

Architects Registration Board
eBulletin : September 2015

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Chair's Message

Dear Reader,

Welcome to the September 2015 eBulletin.

There was a lot to discuss at the September Board meeting, we had a packed [agenda](#) as we looked to the year ahead and agreed our plans and budget for 2016. **A key matter to look out for is the upcoming [election of architect Board Members](#). Nominations open on 2 November 2015 and close at noon on 11 January 2016. You can read more about what the role involves, and the election process, in this ebulletin.**

2016 Business Plan

At the meeting, the Board discussed the [2016 Business Plan](#) and [budget](#) and agreed its programme of work for the coming year, we are keen to commence, if appropriate, our planned review of routes to registration, alongside a review of our investigation and disciplinary processes, once the outcome of the Governments Periodic Review is announced. We also want to respond to the increased demand for our digital services by making improvements to our online offering. Proposed changes, including making elements of the website mobile friendly and improving the online resources we offer, are planned for 2016. These works are essential for our organisation as the demand for our services continues to increase with the Register now standing at over 36,000.

Retention Fee

The Board assessed ARB's [financial commitments](#) and expected income for the year ahead, as set out in the 2016 budget, and decided to hold the 2016 retention fee at £107. We also agreed our [reserves policy](#) to reflect the requirements set out in our Framework Agreement with the Department for Communities and Local Government (DCLG).

The annual retention fee statutory notice and other correspondence will be sent out in due course. It's essential that we have the correct contact details for you, please ensure you [update your details](#) so that we can reach you. To be eligible to vote in the forthcoming election you must be on the Register at the beginning of January. So payment of your 2016 fee must be made by the end of 2015.

Code of Conduct

The Board studied the responses to the [Consultation on the Architects Code of Conduct](#) and had a constructive discussion about the future of the Code. The Board recognise that the Code of Conduct is a principle based document providing general guidance relating to expected standards of architect's conduct and competence, rather than being a set of prescriptive rules. While the Board was of the view that the Code remains fit for purpose, it nevertheless instructed that a future analysis be undertaken to ensure that the Code is as clear as it possibly can be. That review will commence straightaway, and if it is necessary, a new Code will be issued in 2017.

There is only one Board meeting before the end of the year and the retention fee collection period is also approaching so please look out for messages from us over the coming months. Feel free to contact us if you have any questions, you can either email us at info@arb.org.uk or you can phone us at +44 (0) 20 7580 5861.



Are you interested in becoming an ARB Board Member?

ARB is governed by a Board of 15 members, eight of whom are lay members appointed by the Privy Council, and seven architect members elected by the profession. The election webpage will soon be going live, containing information about what it means to be a Board Member of a public body as well as details about the election process.

If you are wondering what it means to stand for election and would like to see our Board in action to get a feel for what being a Board member involves, please do come along to the Open Session of our November Board meeting on 19 November 2015. Afterwards you are invited to join us for a sandwich lunch and a chat with our current Board members about their experiences of serving on a corporate board. If you aren't able to visit us in person but would like to know more about what being a Board member involves, our Chair, Beatrice Fraenkel would be delighted to have a discussion with you on the telephone and answer any queries you may have. Please let Emma Matthews know if you would like to attend the Board meeting or speak to our Chair. Emma can be contacted on the following email address:

architectselection@arb.org.uk

The programme and timing of the different stages of the election process are as follows:

2016 Election Timetable

2 November 2015:

Formal notice of election circulated

from 2 November 2015:

Nomination period opens

Noon on 11 January 2016:

Nomination period closes

11 January 2016:

Electoral roll compiled

1 February 2016:

Ballot papers despatched

1 February to noon on 1 March 2016:

Voting period

By no later than 10 March 2016:

Results announced

The formal notice of election will be sent direct to your inbox on 2 November 2015. It will set out how you can obtain a nomination form if you wish to stand as a candidate in the election, including downloading a copy from the email or from our website. Please note that the nomination form will not be available until 2 November 2015. The notice will also include links to other downloadable documents that contain helpful information for candidates.

