

The Conflict Avoidance Pledge: What is it and what's it for?

The Conflict Avoidance Pledge was conceived in 2017 at a meeting jointly arranged by the Royal Institution of Chartered Surveyors and the Institute of Civil Engineers.

Senior executives and members from RICS and the ICE, along with representatives of four other professional bodies and two major infrastructure employers attended the meeting and formed a coalition. They had gathered at the ICE's wonderful headquarters in central London to discuss how they could work in harmony to tackle the rising financial and resource costs of disputes in the construction industry.

I was at that that first meeting of the Conflict Avoidance Coalition, and I recall there was immense enthusiasm around the room for us to do something big and ambitious that would change the industry forever.

It became clear that our immediate challenge was to harness all that enthusiasm and form it into a cohesive and effective campaign. Ideas for what we should do were floated.

I recall a motion was made along the lines of: "Let's all write to the Construction Minister". This was discussed at length. The rationale was that a letter signed off by the ICE, RICS, RIBA, DRBF, ICES, CIArb along with Directors from Transport for London (TfL) and Network Rail (NR), would be impactful. Much more so than if only one of the above wrote to the Minister. But what would the letter say? What would be the "call to action".

The "letter" idea sounded good at first but the more we talked about the content and what we wanted it to achieve, the less enthusiastic we became about it. After about 20 minutes, the meeting room fell silent. Then someone proposed that we develop and promote a Pledge which would commit businesses and organisations to working proactively to avoid conflict and to facilitate early resolution of potential disputes. Eureka!

When the coalition met for the second time, the Conflict Avoidance Pledge had been drafted. It was reviewed, finessed and approved. We knew the Pledge would be a success because, only two weeks after it was unanimously signed off by the coalition, and before it was formally launched in January 2018, TfL, Network Rail and around 40 contractors had signed up to it.

At the time of writing this article, nearly 500 businesses, large, medium and small have now signed the Pledge.

Each signatory expresses their support for collaborative working and the use of early intervention techniques to resolve differences before they become full blown disputes. Pledge signatories explicitly state their commitment to identify, control and manage potential problems and avoid getting embroiled in adversarial procedures.

The coalition has grown since it first came together in 2017. It is now comprised of around 70 businesses and organisations, all of whom are actively promoting and supporting the Pledge. The Pledge has also received official support from central and devolved governments across the UK and it is embedded in the Construction Playbook.

My employer, RICS, has been charged with administering the Pledge Directory of behalf of the Coalition. The Directory is a published list of individuals, businesses and organisations that have signed the Pledge.

There are three levels of commitment that Pledge signatories commit to, and these are labelled “bronze”, “silver”, and “gold”. The three levels indicate the extent to which each Pledge signatory has taken steps to give effect to their promise to avoid and manage conflict. Gold level is an indicator that a business has not just signed the Pledge but has informed and obtained buy-in from their internal management teams and external clients and has actively adopted conflict avoidance measures in their day-to-day operations.

For more information about the Pledge and to see who has signed it to date: www.rics.org/capledge.

Martin Burns
Head of ADR Research and Development, RICS
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