



RTPI

mediation of space · making of place

Ethics and the Planning Profession

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Code of Professional Conduct

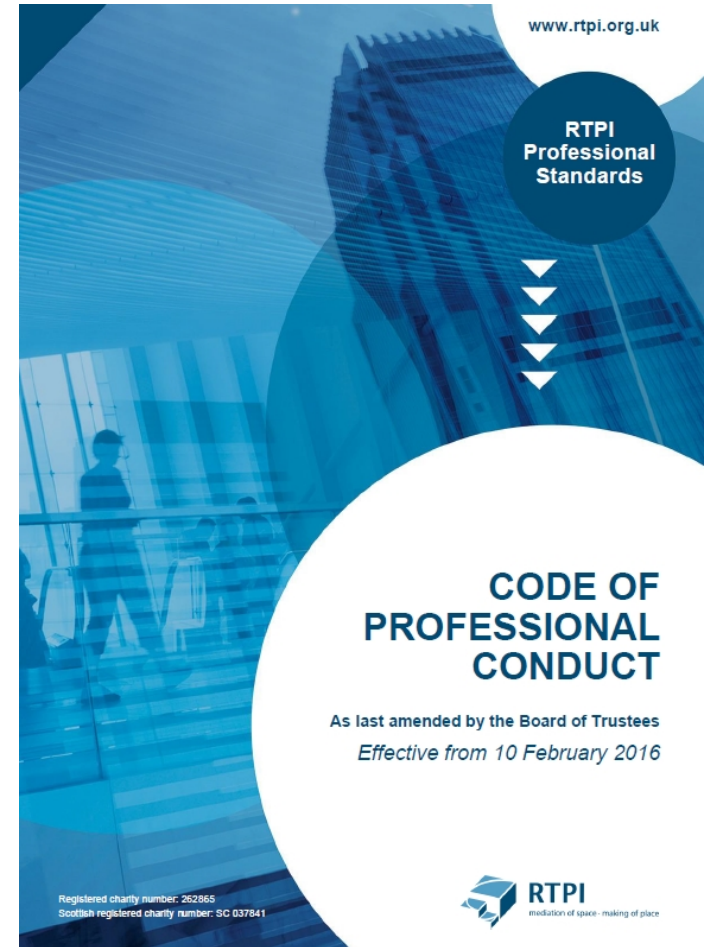
The Chartered Institute
requires planning
professionals to meet and
maintain high standards of
competence themselves in a
way that inspires trust and
confidence in the profession.



Code of Professional Conduct

Why we have one...

- Sets the standard
- Professional standing
- Public confidence
- Clarity of expectations
- Behaviours and working practices
- Outcomes