The electoral scheme will also be available on our website, and we would advise all candidates or prospective candidates to read it, as it sets out the rules that govern each aspect of the election. If you have any queries about the election or the election process, please email Emma Matthews at

emmam@arb.org.uk



Board holds 2016 Retention Fee at £107

At the September Board meeting the Board agreed the [2016 budget](#) and decided to hold the [2016 retention fee](#) at £107. The Board have budgeted for an increase in running costs in 2016 as the Register grows but this is offset by forecast additional income from new admissions. The Board reiterated its commitment to on-going investment in online services to enable ARB to respond flexibly as demand increases.

We will shortly be sending out both a paper invoice, as required by the Architects Act 1997, and an email to all architects to remind them of the fee and the deadline.

Retention Fee Top 10 Tips

Last year many of you commented that you would like more information on how to ensure that you receive reminders about the retention fee so we have come up with top 10 tips. We will shortly be sending out an email containing these tips to all architects who do not have a direct debit in place. They will include a new text reminder service and a diary reminder tool.

Avoid spam problems

We have received feedback from architects

who say that, on occasion, our retention fee reminder emails get stuck in their spam folders. Please add info@arbmail.org.uk to your email safe sender list to prevent this from happening. We will send all of this year's retention fee communications from this email address.

How we deal with misuse of title complaints

Misuse of title – how we deal with complaints

It is a criminal offence for an individual to misuse the title 'architect' in business or practice if they are not on the statutory Register of Architects. In the below article, we explain our approach to dealing with complaints on this important subject.

When we receive information that someone is using the title architect, without being registered, we investigate the matter thoroughly. Our staff gather together all the available evidence and write to the person concerned, explaining the legal restrictions and informing them that they should cease the misuse of title. We tell them what action they need to take to amend the offending information and we request confirmation that they will not use the title in future.

The type of evidence we most commonly identify in relation to misuse of title includes a website's domain name, content and meta-data; online directory listings under the classification 'architects'; a business card or

letterhead; planning documents referencing the title and use of the RIBA affix. More recently, we have also identified evidence of misuse of title on Facebook and LinkedIn profiles.

Whilst we always write first to gain satisfactory assurance that the breach will not reoccur, if an unregistered individual continues to hold themselves out as an architect we will go on to consider a prosecution against them. We have to take into account both the evidential and public interest tests when deciding whether to prosecute. Because it is a criminal offence, the evidence must prove a case beyond reasonable doubt and must be less than two years old.

Those prosecuted and found guilty will not only receive a conviction but could also be liable for a fine and court costs. The maximum fine for each offence is currently £2500 (fine scales are set by Parliament) but magistrates determine the amount of the fine, and related costs, after considering the facts of the case and any mitigation. Where an individual has committed multiple misuse of title offences the total fines can rise substantially. In January of this year, Uxbridge Magistrates ordered a company called The Market Design & Build Ltd of Harlington, Middlesex to pay over £10,000 in fines and costs after pleading guilty to misusing the title 'architect'. Fines are paid direct to HM Treasury. To view the table of prosecutions, which lists all live and spent convictions, please [click here](#).

In tandem with our statutory responsibility we work to prevent misuse of title (rather than solely prosecute) and to raise awareness of the restrictions on using the title 'architect'. To support our work in this area, we are building partnerships with other organisations to help us [raise public awareness of the Register](#) and help users and potential users of architects' services to make informed choices.



LinkedIn – Misuse of Title Prosecution

On 14 July 2015, Mr Emmanuel of J E Consultants UK Ltd based in Northolt, Middlesex was ordered to pay a total of £4,672 in fines and costs after pleading guilty to misusing the title 'architect'. Mr Emmanuel continued to use the title on planning applications, in an online directory advertisement on yell.com and on his LinkedIn profile and Uxbridge Magistrates Court took the view that these were serious breaches of the Act.

If you are interested to read more about ARB's approach to misuse of title complaints please [click here](#) to read another ebulletin article outlining our approach.

**Check an architect
is registered**



**Visit our online
register.**



Dear Architect – Appropriate arrangements for sole traders

Dear Architect....

Appropriate arrangements for sole traders

As unpleasant a notion as it might be, it is important that architects give some thought to what would happen to their projects in the event they are unexpectedly unable to work.

Standard 2.2 of the [Architects Code of Conduct](#) provides that architects are expected to make appropriate arrangements for their professional work in event of incapacity, death, absence from, or inability to, work.

