a group to be considered a profession.

Source: House of Lords (2000).

Professionalism in the built environment sector was an early 19th-century invention and bears many of the defining characteristics of the period. The system of professionalism in the UK was, from the outset, highly defensive and exclusionary, having been established in the aftermath of the Napoleonic Wars as a means of differentiating fully apprenticed, trained and experienced civil engineers from the unruly mass of demobilised British soldiers claiming military engineering credentials in the early years of the Industrial Revolution. But this also meant that there was a built-in focus on skills, learning, competence and sharing knowledge. There was also a significant second strand: professional formation happened at a time of intense Hellenism and enthusiasm for Aristotelian civic values in Britain. This resulted in the newly established professional organisations including strong public purpose and social value objectives in their royal charters that, ever since, they have both cherished and, every so often, eagerly wanted to jettison.

Once professional institutions (PIs) were established that expressed the highest of motives and also managed to keep undesirable elements at bay, a loosening up could inevitably happen. Membership became a signifier of class and reputation rather than skills. The HQ buildings of the PIs resembled gentlemen's clubs, focussing on regular dinners, securing valuable government contracts for institute insiders, and professional intrigue and infighting. Architects, engineers and

surveyors could, through their professional status, achieve what they most craved: respectability as Victorian grandees, albeit of the lesser sort. The worst sin that could be committed was to bring the profession and fellow members into disrepute – social standards far outranking ethical ones.

Loss of reputation became a national issue in the late 19th century, when authors such as Charles Dickens made accusations of professional hypocrisy (Dickens 1844) and Arthur Conan Doyle showed how engineering skills could be bought and used for malicious intent (Conan Doyle 1892). In the real world, journalists exposed shady deals, especially one in 1886 involving two architects and a surveyor acting for London's Metropolitan Board of Works. The institutions recognised that they had to act, to tighten up their disciplinary standards and get their houses in order – multiple presidents made numerous speeches over the years stressing this point (Foxell 2019). *Laissez-faire* had to end.

In 1896 the Institution of Civil Engineers (ICE) amended its by-laws to spell out, for the first time, a list of misdemeanours that might lead to expulsion from membership. These included felony, embezzlement and larceny, as well as 'on any ground whatever'. It was a step forwards and in 1915 a full section on professional conduct was added, mainly focussing on financial matters. The list grew longer with each subsequent update. The original by-laws of the Royal Institute of British Architects (RIBA), published in 1834, lasted longer and focussed heavily on members avoiding any financial entanglements with builders or valuers. It took nearly a century for it to publish, in 1929, its first code of professional practice, with the Royal Institution of Chartered Surveyors (RICS) following suit in 1931. Professional conduct was back in vogue again, even if any enforcement was skewed in favour of the professional and heavily protective of overall professional reputation.

Acceptance of the professions' self-discipline and autonomy started to shift in the late 1960s, when the Labour government minister Douglas Jay asked the Monopolies Commission to investigate a suggestion 'that there may be restrictive practices in the professions which are contrary to the public interest' (Hansard 1967). But attitudes to the professions only seriously changed, along with those on monetary policy, public sector industries, trade union power and much else, with the election of Britain's neoliberal government, under Prime Minister Margaret Thatcher, in 1979. Deregulation and the market were back in favour and with them a return to *laissez-faire*. *Laissez-faire*, or in its longer original formulation '*laissez faire, laissez passer*', literally means 'let's do it, let it pass', but in its dictionary definition it is 'the idea that businesses should be free to develop without the involvement or control of government' or, as with the professions, the unwelcome dominance of the institutions.¹

Margaret Thatcher was deeply suspicious of professionals and considered them a pampered elite (Evans 2013). She believed they should compete in the market economy along with everyone else and without any special rules or treatment resulting from their qualifications or experience. Any restrictive practices operated or barriers erected by professional bodies were to be dismantled and, if necessary, made illegal. Mandatory fee scales were abolished and as a result fee rates began to fall and a race for the bottom ensued.

In a survey carried out by the Association of Consulting Engineers in 1994, member firms were asked how they would respond to lower fees and the need to cut costs: 73% said they would give less consideration to design alternatives, 31% would reduce the checking and reviewing of designs and 40% would accept the higher risks of design errors occurring (Latham 1994). Although the data are poor, construction consultancy fees probably halved in this period, partly compensated for by increased diversification of services away from pure design (Connaughton & Meikle 2012). Some of the cut costs were taken from profits and paring back unnecessary overheads, as well as savings gained from the rapidly increasing application of IT, but build quality suffered overall.² Construction clients were nonetheless pleased with the reductions in fees and continued to press for more.

At the same time, new forms of construction procurement began to appear. The most significant and longest-lasting of these was design and build (D&B) in all of its variety of forms. D&B was intended to transfer risk and responsibility for projects and especially project costs from clients and their consultants to contractor developers, although debate persists about whether this

really occurred in practice. Professional consultants became increasingly sidelined: decisions were made over their heads, they lost direct contact with clients and building occupants, along with access to much of the project data, and were frequently only appointed for part of the project delivery programme or for partial services. Feedback from longer-term engagement with projects, especially the commissioning phase, fell away. They were, in the title of one paper at the time, flying blind (Bordass 2001).

The impact of this on many professional consultancy firms was manifold. It certainly helped them to reduce their fees as their involvement in projects became more limited but it also detached them from some of the direct experience and consequences of projects, leaving them freer to make claims for their work that had little chance of verification. Design embraced marketing and it became more commercially effective to make strong assertions than to deliver them.

