



Architects Registration Board
eBulletin : July 2016

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Chair's Message

Dear Reader,

Welcome to the July eBulletin.

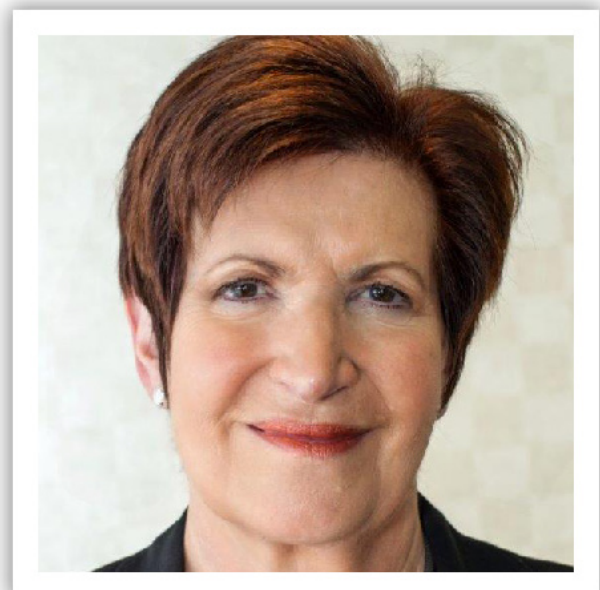
This is my last Chair's message to you as I complete my eight year tenure, nearly all of which has been as Chair of the Architects Registration Board (ARB). I am delighted to hand over to my colleague Peter Coe, with whom I have served on the Board for a number of years. Peter has substantial experience of ARB and the wider regulatory sector. I feel confident that I am leaving in place a strong Board to oversee the work of a highly professional team. I know that Peter will value the support of Richard Parnaby, who has been re-elected as Vice Chair, and the rest of the Board as they continue to direct the work of the regulator in the future.

At the July Board meeting, the Registrar, Karen Holmes, reported on an update received from the Department for Communities and Local Government (DCLG) in relation to the periodic review. She advised that DCLG intends to publish the final report from the Periodic Review of Architect Regulation and the ARB in the autumn following a quick review of whether or not the referendum result impacts on it.

In relation to the outcome of the EU

referendum, the current legislation very much remains in place and thus we continue to deliver 'business as usual', regulating the profession in the public interest as required by our statutory mandate. We have included a short article on this subject, to view this [click here](#).

At the July Board meeting we reviewed the [Management Accounts](#), the [Annual Report of the Prescription Committee](#) and noted progress made against the [2016 Business Plan](#). If you have time, I would recommend you have a look at the [Report to the Board on Statistics, Trends and Performance Indicators](#) for the first six months of 2016 which gives you a sense of our recent work. We also heard



a verbal report from ARB's Investment Broker and agreed changes to the [Policy on External Professionals and Advisers](#). The Board agreed minor revisions to the [Code of Conduct](#) and we will be working to communicate these over the coming months.

Planning is already underway for our work programme in 2017. At the July meeting we considered [ARB's Priorities](#) for the next four years and initial thoughts on the [2017 Business Plan](#). Further work will be undertaken on this in the coming weeks as we consider plans and the budget for next year and we will discuss these again at the September Board meeting.

In my final message I want to take this opportunity to pay tribute to the excellent team in ARB, and to Karen Holmes in particular. I've thoroughly enjoyed my role, and know I'm leaving a strong board and effective organisation behind. I wish everyone well.