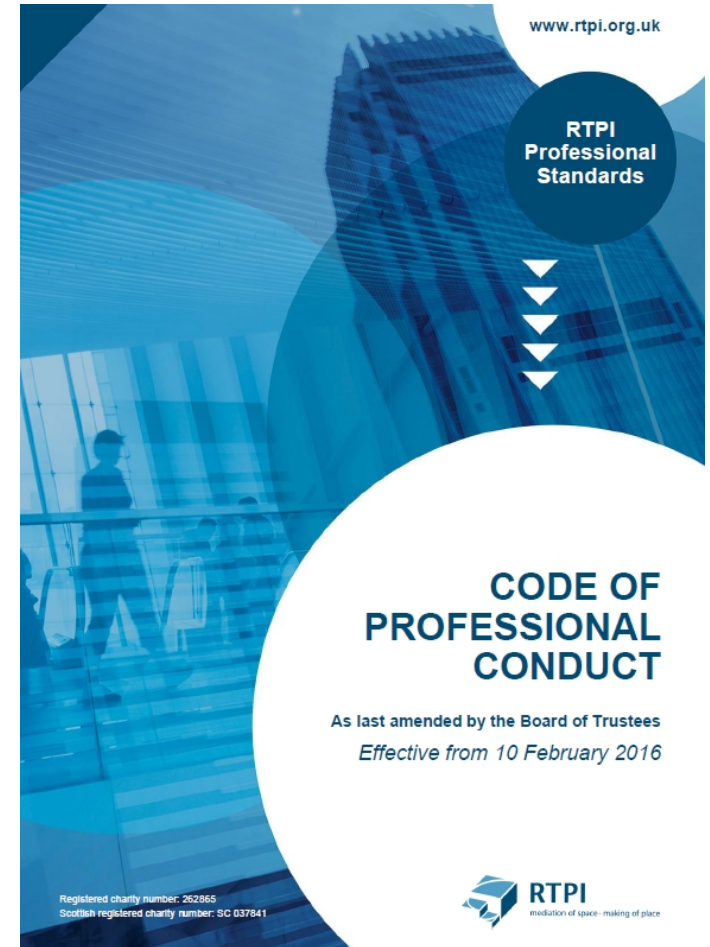
Five core principles



Code of Professional Conduct

Application

- Applies to all RTPI Members
- Assessment of Professional Competence
- Maintaining Standards
- Technical Competence
- Penalties - warning; reprimand; suspension; termination of membership



**PERSONAL
VALUES**

**CLIENT'S
INTERESTS**

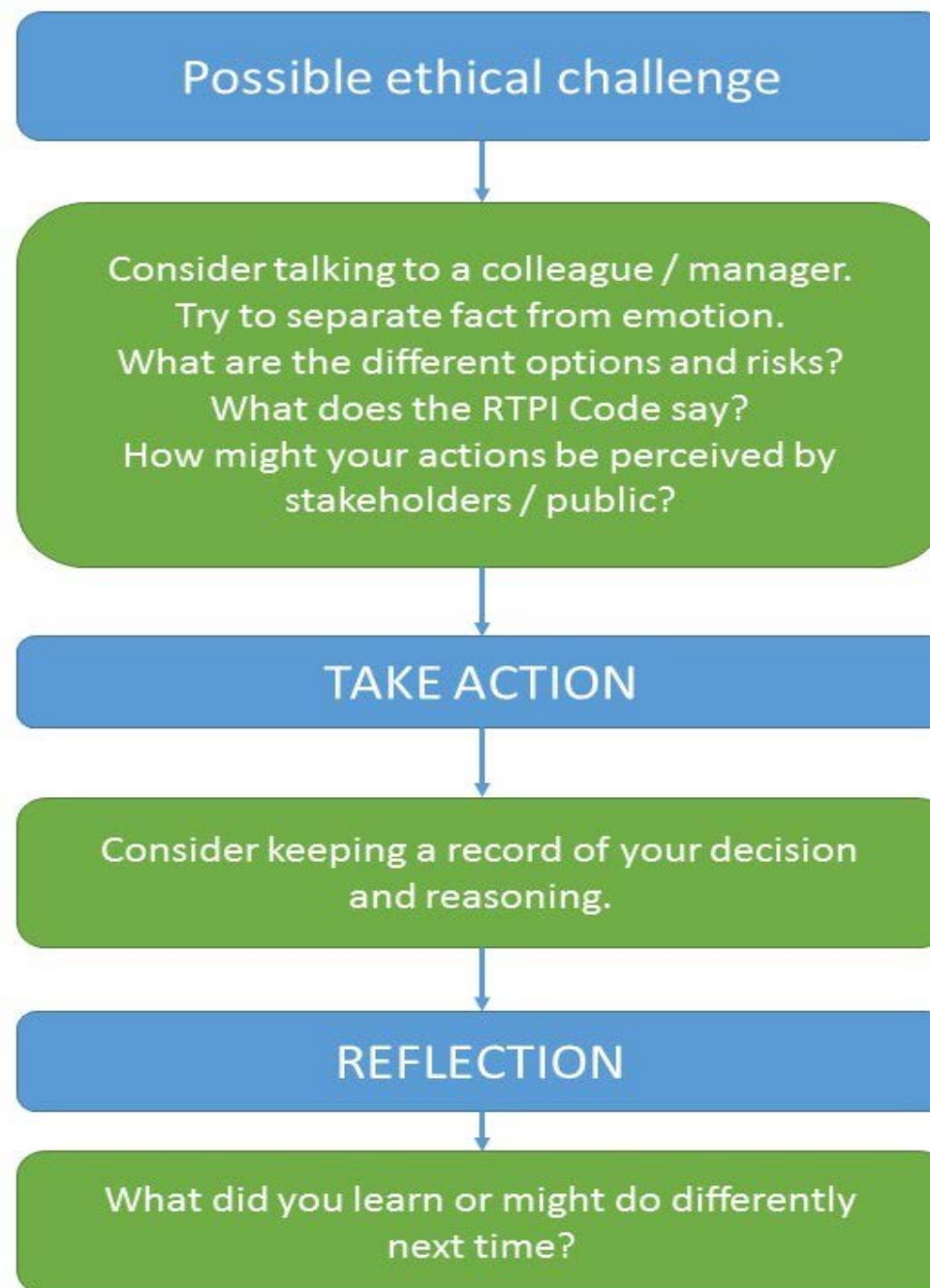
**EMPLOYER'S
INTERESTS**



What is an Ethical Challenge?

