

international
council of
design

professional code of conduct for designers

Design is a professional practice. To establish the professional standing of design worldwide, it is necessary to have a broad acceptance of a shared professional ethos and a sense of common cause. *Only the collective action of practitioners can establish the professional standing of a discipline.*

Achieving professional standing begins with self-awareness and self-definition. Only when the broad community of practitioners adopts a common approach can wider society be expected to acknowledge the professional status of the discipline. Once these standards are established, the discipline benefits from enhanced respect, status and influence, independence and assigned value. But what form does common cause take and how is a shared ethos of professionalism communicated across countries and cultures? A defining attribute of any profession is an accepted Professional Code of Conduct.

This document, the *Professional Code of Conduct for Designers*, is presented by the International Council of Design as an international standard and reference. It is an aspirational document, intended to serve as a touchstone for professional associations crafting their own Codes, and to support educational institutions developing curricula. It is a tool for any designer who seeks to adhere to international standards.

Individual design practitioners are not direct Members of the International Council of Design. The Council's Members are organisations and institutions that represent designers, educate designers and promote design. Many of the Council's Professional Member organisations have their own Codes of Conduct or Codes of Ethics, which their members are bound by, and which they—within their own membership—enforce. We have provided a list of these Codes in the Appendix of this document. These Codes provide a more granular, local and context-specific framework for the designers in those regions.

As an International body, our concern is with all design practitioners, and particularly those that do not have access to an existing professional Code in their regions. This document is offered as guidance and is not intended to be legally enforced on individuals.

Note to design education institutions.

This document focuses on the conduct of professional designers. As the incubator of future practitioners, we hope that these principles are incorporated in the curricula of design education programmes and that efforts are devoted to instilling a respect for professional responsibilities early in the education process. We suggest that design education institutions and professional designer organisations collaborate in this important effort.

LEXICON

ACCESS: sometimes, by virtue of attributes inherent to the design of an object, interface or other, the designer can control accessibility to certain users and block accessibility to others (knowingly or not). Some examples how design 'controls access' would be typeface that is illegible to older people, website navigation that can make certain information easy to access or not, interior design that excludes people with disabilities signage that is clear for one language group but not another or public furniture that promotes one type of use and excludes another (i.e. benches that allow sitting but not lying).

APPROPRIATION: the use of pre-existing works (such as existing designs, illustrations, or photography) in the creation or composition of a design or creative work. If the appropriated works are significantly altered in the creation of a new work, such as a collage, the use is often deemed to be a fair use. However, appropriation can raise significant copyright and ethical concerns, particularly if the existing works are used without the original creator's knowledge or permission, or if the appropriated works are used with little alteration.

CONFLICT OF INTEREST: a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

COPYRIGHT: the exclusive legal right granted to the creator or owner of intellectual property to print, publish, reproduce, distribute, or perform that work, or to authorise others to do so. A work is considered copyrighted upon creation. However, it must be fixed in tangible form (including digital files), and it must meet minimal standards of originality.

CULTURAL APPROPRIATION: also called 'Cultural Misappropriation' is when members of a dominant culture adopt elements of a disadvantaged or minority culture. This is seen as 'stealing' from a culture.

FAIR USE: Fair use (also known as 'Fair Dealing') is a legal concept that allows the use of copyrighted material for certain purposes without obtaining permission and without paying a fee or royalty. Purposes permitting the application of fair use generally include review, news reporting, teaching, or scholarly research.

GREENWASHING: An adaptation of the term 'whitewashing' this expression refers to false, misleading or exaggerated information concerning environmental impact, generally of a business or product. A deceitful practice, generally adopted by advertising or marketing departments, to benefit from consumer desire to support the environment, without actually benefitting the environment.

INTELLECTUAL PROPERTY RIGHTS: the intangible rights to created works, such as written works, works of art, designs, images and symbols, musical works, filmed works, software, inventions, and other works. In most countries, intellectual property rights cover four broad categories of rights: copyrights, patents, trademarks, and trade secrets. Intellectual property rights are exclusive rights, granted to 'rightsholders' (creators or authors, inventors, and businesses). By enabling creators to monetize and profit from their work, intellectual property rights encourage the development of creative expression, new technologies, and new inventions, resulting in economic growth.

NON-DISCLOSURE AGREEMENT: a legal contract that creates a confidential relationship between parties. Designers may be asked to sign a non-disclosure agreement to protect trade secrets, new products in development, patents, or other confidential business plans which they may become aware of while working on a project.

