



## Assessment of Ethical Practices at Different Stages of Public Housing Delivery in Nigeria

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### ABSTRACT

Housing is a critical basic need, the third essential of life after food and clothing. Housing policies initiated by past successive governments in Nigeria have had low record of success due to two main reasons - lack of consistency/continuity in government policies and lack of ethical practices /corruption. This study focuses on the second reason only, and aims to examine the ethical practices in public housing delivery with the view of providing strategies to improve the prevalence of ethical performance in housing delivery. Review of construction management literature revealed that unethical practices in construction industry consist mainly of conflicts of interest, tender rigging, kickbacks and collusive pricing. Unethical practices have serious negative effects on the construction industry, manifesting mostly as reduction in the quality of finished products. Based on findings from review of methodologies employed in related literature, this study proposes to adopt a mixed methods approach that will utilise questionnaires and semi-structured interviews. This will enable the study draw conclusions as to how the industry can best tackle the occurrence of unethical practices.

**Keywords:** Corruption; ethics; housing delivery; unethical practices

### 1 INTRODUCTION

Housing has been described as a critical basic need, following food and clothing. It constitutes the third essential of life (Taiwo, 2014). Housing involves the provisions of essential amenities and infrastructural facilities towards achieving a comfortable living in a built environment (Muhammad, *et al.* 2015; Festus and Amos, 2015). Almost all countries of the world were observed to have one housing problem or the other. Most African countries are faced with housing shortages; Nigeria in particular is grappling with a 17 million units housing deficit (Federal Ministry of Lands, Housing and Urban Development, 2017).

All past successive governments in Nigeria have instituted several housing policies such as the Pre-colonial period (before 1960), and the post military era (1999-to date). All of these several policies had low record of success due to several reasons; however two reasons stand out - lack of consistency and continuity in government policies and programmes as well as corruption and a lack of ethical practices (Olayiwola *et al.*, 2005; Nicholas and Patrick, 2015; Olanrewaju *et al.*, 2016). This study focuses on the second reason only.

Professional ethics is a system of moral principles or rules of behaviour which defines an occupational moral, it involves giving one's best to ensure that the client's interest are properly cared for, while the wider public interest is also adequately recognized and protected (Dalyop *et al.*, 2017). On the other hand, unethical conduct generally means the conducts that are contrary to

the accepted standards of a profession, an act involving the deliberate violation of accepted or agreed ethical standards (Johnstone, 2014). Professional ethics are applicable at all stages of the housing delivery process. Similar to general construction, three distinct stages have been identified in housing delivery by the Federal Ministry of Power, Works and Housing (FMPW&H). These are the: Stage I - Pre-contract stage; Stage II - Post-contract stage; and Stage III - Post-practical completion stage (FMW&H, 1996). The various services offered to clients by professionals in the construction industry differ among the three stages. The level of interaction among professionals, clients, contractors and statutory regulatory agencies also vary amongst the three stages.

Unethical and corrupt practices have been identified by Oyewobi *et al.* (2011) as detrimental to the development of the economy and human resources increasing the cost of construction, and causing delays cost overruns. The industry faces a long record of ethical challenges related to behaviour; lying, unreliable contractors, claims games (inflated claims, false claims), threats, conflicts of interest, collusion, fraud, corruption, professional negligence, gifts, bribery, kickbacking, tender theft (Al-Sweity, 2013). The construction industry has been acknowledged to be the most corrupt sector in the world (Owosu *et al.*, 2017). Corruption is found across multiple levels of the industry, where it has been accused of crippling performance (Le *et al.*, 2014). Hence a high level of ethical performance implies a high level of professional performance and hence a high level of client satisfaction (Al-Sweity, 2013).



Therefore, this research aims to examine the ethical practices in the public housing provision with the view of providing strategies to improve the prevalence of ethical performance in housing delivery. The research will focus specifically public housing provision in Nigeria, not on general construction works. Data for the study will be collected from stakeholders in public housing delivery in Abuja. The time frame for the study spans 2018 and 2019.