Pushback was inevitable. The idea of the performance gap was invented to describe the difference between claim and real-world outcome, initially for energy savings to be achieved by policies and projects, where verifiable numbers could eventually be calculated and compared between design and post-occupancy stages, but latterly for many other divergences between over-optimistic assumptions and hard reality. The results were not flattering for the design community, not only because there was a worrying disconnect between the pitch and the delivery across the sector but also because the sector did not appear to be concerned at the fundamental lack of honesty. Trust, an essential commodity for professionals, was at stake.

This was the subject of the 2002 BBC Reith Lectures delivered by the Cambridge philosopher Onora O'Neill. Trust was not just an issue for the built environment sector; many other disciplines were concerned about the same problem, notably the medical professions, whose authority was visibly diminishing at that time. O'Neill was concerned that the culture of trust was being replaced by one of accountability and tick-box exercises. She recommended that a more useful and effective remedy was 'good governance' and 'limiting deception':

The new forms of accountability impose forms of central control – quite often indeed a range of different and mutually inconsistent themes of control

(O'Neill 2002)

By this time many of the PIs were not in a fit state to respond or to provide O'Neill's good governance. Buffeted by years of government and ministerial attacks and being ignored and bypassed by the wider industry, they struggled to be relevant.³ They were still living on past glories and saw each other as rivals rather than collaborators. In various state-of-the-nation assessments such as Anthony Sampson's regularly updated *Anatomy of Britain* series, focussing on who runs the country, they barely feature (Sampson 1962; Sampson 2004).⁴ They had also largely forgotten that they were founded with a public purpose and needed to communicate this obligation to their members and ensure it was delivered.⁵

Eventually the concern with performance rose up the professional agenda because it mattered. This was clearest in the case of energy and carbon emissions, where there was a pressing need to limit the pollution entering the atmosphere and address the rate of global heating. With the built environment responsible for around 40% of carbon emissions in the UK, the sector clearly had to clean up its act and do at scale what it had long been claiming it could achieve on smaller projects. But the imperative was just as great elsewhere: the sector needed to deliver better and healthier places to live, schools that provided high-quality learning environments and hospitals that helped to make patients better. None of these things was a given and there were scarcely any authoritative data that could provide the necessary evidence for making improvements.

The establishment of the Construction Research and Innovation Strategy Panel (CRISP 1995–2002 and nCRISP 2002–05) and the Commission for Architecture and the Built Environment (CABE 1999–2011⁶) attempted to provide some of the essential inputs that were conspicuously missing from a properly functioning built and natural environment sector, especially the harnessing of collective knowledge through a series of programmes and projects and then communicating it back to the sector as cogent information and guidance to decision-makers at all levels. nCRISP

lasted until 2005⁷ and CABE was wound up in 2011 by a new government even keener on the ‘animal spirits’ of the market than its predecessors and, with the BRE privatised and refocussed, there was now no publicly owned and operated research organisation to coordinate research and information on building products, systems and outcomes.

At that time it was still practically unthinkable and possibly career-damaging to challenge the principle of the market and the spirit of *laissez-faire*. It was as if the sector could only wait for reality to answer back, to prove that the system was flawed and was not going to deliver what was required.⁸ That didn’t happen, until it did.

3. SEA CHANGE

Just after midnight on 14 June 2017, a faulty refrigerator caught fire in a flat on the fourth floor of the 24-storey Grenfell Tower in west London. What should have been a minor domestic incident resulted in an inferno that burned for 60 hours, cost the lives of 72 people and devastated many more. The building itself had a robust concrete frame constructed in 1972–74 but it had been reclad and modified in 2015–16 in ways that left it vulnerable and highly dangerous. Residents had complained loudly about its faults but were ignored. The subsequent public inquiry, chaired by the retired High Court judge Sir Martin Moore-Bick, concluded that the fire was:

the culmination of decades of failure by central government and other bodies in positions of responsibility in the construction industry to look carefully into the danger of incorporating combustible materials into the external walls of high-rise residential buildings and to act on the information available to them.

(Moore-Bick *et al.* 2024: 7)

The Inquiry heavily criticised many of those directly involved in the refurbishment of Grenfell Tower but also their professional and regulatory bodies and the built environment professions and sector more generally. Of the construction industry as a whole, the report stated:

Safety of people in the built environment depends principally on a combination of three primary elements, good design, the choice of suitable materials and sound methods of construction, each of which depends in turn in a large measure on a fourth, the skill, knowledge and experience of those engaged in the construction industry. Unfortunately, as our investigations have shown, at the time of the Grenfell Tower fire there were serious deficiencies in all four of those areas. (Moore-Bick *et al.* 2024: 31)

A similar, and overall possibly more damaging, issue was exposed during and in the aftermath of the Covid pandemic, when widely used design principles for ventilation systems in buildings were shown to be flawed. In essence people were breathing in too much of each other’s exhaust air and, especially in winter, not getting enough fresh air to remain healthy. This would have been true for generations of flu and other airborne infection sufferers but it took a major crisis to see that occupant health had been overshadowed by immediate occupant comfort and energy efficiency (Burridge *et al.* 2021).

Laissez-faire was at an end.

