Procedures for the Prescription of Qualifications

Contents

Foreword

The Architects Act 1997 gives the Architects Registration Board the duty of determining who has the legal right to practise as an architect in the UK. Most are registered by the Board because they have a qualification and practical experience that the Board has prescribed. The Board therefore has a statutory duty to set the standards required of some one who wishes to be registered and the prescription of qualifications is therefore central to the Board's work.

In 2009 the Board revised its published criteria which set out the minimum levels of awareness, knowledge and ability that students of architecture must acquire at key states in the process of qualifying as an architect. The revised criteria became effective in XXXX and continue to form the basis upon which the Board makes decisions as to whether or not qualifications can be prescribed. Before ARB prescribes a qualification it has to be satisfied that any person to whom it is awarded has and will have met all it criteria at the appropriate level.

The procedures set out in this document describe how from XXXX universities, schools of architecture and other similar institutions that award an architecture degree, diploma, or the like, may apply for and obtain the decision of the ARB as to whether it will be recognised as a prescribed qualification. They replace (from that time) the previous 'Procedures for the Prescription of Qualifications' published by ARB in November 2002. The new procedures have been drawn up following consultation with the universities, schools of architecture, the Standing Conference of Heads of Schools of Architecture (SCHOSA), the Association of Professional Studies Advisers (APSAA), the Royal Institute of British Architects (RIBA) and others. The Board is grateful to all those who have participated in the review of the procedures.

It is intended that the procedures continue to be simple to operate both from the point of view of the applicant institution and of the ARB. The institution retains the freedom to decide what will best support its application. They continue to enable the institution to get a

decision in good time before prescription may start and to meet the ARB before submitting its application to discuss the procedure. They also remain reasonably flexible in order to accommodate the position of individual applicants and, if needed, to allow for adjustments which may particularly be needed in the early years. The newer features of procedures include clarification on the consultation process which applies when qualifications are prescribed for the very first time; clarification of the Board decision making process; information relating to the notification of significant and minor course changes to the Board and the relevant requirements which stem from the Mutual Recognition of Professional Qualifications Directive (2005/36/EC). Furthermore, adjustments have been made to the standard conditions of prescription which apply once prescription has been granted. The Board's Staff will be happy to provide guidance in relation to any of the revisions.

Beatrice Fraenkel
Chair, Architects Registration Board
XXXX 2010

Introduction

The Architects Act 1997 states in section 4(1)(a) that a person is entitled to be registered if:

a) he holds such qualifications and has gained such practical experience as may be prescribed;

or

b) he has a standard of competence which in the opinion of the Board, is equivalent to that demonstrated by satisfying paragraph (a).'

The Act places on the Architects Registration Board (the Board or the ARB) the responsibility for prescribing the qualifications and practical training experience required for entry onto the UK Register of Architects. The prescription of qualifications is one of the keys to the Board's strategy which is to protect the consumer, support architects through regulation and deliver

the Architects Act 1997. The Board publishes criteria, which set out the minimum levels of awareness, knowledge and ability that students of architecture must acquire at key stages in the process of qualifying as an architect.

The underlying framework for the criteria is to be found in Article 46 of the Mutual Recognition of Professional Qualifications Directive (2005/36/EC). The Directive sets out the minimum requirements for the length and core areas of study for architecture qualifications across the European Union. It facilitates mutual recognition of those qualifications and the right of establishment and freedom to provide services across the European Member States. The Board is the UK's Competent Authority for Architects and as such has the responsibility of ensuring that all UK qualifications for the practise of architecture comply with the requirements of the Directive as well notifying the relevant qualifications to the European Commission.

These Procedures, which are rules pursuant to section 23(1) of the Architects Act 1997, set out what a university, school of architecture, institution, or similar organisation must do in order to maintain the prescription of a qualification or examination recognised by the Board. In addition, the set out the procedure leading to the prescription of a qualification or examination for the first time (or if there is to be a significant or minor change to the qualification or examination). In such cases the Board has a duty to under section 4(3) of the Act to consult the bodies representative of architects which are incorporated by royal charted and such other professional and educational bodies as it thinks appropriate. The Board cannot delegate its duties under the Act to prescribe qualifications.

Definitions

Unless the context otherwise requires:

- 'Application' includes material submitted in support of it.
- 'The Board' may include authorised members of the Architects Registration Board and its officers
- 'Criteria' mean the Board's criteria current at the relevant time (which may include

criteria to come into force during the period of prescription).

- 'Institution' refers to the university, college or other body that is responsible for a course leading to a qualification.
- 'Notice' and 'notify' means a notice in writing and includes a notice sent electronically.
- 'Prescribed Qualification' means a qualification prescribed by the Board under section 4(1)(a) of the Architects Act and 'prescribe' has the same meaning as that used in the Act.
- 'Prescription' includes the process by which qualifications are prescribed by the Board (the prescription of qualifications) and the result, namely that which a qualification obtains if it is prescribed by the Board under the Architects Act 1997 (thus a qualification 'has', 'gains' or 'loses' prescription).
- 'The Profession' refers to those on the Register of Architects.
- 'Programme specification', as defined by the Quality Assurance Agency, is a concise description of the intended outcomes of learning from a higher education programme, and the means by which these outcomes are achieved and demonstrated. These typically include the educational aims of the programme; the intended learning outcomes; strategies for teaching; learning and assessment; and an outline of the structure of the course.
- 'Qualification' includes an examination or assessment and, where appropriate, refers to first degrees, second degrees and diplomas, and professional practice examinations designated as Parts 1, 2 and 3 in the Board's criteria for the prescription of qualifications.
- 'School' refers to the academic unit within an institution that is responsible to it for the conduct of the course. A school may be an institution.

Principles

The procedure is based on these cardinal principles:

a) The Board will make its decision on the basis of the material submitted with the application (and such other material that the institution or school supplies at the request of the Board);

b) The institution is free to decide what material it considers justifies its application.

The Board will provide guidelines as to what material it expects to be provided (see ARB's

Good Practice Handbook: http://www.arb.org.uk/education/handbooks/good-practice/).

Applying for Prescription of a New Qualification

- Qualifications for which ARB Prescription has never been sought before
- Currently prescribed qualifications that have been subject to major modification in terms of structure and content.

Notifying the Board of an intention to apply

1.0 An institution which intends to apply for the prescription of a qualification should request a planning meeting with ARB, up to twelve months before applying, in order to gain a clear understanding of the steps that should be taken by it prior to the submission of the application. At that meeting the institution should be represented by those who are responsible for the preparation and submission of the application and for the assembly of material to support it. A relevant member of the institution's Quality Assurance staff, or faculty equivalent, should also be present. The purpose of the meeting is to discuss the procedure to be followed by the Institution before submitting its application for prescription, how the application will be considered by the Board, and what occurs when prescription is granted. The Board will not provide advice or guidance on the content of the application or of any supporting material as this is solely for the institution to decide (see paragraph 1.6). The meeting will be informal. No pre-application communication is to be relied upon to vitiate any part of the prescription procedure itself.

1.1 An institution must notify the Board of its intention to apply for the prescription of a qualification

- not less than 12 months
- and no longer than 18 months

before the date from which prescription of the qualification is to begin.

1.2 The notification should be in writing and must include the following:

- Details of the title, length and mode of the qualification;

- The up-to-date programme specification for the qualification;
- The date on which the Board should expect to receive the full application (which must be within 8 weeks of the date on which the notification letter is received by the Board); and
- Any other information that is material to the application in accordance with these procedures.

Submitting the application

1.3 The institution will submit its application to the Board within 8 weeks of the date of the notice given under paragraph 1.2 above. A school may submit an application on behalf of an institution provided that it is accompanied by the appropriate written authorisation from the institution. The application must be submitted either in hard copy, or electronically. [From January 2011 the Board will only accept electronic submissions.] Amongst other things, the institution must specify the dates for which prescription is sought, as well as a date by which it wishes to make its annual monitoring submission each year once prescription has been granted (see Appendix 2).

Objectives – Prescription of a New Qualification

1.4 When applying for a new qualification to be prescribed, an institution should bear in mind that in order for the Board to prescribe a new qualification, the institution and the Board must be confident that:

1. the course proposal, including the educational aims, the intended learning outcomes, the assessment criteria etc, have been designed with the clear aim of ensuring that all those who receive the qualification meet all the criteria;

2. systems are in place to ensure that all criteria will be met by all students/candidates receiving the qualification for the period of prescription;

3. the institution has adequate resources to maintain and, where appropriate, increase the achievements of students meeting all the criteria.

1.5 When considering an application for the prescription of a new qualification, the Board will consider whether certain factors are demonstrated within the application. These will include the following:

1. That explicit strategies and mechanisms for assessing students/candidates are proposed to ensure that the criteria will be achieved
2. That the institution has appropriately qualified staff to deliver the course and assess students/candidates
3. That appropriate mechanisms will exist to ensure that the appointment, development and leadership of staff and examiners (including external examiners) is in accordance with best practice and takes account of the vocational, as well as the academic, aspect of the qualification
4. That appropriate mechanisms will exist to ensure that equality and diversity objectives and policies are taken into account and are adequate
5. That there will be an engagement with the profession, which will be ongoing during the period of prescription, in the delivery of the course and the assessment of students/candidates
6. That strategies and mechanisms of assessment will be subject to both internal and external periodic review and audit
7. That assessments will be rigorously monitored for consistency and benchmarked for comparability with other institutions offering prescribed qualifications
8. That mechanisms will exist to allow the institution to appropriately respond to problems identified by benchmarking, review and audit processes
9. That internal and external review and audit processes will be rigorous and that, in their implementation, steps will be taken to ensure that they take account of the vocational, as well as the academic, aspect of the qualification
10. That the institution will have during the period of prescription adequate resources
11. That the institution is committed to maintaining and, where appropriate, enhancing its provision relating to the matters listed above for the future period of prescription

Material to be Submitted with an Application

1.6 It is the responsibility of institutions to provide the Board with the relevant evidence to justify prescription. The material must be the latest available. Student portfolios or other student work should not be submitted with an application. For an outline of the types of information typically submitted as part of an application, institutions may wish to refer to ARB's Good Practice Handbook: http://www.arb.org.uk/education/handbooks/good-practice/.

1.7 The material submitted must address the objectives and factors set out in paragraphs 1.4 and 1.5 above, as they will inform the Board's consideration of and decision on the application. In considering the above factors, the Board will not undertake an audit of an institution's systems and processes. However, it will take into account audits undertaken by other bodies.

1.8 The guidance given in ARB's Good Practice Handbook is not intended to restrict the institution from submitting other information that it may consider helpful in helping the Board to have confidence that the objectives in paragraphs 1.4 and 1.5 are being met. The institution is free to decide what information justifies its application for prescription. The institution may also wish to refer to ARB's Good Practice Handbook (http://www.arb.org.uk/education/handbooks/good-practice/) which contains a list of derived questions used by the Board to analyse an institution's application.

1.9 When providing reports from examiners, agencies and advisers as evidence, institutions should also provide details of the procedures, methodologies, criteria and personnel underpinning the reports (where these are not given as part of the material already provided), so that the Board can give such reports due weight and relevance.

2.0 Once an institution has submitted a full application, it may not amend, or add to, the application (unless the Prescription Committee and/or Board in writing requests or permits further explanation/s and/or representations in relation to the application).

School Approval of the Application

2.1 The application must be addressed to the Chief Executive of the Board and must be submitted by or on behalf of the institution in the Board's form. If the application is not

submitted by the school responsible for the course leading to the qualification the school must certify that the application and all supporting material has been seen and approved by the head of that school. If the application is submitted by a school on behalf of the institution a name and address for communication must be provided, as thereafter the Board will only communicate with that person who will be deemed to have complete authority on behalf of the institution to act on its behalf for all purposes connected with the application and the qualification. Should the institution wish to nominate a second contact (with whom the Board will communicate in the event of the absence of the primary contact), it may do so.

2.2 Please see http://www.arb.org.uk/education/prescription-application-procedure.shtml for an electronic version of ARB's application form and guidance on completing this document.

Initial Scrutiny

2.3 The application will first be considered by ARB's staff, who may examine it to see that the Board has all the information and material that the institution intends it to have. If the staff consider that anything may be missing the Board may notify the institution. This will normally be within 3 weeks. The institution will have 14 days to supply what is missing or to notify the Board that it does not intend to do so and explain why. The staff will not otherwise at this stage be scrutinising the application for content. Neither at this nor at any other stage will the Board owe any duty to notify the institution of anything that is lacking in the application or that is unclear in it.

The Board's Prescription Committee

2.4 The Board has established a Prescription Committee to oversee the stages of this procedure up to submission to the Board. The membership should consist of the following:

- At least 4 members drawn from the ARB Board; plus
- A further appointed member drawn from the ARB Board to act as Chair; plus
- A member of the Committee's Pool of Independent Advisers

2.5 The Committee may add further persons drawn from the Pool of Independent Advisers to the membership of the Committee. The members of the ARB Board sitting on the Committee (including the Chair) will be no less than 3 appointed and 2 elected members of the ARB Board.

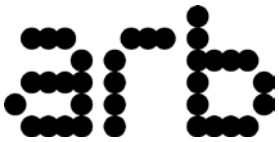
2.6 The Committee acts in an advisory capacity, as the Board alone decides whether qualifications are prescribed.

2.7 Within 8 weeks of the receipt of an application the Committee will advise whether the application should be considered by the Board or whether, before it is submitted to the Board, there are any aspects of the application or the material in support upon which further explanation is required from the institution or advice is needed.

2.8 If an explanation is required, the Prescription Committee will notify the institution of the points upon which an explanation is required. Any explanation must be provided in writing within 3 weeks. Student portfolios or other student work must not be submitted with an explanation unless the committee (or the Board at any later stage) has specifically required them and then only to the extent specified.

2.9 If advice is needed on an application, the Prescription Committee can seek advice on the points upon which an explanation is required from its pool of Independent Advisers. The pool consists of people who are impartial and suitably qualified to advise the Board. Details of the Board's current pool of Independent Advisers can be found at the following link: http://www.arb.org.uk/about/advisers-to-the-prescription-committee.shtml. The advice and the terms of reference seeking the advice will be in writing. The Adviser/s will be given 3 weeks within which to provide the advice. The advice will then be given to the institution for comment. If the institution has any comments on the advice or if, in the light of the advice, it wishes to explain or supplement its application with additional material it must submit such comments and material within 3 weeks of receiving the advice. Once the institution has commented, the Adviser will be asked to confirm whether they are satisfied with the institution's response. All of this information will be provided to the Prescription Committee and the Board. To maintain impartiality, the identity of the Independent Adviser used will remain anonymous to the institution concerned.

3.0 The Committee may in exceptional circumstances seek further explanations and/or advice. If



further explanations and/or advice are sought, the above procedure will be repeated, except that the Committee may shorten any applicable period. Further explanations should be sought in writing; however, the Committee may seek explanations orally, in appropriate cases.

3.1 Exceptionally, but where it considers it necessary and appropriate, the Committee may require additional relevant information to be provided by an institution during the course of a visit to the institution by such independent advisers as the Committee may nominate.

3.2 Following receipt of all explanations or advice the Committee will refer the application to the Board. The Board will not generally consider any application unless it has been referred to it by the Committee.

3.3 The institution is entitled to have sight of the papers which are to be presented to the Board for decision following the Committee's consideration of the application. The institution will have the opportunity to make representations on the paper and to offer comments on accuracy. It must provide any such comments within 14 days of receiving the papers. In exceptional circumstances, the Prescription Committee may permit a longer period in which the institution may respond. The institution's comments will be presented to the Board alongside the application.

The Board's Preliminary Consideration of a New Qualification

3.4

Once received, the Board will consider the application, along with any explanations, advice and comments. At this stage, the Board will not make a formal decision in relation to the application. The Board will provide an indication as to the decision it is 'minded' to make, and this will be subject to the subsequent consultation (as required by section 4(3) of the Act) and any representations made by the institution in accordance with the procedure set out below.

3.5

Stage 1

At this stage, the Board will indicate that it is minded either:

a) to accept the application and to prescribe the qualification or qualifications as sought by the institution; or
b) to accept the application and give a 'Qualified Approval', which denotes either:
(i) not granting prescription to all of the qualifications for which prescription is sought; and/or
(ii) attaching special conditions, and/or
(iii) prescribing for a period of less than four years; or

c) to reject the application.

If pursuant to Stage 1 the Board indicates that it is minded to either:

a) reject the application; or
b) give a Qualified Approval;

it will not take such a decision without first providing written reasons for the indication to the institution and giving the institution the opportunity to make representations in writing to the Board. Any representations must be received by the Board within 4 weeks.

3.6

If, at Stage 1, the Board is minded to accept the application and prescribe the qualifications sought, the Board will proceed directly to consultation pursuant to paragraph 4.5 below (and Stages 2 and 3 will not apply).

3.7

Stage 2

On receipt of any Stage 1 representations the Board will reconsider its position.

3.8

If, as a result of any representations the Board is then minded to alter its stated position and prescribe a qualification as initially requested by the institution, the Board will conduct its consultation pursuant to paragraph 4.5 below and Stage 3 will not apply.

3.9

If, as a result of any representations the Board is still minded to grant Qualified Approval, the Board will conduct its consultation pursuant to paragraph 4.5 below and Stage 3 will not

apply. However, in this circumstance, the Board will not conduct its consultation without first giving the institution the opportunity to defer the consultation pending further representations. The institution will have 14 days to submit such representations.

If:

a) the institution requests that the consultation is so deferred; or
b) the Board, after reconsidering its position following receipt of any Stage 1 representations, is minded to reject the application;

the Board will consider further representations, and on such terms, as it considers appropriate.

4.0

If no Stage 2 representations are received, the Board may, in accordance with its indication under Stage 1, either reject the application or proceed to consultation on the basis that it is minded to grant Qualified Approval. If the Board rejects the application, the provisions of paragraphs 4.2 below will apply. If the Board is minded to grant Qualified Approval, the Board will proceed to consultation in accordance with paragraph 4.5 below, except that the institution will be given the opportunity to withdraw its application before the consultation starts. The institution will have 14 days in which to withdraw its application.