“But, what if...?”





Ethical decision making

Do you have enough reliable information?	If you don't have sufficient evidence or facts consider asking or clarifying information with a colleague. Try and separate facts from any emotional response from yourself or others.
Is it legal?	If you are not sure if proceeding is legal, consider talking to a colleague or manager.
Does it comply with your employer's policies?	If you are not sure if proceeding would be within your contractual rules consider talking to a colleague or manager.
Is there a conflict of interest?	How would others see any personal or professional relationships between you - existing or previous employers or clients or stakeholders? Is it in accordance with the RTPI Code?
Have I considered all relevant stakeholders?	This could include colleagues, clients, the general public, and other professionals? How may others be affected by your decision? Have you consulted?
Can I clearly state the reasons for my decision?	Have you considered different options? Have you considered the risks or impacts?
How would my actions be perceived by others?	Assessing potential courses of action through the eyes of others can help see potential questions. How would your actions be received if they were made known to the public? Is it in accordance with the RTPI Code?
Take action	Have you kept a record or note of your decision and reasoning in case your actions come under scrutiny at a later date?
Reflection	It is important to reflect on the ethical challenge. Would you do anything differently in the same situation?

What do you think?

.....

Ethical Challenges

True or False

There is a clear definition
of ethics which can be
applied to all professional
situations



True or False

Ethics is not related to
law and regulation



Choose one of the following to complete the sentence: *Acting ethically means...*

- a. adhering to a code of professional conduct
- b. wearing a suit to work
- c. always doing what a client or customer asks



Choose the odd one out.

Being a professional planner includes:

- a. making decisions based on personal views.
- b. acting fairly.
- c. treating people with respect.
- d. working in the public interest.



Ethical Challenges in Practice

RTPI's core principles



Conflicts of Interest

- financial interests
- advising two property developers who are active in the same geographical area;
- Knowing a client is engaged in unethical activities;
- If a client is also a friend or family member.
- Over-familiarity



Managing Conflicts of Interest

- Withdrawing from one or more of the conflicting relationships;
- Continuing to act but only with the knowledge and written consent of the interested parties; or
- Setting up an internal “information barrier” or “firewall” between the two colleagues or teams that are acting separately and independently for the different parties.

Sensitive Information

- obtained through discussions or correspondence with a client or applicant;
- not in the public domain;
- views expressed during meetings; or marked confidential
- previous employers



...remember that ultimately the requirement for professional planners is to exercise their judgement independently and provide planning advice in a professional manner. A client, planning committee or other decision maker can follow or disregard this advice as they choose. Another planning professional can also legitimately express an alternative opinion.”



RTPI Practice Advice Ethics and Professional Standards

Resisting Pressures

Acting fearlessly and impartially

- Public Interest
- Recommendation or decision making
- Reasoning
- Potential course of action
- Inquiries – overturns



Gifts and Hospitality

- RTPI members must not accept financial inducements to alter their professional opinion
- Bribery Act
- Small token of thanks allowed
- Declare on register
- Agreed procedures

Case Studies

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Ethical challenges in practice

Case Study: Changing Sectors

Planner N. has recently left a senior policy role in local government to set up as a sole practitioner. They intend to operate within the same geographical area where they were previously employed as this is where they live and it is where they have spent most of their career. They have taken on a number of new clients in the first few months trading, several of whom are known to them from the previous role. One of the new clients is keen for them to promote a site in the local plan.

Case Study: Changing Sectors

- Vulnerable to conflicts of interest
- Risk of breaching contractual obligations
- Private or sensitive information
- Stepping down an option
- Cautious approach to accepting new commissions
- Need for 'arm's length' relationship with former colleagues
- Many consultants don't work in their 'old patch' for at least 12 months.