4. PROFESSIONALISM REDUX

The Grenfell Tower tragedy provided the compelling argument for change, for the sector to rethink its purposes and ways of working, for issues such as competence and user safety to be placed front and central and for tertiary education to be shaken up; but there were already moves underway to reinvigorate practices in the sector, including professionalism and construction.

Health and safety practice in the construction sector went through a substantial overhaul following the passing of the Health and Safety at Work etc. Act in 1974, and continued to innovate and improve in subsequent decades. The construction industry had 276 fatalities in 1964 (Construction

[News 2025](#)) but, following a series of mainly government interventions leading up to the 2015 revision of the Construction (Design and Management) Regulations, requiring all parts of the sector to work in concert, this was reduced to 43 fatalities in 2016, although it rose again to 51 in 2023–24. A similar trend can be seen with non-fatal accidents, with over 16,000 in 1981, the year relevant statistics started to be gathered, reducing to 4,050 reported through RIDDOR in 2023–24, although these numbers may not be directly comparable ([HSE 2024](#)). The interventions that led to these improvements were predominantly regulations imposed from above or the threat of greater regulation, and led to a significant culture change among construction professionals.⁹ Unfortunately such change did not stretch beyond site safety to the safety of buildings in use.

In 2013 the research journal *Building Research & Information* published a special issue on ‘New Professionalism’, guest-edited by Bill Bordass and Adrian Leaman, in part reflecting work done with the built and natural environment think tank the Edge ([Bordass & Leaman 2013](#)). The Edge followed up this significant publication with a series of public debates and then in 2014 ran the Commission of Inquiry on the Future of Professionalism, coordinated by the current author and chaired by the former Government Chief Construction Advisor Paul Morrell. The findings of the Edge Commission were published in 2015 as ‘Collaboration for Change’ ([Morrell 2015](#)), which explored many issues around professionalism in the sector and identified, in particular, six areas where the PIs could work together to demonstrate their effectiveness and enhance their relevance and value:

- ethics and the public interest, and a shared code of conduct
- education and competence
- research and a body of knowledge
- industry reform in the interests of a better offer to clients
- climate change
- building performance.

These themes are just as relevant now for the future of the professions in the sector as they were 10 years ago and the need for work on them as, if not more, important. But necessarily and inevitably the focus of change in the professional arena since the Grenfell disaster has been on building safety, with the result that work on many of the other issues has barely or only partially progressed, even when the synergies with building safety and the need to simultaneously effect change have been crystal clear.

This is not, in any way, to diminish the work that has been done on building safety. There has been a huge will to change within the sector even though the results have yet to meet the expectations of those most closely involved. Dame Judith Hackitt, former chair of the HSE and appointed by the government in 2017 to chair the Independent Review of Building Regulations and Fire Safety, made it clear in her report ‘Building a Safer Future’ that the construction sector and fire safety sector should:

demonstrate more effective leadership in relation to developing a responsible approach to delivering building safety and integrity.

([Hackitt 2018](#))

Yet in her 2024 Wates Lecture, tellingly entitled ‘In Search of the Leaders’, while recognising that many professional organisations had risen to the challenge and ‘earned 10 out of 10’ for their efforts, she noted that there are too many who would still score 0 out of 10, giving a score of 4 out of 10 overall – ‘there is a wide range’ ([Hackitt 2024](#)).

Much has already changed as a result of work across the sector on building safety, including the introduction of new laws, especially the [Building Safety Act 2022](#); an independent body, the Building Safety Regulator, was established to take over responsibility for administering the Building Regulations from the government; and new processes, requirements and standards to

be complied with. The sector as a whole is still coming to terms with all of this, and at vastly varying speeds. But, and certainly predictably, given the warning from Onora O'Neill cited above, there is still insistent pressure for more regulation of the industry and of professional standards. This is spearheaded by the final report from the Grenfell Tower Inquiry, which has recommended increased regulation in multiple different areas. In response, the UK government is very seriously assessing tightening the regulation of the built environment professions, with options under consideration ranging from expanding the remit of the existing regulatory bodies to a complete overhaul of the present system.

Following O'Neill many, including Judith Hackitt, have voiced their concern about whether increasing regulation is the most effective way forward to achieve results; they have cited in evidence the turnaround of other economic sectors, from aviation to chemical manufacture, in response to their own catastrophic events and system failures. Their experience suggests that it is far better that the sector should put its own house in order than external bodies do this by imposing additional layers of regulation and bureaucracy. This certainly reflects the existing system of non-mandatory professions in the UK that provides autonomy in exchange for expertise, ethics, competence and obligation to the public interest.

5. GREATER CHALLENGES

The discussion above has not mentioned many other causes of occupant safety including deteriorating structural and service elements, mould growth, infestation, hypothermia and overheating. The collective failure to deal with fire safety in high-risk buildings is not only damning but also indicative of wider problems that need resolution. These should be tackled simultaneously.

Other problems that stand out as being in urgent need of attention by the sector include: demographic shifts, the housing crisis and fuel poverty, along with the impacts of the climate crisis (including flooding, sea level rise, drought, temperature increase and the ever present requirement to mitigate future harm), biodiversity loss, land despoliation, soil depletion and pollution. More immediate problems include the inadequate and inappropriate retrofit of many buildings. The built environment sector had a direct hand in creating many of these problems in the first place. The challenges, while being difficult to address individually, are also closely interconnected and solutions to them need to be developed and applied systemically and collectively.