4.1

Stage 3

If, on receipt and consideration of any Stage 2 representations (or if no Stage 2 representations are received), the application is rejected by the Board, it will within three weeks of its meeting notify the institution of the reasons for its decision. Where appropriate, the Board's reasons will indicate which of its criteria and/or objectives have not been or may not be met, but the reasons will not include any advice on any remedial or other action that should be taken as the institution will have to decide what it should do if it chooses to submit another application.

4.2

If the Board rejects an application, an institution can re-apply at any time.

4.3

If, on receipt and consideration of any Stage 2 representations, the Board is minded to accept the application and prescribe the qualifications sought, the Board will proceed to consultation in accordance with paragraph 4.5 below.

4.4

If, on receipt and consideration of any Stage 2 representations (or if no Stage 2 Representations are received), the Board is minded to grant Qualified Approval, the Board will proceed to consultation in accordance with paragraph 4.5 below, except that the institution will be given the opportunity to withdraw its application before the consultation starts. The institution will have 14 days in which to withdraw its application.

Consultation

4.5

Before prescribing a new qualification the Board is required, under Section 4(3) of the Architects Act 1997, to consult bodies representative of architects which are incorporated by royal charter and such other professional and educational bodies as it thinks appropriate.

4.6

ARB typically consults with the Royal Institute of British Architects, the Royal Institute of Architects in Scotland, the Royal Society of Architects in Wales, the Royal Society of Ulster Architects, the relevant RIBA Region (if different from above) and the Association of Consultant Architects. Should an institution wish to make suggestions in relation to any additional bodies with whom the Board may wish to consult, it should state these in the Board's application form.

4.7

The Board will provide consultees with the details of its stated position, i.e., the decision it is 'minded' to make in relation to the application and the reasons for its stated position. The Board will also provide consultees with a copy of its Procedures for the Prescription of Qualifications, the Criteria for Prescription and information provided by the institution which describes the qualification.

4.8

The Board will normally offer consultees the opportunity of responding to its consultation within 12 weeks. However, in order that the institution applying for prescription receives a timely decision the Board may ask consultees to respond within a shorter timeframe.

4.9

A copy of any response that is submitted by a consultee will be provided to the institution. The institution will have the opportunity of submitting any final comments or representations to the Board in respect of the consultation response before the Board reaches its final

decision. The Board normally offers an institution the opportunity of responding within 3 weeks of provision of a copy of a consultee response. However, in order that the institution applying for prescription can receive a timely decision, the Board may ask the institution to respond within a shorter timeframe.

The Board's Final Decision (Where a consultation has been conducted)

5.0

Once all of the consultation responses and any further representations from the institution have been received, all of this information will be considered by the Prescription Committee. Once the Prescription Committee is satisfied that no further clarification and/or explanation is required in relation to the material, it will forward the application to the Board, which will make a final decision to either accept or reject the application, or grant Qualified Approval.

5.1

If the application is rejected by the Board, it will within 3 weeks of its meeting notify the institution of the reasons for its decision. Where appropriate, the Board's reasons will indicate which of its criteria and/or objectives have not been or may not be met but they will not include any advice on any remedial or other action that should be taken as the institution will have to decide what it should do if it chooses to submit another application.

5.2

A decision to accept or reject any application, or grant any application a Qualified Approval, will be final (including any decision on any period or condition), and there will be no appeal.

5.3

In case of rejection or Qualified Approval the institution may make another application in accordance with this procedure. An institution can re apply at any time.

5.4

In addition, in exceptional circumstances, the Board will be entitled to reconsider any decision to reject an application or, where it prescribed a qualification, as to the period or conditions applicable, should it become aware of any material which was not available to it at the date of its decision. The Board will determine the procedure to be adopted in order to consider such material and to reconsider its decision. Unless and until the decision is reconsidered the Board's decision will be unaffected and will remain binding.

Standard Conditions of Prescription

5.5 Prescription of a qualification will be subject to the following standard conditions:

a) The period of prescription shall commence on a date to be decided by the Board (normally the beginning of the academic year).

b) Prescription of a qualification shall be by reference to a programme specification. No change may be made to the title of any course or qualification or substantial change to the content so defined within a programme specification (allowing for normal course development) without first obtaining the written permission of the Board. (For further information on changes to qualifications, refer to Appendix 3.)

c) Annually and by a date to be set by the Board, the institution shall be required to provide the Board with information of the nature set out in Appendix 2 to enable the Board to see that a. all its criteria and the relevant requirements set out in Article 46 (or Article 47) of the Mutual Recognition of Professional Qualifications Directive [2005/36/EC] are being attained by students who have been awarded the qualification prescribed; b. adequate systems are in place to ensure that all the Board's criteria will be met by students/candidates for the period of prescription; c. that the institution's resources remain as set out in its application and are adequate; and d. all of the factors referred to at paragraph 1.4 and 1.5 continue to be demonstrated.

d) The institution will ensure that appropriate procedures will be maintained so that all students undertaking a prescribed qualification are fully informed of the extent of the application of that qualification to entitlement to registration as an architect in circumstances in which the student lacks a required antecedent qualification e.g. Part 2 without Part 1 .

5.6 If as a result of the information provided under (c) above or from any source at any time (please see Appendix 4 for the Board's Causes for Concern process), the Board considers that either

a) the application or any of the material relied on by the institution in support (including explanations given) was

   i. untrue and/or
   ii. was misleading in a material respect as a result of which the Board might not have accepted the application; or

b) criteria or the relevant requirements set out in Article 46 (or Article 47) of the Mutual Recognition of Professional Qualifications Directive [2005/36/EC] are not being met by students awarded the prescribed qualification; or

c) the institution does not have the resources stated in its application and/or its resources are not adequate; or

d) the institution has not complied with any of the conditions set out in paragraph 5.5 and (c) above or any other condition made under paragraph 5.8 below;

then the Board may notify the institution that it is of the opinion that the prescription should be revoked in whole or in part, together with its reasons for that opinion. The institution will within 3 weeks (or such varied period as the Board may allow) make any representation in writing to the Board as to why it should not so act. On receipt of such representations (and taking account of any representations submitted to it by any other body, whether or not the Board shall be obliged in law to consult it) the Board will decide within 4 weeks whether or not to revoke the prescription of the qualification in whole or in part. If it does so the revocation will not affect the validity of the qualification awarded prior to the revocation. The institution may make an application in accordance with these Procedures for prescription of the qualification whose prescription has been revoked.