Annual Report 2015 – the Year in Numbers

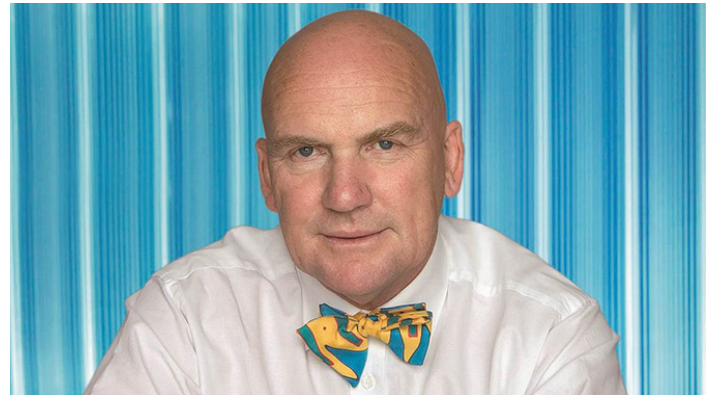
The 2015 Annual Report microsite was launched on 18 July 2016. It provides an overview of our work throughout 2015, including information about how we have delivered on our statutory remit and the objectives we set in our business plan. It also contains facts and figures about the Register. Below we have listed some of the key numbers for 2015:

The Year in Numbers

- 36,678 – At the end of December 2015 the Register stood at 36,678, the highest year end number to date.
- 2,279 – There were 2,279 new admissions to the Register, which represents the largest number of new admissions in a single year since the present Act came into force.
- 42 – Once again, there was a small increase in the number of new female registrants with women making up 42% of new admissions.
- 1,072 – European admissions also increased to 1,072; applicants from the EU represented 47% of all new admissions using the freedom of movement provided under the European Union Professional Qualification Directive.
- 9 – The number of prosecutions for misuse of title rose from two, in 2014, to nine in 2015.
- 10,000 – In January, a court ordered a company to pay £10,000 in fines and costs for misusing the title architect, this is the biggest penalty yet for such an offence.
- 17,787 – The staff team answered 17,787 telephone calls.

- 98 – In 2015, 98% of applications by the UK and EU routes were made online.
- 1,000 – During 2015, for the first time, the number of searches of the online Register totalled over 1,000 a day.

The Annual Report microsite can be found [here](#). Visit the site to find out more about these highlights and other areas of our work. To make sure you are signed up to receive future annual reports, check your communication preferences via [online services](#).



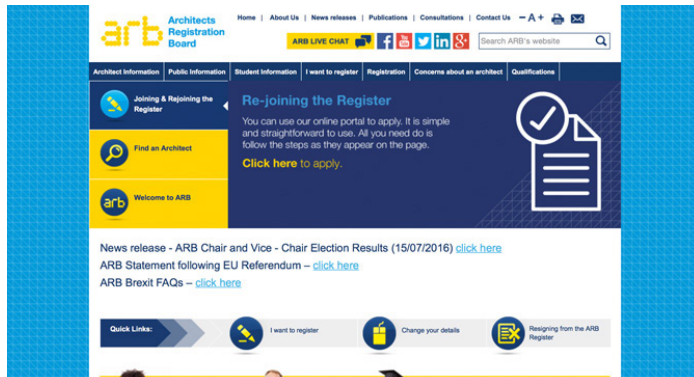
Introducing our new Chair

Peter Coe has been named as the new Chair of the ARB following a ballot which closed at 5pm on 14 July 2016. Richard Parnaby was once again re-elected as Vice Chair, a role which he has undertaken for the last four years.

The election of Chair and Vice Chair of the Board is held annually. It is conducted in accordance with Rule 7 of the Board's General Rules, which defines the process for electing a Chair and Vice-Chair from amongst Board Members. The General Rules set out the governance arrangements within which ARB operates and make provision for this process.

Peter Coe said, 'I am delighted to have been elected Chair of the Architects Registration Board. I look forward to working with fellow Board Members and the executive team to deliver the Board's regulatory functions. As we await the outcome of the Periodic Review and any changes that it may bring, I look forward to using my experience on the Board to provide consistent

leadership and stability. I would like to take this opportunity to thank the previous Chair, Beatrice Fraenkel, whose commitment and engaging style have left the organisation in a strong place from which to proceed.'