So, as *laissez-faire* comes to an end (again), what needs to take its place? It is clear that a system of pure authority and regulation would inevitably be immensely bureaucratic and highly unlikely to be acceptable. A system of far greater rigour than the present regime is needed. How might this be navigated? Keynes, in a similar quandary a century ago, wrote:

I believe that in many cases the ideal size for the unit of control and organisation lies somewhere between the individual and the modern State. I suggest, therefore, that progress lies in the growth and the recognition of semi-autonomous bodies within the State – bodies whose criterion of action within their own field is solely the public good as they understand it, and from whose deliberations motives of private advantage are excluded, though some place it may still be necessary to leave, until the ambit of men's altruism grows wider, to the separate advantage of particular groups, classes, or faculties – bodies which in the ordinary course of affairs are mainly autonomous within their prescribed limitations, but are subject in the last resort to the sovereignty of the democracy expressed through Parliament.

(Keynes 1926)

Fortunately, those semi-autonomous bodies exist: the PIs with their charters and charitable objectives crisply defining their public and social purpose, as well as other collective organisations with similar remits. Many of those institutions may not see that their focus should be *solely* the public good – they frequently lay claim to multiple other goals and allegiances, among which their own survival and self-importance can sometimes appear to be dominant.

It was Montesquieu in 1748 ([de Secondat 1748](#)) who first championed the idea of the separation of powers, and the professions, working in tension and concert with government and the markets, have a similarly essential role to play in ensuring that the built environment sector runs efficiently and fairly. But this tripartite system only functions if the professional organisations are prepared to act sufficiently robustly in the defence of the public interest, putting, when necessary, their other concerns to one side.

6. TRANSFORMATION

In order to achieve and take control of the change that is necessary, a plan is required. This will point to the need for a significant shift in institutional governance that requires determined action from members and especially the various governing bodies and boards of trustees. But first a look at some of the elements that need to change or be resolved.

6.1 DOING WHAT WE SAY, SAYING WHAT WE DO

Professionals need to be honest – both with themselves as a group and with others. If one of the consequences of *laissez-faire* is the tendency to fantasise about and inflate what is being delivered while ignoring any downsides, it is a habit that professionals urgently need to overcome. Other professions have managed this, often long ago, without significant damage and often ending with greatly enhanced reputations. The majority of medical professionals¹⁰ stopped talking up magical remedies in the Victorian period, preferring to be persons of science.

Being honest means fearlessly reporting on outcomes and sharing accurate and comparable data as well as learning from those outcomes and continuously improving as a result. Claims should be only based on evidenced achievements. The PIs need to be at the heart of this, providing the platforms for collecting, sharing and making sense of data and information.

Radical honesty and only working with others, for example product manufacturers, who are also committed to similar levels of openness and verification is also the best means for the slow rebuilding of trust. This may mean the PIs commissioning third-party verification of matters like competence assurance and public-interest outcomes – essentially, whatever it takes.

Trust also needs to be rebuilt with government in order to re-establish the tripartite system referred to above. This requires a collaborative approach combined with independence and sound judgement rather than the factional approach the professions have a reputation for in government (see [Morrell 2015: 70](#)). The UK system of professions needs to show its utility if it is to survive at all and its essential contribution to public policy goals if it is to thrive.

6.2 ETHICS AND BEHAVIOUR

Along with what professionals do, how they act and the reasoning they apply in making decisions are critical. PIs need to be robust about the need for ethical behaviour among their members so that they cannot be persuaded to act against the interests of the planet and society by persons and bodies seeking to gain short-term, unfair and unsafe advantage.

Ethics and codes of behaviour need to be clearly communicated and be equally aimed at the public, clients and professionals as the prime means of explaining how and why professionals act as they do and what they will not do. The confusion of all the different codes produced by each and every discipline in the construction and property sectors should be scrapped, especially as none is discipline-specific. The PIs need to establish a means and timetable to agree on a core joint code that they will all share.

Following the recommendation on a joint code in the Edge Commission report ‘Collaboration for Change’, referenced above, the Edge developed a proposal for a shared institutional code of conduct drawing from the wordings of 18 existing institutional and other relevant codes. This is available on the Edge website and is structured around six categories of duties:

- duties towards the wider world
- duties towards society
- duties towards those commissioning services
- duties towards those in the workplace
- duties towards the profession
- duties towards oneself.

The code is also accompanied by a proposed compact between construction/property professionals and their clients/employers, laying out what they should expect from each other ([the Edge 2019](#)). The joint code was used by the RIBA to inform the 2019 rewrite of its Code of Professional Conduct and subsequent work on an ethical practice knowledge schedule ([RIBA 2019](#); [RIBA 2021](#)).

6.3 RESPONSIBILITY AND ACCOUNTABILITY

The Grenfell Inquiry was marked by professionals either simply denying responsibility or attempting to shift it and any accountability or blame for their decisions and actions onto others. They have, unsurprisingly, been excoriated for this in the Inquiry reports and elsewhere. Moving forwards, professionals should be taking greater responsibility for their projects, rather than less, aiming to stay with them for the long term and offering extended commissioning, stewardship and aftercare. This is undoubtedly more onerous than is common at present. It runs against an instinct to draw a line under projects at a certain point, but it cannot be avoided.