5.7 The above provisions will not prevent the Board from entering into discussions with the institution in order to avert the need for a decision to revoke prescription.

5.8 Exceptionally, but where it considers it necessary and appropriate, the Board may require additional relevant information to be provided by an institution during the course of a visit to the institution by such independent advisers as the Board may nominate.

5.9 Where any of the events set out in paragraph 5.6 above have occurred or are present and the circumstances require urgent action the Board may by notice to the institution revoke the prescription with immediate effect.

6.0 Where in the opinion of the Board it is appropriate, the Board may vary any of the standard conditions and may make prescription of a qualification subject to other conditions.

Notification of a New Qualification to the European Commission

6.1 Under the terms of the Mutual Recognition of Professional Qualifications Directive [2005/36/EC], any new qualification that is prescribed by ARB will be notified to the European Commission. The procedure for notifying a qualification to the European Commission can be found under Appendix 5.

Applying to Renew Prescription of a Qualification

- Qualifications which are currently prescribed by ARB.

Notifying the Board of an intention to apply

6.2 An institution which intends to apply for the prescription of a qualification should request a planning meeting with ARB, up to twelve months before applying, in order to gain a clear understanding of the steps that should be taken by it prior to the submission of the application. At that meeting the institution should be represented by those who are responsible for the preparation and submission of the application and for the assembly of material to support it. A relevant member of the institution's Quality Assurance staff, or faculty equivalent, should also be present. The purpose of the meeting is to discuss the procedure to be followed by the Institution before submitting its application for prescription, how the application will be considered by the Board, and what occurs when prescription is granted. The Board will not provide advice or guidance on the content of the application or of any supporting material as this is solely for the institution to decide (see 6.8). The meeting will be informal. No pre-application communication is to be relied upon to vitiate any part of the prescription procedure itself.

6.3 An institution must notify the Board of its intention to apply for the prescription of a qualification

- not less than 12 months
- and no longer than 18 months

before the date by which the existing prescription period expires.

6.4 The notification should be in writing and must include the following:

- Details of the title, length and mode of the qualification;
- An up to date Programme Specification for the qualification;
- The date on which the Board should expect to receive the full application (which must be within 8 weeks of the date on which the notification letter is received by the Board);
- Any other information that is material to the application in accordance with these Procedures.

Submitting the application

6.5 The institution will submit its application to the Board within 8 weeks of the date of the notice given under paragraph 6.3 above. A school may submit an application on behalf of an institution provided that it is accompanied by the appropriate written authorisation from the institution. The application will be submitted either in hard copy, or electronically. [From January 2011 ARB will only accept electronic submissions.] Amongst other things, the institution must specify the dates for which prescription is sought, as well as a date by which it wishes to make its annual monitoring submission each year once prescription has been granted (see Appendix 2).

Objectives - Renewal of Prescription

6.6 An institution should bear in mind that, in order for the Board to prescribe a qualification that has previously been prescribed, the institution and the Board must be confident that:

1. All students/candidates awarded the qualification since the qualification was prescribed or last renewed have met all the criteria;

2. The systems used by the institution to ensure that all students/candidates awarded the qualification have met all the criteria are adequate and will continue to ensure that the criteria are met for the future period of prescription;

3. The institution's future plans and commitment are such that the institution will maintain its ability to ensure that all students/candidates awarded the qualification meet all the criteria.

6.7 When considering such an application for prescription the Board will consider whether certain factors are demonstrated in the application. These may include the following, or may include any other which the institution suggests, and the Board agrees, should be considered in support of its application:

1. That explicit strategies and mechanisms for assessing students/candidates have existed to ensure that the relevant criteria have been achieved.
2. That these strategies and mechanisms of assessment have been subject to both internal and external periodic review and audit and been found to be adequate.
3. That assessments have been rigorously monitored for consistency and benchmarked for comparability with other institutions offering prescribed qualifications and been found to be adequate (e.g. by external examiners).
4. That the institution has appropriately responded to problems identified by benchmarking, review and audit processes.
5. That internal and external review and audit processes have been rigorous and that, in their implementation, steps have been taken to ensure that they take account of the vocational, as well as the academic, aspect of the qualification.
6. That appropriate mechanisms exist to ensure that the appointment, development and leadership of staff and examiners (including external examiners) is in accordance with best practice and has taken account of the vocational, as well as the academic, aspect of the qualification.
7. That the vocational aspects of the qualification are accepted as satisfactory by architects in practice.
8. That appropriate mechanisms will exist to ensure that equality and diversity objectives and policies are taken into account and are adequate
9. That the institution has adequate resources and during the future period of prescription will continue to have adequate resources.
10. That the institution is committed to maintaining and, where appropriate, enhancing its provision relating to the matters listed above for the future period of prescription.

Material to be Submitted with an Application

6.8 It is the responsibility of institutions to provide the Board with the relevant evidence to justify prescription. The material must be the latest available. Student portfolios or other student work should not be submitted with an application. For an outline of the types of information typically submitted as part of an application, institutions may wish to refer to ARB's Good Practice Handbook: http://www.arb.org.uk/education/handbooks/good-practice/.

6.9 The material submitted must address the objectives and factors set out in paragraphs 6.6 and 6.7 above, as they will inform the Board's consideration of and decision on the application. In considering the above factors, the Board will not undertake an audit of an institution's systems and processes. However, it will take into account audits undertaken by other bodies.

7.0 The guidance given on ARB's Good Practice Handbook is not intended to restrict the institution from submitting other information that it may consider helpful in helping the Board to have confidence that the objectives in paragraphs 6.6 and 6.7 are being met. The institution is free to decide what information justifies its application for prescription. The Institution may also wish to refer to ARB's Good Practice Handbook (http://www.arb.org.uk/education/handbooks/good-practice/) which contains a list of derived questions used by the Board to analyse an institution's application.