#### Ethics

Ethics has to do with studying what is right or wrong in human actions that seek to achieve man's ultimate happiness (Gichure, 1997). Ethics is the process of trying to answer the question of how we ought to live, of being true to the idea of who we are and what we stand for; and developing a well-informed conscience, (The Ethics Centre, 2015). Corruption is always a sign of deeper unethical practices, wrong doings. Some ethical theories have been developed to explain ethical behaviour. These include *Utilitarianism*, which is also known as consequentialism; this theory states that the objective of ethics is the greatest happiness for the largest number of people. As postulated by utilitarian theorists John Stuart Mill and Jeremy Bentham, the end of an action can justify the means through which such end was achieved if the benefits outweigh the costs in the service of the greater number of people (Gichure, 2008; Sinnott-Armstrong, 2014). Since corruption is mostly actuated by self-interest, utilitarianism is in opposition to corruption.

Another theory of ethics is *Deontology*, which was developed by Immanuel Kant hence its other name of Kantian Ethics. It is an ethics of formal norms which states that an action should never be carried out except it is willed that such action should become a universal law (Gomez, 1992; Beauchamp & Bowie, 2001). While people who choose not to be corrupt can adopt this maxim, it also serves those who are corrupt, who can justify their behaviour as being universally accepted. *Aristotelian ethics* (virtue theory) revolves around two concepts; that individuals are necessarily part of communities and that happiness is the sole basis for measuring success (Gomez, 1992). Ethics according to Aristotelian thesis comes about because all human beings seek happiness, which they can attain only through moral actions that preserve their dignity (Gichure, 1997). Under virtue theory human dignity is secured only through morality, which is a necessity as opposed to a luxury. Corruption and unethical behaviours find no hiding place under virtue theory; this is because the theory requires an individual to acquire virtues (by doing the right thing always) in order to attain maximum happiness.

#### Professional Ethics in the Construction Industry

Professional ethics have been defined by Liu *et al.* (2004) as a system of behavioural norms that guide the working relationship between experts and lay persons. Some sort of formal structuring of these behavioural norms can be observed in most professions in the form of codes of ethics (McCarthy, 2012). A profession can be

viewed as an occupation where individuals or groups of individuals apply scholarly aptitude obtained through a recognized course of learning and practice to practice autonomous judgment guided by a code of ethics (Uff, 2003).

According to Abd Rahman (2008) a professional must be capable in the specific field of work concerned by meeting some criteria which include:

- i. Highest scholastic capabilities;
- ii. Expert and specific learning in the field one is practising professionally;
- iii. Excellent manual or handy and scholarly abilities in connection to one's profession;
- iv. High quality work in manifestations, items, administrations, introductions, consultancy, essential or other research, authoritative, promoting or other work.
- v. High standard of professional ethics, conduct and work exercises while doing one's profession (as a worker, independently employed individual, endeavour, business, organization, or association).
- vi. A sensible measure of professional working knowledge in both of the above limits in fields of work one has professional capabilities.

Le *et al.* (2014) sees professional ethics as a set of moral principles that govern the conduct of professionals. Authors such as Oliver *et al.* (2006) have argued that stakeholders such as clients and the government should also be considered as a form of 'profession'. This is because clients and the government have responsibilities to be ethical in all conducts related to the construction industry.

Given the importance of professional ethics to the construction industry, a lot of effort has been made to increase ethical standards and integrity among construction professionals worldwide (Abdul-Rahman *et al.*, 2011; Ho 2011). Such efforts include improving professional ethics, streamlining the construction sector (such as the National Construction Authority in Kenya) (Republic of Kenya, 2011) and curbing corruption (through setting up anti-corruption agencies such as the Economic and Financial Crimes Commission (EFCC) of Nigeria).

The efficacy of these efforts remains doubtful. Codes of practice have contractual effect on members of most professions in the construction industry (Liu *et al.*, 2004). A shortcoming of such codes however is that they do not teach morality, ethics or values to the individuals whose personal ethics determine the ethical conduct of the industry (London & Everingham, 2006). A person's ethical behaviour is determined by individual personality and socialization, which represent his or her ethical system (Zemguliene, 2013). Without sound ethical values professionals will be easily tempted to use illicit means to achieve their goals. This is why it is important to provide



ethical training to professionals that are of a comparable calibre as the technical knowledge and skills possessed by them. Reliance on legal and financial institutions - judiciary, police and financial auditors - to enforce and strengthen public sector accountability assumes tacitly that more rules and regulations along with increased enforcement will reduce corruption. This assumption ignores the weakness of the justice system in many poor countries (Svensson, 2005). Since ethical decisions begin with the individual, this is where improvement of ethical practices ought to be focused.