Taking long-term responsibility means addressing changing conditions, whether due to climate change or shifting needs. Accepting that responsibility as part of professional duties should mean looking at the full life of facilities, not just their condition on the day they are handed over to their new owners, but to do so means being aware of wider societal and environmental issues, current research and emerging thinking. Taking on a more responsible role puts professionals back into a central, critical position – more onerous, possibly, but playing an essential rather than sidelined part.

Taking greater responsibility extends in all directions, not only to the immediate commissioners and users of facilities but to all others impacted, including in the local and not-so-local environment, to the supply chain as it connects across the world and to future generations. Some new entrants to the professions are reported to be daunted by the potential scope of this and are not always convinced that it is what they signed up for. Discussions need to be had across the professions about the extent of responsibility they are willing to embrace, but the alternative may be a service culture rather than a fully professional one.

The other side of responsibility is accountability, accepting liability for outcomes that are not always the direct result of deliberate actions but which, upon consideration, should have been anticipated and acted on. A good professional is accountable, including for any reasonably foreseeable outcomes from their decisions, or lack of them, but the scope and extent of that accountability needs to be collectively explored and laid out across all professions.

Being professionally responsible will frequently mean escalating issues and concerns to those more experienced and capable of taking the right action, but in some cases it may be necessary to report those concerns beyond immediate internal systems. Equally it may be important to warn others within the sector of the dangers of particular actions or products. The PIs need to ensure there are appropriate means of doing this, sometimes anonymously and with the right level of verification and circumspection, as well as the provision of care and support for those who have had the courage to raise issues. CROSS-UK, a confidential reporting system, already exists, run by the Institution of Structural Engineers and ICE, and also now connected to the Building Safety Regulator (BSR), for reporting on fire and structural safety, but it has a limited remit and does not cover a wide range of other ethical, environmental or even safety concerns ([CROSS-UK n.d.](#)). The PIs should work on an industry-wide service for whistleblowing and generally raising concerns, for which CROSS-UK is an essential model to start from.

Developing a fuller understanding and operational model of how responsibility and accountability function should not be done on the basis of individual projects or by single disciplines. Certainly no single discipline should be expected to take sole responsibility, even allowing for the legal requirement for an ‘Accountable Person’ (most likely to be in the form of a ‘corporate body’) to take responsibility for assessing, managing and mitigating the ongoing fire safety and structural failure risks in higher-risk buildings ([Building Safety Act 2022](#)). Accountability needs to be jointly and severally owned for the best outcomes, even when responsibility is clearly designated, and the PIs need to collaborate and work out how this could and should operate effectively on a sector-wide basis.

6.4 COMPETENCE

At the Edge Commission discussions on professionalism in 2014, two issues were consistently raised by a wide range of participants: public interest and competence. Of these the PIs elected to keep public interest at arm’s length but all agreed that competence was a necessity, though they were unclear where the responsibility for ensuring it lay. After Grenfell the issue of requiring, testing for and validating competence has been on everyone’s lips. Following the competence and dutyholder requirements added to the [Building Regulations in 2023](#), it is now a legal requirement for every professional and employer of professionals to assess, ensure and maintain competence and for their clients to take all reasonable steps to satisfy themselves that they are competent to carry out the duties in their appointment ([Building Regulations, Part 2A, 2023](#)), and professionals and their clients should be able to rely on the PIs to spell out what that means for different grades of each discipline and to have in place the systems to monitor and verify that competence.

Competence frameworks have long existed, but in the built and natural environment sector not in great numbers or with any cross-disciplinary consistency. New frameworks have begun to appear but the greatest opportunity for coherence and breadth of application is with the developing 8670 series of British Standards that set out core and consistent criteria and codes of practice for competence frameworks across the sector in a number of different areas, as well as for specific, critical roles. At present the parent standard for building safety is available, along with offspring covering Principal Designers, Principal Contractors and the Management of Safety in Residential Buildings ([BSI 2025](#)); a proposed competence standard for sustainability has been jointly published by the CIC and the Edge and will be developed further by the British Standards Institution ([CIC/the Edge 2025](#)); and a British standard for those responsible for the selection and installation of construction products is in train.¹¹

The PIs need to fully embrace competency and to work with the rest of the sector to put in place frameworks that are consistent and interlock with each other. It is important that they maintain control and that, with the involvement of their regulatory bodies, such as the Engineering Council and Architects’ Registration Board, they do not go it alone. The sector does not need another separately developed range of discipline-specific standards and approaches that end up conflicting with each other and confusing anyone attempting to assemble a project team, a team notionally working towards the same end.

6.5 EVIDENCE AND RESEARCH

Attempts have been made before to put in place a professional culture in the built environment sector that uses and is responsive to current research findings. At their outsets the institutions published research and required their members to contribute work to their learned journals. When some noisily refused, this practice began to become the exception rather than the rule. At the start of the 1960s there was an attempt to establish research-led education in built environment courses – again, this fell by the wayside, particularly as academic research began to diverge from everyday practice.

Many of the PIs still maintain research journals and ongoing evidence-gathering and curation services such as the RICS’s Building Cost Information Service (BCIS) and Built Environment Carbon Database (BECD). These are invaluable resources and core elements of professional capability.

The PIs need to once again expand their research and curation activities to become the hubs of professional knowledge, as advocated by former RIBA president Frank Duffy ([Duffy & Hutton 1998](#)) and ensure that their memberships are research-literate, up to date and fully engaged. The data and information held by their members in small individual quantities can only be made truly useful when they are shared and become subject to the power of the network effect.¹² In an era of contested facts the quality and authority of professional knowledge, guidance and advice is likely to be critical to both trust and performance.

