



**Architects  
Registration  
Board**

#### **Guidance and Information**

What happens when you  
complain to the Architects  
Registration Board (ARB)

## Introduction

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The Architects Registration Board (ARB) was set up by Parliament to regulate architects in the UK. Our powers are governed by the Architects Act 1997. One of our duties is dealing with complaints about an architect's conduct or their ability to do their job – their competence. This leaflet describes how we handle complaints about architects.

## What sort of complaint against an architect can you investigate?

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We can investigate your complaint if it is about an architect on our Register and if it concerns that architect's conduct or competence in relation to the standards in the Architects Code of Conduct. We treat all complaints fairly and we don't charge for investigating them.

Sometimes, complaints are about issues that we don't have the powers to deal with - and then you may wish to try other solutions.

## What is the Code of Conduct?

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The Architects Code of Conduct is not a set of rules that architects must follow, but guidance for architects in their professional lives. We wouldn't automatically take disciplinary action against an architect if they fell below the standards, but we would look to see whether their actions amounted to unacceptable professional conduct or serious professional incompetence. These are the two 'offences' that the Architects Act says we can investigate.

## Aspects of complaints beyond ARB's powers

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Because we have to work in line with the Architects Act, there are some aspects of complaints that we are unable to deal with – though we will always try to give you helpful advice. For example, we can't:

- Order your architect to put right something which has gone wrong, or award compensation for poor service. Only the courts can award compensation
- Become involved in disputes about a contract or fee levels, or decide whether your architect may have been negligent. These are legal issues and must be dealt with through the courts.
- Deal with complaints about matters that are covered by general law (for example, employment, criminal activity or copyright disputes)
- Investigate complaints that are more than six years old, unless there are special circumstances
- Intervene in a planning dispute
- Give you legal advice about your complaint, or ask a solicitor to act for you

### **Other solutions**

If we are unable to investigate your complaint, you may want to consider whether there are alternative methods for resolving your dispute.

### **Arbitration or mediation**

Many of the organisations that represent architects in different parts of the UK sometimes offer local arbitration or mediation services: this is where a knowledgeable, independent person acts as a go-between for you and the architect and helps you both find a solution. You can find details of these organisations at the end of this leaflet.

### **Court action**

In a serious dispute where you and your architect have been unable to reach an agreement, you may consider taking legal action. If this is the case, you might want to take legal advice to find out what your options are. Only courts can award compensation.

# What do I need to consider before sending you a complaint?

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Before sending us a complaint, you should try to sort out your concerns directly with your architect first. This is often the quickest and best way to deal with a complaint or problem. [Under our Code of Conduct, architects should have their own process for dealing with complaints.]

## **Checklist if complaining directly to an architect**

- Check what was said in writing about roles and responsibilities at the beginning of your project. Check also the terms and conditions of the contract or agreement that your architect drew up - this may help to settle a dispute
- Put your complaint in writing so that both you and your architect have a record of your concerns
- Set out the details of your complaint as clearly as you can
- If you have more than one complaint, list them and give them numbers
- Ask who will deal with your complaint, and how long it is likely to take
- Make notes of any meetings that you have, and keep copies of any letters you send to your architect
- Tell your architect what you would like them to do to settle your complaint (but please understand that your architect might not be able to do what you ask)

## How do I go about making my complaint to you?

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Please send us details of your complaint in writing – by email or post – or fill in our online complaints form. See below for the information we need.

If you find writing difficult, because of a disability for example, you can phone us and we can take a statement: we would then send it to you to check and sign.

### **Information we need**

When writing to us about a new complaint, please provide:

- your name, address and contact details;
- the name and address of the individual architect you are complaining about;
- your relationship with the architect (for example client, contractor or employee);
- the specific allegations you are making against the architect;
- the documents or other evidence you have to support your complaint (for example, any contract or agreement, relevant correspondence, and so on)

## What action can you take?

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After full investigation, if we find that an architect is guilty of unacceptable professional conduct or serious professional incompetence, we can impose a penalty. This will depend on how serious we decide the offence is.

## What are the penalties?

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Possible penalties are:

- a formal warning (a reprimand);
- a fine – currently up to a maximum of £5000 (payable to HM Treasury);
- suspension from the Register of Architects for up to two years (this means that the person would not be able to use the term ‘architect’ for business purposes during this time); or
- permanent removal from the Register (so the person wouldn’t be able to work under the title ‘architect’).