The built environment makes significant contributions to the economic output of most countries. It generates employment and income for the people (Ibrahim, 2008). The industry is very important in the socio economic development of developing economies because of its unique ability to facilitate and stimulate investment and to generate employment. In Nigeria, the industry is responsible for 16% of the GDP, employs approximately eight million people, and represents approximately 25% of Nigeria's workforce and the largest in Africa (Ibrahim and Musa-Haddary, 2010).

Incidentally, the Nigerian built environment is accused of being wasteful, inefficient, unsafe, falling short of quality and quantity targets, and being late in delivery (Omole, 2000). Professionals in the built environment have severally been credited with the inability to deliver services effectively and efficiently, with the current estimated population of over 170 million and an annual growth rate of 24%, Nigeria faces colossal deficit of basic amenities required by its citizens (Ibrahim and Musa-Haddary, 2010; Usman *et al.*, 2014).

Increased project costs are usually a result of unethical misconduct in construction industry; deceptive conduct adds in the vicinity of 0.005% and 5% to construction costs. Aigbavboa *et al.* (2016) and Fan *et al.* (2001) opined that unethical practices in construction industry have one way or the other hindered development of the industry. Shakantu (2006) noted that quality of projects is reduced which affect safety and satisfaction of users. Oyewobi *et al.* (2011), Nawaz and Ikram (2013) and Inuwa *et al.* (2015) also stated that unethical practices lead to poor quality and defective structure development which results in high maintenance cost.

#### Related Works on Ethical Practices in the Construction Industry

This section presents the aim and findings in a selection of research works that dealt with ethical practices in the construction industry. Almost all of the studies focused on corruption or unethical behaviour of construction professionals. Quite a number of these studies were carried out in Nigeria, thus reflecting the vibrancy in efforts to interrogate the existing value system of the Nigerian Construction Industry (NCI). Adnan *et al.* (2012) posed some fundamental questions about unethical practices in the Malaysian construction industry. Their study sought to know the common unethical behaviours

evidenced by the contractors during the life cycle of construction projects. They found that the most common unethical conduct evidenced by contractors are over pricing, bid cutting, poor documentation, late and short payments, subcontractors' lack of safety ethics, unfair treatment of contractors in tender/final account negotiations, competitors' overstatement of capacity and qualifications to secure work, competitors' falsification of experience and qualifications and bureaucratic government policy.

The findings of Abdul-Rahman *et al.* (2011) were similar to obtained in the studies presented thus far. Studying clients' perceptions of the impact that codes of professional ethics have on civil engineering works, Abdul-Rahman *et al.* (2011) identified the five worst forms of unethical conduct as "illegal award to contractor", "bribery", "breach of professional responsibility", "disclosure of project confidential baseline", and "collusive tendering". Osei-Tutu *et al.* (2010) explored the corruption practices inherent in public procurement of infrastructural projects in Ghana. They observed that conflict of interest, bribery, embezzlement, kickbacks, tender manipulation and fraud are corruption practices in the Ghanaian infrastructure projects delivery system.

**Table 1: Summary of literature findings**

Author(s)	Year	Location	Conclusions
Osei-Tutu, <i>et al</i>	2010	Ghana	Conflict of interest, kickbacks, fraud, and tender manipulation observed in projects.
Abdul-Rahman, <i>et al</i>	2010	Malaysia	The ethical standards among construction professional considered below average.
Abu Hassim, <i>et al</i>	2010	Malaysia	Ethical issues due to Non-transparent process and Ineffective professional ethics.
Olusegun, <i>et al</i>	2011	Nigeria	Corruption caused by poverty, indiscipline, greed, quackery, and endemic corruption in society.
Oyewobi, <i>et al</i>	2011	Nigeria	Ethical problems are evident in all the stages of building project rising from pre-tender stage to completion.
Adnan, <i>et al</i>	2012	Malaysia	Common Contractor unethical conducts are cover pricing, bid cutting and poor documentation.