Despite the best likely endeavours of the PIs they will never be able to run an authoritative research and testing regime themselves. Since the loss of a national built environment research laboratory, when the BRE was pressed into the private sector, and the later enervating mergers of nCRISP and CABE into non-governmental bodies,¹³ the UK has lacked any national-level research operation for the built and natural environment covering social, environmental and physical matters. Elsewhere in Europe, for example RISE¹⁴ in Sweden, such research activity is critical for national economic performance, yet it does not exist in the UK. As a direct result, government and regulatory authorities lack relevant information and advice and the UK sector as whole is operating without effective knowledge.¹⁵

A key aspect of this lacuna is the testing of building products and their applications. This problem is highlighted in several post-Grenfell reports, not least ‘Testing for a Safer Future: An Independent Review of the Construction Products Testing Regime’ ([Morrell & Day 2023](#)), published after much government delay and prevarication. There is widespread acknowledgement that this is important, but after many years little progress has been achieved.

The PIs are not directly responsible for the testing of construction products but they have a role in ensuring it happens by making the argument and keeping up the pressure for an adequate system to urgently be put in place, one that is fit for purpose and that professional practitioners can and will use effectively ([the Edge 2024](#)).

6.6 GOVERNANCE

As Onora O’Neill said in her third Reith lecture (effectively agreeing with Keynes), good governance is key to establishing a way forward, while also highlighting the importance of ‘limiting deception’ well before the current ‘post-truth’ era. At a moment when the government is deliberating on how, not if, to regulate various of the professional disciplines working in the built environment, starting with the fire engineering and fire risk assessor professions, it may also be the only way forward that maintains the sector’s essential autonomy and freedom of action.

Rethinking governance above all needs to refocus on the public purpose objectives in the various organisational charters and the Charities Act. The professional bodies would be in a very different place if they had treated those objects with the seriousness they deserved and worked out how best to implement them. It is a place they still urgently need to find their way to.

This will require the members of governing bodies and boards of trustees, who are ultimately legally accountable for the running of PIs, to seriously challenge their executive teams, to obtain outside guidance if necessary and to ensure they are not only compliant with their full obligations but are also capable of acting without fear or favour in the public interest.¹⁶

While autonomy is good, the PIs also need to see themselves as part of a wider family of organisations, possibly with an element of overarching governance. Institutions cannot stay static; it is essential that they learn from past mistakes and respond to current needs. They must stay alive to the need for change and advocate for it when necessary, but individually they lack the will and the ability to shift the dial on too many issues. Acting together they might summon up the determination and stand a chance.

7. CONCLUSION

Professionalism can, once again, be a strong force in the UK construction and property sector. It has an essential role to play in making an equitable and rules-based economy work, ensuring it can

deliver an extraordinary and wide range of public goods with, at its heart, a safe and sustainable environment. It is doubtful that this can be achieved by regulation or by individual PIs acting alone.

Despite siren voices for greater deregulation in some parts of the economy, we need to be clear that we have reached the end of *laissez-faire*. We need to follow the example of Keynes and build up robust institutions (in both senses of the word) that can learn and develop in response to societal and environmental needs (as well as their own mistakes) and, above all, deliver better lives for all.

7.1 AN AFTERWORD ON ARTIFICIAL INTELLIGENCE

In all the above, the potential of artificial intelligence engines to cause havoc in the provision of professional services and elsewhere has not been mentioned, but it is a real issue. The many current warnings from tech industry insiders are probably right that we are living through the third great information crisis and our certainties will be upended by it. How this may happen is as yet unclear, but it is yet another reason for strengthening the position of Keynes's 'semi-autonomous' bodies as waypoints for navigating the storms ahead.

NOTES

- 1 Cambridge Dictionary – see <https://dictionary.cambridge.org/dictionary/english/laissez-faire>.
- 2 This is contested territory, in particular as incremental upgrading of the Building Regulations led to higher standards in some areas at the same time, but events such as the collapse of the brick cladding at Oxfords Primary School in Edinburgh – subsequently assessed and reported on by John Cole, who noted the 'poor quality construction and poor quality supervision of construction' (Cole 2017) – recent studies on defects in new homes, including those built by Persimmon Homes – 'a systemic nationwide problem, which is a manifestation of poor culture coupled with the lack of a group build process' (Building 2019) – and the investigations into cladding installations since Grenfell – with '£16.6bn [being the] estimated total cost to fix unsafe cladding on all residential buildings over 11 metres in England' (NAO 2024) – all point to serious problems within the construction sector.
- 3 In this period several of the PIs introduced continued professional development requirements for their members. This was important and necessary in itself but not, as became evident, a sufficient response to the overall emergent crisis.
- 4 In the first edition in 1962 the ICE is mentioned once and the PIs are otherwise dammed with the comment that, in comparison with their Victorian forebears, 'they are far less noticed by parliament or the public', but by the final edition in 2004 they are not referenced at all.
- 5 As ever with the PIs there are exceptions. For example, in this period the Chartered Institution of Building Services Engineers developed, and made available, a well-evidenced body of knowledge on energy use in buildings in the fully founded belief that it was in the greater public interest and that it would drive up standards.
- 6 Not to be confused with the Chartered Association of Building Engineers, renamed in 2014 when the Association of Building Engineers was granted its royal charter.
- 7 In 2005, nCRISP (aka new CRISP) was absorbed into the National Platform for the Built Environment, administered by the membership organisation Constructing Excellence, and its ring-fenced government funding ended.
- 8 In her evidence to the House of Lords Industry and Regulators Committee inquiry into building safety regulation on 15 July 2025, Dame Judith Hackitt, speaking about the aftermath of the Grenfell Tower fire, said, 'People in the industry, in those weeks immediately after the tragedy, were open and honest with me. They said, "We knew this system was broken. We knew it wasn't working. We didn't think it would ever result in anything this bad". Then, when I asked, "Why did you not speak up?", some said that they tried and others said,

