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Consulting on Professional Conduct Committee Consent Orders

One of the items on the Board agenda this month was a proposal to consult on the introduction of Professional Conduct Committee Consent Orders.

Currently, under the Architects Act 1997, any architect who has a case to answer, must be referred to the Professional Conduct Committee (PCC) to consider whether they are guilty at a public hearing. The right to have a fair trial is one protected by the European Convention on Human Rights.

Under the proposed process, ARB's solicitor will consider whether a case is one that might be suitable to be resolved by a Consent Order. It is likely that some cases won't be suitable, such as large or complex cases or ones where there is a substantial dispute of the facts. Once a Report has been prepared by a solicitor, if appropriate, a proposed Consent Order would be offered to the respondent architect, setting out:

- the agreed facts
- the act of unacceptable professional misconduct/serious professional incompetence/criminal conviction
- the terms of any disciplinary sanction to be imposed
- confirmation that the respondent has been offered the opportunity of a hearing but does not require one

If the respondent does not accept the terms, or wishes to have a hearing, then the case will proceed to the PCC hearing in the normal way. There are substantial benefits for all interested parties in enabling suitable cases to be resolved in a way which appropriately protects the public without the need for a full PCC hearing. Even more significant than the potential time and costs savings, is the avoidance of the stressful, and often lengthy, hearing process for everyone involved. We will shortly be consulting on this issue, and will publish the outcomes on our website. Don't forget to check our website for the consultation: www.arb.org.uk.



Consumer Contracts Regulation 2013 – Guidance for architects

In June 2014 a new set of legal obligations came into effect regarding the amount of information an architect must give a consumer when providing goods and services.

The Consumer Contracts Regulations strengthen previous EU legislation in confirming that vital information must be given before any work is undertaken. These new regulations impose obligations to provide consumers with cancellation rights in certain circumstances, failing which could amount to a criminal offence.

Giving proper terms of appointment to clients before undertaking work is an expectation of the Architects Code of Conduct, and it is the most common source of complaints about architects. It is therefore important that architects have their standard documents in place and use them on every engagement.

Guidance on how these Regulations might impact on architects is available on the ARB website here <u>www.arb.org.uk/consumercontractsregulations</u>



Built Environment Professional Education Project (BEPE)

With the aim of creating a lasting legacy from the 2012 Olympic and Paralympic games, the Built Environment Professional Education Project, is helping to make inclusive design an important part of education and training for all built environment professionals. Julie Fleck, the BEPE Project Lead, presented to the ARB Prescription Committee, and explained the project aims to give architects, planners, surveyors and facilities managers the knowledge, skills and attitude to deliver accessible and inclusive communities.

You can now read updates about the Paralympic Legacy Built Environment Professional Education Project on the .gov.uk web site at www.gov.uk/government/publications/built-environment-professional-education-project-updates.



2013 Annual Report

We will shortly be publishing our 2013 Annual Report on our website.

The report will provide a comprehensive insight into the work ARB carries out delivering the requirements of the Architects Act, protecting the public and supporting the profession through regulation.

If you would like to receive an electronic copy of the 2013 Annual Report, please send us your





ARB on Google+

We've added Google+ to our social media channels, for you to keep abreast of everything going on at ARB. Look out for our daily updates and conversations. Use of this tool can impact on search rankings, making it easier for consumers/clients to find ARB and the online Register.

Excellent progress is being made with social media. Audience numbers continue to grow and referrals (click-throughs) to the website and the online Register have both shown a marked increase. Of particular note are

referrals via social media which have increased 92% over the first half of 2014, compared to the first half of 2013.



Prescribed Qualifications

At the last Board meeting on 17 July 2014, the Board considered applications from Higher Education Institutions to renew prescription of their qualifications under the Architects Act 1997.

The Board decided that prescription of the following qualifications should continue until September 2018:

University of Strathclyde BSc Architectural Studies – Part 1 BSc (Hons) Architectural Studies – Part 1 BSc Architectural Studies with International Study - Part 1 BSc (Hons) Architectural Studies with International Study – Part 1 PgDip Advanced Architectural Design – Part 2 MArch Advanced Architectural Design – Part 2 **University of Glasgow/Glasgow School of Art** Bachelor of Architecture – Part 1 Bachelor of Architecture (Honours) – Part 1 Diploma in Architecture – Part 2

University of East London BSc (Hons) Architecture (ARB/RIBA Part 1) – Part 1 MArch Architecture (ARB/RIBA Part 2) – Part 2

University of Ulster BA (Hons) Architecture – Part 1

The Board also decided that prescription of the following qualifications should continue until September 2019:

The Board also decided that prescription of the following qualification should continue until February 2019:

Birmingham City University BA (Hons) Architecture – Part 1 Master of Architecture (MArch) – Part 2 Postgraduate Diploma in Architectural Practice – Part 3

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

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Chair's Message

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Welcome to the latest ebulletin, following our July Board meeting.

The July meeting was a busy one, with the Board discussing a diverse range of topics. A number of the agenda items centred around the Board's oversight responsibilities in holding the Executive to account, on the delivery and performance of our agreed Business Plan and Key Performance Indicators. Two of the Board's key Committees presented their annual reports to the Board. The reports provided the Board with an overview of the work undertaken

by the Committee, and their progress to date.

Our 2013 Annual Report will shortly be ready for publication, and contains information about each aspect of our operations, from the work we do on prescribing qualifications, through to the development of online systems and communications. It's a comprehensive look at the work ARB is involved in, delivering the requirements of the Architects Act in protecting the public and supporting the profession through regulation. Due to financial constraints, the report is only available in an electronic format. If you would like a copy simply contact us via *info@arb.org.uk* with your email address and we'll send you a copy as soon as it's ready. Otherwise, you will be able to find our Annual Report on our website when it's published.

As a Board, we work to ensure our financial stability is maintained and review this on an on-going basis. Continuous assessment of the monetary landscape enables the management group to alert the Board should any risks arise. Prudent financial management of ARB enables the delivery of all of our statutory requirements and objectives.

After a good discussion, the Board agreed to consult on a proposal to introduce Professional Conduct Committee (PCC) Consent Orders. Under the proposed process, ARB's solicitor will consider whether a case might be suitable to be resolved by a Consent Order rather than a hearing. The issue of Consent Orders is a complex one, and the Board agreed it should go out to consultation. This ebulletin contains a summary of the proposal and when the consultation findings are available we will publish them on our website.

The Board was also presented with a first draft of the 2015 Business Plan. The format of the Plan remains the same as last year and is both a public document which sets out ARB's activities for the year, as well as a tool for monitoring ARB's performance. The Business Plan will be further discussed in September, at which time we will agree the level of retention fee for 2015.

The Periodic Review "Call for Evidence" is now closed and the Department for Communities and Local Government (DCLG) are currently analysing the responses. We expect to hear about the next steps in September. Whilst this process continues, we remain committed to ensuring the organisation delivers its regulatory function effectively.

I look forward to updating you again in September.

With my best wishes for a good summer.

Beatrice Fraenkel, Chair, ARB





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Can clients find you?

These are the contact details that clients and potential clients see when they view your personalised Register web page. See below for details of how to update.



Why is this important?

Our "Update your details" facility allows you to amend your contact details, email and web address, so clients can find you more easily. It's important we hold your current details to ensure our mailings reach you and you are kept up to date with ARB news.

If you would like to change or update these details please copy your unique code below and use the login button:

