

arb Bulletin/November/05

The electronic newsletter of the Architects Registration Board Issue 4
Protecting the consumer and safeguarding the reputation of architects
www.arb.org.uk

Chairman's Message



Many of you will be aware of the exchange of correspondence that I have had with Jack Pringle, the new President of the RIBA, on the RIBA Council's proposals for regulatory change. You can read the letters on ARB's website (www.arb.org.uk). They set out the Board's views to help members of the RIBA and others who will have to reach a decision on whether these proposals are worthwhile. I believe that the RIBA's proposals will increase costs and will affect adversely the services provided. The changes will have to be paid for by architects as it would require a major change of policy if the public were to pay for any of them. The case for change as proposed by the RIBA Council does not serve the public interest which is, of course, at the core of the legislation which gave architects protection of their title.

ARB has always adopted a minimalist approach – it owes it to the profession to do so. It is because of this duty of prudence and economy that the Board has been able to keep the annual retention fee low without compromising the quality of service it provides to its registrants. The fee continues to be amongst the lowest paid by professionals. Doctors, for example, currently pay £290 to remain on their Register, and from 2006, dentists will have to pay £409. In comparison, ARB's 2006 fee of £76.50 is very modest indeed.

As ever, we have tried to fill the Bulletin with news and articles that will be of interest and relevance to you as an architect. I do hope that you find the time to read it, and that you find it useful. Any feedback you might have is welcome – please send it to feedback@arb.org.uk

Humphrey Lloyd
Chairman

Board Meeting – 10 November 2005

The following were among matters considered or discussed by the Board at its meeting on 10 November. The full Minutes will be posted on ARB's website once they are approved by the Board at its next scheduled meeting.

The Board received a presentation from Mutuelle des Architectes Français Assurances (MAF) on how insurance is dealt with in France. Registrants interested in learning more about MAF should visit its website at www.maf.fr, or ARB can forward letters to it for you.

Keeping us up to date

Please remember that you need to keep us informed of any changes to your personal details.

Keeping us informed is vital. If we don't have your correct contact details, you will not receive mailings from ARB. At this time of year, when we are about to despatch the annual retention fee invoice, it is particularly important that we hold a current address. Non-payment of the fee by the due date results in erasure from the Register. Many of these occur simply because we do not have up to date details.

You can tell us about changes to your details by letter, phone, fax or email. Alternatively, you can log on to the secure Registrants' Services section of our website, www.arb.org.uk, where you can update the details yourself.

Contact us

Telephone : 020 7580 5861
Fax: 020 7436 5269
Website: www.arb.org.uk

8 Weymouth Street London W1W 5BU

RegulationDepartment@arb.org.uk

Use of the title "architect"
Complaints about an architect
Professional Conduct Committee
Hearings
Code of Conduct and Professional
Standards
Registering as a company

RegistrationDepartment@arb.org.uk

All registration enquiries
Examination procedure
Retention and other fees
Finance

EducationDepartment@arb.org.uk

Schools of Architecture/Institutions
Prescription of qualifications
University liaison

CorporateDepartment@arb.org.uk

General Information
Information leaflets
Publications

Competence

Meetings have continued to take place with the RIBA on maintenance of competence. The RIBA has produced a draft core curriculum, which will be considered by ARB's Prescription Committee to enable the Board to assist the RIBA. The RIBA has reaffirmed its willingness to work with ARB, and the core curriculum proposals will be presented at the RIBA Practice Committee on 9 January 2006.

Chief Executive & Registrar's Report

Robin Vaughan briefed the Board on developments and work-in-progress since the last meeting of the Board. In particular, he reported that –

ARB has met with representatives from a number of organisations – SCHOSA, Chartered Institute of Building, Archaos – in relation to its prescription activities. A meeting had also taken place with the Department for Education and Skills's Higher Education Regulatory Review Group to discuss how ARB's prescription process could be used as a model for other professions to reduce "red tape" across the sector.

A new secure online service has been launched to allow certain documents (eg. prescription application forms and registration forms) to be completed online. The system will be developed further in 2006 to increase the range of documents that can be completed online.

A meeting took place with representatives from the Department of Trade and Industry, together with the RIBA, to explore what government action might be taken for a successful outcome to the current Mutual Reciprocity Agreement (MRA) with the USA, should the MRA fail to reach a successful conclusion by June 2006.