7.1 When providing reports from examiners, agencies and advisers as evidence, institutions should also provide details of the procedures, methodologies, criteria and personnel underpinning the reports (where these are not given as part of the material already provided), so that the Board can give such reports due weight and relevance.

7.2 Once an institution has submitted a full application, it may not amend, or add to, the application (unless the Prescription Committee and/or Board in writing requests or permits further explanation/s and/or representations in relation to the application).

School Approval of the Application

7.3 The application must be addressed to the Chief Executive of the Board and must be submitted by or on behalf of the institution in the Board's form. If the application is not submitted by the school responsible for the course leading to the qualification the school must certify that the application and all supporting material has been seen and approved by the head of that school. If the application is submitted by a school on behalf of the institution a name and address for communication must be provided as thereafter the Board will only communicate with that person who will be deemed to have complete authority on behalf of

the institution to act on its behalf for all purposes connected with the application and the qualification. Should the institution wish nominate a second contact (with whom the Board will communicate in the absences of the primary contact) it may do so.

7.4 Please see http://www.arb.org.uk/education/prescription-application-procedure.shtml for an electronic version of ARB's application form and appropriate guidance.

Initial Scrutiny

7.5 The application will first be considered by the ARB's staff, who may examine it to see that the Board has all the information and material that the institution intended it to have. If the staff consider that anything may be missing the Board may notify the institution. This will normally be within 3 weeks. The institution will have 14 days to supply what is missing or to notify the Board that it does not intend to do so and explain why. The staff will not otherwise at this stage be scrutinising the application for content. Neither at this nor at any other stage will the Board owe any duty to notify the institution of anything that is lacking in the application or that is unclear in it.

The Board's Prescription Committee

7.6 The Board has established a Prescription Committee to oversee the stages of this procedure up to submission to the Board. The membership should consist of the following:

- At least 4 members drawn from the ARB Board; plus
- A further appointed member drawn from the ARB Board to act as Chair; plus
- A member of the Committee's Pool of Independent Advisers

7.7 The Committee may add further persons drawn from the Pool of Independent Advisers to the membership of the Committee. The members of the ARB Board sitting on the Committee (including the Chair) will be no less than 3 appointed and 2 elected members of the ARB Board.

7.8 The Committee acts in an advisory capacity, as the Board alone decides whether qualifications are prescribed.

7.9 Within 8 weeks of the receipt of an application the Committee will advise whether the application should be considered by the Board or whether, before it is submitted to the Board, there are any aspects of the application or the material in support upon which further explanation is required from the institution or advice is needed.

8.0 If an explanation is required, the Prescription Committee will notify the institution of the points upon which an explanation is required. Any explanation must be provided in writing within 3 weeks. Student portfolios or other student work must not be submitted with an explanation unless the committee (or the Board at any later stage) has specifically required them and then only to the extent specified.

8.1 If advice is needed on an application, the Prescription Committee can seek advice on the points upon which an explanation is required from its pool of Independent Advisers. The pool consists of people who are impartial and suitably qualified to advise the Board. Details of the Board's current pool of Independent Advisers can be found at the following link: http://www.arb.org.uk/about/advisers-to-the-prescription-committee.shtml. The advice and the terms of reference seeking the advice will be in writing. The Adviser/s will be given 3 weeks within which to provide the advice. The advice will then be given to the institution for comment. If the institution has any comments on the advice or if, in the light of the advice, it wishes to explain or supplement its application with additional material it must submit such comments and material within 3 weeks of receiving the advice. Once the institution has commented, the Adviser will be asked to confirm whether they are satisfied with the institution's response. All of this information will be provided to the Prescription Committee and the Board. To maintain impartiality, the identity of the Independent Adviser used will remain anonymous to the institution concerned.

8.2 The Committee may in exceptional circumstances seek further explanations and/or advice. If further explanations and/or advice are sought, the above procedure will be repeated, except that the Committee may shorten any applicable period. Further explanations should be sought in writing; however, the Committee may seek explanations orally, in appropriate cases.

8.3 Exceptionally, but where it considers it necessary and appropriate, the Committee may require additional relevant information to be provided by an institution during the course of a visit to the institution by such independent advisers as the Committee may nominate.

8.4 Following receipt of all explanations or advice the Committee will refer the application to the Board. The Board will not generally consider any application unless it has been referred to it by the Committee.

8.5 The institution is entitled to have sight of the papers which are to be presented to the Board for decision following the Committee's consideration of the application. The institution will have the opportunity to make representations on the paper and to offer comments on accuracy. It must provide any such comments within 14 days of receiving the papers. In exceptional circumstances, the Prescription Committee may permit a longer period in which the institution may respond. The institution's comments will be presented to the Board alongside the application[1].

The Board's Decision

8.6 Once received, the Board will consider the application, along with any explanations, advice and comments.

Stage 1

At this stage, the Board will indicate that it is minded either:

a) to accept the application and to prescribe the qualification or qualifications as sought by the institution; or
b) to accept the application and grant 'Qualified Approval', which denotes either:
(i) not granting prescription to all of the qualifications for which prescription is sought; and/or
(ii) attaching special conditions, and/or
(iii) prescribing for a period of less than four years; or

c) to reject the application.

If pursuant to Stage 1 the Board indicates that it is minded to either:

a) reject the application; or
b) give a Qualified Approval;

it will not take such a decision without first providing written reasons for the indication to the institution and giving the institution the opportunity to make representations in writing to the Board. Any representations must be received by the Board within 4 weeks.

If at Stage 1, the Board decides to accept the application and prescribe the qualifications sought, Stage 2 below will not apply.

8.7 Stage 2

On receipt of any Stage 1 representations the Board will reconsider its position and will decide to either:

a) accept the application and to prescribe the qualification or qualifications as sought by the institution; or
b) grant Qualified Approval; or
c) reject the application.

(For the avoidance of doubt, if no Stage 1 representations are received, the Board will be entitled, in accordance with its current stated position, to either reject the application or to proceed on the basis that it is minded to grant Qualified Approval.)

8.8 If the Board rejects the application, or grants Qualified Approval, it will within 3 weeks of its meeting notify the institution of the reasons for its decision. Where appropriate, the Board's reasons will indicate which of its criteria and/or objectives have not been or may not be met but the reasons will not include any advice on any remedial or other action that should be taken as the institution will have to decide what it should do if it chooses to submit another application.