In practice this is of particular relevance for small practices and sole traders; large firms will likely have sufficient internal resources to cover absences.

Ideally architects will use their local connections to make formal or informal agreements with other small practices to assist with projects in times of need, however that is not always possible. If such an agreement is planned, advice should be sought from professional indemnity insurer providers.

Architects should nevertheless be giving consideration as to how their work is arranged,

so that it can be continued by someone else should they be absent unexpectedly.

This would mean having the ability for a third party – whether it be an employee/partner/family member being able to access records, files, policies etc. and distribute them as appropriate if the principal is not there. Passwords should be available as appropriate and office documentation should be in place explaining where things are. At the very minimum, if an architect cannot carry on his or her work, they should leave it in a state where a client can pick it up and take it to someone else.



Prescription of Qualifications

At the last Board meeting on 17 September 2015, the Board considered an application from a body seeking to renew prescription of its qualification under the Architects Act 1997.

The Board decided that prescription of the following qualification should continue until February 2018:

ARCEX Ltd

The Final Examination in Architectural Practice at ARB Part 3 Level

The Board also considered applications from Higher Education institutions which wished

their qualifications 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 responses to the consultations it had undertaken.

It decided that the following qualification should be prescribed from September 2015 until September 2019:

University of the West of England

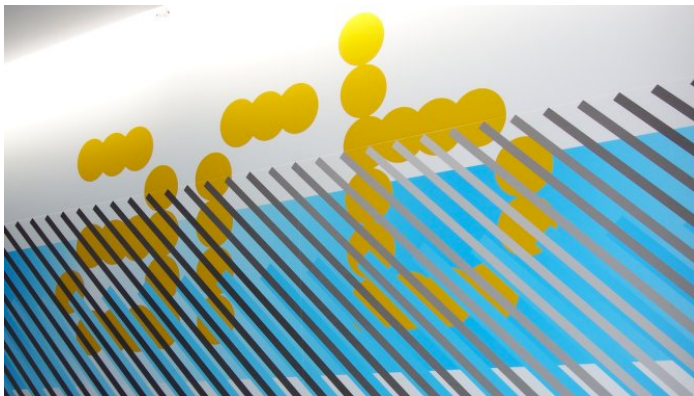
BSc (Hons) Architecture

And that the following qualification should be prescribed from November 2015 to November 2019:

Norwich University of the Arts

BA (Hons) Architecture

For further details, please see the 'Qualifications' section of ARB's website.



2014 Highlights – A growing Register which is searched over 900 times a day

We recently published our 2014 Annual Report. This contains interesting data about

the Register as well as explaining how we delivered on our regulatory role during 2014. It also includes the audited annual report and financial statements. To view the 2014 Annual Report microsite [click here](#).

Below are just a few of the highlights:

- Work volumes have increased with a rise in the number of those joining the Register and an increase in demand for our services.
- New admissions in 2014 were 1906, an increase of nearly 27% on 2013's previous all-time-high of 1504.
- Significantly the number of female architects represented 41% of the total, with 781 female architects joining the register as new admissions in 2014.
- ARB is on target to implement the revised Professional Qualifications Directive by the January 2016 deadline, this directive is a key piece of EU legislation which deals with freedom of movement within Europe. The number of EU new admissions was 824 in 2014.
- ARB's work to support consumers to make informed choices is paying off with searches of the Register remaining high at 341,750 searches of the Register in 2014, an average of over 930 searches per day. Architects are consequently becoming more keen to demonstrate their status as registered professionals with more architects downloading the logo to use on their website, signage and letterhead.
- ARB's online services are increasing in popularity with almost 95% of applications (1805) for new admissions being made online in 2014, up 9% on the 86% of applications (1288) for new admissions which were made online in 2013. This continues to be an area of development for ARB as it seeks to maintain high levels of customer service in the face of a substantial increase in demand for the work of the regulator.



8-11 OCTOBER • NEC

Grand Designs

We will be exhibiting at Grand Designs at the NEC in Birmingham from 8-11 October 2015. Our team will be on hand to inform consumers about the statutory Register and ARB's regulatory role. We'll also be encouraging consumers to use our '[Meeting your architect](#)' tool, this is a form which guides the public through an initial meeting with an architect and encourages clients to discuss issues which, if not resolved early on, can lead to complaints.