Making the website work for you

We want the website to be an effective resource for all our stakeholders. Over the last eighteen months we have been gathering feedback from architects, students and members of the staff team about how the website could be improved.

Those who have input so far have told us that they think the website contains some great content but have remarked that it can be hard to locate the information they need, particularly when they are out of the office. So, we are restructuring the content and making the website mobile friendly, so it's easier to access and navigate.

But what else would you like to see? We've had some suggestions already – an architect's toolkit containing all the regulatory information you need in one place; better in-site search functionality and improved links to our social media content. Now it's your chance to have your say, if you have ideas for improving the website please send them through to us via info@arb.org.uk. The website is for all our users and we are keen to make it work for you.



Trust and the market
Rethinking regulation

15 July 2016 | 30 Euston Square London | 10:10 - 14:00 (registration from 09:30)

Talking about regulation

Our Head of Professional Standards, Simon Howard, recently participated in a panel discussion chaired by Channel 4 news presenter, Krishnan Guru-Murthy, at a Rethinking Regulation conference organised by the Solicitors Regulatory Authority. The discussion covered how professional standards can remain relevant in a changing marketplace and how the professions can retain the trust and confidence of the public. This year we've also been asked to provide speakers for master class sessions at the Homebuilding and Renovating Shows in London and Birmingham. If you would like a member of the ARB team to speak at your event please contact us at info@arb.org.uk.



Prescription of Qualifications

At the last Board meeting on 14 July 2016, the Board considered an application from a Higher Education institution which wished its qualification to be prescribed under the Architects Act 1997 for the first time. In line with its Procedures for

the Prescription of Qualifications, the Board considered the response to the consultation it had undertaken.

It decided that the following qualification should be prescribed from September 2016 until September 2020:

University of Reading BSc (Hons) Architecture

The Board also considered an application from an organisation seeking to renew prescription of its qualification under the Architects Act 1997. The Board decided that prescription of the following qualification should continue until December 2021:

Architects' Professional Examination Authority in Scotland Ltd's (APEAS Ltd) The Examination in Professional Practice and Management

For further details, please see the 'Qualifications' section of ARB's website, www.arb.org.uk/information-prescription-of-qualifications



Dear Architect

In this issue we explain why terms of engagement are an important issue.

Recent cases before the Professional Conduct Committee suggest there continues to be architects who overlook the need to provide their clients with adequate terms of engagement.

The importance of providing your terms before

undertaking professional work cannot be overstated, as the findings of recent cases demonstrate.

- On one occasion, some initial advice turned into a professional commitment without the architect setting out his terms of agreement in writing to his client. When problems arose on the project the client was not clear on the architect's role or his responsibilities.
- In another case, while the architect had set out their fee for the job, they too failed to specify what role they would be taking, and so the client mistakenly believed their architect was acting as their project manager/ contract administrator.
- In a further case, the architect verbally advised his client of his terms but failed to provide written confirmation as he did not intend to charge the client for the work. When the project increased in scope, confusion arose and as a result the architect failed to meet his client's expectations.

The common theme amongst these cases was that clients were left confused and disappointed, and that the architects had to spend a huge amount of time dealing with the recriminations – time which could have been spent on fee-earning work.

While there are a number of standard contracts and terms of engagement that can be purchased, they can also be easily produced in a bespoke standard letter. Terms do not have to be unwieldy, but can simply use the basic provisions set out under Standard 4.4 of the Code of Conduct as a foundation.

As a guide, you should set out:

- the contracting parties;
- the scope of the work;
- the fee or method of calculating it;
- who will be responsible for what;
- any constraints or limitations on the

responsibilities of the parties;

- the provisions for suspension or termination of the agreement, including any legal rights of cancellation;
- a statement that you have adequate and appropriate insurance cover as specified by ARB;
- the existence of any Alternative Dispute Resolution schemes that the contract is subject to and how they might be accessed;
- that you have a complaints-handling procedure available on request; and
- that you are registered with the Architects Registration Board and that you are subject to this Code.