Author(s)	Year	Location	Conclusions
Usman, <i>et al</i>	2012	Nigeria	Corruption thrives because of absence of punishment, non-continuity of policies, loopholes in project monitoring;
Bowen, <i>et al</i>	2012	South Africa	Corruption is most prevalent during the bid evaluation and tendering phases of projects.
Nordin, <i>et al</i>	2013	Malaysia	Four significant factors are positively related to corrupt acts.
Adeyinka, <i>et al</i>	2013	Nigeria	The overall compliance level of construction professionals to ethical standards was 52.37%.
Asamoah & Decardi-Nelson	2014	Ghana	All selected professionals have encountered some form of corruption, fraud, conflict of interest, tender manipulation, kickbacks, and collusion.
Shan, <i>et al</i>	2015	China	Response strategies have not achieved a higher than acceptable level in preventing corruption vulnerabilities.
Shan, <i>et al</i>	2015	China	Modeled twenty-four items of corruption to facilitate evaluating, revealing and monitoring corruption in projects.
Shan, <i>et al</i>	2017	China	Corruption caused by flawed regulation systems, and lack of a positive industrial climate..
Shan, <i>et al</i>	2017	China	Main collusive practices in China are loose site supervision and misrepresentation of qualification certificates.
Dindi, <i>et al</i>	2018	Kenya	Collusion, kickbacks and supplanting are due to lack of honesty and greed is most common.
Ogbu & Asuquo	2018	Nigeria	Bribery for access to confidential information is prevalent.

Author(s)	Year	Location	Conclusions
Usman, <i>et al</i>	2018	Nigeria	Ethical standards are compromised through projects without strict compliance to specifications.
Otubor, <i>et al</i>	2018	Nigeria	Professionals do not adhere to professional ethics since there are no professional monitoring teams.
Remišová, <i>et al</i>	2018	Slovakia	Codes of ethics and related reporting and control mechanisms are most effective tools.
Kahela	2018	South Africa	Personal value, organisational culture and education are very influential factors on ethical decisions of a project manager.
Shah & Alotaibi	2018	UK	Owner/client ethical practices include untimely legal action, changing project manager's responsibility, delays in payment.
Lee & Cullen	2018	UK	Contractor's quantity surveyor more frequently witnessed unethical practices compared to consultant's quantity surveyor.
Akinrata, <i>et al</i>	2019	Nigeria	Clients' dissatisfaction, High maintenance cost and Poor workmanship were major results of ethical misconduct by Quantity Surveyors in the construction industry.

#### Drivers of Unethical Practices

The causes of corruption in the public construction sector of China were the subject of a study by Shan *et al.* (2017). The results showed that causes of corruption could be categorized into two constructs, namely the flawed regulation systems, and the lack of a positive industrial climate. The most influential items under flawed regulation systems are negative role models of leadership, inadequate sanctions and the lack of rigorous supervision. Nordin *et al.* (2013) attempted to develop a Model of Corrupt Action for the Malaysian construction industry. The study found that four factors were significantly correlated with corrupt acts. These factors



included the desire to achieve a private or professional goal through corrupt action; subjective norms (SN); Perceived Behavioural Control (PBC) and attitude.

In their examination of stakeholders' views of corruption in the South African construction industry, Bowen *et al.* (2012) found that factors that facilitate corruption include a lack of transparency in the awarding of contracts and the operating environment of the industry. Stakeholders do not however report such corrupt practices because of a lack of confidence in the criminal justice system, a belief that no action will be taken, and a perception that 'whistle-blowers' are not adequately protected. Usman *et al.* (2012) examined the influence of unethical professional practices on the management of construction projects in north-eastern Nigeria. Major findings of the study included the absence of punishment for corruption; loss of money due to change in government; lack of continuity in government programmes; availability of loop holes in project monitoring.

In a study that attempted to quantitatively determine the causes of corruption in the Nigeria construction industry, Olusegun *et al.* (2011) found that the causes of corruption included: poverty; excessive love for money (greed); politics in the award of contract/godfatherism; indiscipline on the part of construction professionals; profit maximization by Contractor; quackery; fall-out of endemic societal corruption and favouritism. To reduce the incidence of corruption, Olusegun *et al.* (2011) recommended that the identified causes of corruption must be dealt with by government, contractors, individuals and construction professionals. Oyewobi *et al.* (2011) x-rayed the determinants of unethical performance in Nigerian construction industry in all the stages of building projects. They found that ethical problems are evident in all the stages of building project rising from pre-tender stage to completion and that the corruption crisis tended to have its roots in the echelons of power, whether in the public or private sector.

Abdul-Rahman *et al.* (2011) studied clients' perceptions of the impact that codes of professional ethics have on civil engineering works. They found that the three most influential causes of unethical conduct are "insufficient ethical education in schools", "economic downturn" and "insufficient ethical education from professional institution".