ARB continues to have an input to the work of the Architects Council of Europe (ACE), proactively participating in discussions on new governance structures and policy issues, such as the proposed Services and Qualifications Directives and a Code (see below). This, coupled with representation at the Better Regulation Task Force's Independent Regulators Conference, which looked at risk-based regulation, will be of value to the Board when considering revisions to its Code of Conduct in 2006.

Honorary Treasurer's Report

The Board's Honorary Treasurer reported on the work of the Finance & Establishment Committee over the past year. As well as carefully monitoring the Board's finances, in keeping with the Board's duty of economy and prudence, the Committee had reviewed both the Board's reserves and its investment policy to ensure that the funds were being appropriately managed. The Committee also finalised a Finance Handbook, which recorded all the Board's business processes, and carried out a best value review of those services bought in by the Board, including a review of its insurance policies.

PCC and Complaints

PCC cases are dealt with in "Regulation Matters" further in this Bulletin.

ARB's University Liaison Programme

The Board noted that during 2004/5, a total of 25 schools of architecture and the RIBA North West were involved with 32 ARB-led sessions for architecture students, with an overall attendance rate of 1533 students. Of those Part 3 students to complete feedback forms, 93% indicated their intention to register. Further information on ARB's university liaison work is available from Elaine Stowell, at elaines@arb.org.uk

Composition of the Register

The Board noted a report on the composition of the Register, the culmination of a research project it had commissioned to assess the ways in which architects experience ARB and its requirements. More information about the research can be found further in this Bulletin.

Regulation of the Title "Architect"

The Board had commissioned a survey on regulation of title to assess whether it was keeping pace with UK best practice and meeting the expectations of both consumers and the profession. Please see the article elsewhere in this Bulletin for further information.

ACE: European Deontological Code

The Board was asked to review the latest draft Deontological Code developed by ACE. Forthcoming European Directives envisage that pan-European Codes of Conduct will exist in various professions. The Board's comments will be fed back to the ACE General Assembly later in November, and will be invaluable in ensuring that the document works as well as possible for the United Kingdom.

Movements in the Register of Architects

In the first ten months of 2005, movements have been as follows:

New admissions	951
of which	
658 were UK inland admissions	
225 were EU Directive admissions	
48 were assessment admissions	
Resignations	34
Deaths	74
Readmissions	26
Reinstatements	386
Section 11 removals	7
Section 11 reinstatements	9
Section 8 Strike-offs*	638
Section 18 erasures**	4
Section 17 suspensions***	2

* Removals for non-payment of the 2005 retention fee

** Registrants erased by the PCC for failure to hold professional indemnity insurance

*** Registrants suspended by the PCC

NB. Amendments to the Register occur on a daily basis and these figures should be viewed as a snapshot of the Register at any one time.

Total on Register up to 26 October 2005: 31,209

(This figure is drawn from data as at 26th day. Full month not therefore represented)

Regulation matters

Title Abuse

On 13 October 2005 at Staines Magistrates' Court, Kevin John Turner of Kevin J Turner Associates, was found guilty of breaching Section 20 of the Architects Act. He was fined £1,000 and ordered to pay prosecution costs of £1,500.

Professional Conduct Committee

The Professional Conduct Committee has sat twice since September.

Two cases were adjourned, one on 7 September and one on 5 October. In the remaining case on 5 October, architect Stuart Matthew of Fochabers in Morayshire was found guilty of unacceptable professional conduct and was issued with a reprimand.

Forthcoming PCC Hearing

On 24 November 2005, an architect from Gloucestershire is to appear before the PCC charged with unacceptable professional conduct.

For further details of this and other matters relating to the PCC, please contact Simon Howard simonh@arb.org.uk

Regulation of Title

Regulating the title “architect” protects the reputation of the profession

Earlier in the year, the Board commissioned a benchmark survey on title protection. Its purpose was to measure the Board’s work in this area against the systems operated by other bodies with similar powers to ARB.

The research showed that over 90% of the profession regard protection of the title “architect” as important, and an overwhelming number within that percentage believe that regulation helps safeguard the reputation of the profession.