PIRACY: the exploitation of works protected under intellectual property rights, without the permission of the rightsholder. Piracy can include the theft of intangible works, such as trade secrets, as well as the unauthorised reproduction of created works, such as music recordings, books, digital typefaces, and films. Such pirated works are often sold for substantially reduced prices on the grey market, diverting income away from the legitimate rightsholders.

PLAGIARISM: the act of taking someone else's work or ideas and passing them off as one's own.

RATIONAL CONSUMPTION: the notion that a model of consumption is possible that need not be excessive and can be respectful of the environment, culture and society.

RIGHT OF ATTRIBUTION: the right of attribution is considered a moral right of copyright holders. Moral rights for copyright holders include right of attribution, right to integrity (preventing prejudicial distortions of the work), right to have a work published pseudonymously or anonymously, etc. Some countries have very weak support for moral rights of copyright holders, but in other countries (i.e., France) there is strong support for moral rights.

SPECULATIVE PRACTICE: Speculative practices (also called 'spec work' or 'free pitching') are defined as: design work (including documented consultation), created by professional designers and organisations, provided for free or for a nominal fee, often in competition with peers and often as a means to solicit new business. The Council recommends that all professional designers avoid engaging in such practices.

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professionalism in design

Professionalism is «an ideology that asserts greater commitment to doing good work than to economic gain and to the quality rather than the economic efficiency of work.»⁰¹ What does it mean to do ‘good’, ‘quality’ work? It follows that a professional is accountable to the societies they live in that goes beyond their obligation to perform a remunerated service. It is the difference between doing something because it is right and builds long-term confidence in the profession at large, and doing something for immediate personal gain or gratification, regardless of the impact on others.

We contend that what is called ‘being a professional’ is a combination of three elements. A professional has a commitment to:

- a high standard of **professional performance**
Ensuring personal capacities to provide high standard design services; this is based on initial and on-going education, and on a professional approach, mindset and outlook.
- a high standard of **professional conduct**
Integrity, honesty, transparency, etc.; this relates to ethical practices and relationships with clients, collaborators and colleagues.
- a high standard of **professional responsibility to society**
This relates to professional obligations to the greater community, humanity and the planet.

The reputation of the design profession stands on the individual performance of all designers. Designers have a clear responsibility to their peers to publicly uphold the values of the profession as representatives thereof and to maintain a high level of standard at all times so as to positively affect perception of the profession.

I. PROFESSIONAL PERFORMANCE

MAINTAINING HIGH PROFESSIONAL STANDARDS AND LEVELS OF COMPETENCE

Designers have a professional responsibility to create good designs. It is the designer’s responsibility to maintain the highest quality of service, creating designs that serve and even delight users and always benefit them. This is done by adhering to design methodologies and assuring that all parts of the process, from

research to final deliverable, are done adequately and thoroughly. Design solutions should be appropriate, intuitive, necessary and useable. Evaluation of a good design does not end with the targeted individual user or paying client but includes the impact of the design in terms of its production, as well as the economic, social, cultural and environmental impacts of the design—throughout its life cycle.

‘GOOD DESIGN’

Not all design is ‘good’. Beyond its narrowly intended function, the outcome—the design—must consider the social, cultural, economic and environmental impact as integral parts of the solution. Designs have enormous impact on society and on our planet, often far beyond the intentions and reach of a particular product or message. A worthwhile design creates value. A poorly conceived design causes damage. Designers must not take their responsibilities trivially. Only a small percentage of designs can accurately be described as meeting all these criteria, meaning that ‘good design’ is rare.

CONTINUING PROFESSIONAL DEVELOPMENT (LIFELONG LEARNING)

After receiving formal education in institutions of higher education, where most designers obtain a foundation for practice, in order to maintain and grow these competencies, designers have a professional obligation to continuously update their knowledge and skills. This could mean training in new technologies, keeping up with recent environmental impact science (pertaining to materials, manufacturing technologies and life-cycle impacts like energy usage and end-of-life), researching evolving social and cultural trends, keeping up with changing legal frameworks or understanding the psychological and physiological impacts of their designs.

HUMILITY

It is easy to fall in love with our ideas, but we do not design for our own pleasure. Good design comes from the ability to accept and value criticism, be open-minded, work in teams, and listen (to experts, to the client, to the end user, their peers, their collaborators and the general public).

01 Freidson, Elliot. *Professionalism, the third logic: on the practice of knowledge*. Bibliovault OAI Repository, the University of Chicago Press, 2001.