Case Study: Family and Friends

Planner S. works for a planning consultant and has been tasked with securing consent for a large housing development in a rural village. Planner S. is from the local area and has family living in the village. They feel tensions between their personal and professional situation and are concerned this could cloud their professional responsibilities to the client

Case Study: Family and Friends

- May have formed their own professional opinion on the merits of the proposal
- Raise the issue of a personal interest with their manager
- IPropose that the job is either allocated to a colleague
- Or declare family connection and their manager provides a greater level of supervision and makes the final decision.
- perceived conflict of interest

Case Study: Committee Overturn

Planner W wrote up an application for demolition of a single house and replacement with 4 flats for approval because they considered the impact to be beneficial in terms of new housing in the area. In their view the look of street was not harmed, particularly as a number of other proposals had been built in the past few years. The application was opposed by the local council representatives and was 'called-in' to committee where it was refused on the grounds of design and traffic impact. Planner W. has now been asked to write the appeal statement by their manager.

Case Study: Committee Overturn

- speak to manager and use the Code of Conduct to show they are in a potentially challenging ethical situation
 - Manager has a number of choices
 - accept that officer should state the appeal report is the ‘council’s view’ rather than theirs
 - request another officer who is able to form a professional view in line with the committee decision to take the case
 - employ a consultant to undertake the appeal instead
-

Professional Standards

- Professional competence
- Information
- Errors and mis-statements
- Professional standing
- Service to public
- Professional indemnity insurance
- Social media
- Whistleblowing
- Criminal convictions



Resources and support



An introduction to professional ethics

Your progress 50%

Membership of the RTPI necessitates the highest standards of professional and ethical behaviour. Planners may face ethical challenges throughout their career. It is essential for sustaining public trust in the profession to be able to identify, understand and deal competently and confidently with issues if they arise. The RTPI is a member of the International Ethics Standards Coalition.

The module is relevant for candidates for RTPI membership, assessors and mentors as well as all other RTPI members at any stage of their career; including students.

The module has been developed with the assistance of University of Leeds Inter-Disciplinary Ethics Applied (IDEA) Centre.

The module will take approximately 1-1.5 hours to complete. Work your way through the sections and activities below. The first sections introduce different aspects of professional ethics. The final session tests your knowledge through a number of ethical scenarios. Each section will take 10-15 minutes and you don't have to complete the whole module in one go.

RTPI Core CPD: Ethics and Professionalism



- Learning objectives
- How to navigate the module
- Why are professional ethics important to planners?
- What is 'ethics'?
- What is an ethical challenge?
- Test your knowledge Feedback available Attempted 22 March 2019
- Ethical challenges in practice
- Ethical scenarios quiz

Site map

- Home
- Resources
- My resources
 - Viability: understanding development economics
 - Planning for climate change
 - An introduction to professional ethics
 - Participants
 - Badges
 - Competencies
 - Beginners guide to viability
 - Dementia and town planning

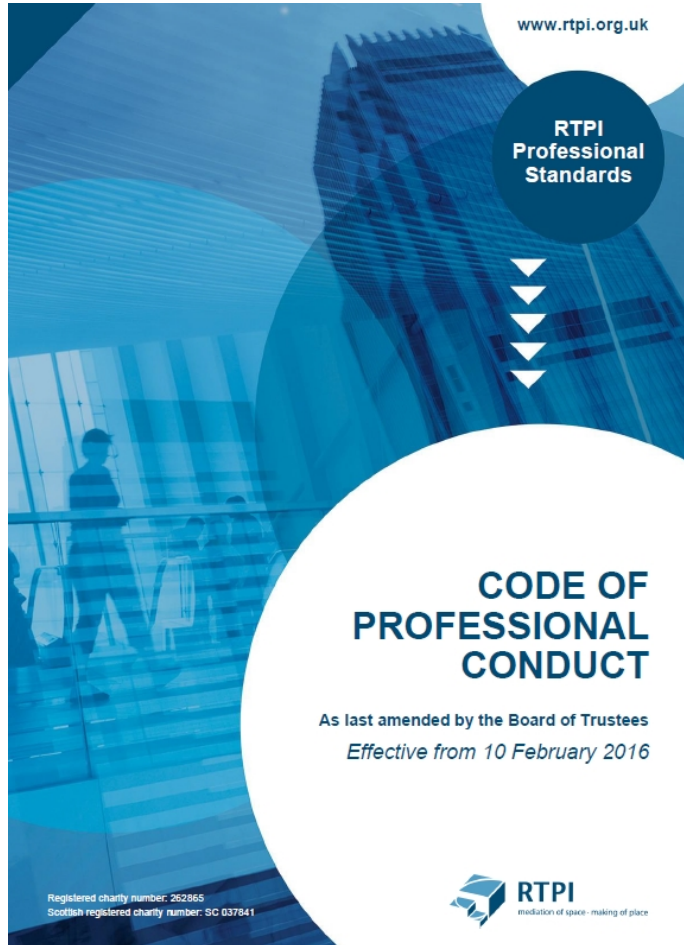
Administration

- Course administration
 - Unenrol me from An introduction to professional ethics