Each year, the Board receives around 300-400 complaints about title abuse, mainly from members of the profession, but also from members of the public who have been deceived into using someone who is not an architect. Each case is given careful consideration and dealt with on its own merits. In many instances, the Board adopts a commonsense approach, and takes no action where the title “architect” is used in a context which is clearly not related to the design and construction of buildings. The Board considers that this would not be the most economical use of registrants’ money.

Where evidence of title abuse is available, the Board will always attempt to seek a resolution, without the need for recourse to the courts, by obtaining a written undertaking from the individual concerned that they will cease using the title “architect”. However, there are cases where the evidence required by the criminal courts is incontrovertible, and ARB will prosecute those who use the title unlawfully.

The independent assurance provided by ARB through the statutory responsibility given to it is the only basis for protection of title. The professional bodies do not have the statutory responsibility to deal with this. There is considerable public interest in the profession, and the public and the profession itself are entitled to expect that regulation of the title “architect” works in their interest.

The Board’s research revealed that ARB’s present approach to regulating title compares favourably with that of other organisations who participated in the survey. There was, however, a wide-ranging approach to title regulation work between organisations, which in large part is due to the difference in powers, but also in size, functions and resources. Not all bodies with responsibility for protecting title regard it as their role to undertake prosecutions, even where title abuse amounts to a criminal offence.

The Board received the report with enthusiasm, and restated its commitment to protecting title. It also agreed to provide the public and the profession with more information about its work in this area, as it appears that the work is both underestimated and not widely understood.

Architects and the ARB – Composition of the Register

A survey was commissioned by the ARB to assess architects’ experience of the Board and its requirements, and looked in particular at the experience of women in the profession. Out of 3000 architects surveyed, 2000 of these were women. The survey found that women make up an increasing proportion of the UK Register of Architects, and now constitute some 30% of new entrants to the profession.

The ARB survey also looked at levels of satisfaction with the regulatory regime, with a majority of respondents reporting high levels of satisfaction with ARB’s processes. Some respondents wished to see some kind of exemption from or reduction in the retention fee for architects who work part-time or intermittently. The survey also revealed some concern about the levels of professional indemnity insurance (PII) required by the Board.

The survey was undertaken by Board member Professor Nirmala Rao, who presented her findings to the Board in a draft report.

The Board welcomed the report, and expressed the hope that the information would be used to respond to an increasing number of women architects on the Register. The Board was not in favour of a reduction in the retention fee for part-time working, on the grounds that registration with ARB entitles architects to practise as such, irrespective of employment hours or status. Addressing concerns about PII, Chairman Humphrey LLOYD said that PII was kept under constant review by the Board’s Working Party and would be looked at again in the context of Professor Rao’s report.

Prescription of Qualifications

ARB has a statutory duty to prescribe the qualifications that persons are required to gain for entry onto the Register. This gives the public confidence that, from an independent standpoint, the qualifications held by registrants are those which equip them with the key competencies required for practice. Parliament considered this to be so important that it determined that prescribing qualifications was a function that ARB could not delegate to any other body.

ARB derives confidence that all students who receive a prescribed award have gained the requisite skills, knowledge and understanding by considering documentation on quality and standards that Higher Education Institutions use for their own purposes. This:

- reduces ‘red tape’ for the schools of architecture by not requiring them to produce new and additional documentation;
- ensures that there is a clear engagement between what Higher Education Institutions do in relation to quality assurance and ARB’s requirements;
- enables ARB to have a proportionate and non-inspectorial approach to prescribing qualifications.

Over the past year, ARB has reviewed the prescription of 36 qualifications, prescribed 5 new qualifications and is currently consulting with stakeholders on the prescription of a further new qualification. A handbook has been published to disseminate good practice and provide advice to institutions on their prescription applications, and considerable work has been done to improve the e-services available to institutions to simplify further the process of applying for prescription.

For more information of the prescription process contact

EducationDepartment@arb.org.uk

Your feedback is always welcome.

If you have any comments on the Bulletin, or on any aspect of ARB’s work, please email feedback@arb.org.uk

If a copy of this Bulletin has been forwarded to you, and you would like to receive this and other electronic updates from ARB direct to your inbox, please email feedback@arb.org.uk and we will add you to our mailing list



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