## What happens next?

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We have a three-stage process: Review, Investigations Panel, and Professional Conduct Committee. At each stage, we check whether it is appropriate to go on the next stage.

## What is the Review stage?

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On receiving your complaint, we study it and tell you if it is one we can deal with. If it is, we explain what we can investigate. We send a copy to the architect and ask for their comments. We show you the architect’s reply and then once we have sufficient information, pass your complaint to our Investigations Panel.

If we don’t think that your complaint is one that we can deal with, we will let you know and explain why – and the process ends there.

## What happens at the Investigations Panel stage?

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The Investigations Panel looks at your complaint in more detail and will decide whether the architect has a case to answer. This means that it will assess whether there is sufficient evidence to suggest that the architect did or did not do what is alleged, and if so, whether such a failing might be so serious that it could amount to unacceptable professional conduct or serious professional incompetence.

Your complaint will be considered by three people from this panel – one is an architect and the other two are members of the public.

When the panel has enough information to make a decision, it can:

- dismiss the complaint;
- give the architect advice about their future conduct; or
- refer the complaint to the Professional Conduct Committee

The Investigations Panel will provide reasons for its decision.

## What happens at the Professional Conduct Committee stage?

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When a complaint is referred to the Professional Conduct Committee the ARB's solicitor will prepare a report and a public hearing is held. The case will be heard by three people from the Committee – one architect, one member of the public and a solicitor appointed by the Law Society.

After hearing the evidence, the Committee will decide whether the architect has behaved in a way that amounts to unacceptable professional conduct or serious professional incompetence (or both). It can dismiss the case if it believes there is not enough evidence to support it or that any failings are not serious enough to warrant a disciplinary finding. If it does find the architect guilty, it will impose a penalty according to how serious the offence is.

## How long does the whole process take?

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It can take many months to investigate a complaint, especially if it is complicated or technical.

We will let you know how long each stage is likely to take, and keep you updated of any changes to those timescales.

## Is the process confidential?

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When we deal with a complaint, we are committed to protecting the confidentiality and reputation of both sides. We make a complaint public only if it reaches a Professional Conduct Committee hearing. We ask that both you and the architect have the same respect for confidentiality.

## What can I do if I'm not happy with your service?

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We are committed to providing a high-quality, professional service to everyone who contacts us. If something goes wrong, please tell us and we will do everything we can to sort out your concerns. You can use our customer service complaints form online or in hard copy: please contact us if you would like a copy.

## Other organisations that might be able to help you

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### Acas - Advisory, Conciliation and Arbitration Service

Acas has a number of regional offices.

Phone: 08457 47 47 47

Website: [www.acas.org.uk](http://www.acas.org.uk)

### Chartered Institute of Arbitrators

12 Bloomsbury Square, London WC1A 2LP

Website: [www.ciarb.org.uk](http://www.ciarb.org.uk)

### Citizens Advice

There are local citizens advice bureau throughout the UK.

Website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### Law Centres Federation

There are local law centres throughout the UK.

Website: [www.lawcentres.org.uk](http://www.lawcentres.org.uk)

### Royal Institute of British Architects (RIBA)

66 Portland Place, London W1N 4AD

Phone: 020 7580 5533

Website: [www.architecture.com](http://www.architecture.com)

### Royal Incorporation of Architects in Scotland (RIAS)

15 Rutland Square, Edinburgh EH1 2BE

Phone: 0131 229 7545

Website: [www.rias.org.uk](http://www.rias.org.uk)

### Royal Society of Architects in Wales (RSAW)

4 Cathedral Road, Cardiff CF11 9LJ

Phone: 029 2022 8987

Email: [rsaw@riba.org](mailto:rsaw@riba.org)

### Royal Society of Ulster Architects (RSUA)

2 Mount Charles, Belfast BT7 1NZ

Phone: 028 9032 3760

Website: [www.rsua.org.uk](http://www.rsua.org.uk)

# Complaints Stages

## Review Stage (16 Week Target)



## Investigation Panel Stage (12 Week Target)



## Professional Conduct Committee Public Hearing Stage (28 Week Target)





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