Some of these points are legal requirements, and a failure to address them could render any agreement between you and your client void. You can view the current Code of Conduct [here](#). If you have any questions about this or other points related to your professional conduct or practice please contact the professional standards team via email at professionalstandards@arb.org.uk or phone us on +44 (0) 20 7580 5861. We will be publishing the revised Code of Conduct, which includes minor changes to the current Code, in due course. Please look out for communications on this.



Misuse of title – read about two recent prosecutions

Our work to protect the title ‘architect’ continues. In this article, you can read a summary of two recent misuse of title prosecutions. In one of

these cases, magistrates ordered the perpetrator to pay over £8,000 in fines and costs, the second highest penalty we have seen awarded for such an offence.

Misuse of title in practice’s website and social media results in fine and costs exceeding £8,000

On 7 July 2016, Mr Stephen Vaughan of Plan It Design, London was ordered to pay a total of £8,128 in fines and costs after he was convicted for misusing the title ‘architect’ in the content and meta-data of his practice website and on social media. Mr Vaughan attended court and pleaded guilty to all three offences being in breach of the Architects Act 1997; he was fined £500 in relation to each offence, totaling £1,500 and was ordered to pay a court charge of £50 and costs to ARB of £6,578.

Former Architect found guilty of misuse of title

On 25 May 2016, Mr Andrew Plumridge of Peter Scott & Partners, Newbury, Berkshire, was convicted on five counts of the criminal offence of misusing the title ‘architect’. A District Judge sitting at Reading Magistrates’ Court heard that despite having been erased from the Register of Architects in 2013 for unacceptable professional conduct, Mr Plumridge had continued to practice under the name, style or title of ‘architect’, contrary to section 20 of the Architects Act 1997.

Mr Plumridge was charged in relation to using the title in planning applications; when taking out an advert with Yell.com; by using the acronym RIBA after his name, and through the use of his website and email address. Despite denying all of the charges, the judge found that Mr Plumridge had quite clearly been carrying on a business, and so the use of the word architect in his website and email address was illegal, as was his use of the acronym RIBA. His advertising in Yell as an architect was a deliberate act and not a mistake on the part of the directory, and his explanation in relation to the website hosting company lacked any credibility. Overall, it was a deliberate attempt by Mr Plumridge to circumvent legislation with

which he did not agree. After taking into account Mr Plumridge's restricted means, the Court imposed a fine of £1,500 with a further £2,530 in costs and surcharges.

If you are interested to read more about ARB's misuse of title prosecutions please click [here](#).



Periodic review update

At the recent Board meeting on 14 July 2016 the Registrar, Karen Holmes, provided the Board with an update she had received from the Department for Communities and Local Government (DCLG) in relation to the periodic review. She advised the Board that the Department intends to publish the final report in autumn following a quick review of whether or not the referendum result impacts on it.

The Periodic Review into the regulation of architects has consisted of two phases. The first phase looked at whether the regulation of the profession should continue and concluded that there remains a case for continued light-touch regulation of architects. Phase two has investigated the necessary form and functions of the regulatory body. To read more about the periodic review, including ARB's response to the call for evidence please [click here](#).



EU referendum

We recently issued a [short statement](#) following the outcome of the EU referendum. It states that ARB will continue to operate based on its existing statutory remit as specified in the Architects Act 1997. We await information from our sponsoring Department, the Department for Communities and Local Government (DCLG), who will notify us of any changes that may need to be made to our role and remit in the future.

Whilst it is business as usual at ARB, we recognise that you may have questions about what Brexit means for you, so have put together a short set of [frequently asked questions \(FAQs\)](#) which we hope explain our current position. We will be updating these FAQs as we learn more over the coming weeks and months.

**Check an architect
is registered**



**Visit our online
register.**