II. PROFESSIONAL CONDUCT

PROFESSIONAL ETHICS

Above all, a designer should uphold the values of honour, dignity, truthfulness, honesty, morality and integrity in everything they undertake.

ADVOCATING AND EDUCATING

It is the responsibility of designers to convey the value of design to clients, end users, government and the general public. They should be active advocates in showing the potential of design to address issues of equity, health and safety, quality of life, environmental sustainability, inclusivity, accessibility, cultural diversity and the advancement of the human condition. It is also important to address the potential negative impacts of poorly conceived design in terms of possible social, cultural and environmental impacts and implications of possible technological and data manipulation impacting privacy. In so doing, the stature of designers is enhanced, along with their influence and appreciation of the value of their services.

LEGAL COMPLIANCE

Designers should uphold all legal obligations in the country they practice. This may relate to copyright and regulation, font and image licensing, piracy, plagiarism and appropriation, as well as health and safety standards, environmental standards and reporting, adequate product testing, Intellectual Property (IP) legislation and any other relevant laws and regulations.

Client awareness

It is the role of the designer to inform clients about intellectual property rights, issues relating to data protection regulation, privacy rights, crediting work, health and safety standards, environmental standards, accessibility standards, etc.

HONOURING COMMITMENTS

As a matter of professional reputation, designers should always honour their written, verbal and contractual commitments to clients, suppliers, collaborators and employees. A designer should not enter into a commitment that is or could cause a breach of codes of professional conduct.

CLEAR CONTRACTUAL UNDERSTANDINGS

Contracts should clearly describe the scope and nature of the project, the services to be rendered and the manner of compensation for those services, including all potential fees or charges, through clear and inclusive terms and conditions. All costs associated with the design services offered should be clearly stated in advance. The design process should be explained clearly as to convey the sources of costs that could be potentially incurred. The designer should not receive any form of undisclosed compensation.

Subcontracting

If subcontracting portions of a design project, the hiring designer should inform their client and obtain their approval. A formal agreement should be established between the designer and any subcontractors and the designer should keep their client informed of these.

INTELLECTUAL PROPERTY RIGHTS

Whether applicable in the country in which a designer practices or not, the professional designer is beholden to understand and respect their own copyrights and other intellectual property rights and the intellectual property rights of other creatives, and to transmit this information to clients.

The designer's intellectual property rights

A designer must not give up the intellectual property rights of their designs without appropriate compensation and with appropriate legal documentation so as not to undermine the rights of all designers. Designers must not allow that their work be copied or used without permission and are encouraged to contact copyright infringers to request that they cease using the work or compensate the designer for the use. Designers must not allow their work to be used uncredited, where technically and practically possible.

Using the intellectual property of others

Design professionals often use works from other creative disciplines, including photography, patented components, illustration, typography, textile design, written materials, etc. When using the work of others, permissions must be obtained, licenses procured, and credit given. Designers must not use the work of others without their express consent and attributing proper credit. They must not take credit for the work of others. They must not copy the work of others. Designers must uphold these values strictly.

Data use and privacy

Current technologies based on data collection and mining raise important privacy questions. Designers are well positioned to ensure that proper standards are introduced and maintained by their designs. A designer should not cause or create any design that misleads or deceives the end user into volunteering information, undermining their own privacy, or otherwise unknowingly acting against their own interests.

CONFLICT OF INTEREST

Designers can find themselves in conflicts of interest in certain facets of their professional life. Situations in which the designer is in a position to derive personal benefit from actions or decisions made in their professional capacity must be adequately disclosed to insure transparency.

RECOMMENDATIONS

When asked for a professional referral, a designer should not recommend the services of their own studio or a studio they are related to without disclosing the relationship. They must not recommend any third-party company from which they expect to receive compensation of any kind, unless explicitly disclosed.

Working with competing clients

If the designer has a current working relationship with a direct competitor of a potential client, both the clients should be duly informed so as to avoid conflict of interest.

Sitting on a jury

A designer should not sit on a jury where they or their studio will stand to benefit from their participation in the jury. A sitting design juror must disclose and recuse themselves from any judgement on any work that is their own or that they or their studio have or will derive benefit from.

CLIENT CONFIDENTIALITY

A designer should respect the confidentiality of their clients, ensuring that any private information, competitive advantage (patents, intellectual property) or other information obtained within this confidential relationship is protected. Privileged information obtained through the client relationship (including future plans, production capabilities and business strategy), should be treated as confidential. The designer should not, at any time, divulge privileged information without the consent of the client.

FAIR COMPENSATION

All designers should work for fair compensation. Offering rates below fair market value to clients to win contracts is unethical, as it undermines the value of the work of all designers.