Upcoming events

- Nationally significant infrastructure projects and PINS - Birmingham
Thursday, 28 March, 09:30 » 16:00
- Project management for planners - London
Tuesday, 2 April, 09:30 » 16:00
- Environmental Impact Assessments - Cardiff
Wednesday, 3 April, 09:30 » 16:30
- The planning system explained -

Resources



Resources

Public Concern at Work (PCAW) within the UK

The RTPI Employment Law & HR Helpline which is available to RTPI Members facing difficulties at work

conduct@rtpi.org.uk

ethics@rtpi.org.uk

www.rtpi.org.uk

- Act on “But, what if...”
- Be proactive
- Record and document
- Be honest with yourself
- Be honest with others
- Be a professional



What have you learned?

Some scenarios....

What course of action should Planner P. take with this ethical challenge?

Planner P. is a planning officer for a local authority. The planning team is in the process of updating the local land assessment. During the 'call-for-sites' exercise Planner P. is undertaking individual site assessments for all the sites put forward. Planner P is approached by a local politician who asks them to make sure that one of the sites under consideration is not assessed favourably. Planner P. knows it is in the same village as the politician's home.

What issue(s) does this ethical challenge raise for Planner B?

Planner B. is a private planning consultant, working at a firm since they graduated four years ago. After returning from a site visit, Planner B. is called into the Director's office to discuss a major development proposal they are working on. The Director explains that the client, a close friend of the Director, would like to make a significant amendment to the project and to proceed with haste. The amendment is contrary to the advice Planner B. previously provided and, in their professional opinion, would have an adverse impact on local residential amenity. Planner B. is keen to keep on good terms with the Director as they are in line for promotion. The client also brings a lot of work into the practice. Planner B. therefore agrees to the amendment however later begins to wonder whether that was the best decision.

Should Planner K. have continued to work on the application?

Planner K. is an Area Planner Officer in a busy local authority. A member of Planner K.'s team goes on extended sick leave at very short notice, leaving a number of planning applications with decisions pending. Despite Planner K.'s challenging workload, they are keen to ensure that performance targets do not suffer therefore they agree to take on several of their colleague's outstanding cases. Planner K. notices the applicant of one of the planning applications they have been assigned is their brother in law. They have not spoken for well over a year and they decide to continue to work on the application. After reviewing the file and the previous case officer's notes, Planner K. approves the application under delegated powers.

Did Planner A. do the right thing with this ethical challenge?

Planner A. has recently been promoted to Senior Planning Officer following the retirement of a colleague. One of the first tasks Planner A. is asked to undertake is to defend the council's decision to refuse planning permission for an extension to an existing retail development. The appeal will be heard at a local inquiry. Upon reviewing the case history, Planner A. begins to form a professional judgement which could be at odds with the committee's decision based on the previous case officer's recommendation. However Planner A. accepts that the planning issues are finely balanced and continues to act.

What issue(s) does this ethical challenge raise?

In dealing with an enforcement appeal regarding the building and renting of a rear garden property, Planner F. suspected his client had backdated some tenancy agreements. This would help the appeal on the grounds that the use was now immune from prosecution under the planning laws that existed in this region. Planner F. was unsure whether to continue to represent the client as submitting the false documents could risk prosecution. Planner F. raised the issue and the client admitted the mistake and explained their records were not up-to-date. However other evidence that was genuine and verifiable could be provided instead and Planner F. concluded that the appeal could proceed, without the tenancy agreements.

Should Planner W. tell Planner H.?

Planner H. and Planner W. have been friends for a number of years having worked together in a local authority. Planner H. left the authority to work at a planning consultancy based in a neighbouring authority area. Whilst socialising together one evening, Planner H. mentions that they are thinking of buying a new house within their former local authority area. Planner W. is aware that the land directly to the rear of the property has been proposed as a possible location for a new distributor road. Discussions are still at a very early stage and no information on the proposal has been made public yet.



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Thank you

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