- “It wasn’t my job”. For me, that raises all sorts of questions around professionalism and ethics and the fact that some of those people call themselves engineers’ (Hackitt 2025).
- 9 A further significant impetus for health and safety in the sector was provided by the Construction Safety Summit convened by the deputy prime minister, John Prescott, in February 2001 – ‘The central message from the government at this week’s safety summit was clear: start cutting the number of deaths and accidents or face legislation’ (Building, 2 March 2001, <https://www.building.co.uk/news/prescott-issues-blunt-safety-message/1004589.article>).
 - 10 Specifically excluding homeopathic practitioners.
 - 11 An accompanying code of practice (PAS 2000:2026) for manufacturers to demonstrate the safety of construction products they bring to market is also in development and should be published in 2026. <https://standardsdevelopment.bsigroup.com/projects/2024-03542>.
 - 12 A phenomenon where the value of a service derives from the number of its users.
 - 13 CABE became a subsidiary of the Design Council on the same day, 1 April 2011, that the Council became an independent registered charity.
 - 14 <https://www.ri.se/en>.
 - 15 Under the [Building Safety Act 2022](#) the statutory Scientific Advisory Committee to the Ministry of Housing Communities and Local Government, the Building Regulations Advisory Committee, was abolished and replaced by two committees that report to the independent BSR, depriving government of the last direct independent source of scientific advice to ministers.
 - 16 In 2019, four members of the RICS management board challenged and disagreed with the actions of the executive over auditing procedures. This ultimately led to the resignation of the chief executive, president and two other members of the leadership team, overhaul of the institution’s governance and a new code of practice for members (Building 2021; Levitt 2021).

ACKNOWLEDGEMENTS

This essay was prompted by the University of the Built Environment’s Built Environment Future Assembly initiative. It has been much aided by input from members of the built and natural environment think tank the Edge (www.edgedebate.com), along with many others, for which many thanks. The final version, with its inevitable errors and errors of judgement, is my own.

AUTHOR AFFILIATIONS

Simon Foxell  orcid.org/0009-0005-5404-2411
The Architects Practice, London, UK; The Edge, London, UK

COMPETING INTERESTS

The author has no competing interests to declare.

FUNDING

No funding was received.

REFERENCES

Bordass, W. (2001). *Flying blind? Everything you wanted to know about energy in commercial buildings but were afraid to ask*. Association for the Conservation of Energy.