Cost versus value

Designers are discouraged from competing purely on the basis of price. Design is not a commodity with a market price equal to its cost of production or utility value. Design is an activity that creates value for clients and end users. Designers should be fairly compensated for a share of the value they create and not simply for the cost of providing the service. Pure fee competition undermines the value of the profession, the ability of designers to produce good design, and ultimately reduces the potential for value creation. Designers, through their professional organisation, should advocate for design procurement methodologies that fairly share the value created by design, and incentivise the maximisation of value creation in the interests of clients, end users and all of humanity.

Speculative practice

Designers should under no conditions participate in what is called speculative practice or 'spec' work (also known as '**free pitching**'). Spec work is providing unpaid work in the hopes to obtain a paid contract. Though this practice is common in some industries it is considered unethical in design. Spec work diminishes the value of design services and it encourages poor practice.

Pro bono

It is widely misunderstood that the Latin 'pro bono' means 'for free'. In fact, the term means 'for good.' To work to advance a deserving cause is encouraged. However, the precise working relationship between the designer and the recipient should be carefully determined, defined and described in an agreement. The conditions of unremunerated work, including ownership of rights, should be adhered to strictly. The value of the design services rendered should be communicated clearly to the pro bono recipient.

FAIR COMPETITION

Competition among designers for contracts should be transparent and honest. No designer should: misrepresent themselves or their competitors, take credit for work that they did not create or make untrue claims or misleading statements about experience or level of qualifications, standing or affiliation.

Unfair damage to reputation

Under no circumstances should any designer damage the reputation of another. Designers should speak with candour and fairness of their colleagues and not participate in slander as a basis to compete for work, recognition or for any other reason. Basic professional respect should be accorded to colleagues.

REPRESENTATION

Designers acting in a representational capacity should consider these an opportunity to educate. They should not take part in events that do not comply with basic standards for respecting designers and intellectual copyright. Examples of 'acting in a representational capacity' could be sitting on a jury, speaking at a conference, curating an exhibit. Awards that have high hidden fees, exhibits that do not respect copyrights, conferences that misrepresent design, are all examples of events that diminish designers and design.

ETHICAL TREATMENT OF EMPLOYEES

Employees deserve to work in a safe work environment that respects their basic human rights. Promotions and job assignment should be fair and non-discriminatory. Employers should compensate their employees fairly and adequately, both in salary and the payment of overtime. Employers are responsible for the professional development of their employees, which they can do by assigning mentors for new tasks, on-the job training or paid instruction.

Pay Equity

Principle of pay equity proposes that if two different job posts contribute equal value to their employer's operations, then the employees in those positions should receive equal pay. This is often referred to regarding gender disparities but can be applied in other situations.

SUPPORT YOUR LOCAL ORGANISATION AND DESIGN COMMUNITY INFRASTRUCTURE

In order to enhance recognition of the design as a profession, designers should actively support their local and international professional design organisations. Designers should participate actively in their community through advocacy, mentorship, judging design competitions, etc. Professional designers should be involved in design education and design education institutions should interact with design professionals and the organisations that represent them. Designers are encouraged to undertake research, both commercial and academic, that advances the knowledge and standing of the design profession. Advocating and educating is best accomplished through coordinated efforts and messaging.

III. PROFESSIONAL RESPONSIBILITY TO SOCIETY

Designers play a critical role in the now universally adopted growth-based economic model. This model is founded on continual growth through increased production and consumption. The limits of this model are apparent, and we are witnessing the results: ecological degradation, widening social inequities and cultural homogenisation.

Designers do not only create products and messaging. They are central in stimulating the desire to consume through their creation of stereotypes, guidance of behaviour and cultural projections of success. These same professional capacities that have been so valuable to successfully grow consumption, can be employed to find alternatives.

Designers have the responsibility to seek a more rational production and consumption model, using their skills and position to utilise technology and innovation for the long-term good and for the well-being of all living things. In so doing, they become more valuable not only to their users and humanity, but also to their clients.

ENVIRONMENTAL SUSTAINABILITY

Designers are responsible for implementing a rational utilisation of materials, manufacturing processes, energy usage, recyclability and re-usability by maintaining a critical contemporary understanding of the science and technologies necessary to create designs that minimise environmental impact. Designers should be aware of the 'whole life cycle' of their designs.

The most important contribution designers can make to sustainability is to use their capacities to influence the reduction of both production (e.g., replacement of new material goods by services) and consumption (e.g., by making designs more durable and reducing the need to replace them as often, or by reducing the desire to consume new products by offering an alternative).