#### Strategies for Mitigating Unethical Practices

Shan *et al.* (2015) showed that the four response strategies of leadership, rules and regulations, training, and sanctions, achieved only an average level of success in preventing corruption vulnerabilities in the Chinese public construction sector. Asamoah and Decardi-Nelson (2014) revealed that all the professional associations in the construction industry have their own ethical codes of conduct; however professionals need a common understanding of ethical and professional values. Nordin *et al.* (2013) after developing their Model of Corrupt

Action for the Malaysian construction industry found the control factors such as motivations, laws, regulations and values of the individuals reduce undesirable intentions to a certain extent.

Adnan *et al.* (2012) provided detailed prescriptions for tackling unethical practices through a three-pronged approach comprising short, medium and long-term measures. Recommended Measures included (i) introducing punitive measures, penalties or even cancellation of licenses on repeated violations, and (ii) enshrining quality and ethical assurance as part of every project team. The most effective way to mitigate unethical conduct in the construction industry according to Abdul-Rahman *et al.* (2011) is "to provide training and programmes on professional ethics".

#### Summary of Findings from Literature Review

Many studies on unethical practices in construction industry have discovered that conflicts of interest, tender rigging, kickbacks and collusive pricing are the prevalent manifestations of corruption. Government officials (as clients) and contractors were perceived to be the parties most involved in corrupt activities (Bowen *et al.*, 2012). Corruption is most prevalent during the bid evaluation and tendering phases of projects. Studies have found that negative role models of leadership, inadequate sanctions and the lack of rigorous supervision are significant drivers of corruption in the public construction sector.

Unethical practices have serious negative effects on the construction industry, manifesting mostly in reduced quality of finished products. Various measures to mitigate the problem of unethical practices have been suggested; some of these suggestions have not been overly successful in practice. Studies have shown that curbing unethical conduct is difficult, and that all professionals need a common understanding of ethical and professional values.

## 2 METHODOLOGY

Following the review of literature carried out, further development of this research will be pursued on the basis of the methodology detailed in this section. Kotler (2004) defines research design to be the arrangement of conditions for collection and analysis of data. It is the conceptual structure within which the research will be conducted. The study will adopt a mixed methods approach (quantitative and qualitative research design). The quantitative aspect will encompass the use of questionnaires and past recorded data, while the qualitative aspect will use semi-structured interview.

The research population for the study has been identified as the several construction professionals in Abuja, the study area. These professionals include Architects, Quantity Surveyors, Builders and Engineers. A sample frame consists of a list of sampling units from which selection of sampling unit is drawn. The sample frame will be the lists of the professionals within the study population; that is the Architects, Quantity Surveyors



Builders and Engineers working in the Federal Housing Authority, Federal Ministry of Works, Housing, and Power, and Federal Capital Development Authority. These lists will be obtained from the Human Resource Departments of the relevant Ministries/Agency.

The sample size for the questionnaire survey will depend on the sample frame obtained. Where the number is sufficiently small as to make it possible for the researcher to reach all of the professionals in the selected Ministries/Agency, a census of the respondents will be undertaken. Otherwise some form of purposive sampling will be carried out to select a manageable sample. Purposive sampling (Trochim, 2006) appears to be most suited for the study, if it is impossible to conduct a census.

The research instrument for quantitative data collection is being developed along the lines of a similar instrument employed by Ameyaw *et al.* (2017) and administered to identify the various ethical and unethical practices in the public housing delivery system, in order to determine the prevalence of such practices. An interview protocol is also being developed for the purpose of collecting qualitative data from selected professionals on the drivers and challenges of ethical practices on public housing delivery, which will help in creating a strategy to increase the prevalence of ethical practices. A range of statistical techniques will be applied to the data to be collected through questionnaires and interview. Descriptive methods (such as Relative Importance Index, Percentile and Mean Item Score), as well as thematic and deductive methods, which will include Pearson correlation and Simple regression, are some of the tools that will be applied.

### 3 CONCLUSION

Having reviewed relevant literature on ethical practices in the construction industry and drawn some findings from the review, a methodology for the research has been proposed. Further development of this study will employ the mixed research method approach to collect data and examine the opinions of professionals in the construction industry on the prevalence of ethical practices. This will enable conclusions be drawn as to how the industry can best tackle the occurrence of unethical practices.

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