8.9 A decision to accept or reject any application in whole or in part will be final (including any decision on any period or condition), and there will be no appeal. In case of rejection [or Qualified Approval] the institution may make another application in accordance with this procedure. An institution can re-apply as soon as it chooses. In addition, in exceptional circumstances, the Board will be entitled to reconsider any decision to reject an application or, where it prescribed a qualification, as to the period or conditions applicable, should it become aware of any material which was not available to it at the date of its decision. The Board will determine the procedure to be adopted in order to consider such material and to reconsider its decision. Unless and until the decision is reconsidered the Board's decision will be unaffected and will remain binding.

Standard Conditions of Prescription

9.0 Prescription of a qualification will be subject to the following standard conditions:

a) The period of prescription shall commence on a date to be decided by the Board (normally the beginning of the academic year).

b) Prescription of a qualification shall be by reference to a programme specification. No change may be made to the title of any course or qualification or material change to the content so defined within a programme specification (allowing for normal course development) without first obtaining the written permission of the Board. (For further information on changes to qualifications, refer to Appendix 3.)

c) Annually and by a date to be set by the Board, the institution shall be required to provide the Board with information of the nature set out in Appendix 2 to enable the Board to see that a. all its criteria and the relevant requirements set out in Article 46 (or Article 47) of the Mutual Recognition of Professional Qualifications Directive [2005/36/EC] are being attained by students who have been awarded the qualification prescribed; b. adequate systems are in place to ensure that all the Board's criteria will be met by students/candidates for the period of prescription; c. that the institution's resources remain as set out in its application and are adequate; and d. all of the factors referred to at paragraphs 6.6 and 6.7 continue to

be demonstrated.

d) The institution will ensure that appropriate procedures will be maintained so that all students undertaking a prescribed qualification are fully informed of the extent of the application of that qualification to entitlement to registration as an architect in circumstances in which the student lacks a required antecedent qualification e.g. Part 2 without Part 1 .

9.1 If as a result of the information provided under (c) above or from any source at any time (and please see Appendix 4 for the Board's Causes for Concern process), the Board considers that either

a) the application or any of the material relied on by the institution in support (including explanations given) was

i. untrue and/or
ii. was misleading in a material respect as a result of which the Board might not have accepted the application; or

b) criteria or the relevant requirements set out in Article 46 (or Article 47) of the Mutual Recognition of Professional Qualifications Directive [2005/36/EC] are not being met by students awarded the prescribed qualification; or

c) the institution does not have the resources stated in its application and/or its resources are not adequate; or

d) the institution has not complied with any of the conditions set out in paragraph 9.0 and (c) above or any other condition made under paragraph 9.3 below;

then the Board may notify the institution that it is of the opinion that the prescription should be revoked in whole or in part, together with its reasons for that opinion.

9.2 The institution will within 3 weeks (or such varied period as the Board may allow) make any representation in writing to the Board as to why it should not so act. On receipt of such representations (and taking account of any representations submitted to it by any other body, whether or not the Board shall be obliged in law to consult it) the Board will decide

within 4 weeks whether or not to revoke the prescription of the qualification in whole or in part. If it does so the revocation will not affect the validity of the qualification awarded prior to the revocation. The institution may make an application in accordance with this Procedure for prescription of the qualification whose prescription has been revoked.

9.3 The above provisions will not prevent the Board from entering into discussions with the institution in order to avert the need for a decision to revoke prescription.

9.4 Exceptionally, but where it considers it necessary and appropriate, the Board may require additional relevant information to be provided by an institution during the course of a visit to the institution by such independent advisers as the Board may nominate.

9.5 Where any of the events set out in paragraph 9.1 above have occurred or are present and the circumstances require urgent action the Board may by notice to the institution revoke the prescription with immediate effect.

9.6 Where in the opinion of the Board it is appropriate, the Board may vary any of the standard conditions and may make prescription of a qualification subject to other conditions.

Appendix 1

Extensions to Prescription

9.7 Where exceptional and unforeseen circumstances arise (e.g., the departure of the Head of School, the timing of the introduction of a new qualification etc), an institution may request an extension of no more than one year to its period of prescription.

9.8 In such cases the institution must provide a detailed rationale for the extension in writing. This institution will also need to explain to the Board how it will ensure that it will continue to meet the objectives set out in paragraph 6.6 during the extended period sought.

9.9 The granting of an extension to a prescription period is at the discretion of the Board, and the Board reserves the right to request any additional information it deems appropriate to enable it to continue to be confident that the standard conditions of prescription will be met, e.g. an internal review or validation report.

Appendix 2

Annual Monitoring

10.0 Annually and by a date to be proposed by an institution, and set by the Board, the institution will be required to provide the Board with information of the nature set out below to enable the Board to be confident, a. that all its criteria and the relevant requirements set out in Article 46 (or Article 47) of the Mutual Recognition of Professional Qualifications Directive [2005/36/EC] are being attained by students who have been awarded the qualification prescribed; b. adequate systems are in place to ensure that all the Board's criteria will be met by students/candidates for the period of prescription; c. that the institution's resources remain as set out in its application and are adequate; and d. that any conditions of prescription continue to be met. In addition, the Board will need to be assured that any changes made to the programme specification reflect normal course development and have not radically altered the content of the course.

10.1 In order for the Board to have an assurance, institutions awarding prescribed qualifications must submit annually, to the Board, the following documents:

- external examiners reports and responses;
- any relevant reports from external bodies and responses;
- any relevant reports from internal review panels, including student feedback;
- student progress information, specifically; numbers of students in each cohort, and pass/failure rates, including an explanatory commentary where necessary.
- details of any changes to the title and/or content of a qualification, including the rationale for these changes. See Appendix 3 for further detail
- any other information indicating that any condition of prescription may not have been met in some material respect.

Appendix 3

Changes to Qualifications

Notification of changes to the Board

10.2 As stated in paragraphs 5.5 and 9.0, the standard conditions of prescription state that 'no change may be made to the title of any course/qualification or material change to the content so defined within a programme specification (allowing for normal course development) without first obtaining the permission of the Board'.