Greenwashing

Designers should not knowingly develop designs that 'greenwash,' that is, designs that appear—through marketing or other stated claims—to be more environmentally sound than they are. To misrepresent or overrepresent the environmental qualifications of a design to a client, distributor or end user either by providing partial or misleading information, glossing over or covering up known shortfalls, or providing false information or analysis is unethical.

SOCIAL EQUITY

Because their work directly controls access and can perpetuate or address systemic inequalities, designers have a professional obligation to address inequity. They should be aware and consider the possible ways their work can create inequality and aim to reduce the impacts of existing systemic inequities on their users.

CULTURAL DIVERSITY

Diversity is a source of variety and value and is to be respected and celebrated. As arbiters of taste and creators of artefacts and messaging associated with success and desire, designers have enormous power to define culture. It is essential that this responsibility be applied with sensitivity and appreciation for the wealth and variety of the world's cultural heritages. The designer should be careful when interacting with cultures that are not their own as this may result in 'Cultural Appropriation' or 'Cultural Misappropriation' (see Lexicon).

INCLUSIVITY OF DESIGNS

Inclusivity should be vigorously defended. A lack of understanding and attention can result in designs that become unsafe for certain user types (e.g. car accidents are more fatal to women), designs that unintentionally create or propagate stereotypes or other unintended consequences.

Designs (e.g., dress, spaces, objects, media) have meaning, whether intentional or not, and as such, the values that the designs embody should not negatively affect any sector of society. Designers should uphold basic human dignity by considering the respectful portrayal of all people (e.g., gender identities, cultural and ethnic backgrounds, awareness of body image issues, etc.)

Diversity of design teams

One way of addressing issues of lack of inclusivity in designs is through diversity among designers. Design teams that are diverse in composition produce better—and more inclusive—outcomes because they consider multiple perspectives and approaches

PUBLIC SAFETY

Designers are responsible for the safety of not only the end user of their products, but also of all those impacted by their designs. Designers have multiple direct and indirect impacts through their designs through all stages of production, transportation, use and afterlife. Considerations include the toxicity of materials, incitement to addictive or compulsive behaviour, rights to privacy and personal safety.

ACCESSIBILITY

Humans come in all shapes and sizes. Different genders have different attributes and physiologies. People have different needs and capacities as they grow and age. People have different physical and cognitive limitations and some have mobility challenges and needs. Certain groups have distinct needs (e.g., new immigrants, people with language barriers) and these needs should be considered in any design that is targeted to groups including them. One design cannot fit all. It is the responsibility of designers to consider how designs are carefully aligned to the demands of the

users of each project.

ABUSE OF POWER

Designers use their knowledge to create and guide user experience. Design can sometimes manipulate the user into behaviours they are unaware of. If this tactic is used to further the objectives of the client (i.e., to sell something or receive a desired response) rather than serve the benefit of the user, in a way that is covert or non-explicit, it is considered unduly manipulative.

RAMIFICATIONS OF TECHNOLOGICAL INNOVATION

Advances in technology drive innovation but can often result in unforeseen and unintended consequences. It is the responsibility of designers to consider these possible outcomes to the best of their abilities, inform clients of the implications and attempt to protect users. Examples could be the ethical implications considered when creating Artificial Intelligence (AI) applications, privacy issues relating to data mining or manipulations in the digital sphere. By becoming gatekeepers of new technologies, designers enhance their value to users and clients alike.

SOURCING, LOGISTICS AND SUPPLY-CHAIN RESILIENCE IMPLICATIONS

The responsibility of the designer extends up and down the supply-chain from cradle-to-grave of their designs.

Supply-chain

Designers have a responsibility to research the materials they specify and the manufacturing technologies they prescribe to counter potential negative impacts. They should also consider the logistical and resource utilisation implications relating to long supply-chains and infrastructure resiliency issues.

Extraction Impacts

Designers should consider extraction impacts for materials they use and their components including toxicity to workers, environmental damage, impact on flora and fauna, energy expended, etc.

Fair Working Conditions

Manufacturing facilities, whether for the production and assembly of products or clothes and apparel, should be considered in respect to the conditions of workers.

Hidden costs

If information is known and available, the designer must consider the hidden systemic impacts of their designs. For example, taking into consideration the environmental impact of data being stored on servers.

As a professional, a designer's responsibility to humanity is paramount. They should strive to design for a future that is economically viable, socially equitable, culturally diverse and environmentally sustainable.

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