- Bordass, W., & Leaman, A.** (2013). Special issue: New professionalism. *Building Research & Information*, 41(1), 1–7. <https://www.tandfonline.com/toc/rbri20/41/1>
- BSI.** (2025). BS8670-1:24, PAS8671, PAS8672 and PAS8673. <https://www.bsigroup.com/en-GB/products-and-services/standards-services/competence-programme/>
- Building.** (2019). Persimmon in 'systemic nationwide' fire safety failure, report commissioned by firm says. <https://www.building.co.uk/news/persimmon-in-systemic-nationwide-fire-safety-failure-report-commissioned-by-firm-says/5103360.article>
- Building.** (2021). RICS Governance Scandal. <https://www.building.co.uk/news/rics-governance-scandal-coverage-all-in-one-place/5113634.article>
- Building Regulations etc. (Amendment) (England) Regulations 2023 Part 2A.** <https://www.legislation.gov.uk/uksl/2023/911/contents/made>
- Building Safety Act 2022, Part 7.** <https://www.legislation.gov.uk/ukpga/2022/30/section/35/enacted>; <https://www.gov.uk/guidance/safety-in-high-rise-residential-buildings-accountable-persons#legal-duties>
- Burridge, H. C., Bhagat, R. K., Stettler, M. E. J., Kumar, P., De Mel, I., Demis, P., Hart, A., Johnson-Llambias, Y., King, M.-F., Klymenko, O., McMillan, A., Morawiecki, P., Pennington, T., Short, M., Sykes, D., Trinh, P. H., Wilson, S. K., Wong, C., Wragg, H., ... & Linden, P. F.** (2021). The ventilation of buildings and other mitigating measures for COVID-19: a focus on wintertime. *Proceedings of the Royal Society A*, 477, 20200855. <http://doi.org/10.1098/rspa.2020.0855>
- Cambridge Dictionary.** <https://dictionary.cambridge.org/dictionary/english/laissez-faire>
- CIC/the Edge.** (2025). Competence frameworks for the built environment. <https://edgedebate.com/competence-framework-for-sustainability>
- Cole, J.** (2017). Report of the Independent Inquiry into the Construction of Edinburgh Schools. City of Edinburgh Council. https://democracy.edinburgh.gov.uk/Data/City%20of%20Edinburgh%20Council/20170209/Agenda/report_of_the_independent_inquiry_into_the_construction_of_edinburgh_schools.pdf
- Conan Doyle, A.** (1892). The engineer's thumb. *The Strand Magazine*.
- Connaughton, J., & Meikle, J.** (2012). The changing nature of UK construction professional service firms. *Building Research & Information*, 41(1), 95–109. <https://doi.org/10.1080/09613218.2013.742366>
- Construction News.** (2025). Safety record: 50 years of the HSE. <https://www.constructionnews.co.uk/buildings/building-safety/safety-record-50-years-of-the-hse-02-01-2025/>
- CROSS-UK.** (n.d.). <https://www.cross-safety.org/uk>
- de Secondat, C., Baron de Montesquieu.** (1748). *The spirit of laws*, trans. Nugent, T. (1750), ed. Carruthers, D. W. University of California Press.
- Dickens, C.** (1844). *The life and adventures of Martin Chuzzlewit*. Chapman & Hall.
- Duffy, F., & Hutton, L.** (1998). *Architectural knowledge: The idea of a profession*. E&FN Spon.
- Evans, E.** (2013). *Thatcher and Thatcherism* (3rd ed.). Abingdon, Routledge
- Foxell, S.** (2019). *Professionalism for the built environment*. Routledge.
- Hackitt, J.** (2018). *Building a safer future – Independent review of building regulations and fire safety: Final report*. HMSO. <https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-final-report>
- Hackitt, J.** (2024). The CIOB Wates Lecture 2024: In search of the leaders. <https://www.youtube.com/watch?v=ORAf2zOp8XA>
- Hackitt, J.** (2025). Response to House of Lords Industry and Regulators Committee. <https://committees.parliament.uk/oralevidence/16364/pdf/>
- Hansard.** (1967). House of Lords Debate, 30 January 1967, vol 279 cc779–87.
- House of Lords.** (2000). Select Committee on Science and Technology Sixth Report. <https://publications.parliament.uk/pa/ld199900/ldselect/ldsctech/123/12308.htm>
- HSE.** (2024). Construction statistics in Great Britain, 2024. <https://www.hse.gov.uk/statistics/assets/docs/construction.pdf>
- Keynes, J. M.** (1926). *The end of laissez-faire*. Hogarth Press.
- Latham, M.** (1994). *Constructing the team: Final report of the government/industry review of procurement and contractual arrangements in the UK construction industry*. HMSO.
- Levitt, A.** (2021). *Independent review in respect of the issues raised at RICS in 2018 and 2019 following the commissioning by the RICS Audit Committee of a treasury management audit*. RICS. [https://www.rics.org/content/dam/ricsglobal/documents/about-rics/210907-rics-independent-review-open-version%20\(221222\).pdf](https://www.rics.org/content/dam/ricsglobal/documents/about-rics/210907-rics-independent-review-open-version%20(221222).pdf)
- Moore-Bick, M., Akbor, A., & Istephan, T.** (2024). Grenfell Tower inquiry: Phase 2 report overview. Report of the public inquiry into the fire at Grenfell Tower on 14 June 2017.
- Morrell, P.** (2015). *Collaboration for change: The Edge Commission report on the future of professionalism*. the Edge. https://edgedebate.com/s/CollaborationForChange_Book_Ed2-Final.pdf

- Morrell, P., & Day, A.** (2023). *Testing for a safer future: An independent review of the construction products testing regime*. DLUHC. https://assets.publishing.service.gov.uk/media/6440f2596dda69000d11e15e/Independent_Review_of_the_Construction_Product_Testing_Regime.pdf
- NAO.** (2024). *Dangerous cladding: The government's remediation portfolio*, Ministry of Housing Communities and Local Government. National Audit Office
- O'Neill, O.** (2002). *A question of trust, the BBC Reith Lectures 2002*. Cambridge University Press.
- RIBA.** (2019). Code of professional conduct. <https://www.architecture.com/-/media/gathercontent/code-of-professional-conduct/additional-documents/codeofprofessionalconductpdfpdf.pdf>
- RIBA.** (2021). Ethical practice knowledge schedule. <https://www.architecture.com/-/media/GatherContent/Mandatory-competences/Additional-documents/RIBA-Knowledge-Schedule-Ethical-Practice-March-2021.pdf>
- Sampson, A.** (1962). *Anatomy of Britain*. Hodder and Stoughton.
- Sampson, A.** (2004). *Who runs this place? The anatomy of Britain in the 21st century*. John Murray Press.
- the Edge.** (2019). *Joint code of professional conduct*. the Edge. <https://edgedebate.com/s/JointCodeOfProfessionalConduct.pdf>
- the Edge.** (2024). *Building competence and capability: The case for a public research establishment for the built environment*. The Edge. https://edgedebate.com/s/NBERO-0624_v10lr.pdf

TO CITE THIS ARTICLE:

Foxell, S. (2025). Built environment governance and professionalism: the end of *laissez-faire* (again). *Buildings and Cities*, 6(1), pp. 767–782. DOI: <https://doi.org/10.5334/bc.713>

Submitted: 14 September 2025

Accepted: 14 September 2025

Published: 10 October 2025

COPYRIGHT:

© 2025 The Author(s). This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC-BY 4.0), which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited. See <http://creativecommons.org/licenses/by/4.0/>.

Buildings and Cities is a peer-reviewed open access journal published by Ubiquity Press.