10.3 A material change would be, for example, where the course content has been reorganised, or where the number of years of study have been changed, or where a new specialisation is introduced. If an institution is in any doubt as to whether a change is material, it should contact the ARB Staff for guidance in relation to this.

10.4 Changes to a qualification falling within paragraph 10.3 need to be notified to the Board at the earliest possibly opportunity. If the timing is appropriate, changes can be notified through an institution's annual monitoring submission. In line with the standard conditions of prescription, the Board's approval should be sought before any such change becomes

effective.

10.5 Once aware that a change is being made, the Board will monitor the progress of the change as it moves through the institution's own quality assurance mechanisms.

10.6 Any changes which are not material and which do not fall within paragraph 10.3, e.g. evolutionary changes to project briefs, do not need to be notified to the Board.

10.7 When notifying a change, the Board will typically expect to receive clear and concise details outlining the nature of the changes and the rationale for the changes. Institutions should consider submitting the following details:

- Rationale for the change/s;
- An explanation of the scope and nature of the change/s to the course;
- An explanation of impact that the changes are likely to have on meeting the Board's Criteria (where relevant institutions should submit a revised mapping exercise to assist the Board in determining whether the qualification will continue to meet the Criteria);
- Clarification as to whether there will be any impact on the resourcing of the qualification as a result of the changes;
- Clarification as to whether the change/s has institutional approval; and
- Any other information which may assist the Board in its consideration of the change/s.

10.8 For information on dealing with the notification of changes to the European Commission, please see Appendix 5.

Appendix 4

Causes for Concern Process

10.9 The Board has established a 'Causes for Concern' process to deal with any serious issues or allegations it receives in relation to an ARB-prescribed qualification which might affect its

prescribed status.

11.0 The Causes for Concern process is not intended to replace or be a substitute for an institution's own processes for reporting concerns and allegations. Neither is the Board responsible for the regulation of institutions or the control of funding. The Causes for Concern process cannot be used to appeal academic decisions relating to marks, progression or awards. As such, the Board would only expect to consider any concerns or allegations once other relevant processes have been concluded.

11.1 The Board will forward any credible allegation of impropriety and evidence provided to the appropriate officer of the institution involved and/or any relevant regular or public authority. The Board will ask to be informed of the outcome of any enquiry or investigation insofar as the same is relevant to the prescription of qualifications. It may invite an institution (at an appropriate point) to provide a written answer to any allegations. It may invite a whistle-blower to provide further information.

11.2 Through the Causes for Concern process, any information received will to the extent appropriate be considered for the purpose of decisions arising under these procedures.

Appendix 5

Notification of a New Qualification to the European Commission and Notification of Changes to an ARB Prescribed Qualification to the Commission

Material to be collated for Notification to the European Commission

11.3 Once a qualification has been prescribed by the Board for the first time, or where changes have been made to a qualification prescribed by the Board, such qualifications will be notified to the European Commission for listing under the UK's entry under Annex V of the Mutual Recognition of Professional Qualifications Directive [2005/36/EC].

11.4 An institution, with ARB, will prepare the relevant material to be sent to the European Commission.

Notification to the European Commission

11.5 Once the relevant material has been collated, ARB will forward the application to the relevant UK Government department, which will in turn forward the material to the UK's national Co-ordinator, who is responsible for the implementation of the Directive in the UK.

11.6 The UK's national Co-ordinator will forward the application to the European Commission for scrutiny. The European Commission may raise written queries with the UK's national Co-ordinator in relation to the application. The UK's national Co-ordinator will liaise with ARB in order to respond to any written queries which may be raised. Where appropriate, ARB will liaise with the institution in order to respond to any written queries raised by the Commission.

11.7 The application will also be made available to all of the European Co-ordinators for scrutiny for a period of 3 months. European Co-ordinators may raise written queries through the Commission. Where written queries are raised by the European Co-ordinators, the UK's national Co-ordinator will liaise with ARB in order to respond to any such queries which may be raised. Where appropriate, ARB will liaise with the institution in order to respond to any written queries raised by the European Co-ordinators.

11.8 If the queries are resolved through correspondence, the Commission will notify the UK's national Co-ordinator and the qualification will be listed within the UK's entry under Annex V of the Directive.

11.9 Where queries from the Commission and/or the European Co-ordinators remain unresolved, the Commission will forward the application to its Co-ordinators Group. The Co-ordinators Group consists of representatives from each State within the European Economic Area (EEA). Representatives of the UK, and where appropriate, representatives of the institution [who will be determined by the institution upon the invitation of ARB], will attend the Co-ordinators meeting/s to discuss and respond to queries raised by other European Co-ordinators and/or the Commission. If any outstanding queries are resolved through correspondence, the Co-ordinators Group will be asked to approve the listing of the qualification within the UK's entry under Annex V of the Directive.

12.0 Where any outstanding queries remain the Commission reserves the right to forward the outstanding queries to its Sub-Group for discussion and/or a further meeting of the Co-ordinators Group. This process may be repeated until a decision is made in relation to the listing of the qualification.

12.1 For further advice and guidance, institutions may wish to contact the Qualifications Department.

12.2 The process outlined above is subject to alteration by the European Commission.

12.3 ARB will ensure that the institution is informed of the position as the application is progressed through the European Commission's processes.

Notification of changes to the European Commission

12.4 Any institution which offers a qualification that is listed under Annex V of the European Commission's Mutual Recognition of Professional Qualifications Directive [2005/36/EC] will also need to be aware of the processes for notifying changes to qualifications to the European Commission.

12.5 Where an institution has made alterations that fall under the Commission's definition of 'significant change', the institution will be required to make a full notification of the relevant qualifications to the Commission through ARB.

12.6 Where an institution has made alterations that fall under the Commission's definition of 'minor change', the institution will be required to make a less detailed notification to the European Commission through ARB. This less detailed notification will only need to consist of information that relates directly to the change that is being made.

12.7 For detailed guidance on the process and documentation required by the European Commission for the purposes of notifying a qualification in architecture, and the Commission's definitions of 'significant change' and 'minor change'[2], please see Appendix 3 and Appendix 5.

Appendix 6

Process Flow Charts

To be inserted following consultation.